



**ST HELENA**

**REVISED EDITION OF THE LAWS, 2017**

**CRIME AND CRIMINAL PROCEDURE**

**OBSCENE PUBLICATIONS ORDINANCE, 1930<sup>1</sup>**

*Ordinance 2 of 1930  
In force 26 March 1930*

*Amended by Ordinance 7 of 2003*

*No subsidiary legislation to 1 November 2017*

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**OBSCENE PUBLICATIONS ORDINANCE, 1930**

**ARRANGEMENT OF SECTIONS**

1. Short title
2. Offences relating to obscene publications
3. Abetment of offences
4. Prosecution

AN ORDINANCE relating to obscene publications.

**Short title**

1. This Ordinance may be cited as the Obscene Publications Ordinance, 1930.

**Offences relating to obscene publications**

2. It is an offence for a person –
  - (a) for purposes of or by way of trade or for distribution or public exhibition to make or produce or have in possession obscene writings, drawings, prints, paintings, printed matter, pictures, posters, emblems, photographs, cinematograph films or any other obscene objects;
  - (b) for the purposes mentioned in paragraph (a) to import, convey or export or cause to be imported, conveyed or exported any such obscene matters or things or in any manner whatsoever to put them into circulation;
  - (c) to carry on or take part in a business, whether public or private, concerned with any

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<sup>1</sup> Under section 10 of the Revised Edition of the Laws Ordinance, 1999 this text is authoritative and is the sole authentic edition in respect of the law contained in it as at 1 November 2017.

such obscene matters or things, or to deal in such matters or things in any manner whatsoever, or to distribute them or to exhibit them publicly or to make a business of lending them; or

- (d) to advertise or make known by any means whatsoever, with a view to assisting in the circulation or traffic of such obscene matters or things as prohibited by paragraphs (b) and (c), that a person is engaged in any of the acts so prohibited, or to advertise or to make known how or from whom such obscene matters or things can be procured either directly or indirectly.

Penalty: A fine of £50 or imprisonment for 6 months, or both.

### **Abetment of offences**

**3. (1)** A person who abets the commission of an offence against this Ordinance commits the same offence and is liable to the same maximum penalty.

**(2)** It is an offence for a person in St Helena to –

- (a) aid, abet, counsel or procure the commission in any place outside St Helena of an offence punishable under any corresponding law in force in that place; or  
(b) do any act preparatory to or in furtherance of any act which if committed in St Helena would constitute an offence against this Ordinance.

Penalty: A fine of £50 or imprisonment for 6 months, or both.

**(3)** The expression “**corresponding law**” in subsection (1) means any law stated in a certificate purporting to be issued by or on behalf of the Government of any country outside St Helena to be a law providing for the suppression of the circulation of and traffic in obscene publications in accordance with the International Convention for that purpose signed at Geneva on the twelfth day of September 1923; and a statement in any such certificate as to the effect of the law mentioned in the certificate, or that any facts constitute an offence against that law, is conclusive.

### **Prosecution**

**4.** This Ordinance does not prevent a prosecution under any other law of St Helena; but a person must not be punished more than once for the same offence.

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