

Socialist Republic of the Union of Myanmar

1962 Printers and Publishers Registration Law

(Law No. 1 amended by the Revolutionary Council of the Union of Myanmar, 1971)

[unofficial translation]

The following law is enacted by the Chairman of the Revolutionary Council of the Union of Myanmar:

Part I

Introduction

1. *Name and start date of validity.*

(1) This law shall be known as the 1962 Printers and Publishers Registration Law.

(2) This law shall come into force with effect from the date designated by order of the Government of the Revolutionary Council of the Union of Myanmar.

2. *Explanation of the wording of this law*

Lest there be any contradiction, be it in the subject matter or in explanation of any aspect of the wording of this law:

- (a) The term "printed published matter" besides including all handwritten and printed material shall also include handwritten material or printed material whether of the same kind or not or a copy in entirety or nearly in entirety evident or visible in form or in appearance or in some other way or whether this be apparent in the words or the thinking
- (b) The terms "article, journal, magazine" refer to some printed published matter issued at regular intervals, whether or not the intervals are regular or not, whether in installments or as a serial
- (c) The term "book", besides including any book published in any language or part of a book or essay or leaflet, also includes forms of instrumental musical accompaniment, maps, plans which are machine-printed on sheets/layers or on stone or by other means.
- (d) The term "newspaper" means any printed periodical work containing public news or comments on public news.
- (e) The term "press" includes a printing-press and all machines, implements and plant

and parts thereof and all materials used for multiplying documents.

- (f) The term “printing-press” includes all engines, machinery, types, lithographic stones, implements, utensils and other plant or materials used for the purpose of printing.
- (g) The term “printer” includes an owner of the press and printing-press mentioned in the sub-paragraphs (e) and (f) and, in the case of multiple owners, the said expression also includes, a partnership firm, a company and a family business or in the case of other associations or organizations, the said expression includes a managing shareholder, a managing chairperson, a managing director, a secretary or any responsible personnel.
- (h) The term “publisher” includes a publisher of newspaper, periodical, journal, magazine, book and other printed matters and in the case of multiple owners, the said expression also includes a partnership firm, a company and a family business or in the case of other associations or organizations, the said expression includes a managing shareholder, a managing chairperson, a managing director, a secretary or any responsible personnel.
- (i) The term “prescribed” means prescribed by rules made under this Law.

Part 2

Printing presses and newspapers

- 3. (1) *Persons in possession of a printing-press must register it.*
 - (2) *Obligations of persons who print or publish newspapers, articles, journals or magazines*
 - (3) If printers or publishers move the location of printing or publishing, the place of registration must be newly designated and signed.
 - (4) A First grade criminal judge [=pathama yazawut-tayathu-gyi] will determine the procedure in any matter concerning signed authorisation for the various procedures mentioned above.
- 4. (1) *Authorisation for cessation from being a printer or publisher after signed authorisation has been obtained.*

Whatever provision may be made elsewhere in this law, after any person has signed an authorisation such as the one above, if the person should cease to operate as a printer or publisher handling the newspaper, article, journal, magazine which is specified in the authorisation, then the First Grade Criminal Judge concerned can be approached to prepare and sign three copies of the authorisation.

- (2) The First Grade Criminal Judge must sign any action concerning the original authorisation according to subsection (1).

Part 3

Central Registration Board and registration officials

5. (1) *Formation of the central registration organisation*

In order to carry out the matters and obligations set out in this, the government of the Revolutionary Council of the Government of Myanmar will establish a Central Registration Board under the Ministry of Internal Affairs as indicated.

(2) *Appointment of registration officials*

To enable the Ministry of Internal Affairs to carry out more effectively the duties and obligations in this law, registration officials and other civil servants and officials for Yangon and for other regions will be appointed as required.

(3) *The authority, duties and obligations of registration officials*

Without contradicting the enactments included in this law, registration officials will discharge its duties and obligations using designated authority, obeying the supervisory leadership of the Central Registration Board.

Part 4

Registration of printers and publishers

6. (1) *Registration of printers and publishers*

As enacted by other means in this law, according to paragraph Three, all printers and publishers having made and signed an agreement must apply to have their own business registered within the period of time specified according to the method of application designated by the appropriate registration official.

(2) No-one may engage in either printing or publishing without a registration certificate issued in accordance with this law in compliance with the rules or requirements relating to the certificate.

7. *Information to be submitted with applications*

Applications for registration according to this law must be submitted together with the required records and information.

8. (1) *Issuing of temporary registration certificates*

When a printer or publisher applies to be registered, the appropriate registration official may, after carrying out such investigations and checks as the official deems to be necessary, issue a temporary registration certificate.

(2) *Submission of the application pertaining to the file to the Central Registration Board*

After the appropriate registration official has determined the objectives of the printing or publishing enterprise and carried out an assessment of whether the information revealed in the application information is correct or not, the official will submit the file to the Central Registration Board, either with a recommendation to issue a registration if the application is satisfactory, or with a recommendation that registration should not be granted if the application is not satisfactory.

(3) When the Central Registration Board receives the file submitted in

accordance with Subsection (2), then according to the opinion reached after consideration, it may make instruction either that a registration certificate should be issued, or that such a certificate should not be issued.

9. (1) *The period of validity of a registration certificate*

A registration certificate issued in accordance with this law remains valid within the designated period of time.

(2) *Period of validity of registration certificates issued before this law comes into force*

Registration certificates issued before this law comes into force under the 1959 Printers and Publishers (Registration) Act will cease to be valid on 14 October_1962. Registration certificates indicated in section (3), subsections (1) and (2) will have to be exchanged for new applications as specified.

10. *Withdrawal of registration certificates*

If after examination it is found that any printer or publisher has obtained a registration certificate either with the intention of deception or enticement or with dishonest intent, or has registered with the plan of harming the ideology and views Revolutionary Government of the Union of Myanmar or causing harm to the Union of Myanmar, then that registration certificate will be withdrawn by the Central Registration Board.

Exception: However, when the Central Registration Board takes action according to the provision in this Section, the printer or publisher concerned will be allowed to come forward to rebut the allegation.

Part 5

11. *Books printed after this law has come into force must be submitted free of charge*

(1) After this law has come into force, every time any book is printed or etched [XXX?] in the Union of Myanmar, the printer must submit it free of charge in the specified way to the Central Registration Board in Yangon.

(2) The Central Registration Board in Yangon must plan and manage its duties with regard to books submitted to it under Subsection (1) above.

12. *Newspapers, articles, journals and magazines printed in the Union of Myanmar must be submitted free of charge*

The printer of any newspapers, articles, journals or magazines printed in the Union of Myanmar must submit the newspaper, article, journal or magazine in question free of charge to the Central Registration Board in Yangon every time it is published, just as it is being published.

Part 6

Registration of books

13. (1) *Registration of files on books*

Books printed in the Union of Myanmar must be recorded in the book called the 'book register' at the Central Registration Board in Yangon. Any book and the record on it submitted according to Section (11) must be registered in this book register. The record of the book should include as much of the required information as possible.

(2) *Issuing of book registration records*

Notification of records registered within the period of time specified in the book register must be issued as promptly as possible after the specified period of time has elapsed.

Part 7

Newspapers, articles, journals, magazines, books or other published printed materials published in contravention of the points enacted in this law

14.

(1) *The authority to seize and destroy newspapers, articles, journals, magazines, books or other published printed materials published in contravention of the points enacted in this law*

Upon finding any newspapers, articles, journals, magazines, books or other published printed materials published in contravention of the points enacted in this law, any police officers or others in whom the Revolutionary Government of the Union of Myanmar has invested authority in this matter may seize the material in any place.

(2) Any Regional Criminal Judge or State Criminal Judge or a First Grade Criminal Judge or a police officer not lower than the rank of Police Chief [XXX yeh ouq] can be authorised to obtain a warrant to enter and search a place where newspapers, articles, journals, magazines, books or other published printed materials published in contravention of the points enacted in this law are concealed or where it is suspected they may be concealed. A police officer may seize the documents and records he finds in that place if in his opinion they are newspapers, articles, journals, magazines, books or other published printed materials published in contravention of the points enacted in this law are concealed or where it is suspected they may be concealed.

(3) All documents and records seized according to Subsection (1) must be submitted immediately, as promptly as possible, to a Regional Criminal Judge, to a State Criminal Judge or to a First Grade Criminal Judge. All documents and records seized under Subsection (2) must be submitted immediately, as promptly as possible to the Regional Criminal Court or the State Criminal Court, or the First Grade Criminal Court who issued the search warrant.

(4) If the Regional Criminal Judge or State Criminal Judge or First Grade Criminal Judge, or the Regional Criminal Court or State Criminal Court or First Grade Criminal Court considers such documents and records to be newspapers, articles, journals, magazines, books or other published printed materials published in contravention of the points enacted in this law, then they may have them destroyed.

If the Regional Criminal Judge or State Criminal Judge or First Grade Criminal Judge, or the Regional Criminal Court or State Criminal Court or First Grade Criminal Court

considers such documents and records not to be newspapers, articles, journals, magazines, books or other published printed materials published in contravention of the points enacted in this law, then those documents and records are to be dealt with using the methods set out in Articles 523, 524 and 525 of the Criminal Legal Code.

15. *The printing press which printed newspapers, articles, journals, magazines, books or other published printed materials published in contravention of the points enacted in this law may be seized and kept as treasury property*

(1) If a Regional Criminal Judge, State Criminal Judge or First Grade Criminal Judge has reason to believe a particular printing press to be producing newspapers, articles, journals, magazines, books or other published printed materials published in contravention of the points enacted in this law within the area under his jurisdiction, he may empower a police officer of rank no lower than police chief to obtain a warrant to enter and search location of the printing press, or the place suspected to be the location of the printing press. If the police officer is of the opinion that any printing press found in such a place is producing newspapers, articles, journals, magazines, books or other published printed materials published in contravention of the points enacted in this law or is used for the production of newspapers, articles, journals, magazines, books or other published printed materials published in contravention of the points enacted in this law, then that police officer may seize the printing press. Besides this, he may also seize files and documents if he thinks they are newspapers, articles, journals, magazines, books or other published printed materials published in contravention of the points enacted in this law.

(2) Besides submitting a report of any such search to the court which issued the search warrant, the police officer must also submit all objects seized to that court.

Exception: However, if a printing press which has been seized cannot easily be moved, then the police officer may submit to the court only certain parts of the press, as he deems appropriate.

(3) After the court has carried out the investigations it considers necessary, if it considers that the printing press has been used to produce newspapers, articles, journals, magazines, books or other published printed materials published in contravention of the points enacted in this law, it can order the press to be confiscated as property of the state. If the court does not reach this conclusion after carrying out the investigations it considers necessary, then the printing press is to be dealt with using the methods set out in Articles 523, 524 and 525 of the Criminal Legal Code.

(4) Any documents and records brought before the court are to be dealt with according to the provisions set out in Article 14, Subsection (4).

Part 8

Punishments

16. *Punishments concerning Articles 3, 11 and 12.*

Any person who fails to comply with the regulations set out in Articles 3, 11 and 12 or who contravenes them shall either be sentenced to a term of imprisonment no longer than three years or required to pay a fine of no more than two thousand *kyat*, or both.

17. *The punishment for printing or publishing without registration as set out in Article 6.*

Any person who sets up printing enterprise or a publishing business before first registering it according to the provisions in Article 6 shall either be sentenced to a term of imprisonment no longer than three years or required to pay a fine of no more than two thousand *kyat*, or both.

18. *The punishment for providing false information*

Any person who, either in securing approval or in making application according to this law or according to bye-laws made according to this law, provides information which is false and which that person knows or believes to be false, or if that person has no belief that the information is true, then the person will either be sentenced to a term of imprisonment no longer than three years or required to pay a fine of no more than two thousand *kyat*, or both.

19. *The punishment for continuing to operate a business after a registration certificate has been withdrawn*

Any person who continues, after the registration certificate issued to him has been withdrawn or after its period of validity has elapsed, to operate either a printing business or a publishing business, shall either be sentenced to a term of imprisonment no longer than three years. or required to pay a fine of no more than two thousand *kyat*, or both.

20. *The punishment for not complying with byelaws or intructions*

Any person who fails to comply with or who contravenes a byelaw enacted under this law or an instruction issued by a person authorised under this law shall either be sentenced to a term of imprisonment no longer than three years or required to pay a fine of no more than two thousand *kyat*, or both.

Note:

The State Law and Order Restoration Council's law making amendments to the 1962 *Printers and Publishers Registration Act*, concerning Articles 16, 17, 18, 19 and 20, is set out on Page 23.

Part 9

General

21. *Appeals to the Minister of Internal Affairs against instructions issued by the Central Registration Board*

If not satisfied with any instruction issued by the Central Registration Board in accordance with this law or any bye-law enacted from it a printer or publisher may, in the designated way and within the designated period, appeal to the Minister of Internal Affairs. Any decision taken by the ministry shall be final.

22. *The authority to grant exemptions*

(1)

The Revolutionary Government of the Union of Myanmar may, by public order, grant an exemption from all the provisions set out in this law or from a matter relating to one of them to any printer or publisher or any published

printed matter either by establishing rules or without doing so.

(2) The provisions in this law do not apply to the printed publications which are shown in the table appended to this law.

23. Prevention from bringing a lawsuit

A civil lawsuit, a criminal lawsuit or any other kind of charge may not be brought against any person acting on any matter being undertaken with honest intent to conform with law or with any bye-law enacted in connection with this law or with any instruction.

24. Designation as public servants

When members of the Central Registration Board, registration officials working under the direction of the Central Registration Board and other officials and employees act or intend to act to conform with this law or with any bye-law enacted in connection with this law or with any instruction are considered to be public servants in the sense of Article 21 of the Criminal Code.

25. Amending the table

The Revolutionary Government of the Union of Myanmar may, by public order, amend the table appended to this law.

26. The power to enact bye-laws

(1) The Revolutionary Government of the Union of Myanmar may, by public order, enact bye-laws in order to accomplish the matters included in this law.

(2)

In particular, any bye-laws so enacted may rule on the following matters, provided they do not harm the main intention of the powers listed above.

- (a) The length of terms of office, the powers, responsibilities and duties and the fees to be paid to members of the Central Registration Board;
- (b) The methods by which investigations and examinations should be carried out under the auspices of this law;
- (c) The fees to be charged for issuing registration certificates and renewing registration certificates;
- (d) The rules and requirements to be observed by printers and publishers in connection with registration certificates;
- (e) Which kind of matters require certification on the office copy of an agreement;
- (f) registration records which printers and publishers will have to keep and reports, statistics and information they will have to submit to the appropriate authorities;
- (g) The information which must be printed in newspapers, articles, journals, magazines, books and other printed publications;
- (h) Other matters which need to be determined by means of bye-laws under the auspices of this law.

27. This law shall revoke the Press (Registration) Act and the 1959 Printers and Publishers (Registration) Act.

Exemption: - However, the revocation shall not harm:

- (a) Former authority of any provisions of that law

(b) The fine or sentence handed down for breach of any provision of that law

(c) Protection of the rights or investigation or prosecution in matters

regarding fines or sentences received

Moreover, the aforementioned fine may be sentenced besides having the authority to investigate or charge or protect rights or continue to carry out or confirm as though this law were never enacted. Moreover, without contradicting the exemption, any licence or registration card issued or any undertaking made or rank gained or authority given or any order, rule or directive issued or summons or form set shall stand in force so long as it does not contradict the exemption and has not been revoked by any licence or registration card issued or any undertaking made or rank gained or authority given or any order, rule or directive issued or summons or form set. Moreover any licence or registration card issued or any undertaking made or rank gained or authority given or any order, rule or directive issued or summons or form set in accordance with this provision may be taken as valid.

Appended Table

- (a) printed publications distributed by the Government and Government departments;
- (b) printed publications distributed in the course of carrying out the normal work and duties of authorities of universities, schools, boards, corporations, banks, municipal bodies, local organisations;
- (c) printed publications distributed in the course of carrying out the duties of associations, branch associations, groups in accordance with the law;
- (d) printed publications distributed in the course of the trading activities of retail shops, agents, merchants, cooperative associations;
- (e) publications for religion, public notices of births, marriages and deaths etc, social relations, or for elections.