

A BILL

FOR

AN ACT TO PREVENT THE GOVERNMENT OF THE FEDERATION OR ANY OF ITS AGENCIES FROM OWNING SHARES IN ANY BODY SET UP FOR PUBLICATION OF NEWSPAPERS : TO DIVEST THE GOVERNMENT OR ANY AGENCY AFORESAID OF EXISTING SHARES IN SUCH VENTURES : AND FOR PURPOSES CONNECTED THEREWITH.

[Sponsored by Senator Isa Obaro]

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Commence-
ment.

1 BE IT ENACTED by the National Assembly of the Federal
2 Republic of Nigeria and by authority of same as follows :—

3 1.—(1) Not later than six months after the commencement of this
4 Act, the Government of the Federation shall divest itself and cause
5 any body set up under any Federal enactment to divest itself by way of
6 public sale thereof of any shares owned by it or by such body in any
7 company or any other body (whether corporate or unincorporate) of
8 shares or other beneficial ownership in any newspaper published in
9 Nigeria and in particular, but without prejudice to the generality of
10 the foregoing, in the ventures specified hereunder, that is to say—

Federal
Government
to divest
itself of
ownership
of news-
papers.

11 (a) the Daily Times of Nigeria Limited ; and

12 (b) the New Nigerian Newspapers Limited

13 (2) Subject to section 6 of the Interpretation Act 1964 (which
14 provides, *inter alia*, that the repeal of an enactment shall not affect the
15 previous operation of such enactment or anything duly done or suffered
16 under the enactment), the Daily Times of Nigeria Limited (Transfer
17 of Certain Shares) Decree 1979 is hereby consequentially repealed.

18 2. As from the commencement of this Act, it shall be unlawful
19 and illegal for the Government of the Federation or any body set up
20 under any Federal enactment to own and run, or for that Government to

Federal
Government
prohibited
from owning
newspapers
hereafter.

1 establish a body (whether corporate or unincorporate) to own and run
2 any business whose purpose or ostensible purpose is to publish any
3 newspaper for general circulation in Nigeria or any part thereof or
4 elsewhere.

5 3. Without prejudice to the generality of section 2 of this Act
6 every person shall be entitled to own, establish and operate any medium,
7 other than a television or wireless broadcasting station, for the dis-
8 semination of information, ideas and opinions.

Penalties.

9 4. If any person acts in contravention of the provisions of section 2,
10 he shall be guilty of an offence and shall be liable on conviction to
11 imprisonment for a term of five years or in the case of a body
12 corporate to a fine of not less than ₦100,000.

Offences by
bodies
corporate.

13 5. Where an offence under this Act which has been committed
14 by a body corporate is proved to have been committed with the consent
15 or connivance of or to be attributable to any neglect on the part of,
16 any director, manager, secretary or other similar officer of the body
17 corporate, or any person purporting to act in any such capacity, he shall
18 be deemed to be guilty of that offence and shall be liable to be proceeded
19 against and punished accordingly.

Interpreta-
tion.

20 6. In this Act—

21 “Government of the Federation” includes any civil servant or any
22 other public officer”.

23 “Newspaper” means any paper containing public news, intelligence
24 or occurrences or any remarks, observations or comments thereon
25 printed for sale and published in Nigeria periodically, or in parts
26 or numbers ; but does not include—

27 (a) the Federal Republic of Nigeria Official Gazette ;

28 (b) any publication issued by any ministry or department of the

1 Federal Government or by any body established by or pursuant
2 to any Federal enactment in the course of or closely connected
3 with its official duties ;

4 (c) any learned journal published or issued under authority of
5 any body mentioned in paragraph (b) above.

6 7. This Act may be cited as the Newspapers (Prohibition of Govern- Short Title.
7 ment Ownership) Act 1980.

EXPLANATORY NOTE

This Bill seeks to give effect to the real intention and spirit of section 36(1) of the Constitution of the Federal Republic of Nigeria so as to guarantee true freedom of the Press and remove any impediment to the operation of the Constitutional provisions.

SENATOR ISA OBARO,
(Kwara South)

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