

ANTIGUA AND BARBUDA



GAZETTE AUTHORISATION AND PUBLICATION ACT, 2017

No. 36 of 2017

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ANTIGUA AND BARBUDA
GAZETTE AUTHORISATION AND PUBLICATION ACT, 2017

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[L.S.]



I Assent,

Rodney Williams,
Governor-General.

9th January, 2018

ANTIGUA AND BARBUDA
GAZETTE AUTHORISATION AND PUBLICATION ACT, 2017
No. 36 of 2017

An Act to provide for publication of the Antigua and Barbuda Official Gazette in printed and electronic format and for incidental and connected purposes.

ENACTED by the Parliament of Antigua and Barbuda as follows:-

1. Short Title

This Act may be cited as the Gazette Authorisation and Publication Act, 2017.

2. Interpretation

In this Act

“Gazette” includes the Official Gazette, Supplement to the Official Gazette and the Extraordinary Gazette published by the authority of the Government in printed and in electronic form.

“Minister” means the Minister with responsibility for Legal Affairs.

“Government Printer” means the Government Printer or any person, for the time being, authorized by the Minister to print the Gazette.

“Editor” means the person appointed under section to be editor of the Gazette and any other person appointed by the Public Service Commission to act in the absence of the editor.

3. Authority to publish the Gazette

(1) The printed form of the Gazette shall continue to be published under the authority of the Government, and published contemporaneously in electronic Portable Document Format (PDF) on this Gazette website: www.gazette.gov.ag.

(2) The printed copy of the Gazette may be obtained at the Government Printery or at such other places appointed by the Minister by notice published in the Gazette.

4. Establishment of the Gazette Website

(1) For the purpose of publication of the Gazette in an electronic form, the Minister may, by Order, establish a website of the Government where the Gazette shall be published.

(2) A publication of the Gazette at the website established by the Minister under subsection (1) is, for all intents and purposes deemed to be publication by authority of the Government.

5. Appointment of Editor of the Gazette

(1) For the purposes of this Act, there shall be appointed by the Public Service Commission, an Editor of the Gazette, who shall be responsible for the preparation and management of the Gazette.

(2) The Public Service Commission shall appoint such other officers as is considered necessary to assist the Editor in the performance of his duties.

6. Power to authorize publication in the Gazette

(1) Where any law in force in Antigua and Barbuda requires the publication of any document, report or a notice, such document, report or notice shall be published in the Gazette, and such publication is, for all intent and purposes deemed to be due publication and shall be judicially noticed.

(2) The Clerk of Parliament shall, as soon as she receives the assented copy of any law passed by the Governor General, forward the same to the Editor of the Gazette for publication in the Gazette.

(3) The Clerk of Parliament shall forward to the Government Printer or such other printer, for the time being appointed by the Minister, to print and publish a statutory instrument which is registered as an instrument in the Parliamentary register of statutory instruments.

(4) No statutory instrument shall be printed and published in the Gazette unless such statutory instrument is endorsed by the Clerk of Parliament and assigned a number and the year in which it

was made and is signed by the appropriate Minister or the person authorised by law to sign the instrument and assigned a serial number by the Clerk of Parliament.

(5) Despite the provisions of this section, the Minister, on the advice of the Cabinet, publish any document, papers or such other written material which, in the opinion of the Cabinet, is in the public interest.

7. Publication of consolidated indexes of Acts, Statutory instruments, documents and other papers

There shall be prepared by the Clerk to Parliament annual indexes of Acts and Statutory instruments in force at any time after the end of the proceeding calendar year, which shall be published in the Gazette, not later than the 7th of January of each year.

8. Status of matters published in the Gazette

(1) Every copy of the Gazette, published by authority on the Gazette website: www.gazette.gov.ag or printed by the Government Printer or any other printer authorized by the Minister, shall be judicially noticed and admissible in evidence by every court and every legal proceedings without any proof being given that the copy was so published until the contrary is shown.

(2) Every copy of the Gazette, published by authority on the Gazette website www.Gazette.gov.ag. or printed by the Government Printer or any other printer authorized by the Minister, is evidence of the contents contained in such Gazette as prima facie evidence of any appointment, notification, or publication.

9. Offences and penalties

(1) Any person who—

- (a) prints any paper which falsely purports to be a duly authorized copy of the Gazette;
- (b) wilfully causes to be published in the Gazette any false or inaccurate matter; or
- (c) tenders in evidence any such paper falsely purporting to be the Gazette, knowing that the same was not duly printed and published, commits an offence and is liable on summary conviction to a fine of ten thousand dollars to imprisonment for a term not exceeding for six months.

10. Regulations

The Minister may by regulation—

- (a) determine the manner, form, times and occasions in which the Gazette is published
- (b) prescribe the fees and charges for the subscription of the Gazette.

- (c) prescribe the charges for publication of notices, advertisement and other documents in the Gazette

11. Date of Commencement

This Act shall come into force on such date as the Minister may, by Notice, publish in the Gazette.

12. Repeal of Cap. 187

The Gazette (Authorization) Act, Cap 187 is hereby repealed.

Passed by the House of Representatives
on the 9th day of November, 2017.

Passed by the Senate on the 27th
day of November, 2017.

Gerald Watt, Q.C.,
Speaker.

Alicia Williams Grant,
President.

Ramona Small,
Clerk to the House of Representatives.

Ramona Small,
Clerk to the Senate.