

Proc.
No. 67
1914

PROCLAMATION

BY HIS EXCELLENCY THE HIGH COMMISSIONER.

No. 67 of 1914.

WHEREAS it is expedient during the present war to control the dissemination of news in the territory of the Bechuanaland Protectorate (herein after referred to as "the territory") and to prevent the spread therein of false intelligence or matter calculated to create alarm or to excite public feeling;

Now therefore under and by virtue of the powers in me vested I do hereby declare proclaim and make known as follows:—

1. (1) No person shall communicate to any enemy subject whether within or without the territory any matter concerning

(a) the distribution or movements of any portion of His Majesty's forces in Africa or the movements of any member thereof;

(b) the armament, equipment, or methods of any such forces as aforesaid;

(c) the success or failure of any such forces as aforesaid;

or

(d) any precautions which are being taken to preserve order, public safety or the public welfare.

(2) Nothing in sub-section (1) of this section shall apply to any newspaper.

2. No person shall in the presence or within the hearing of two or more other persons use any language—
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- (a) calculated to encourage the enemy forces;
- (b) conveying any hope or anticipation of the success of such forces; or
- (c) conveying any hope or anticipation of any disaster or misfortune to or failure on the part of any of His Majesty's forces.

3. (1) No person shall communicate to any other person any untrue intelligence, rumour, report or information unless the person so communicating has reasonable grounds for believing such intelligence, rumour, report, or information, to be true.

(2) In any prosecution for a contravention of this Proclamation the burden of proving the existence of such reasonable grounds shall rest upon the accused person.

4. No person shall communicate to any other person any matter calculated to create alarm or to excite public feeling.

5. Any person wilfully contravening any provision of this Proclamation shall be guilty of an offence and shall be liable on conviction to a fine not exceeding one hundred pounds and in default of payment to imprisonment with or without hard labour for a period not exceeding six months or to such imprisonment without the option of a fine or to both such fine and such imprisonment.

6. No communication made by any person under circumstances which would in an action for defamation support a defence of privilege shall be deemed to be a contravention of this Proclamation with the exception of section one thereof.

7. No publication in a newspaper published in the territory of any matter which has been submitted to and passed by the Resident Commissioner or an officer appointed by him for the purpose shall be deemed to be a contravention of any provision of this Proclamation.

8. Nothing in this Proclamation shall be deemed to prohibit or restrict the distribution or delivery in the territory of any newspaper published within the Union of South Africa containing matter the publication of which has been duly authorized within the Union.

9. In this Proclamation "communicate" and "communication" include communications either oral, in writing, by means of signs, or by any other method whatsoever.

10. This Proclamation shall have force and take effect from the date of its publication in the *Gazette*.

GOD SAVE THE KING.

Proc. Given under my Hand and Seal at Pretoria this Sixteenth
No. 67 day of October One thousand Nine hundred and Fourteen.
1914

BUXTON,
High Commissioner.

By Command of His Excellency the
High Commissioner.

C. H. RODWELL,
Imperial Secretary.