

**ACCESS TO INFORMATION AND PROTECTION OF PRIVACY
AMENDMENT BILL, 2002**

MEMORANDUM

The purpose of this Bill is to amend the Access to Information and Protection of Privacy Act, 2002, (“the principal Act”) with a view to improving it and correcting certain anomalies and errors that have come to the attention of the Ministry since the Act was promulgated.

The individual clauses of the Bill are explained more fully below.

Clause 1

This clause sets out the Bill’s short title.

Clause 2

This clause seeks to amend the interpretation section of the principal Act (section 2 (1)) in several respects. Firstly, it will incorporate certain definitions that were originally applicable only to Part XI of the principal Act, but which have been found to be applicable to the whole Act. Secondly, it will replace definitions of certain important terms (for example, “mass media service”) by definitions which are expected to be easier to apply and comprehend. Thirdly, it includes a new definition of “legal representative” for the purposes of section 86 of the principal Act and any regulations made under the principal Act.

Clause 3

This clause seeks to replace 22 of the principal Act so that issues of “personal safety” are not mixed up with issues of “national security” (these last are adequately dealt with under section 17 of the principal Act).

Clause 4

This clause seeks to amend section 25 of the principal Act in several respects. Firstly, it replaces subsection (2) (f) in order to make it clear that personal information supplied in confidence is protected from disclosure whether it is supplied by and about oneself or about a third party. Secondly, it removes the blanket restriction in subsection (3) on the disclosure of a person’s “racial and ethnic origin” as it may hinder bodies like the Reserve Bank from gathering information about bank-lending patterns, or the progress of indigenisation of the economy. Thirdly, it provides more precisely under what circumstances the disclosure of the details of and reasons for the grant of a public benefit will not be considered to be an unreasonable invasion of a third party’s privacy.

Clause 5

This clause seeks to amend section 28 of the principal Act (“Information to be disclosed if in the public interest”) by combining in one provision the references to public order and public security that are presently separated or duplicated in two provisions.

Clause 6

This clause seeks to substitute section 35 of the principal Act by framing the offence of “deliberately falsifying personal information” in a less ambiguous way, and by replacing the reference to a specific maximum fine by a “level” of a fine in accordance with the Criminal Penalties Amendment Act, 2001.

Clause 7

This clause seeks to remove words in subclause (2) that require the Minister to appoint at least three members of the Media and Information Commission from persons nominated by an association of journalists and an association of media houses.

Clause 8

This clause seeks to insert in Part IX headed “Further Powers of Commission” sections providing for the general power of the Mass Media Commission to hold inquiries and issue orders. Presently, these powers are only specifically provided for in the context of requests for reviews of decisions by heads of public bodies to deny access to information (see Part X, “Reviews by the Commission”). With respect to the power of the Commission to hold inquiries, it is provided that the Commission may dispense with the formality of an inquiry where it considers that no substantial disputes of law or fact are required to be determined.

Clause 9

Following upon the amendment sought under clause 8, this clause seeks to repeal sections 56, 58 and 59 of the principal Act, whose substance will be contained in the new sections inserted by clause 8. It also seeks to repeal sections 60 and 61, because they are of general application and do not belong to Part X but to the general Part at the end of the principal Act. Finally, section 62 is sought to be repealed because all the definitions are either to be transferred to the interpretation section of the principal Act by the Bill (see the commentary on clause 2 above), or refer to terms that are not used elsewhere in the principal Act.

Clause 10

This clause seeks to substitute section 64 of the principal Act by a new provision which frames the offence of “Abuse of freedom of expression” in a manner that avoids any apparent conflict with the constitutional freedom of expression, and by replacing the reference to a specific maximum fine by a “level” of a fine in accordance with the Criminal Penalties Amendment Act, 2001.

Clause 11

Subsection (3) of section 65 of the principal Act permits existing foreign mass media owners to continue owning local mass media services to the extent of their ownership interest held on the 31st January, 2002. The effect of the amendment sought by subclause (1) is to withdraw this permission from owners of mass media services that publish newspapers for sale for mass circulation. Subclause (2) affords persons who are disqualified from owning local mass media services three months within which to dispose of their ownership interest to persons who are so qualified.

Clause 12

The principal amendment sought by this clause is to include a specific reference to the renewal of registration of a mass media service in section 66 of the principal Act.

Clauses 13

This clause seems to amend section 68 of the principal Act with a view to specifying more clearly who is required to be registered under the principal Act. Some mass media services are exempted from registration under the principal Act (for example, broadcasting services, which are regulated by another statute). Also, certain activities which are similar to those undertaken by a mass media service (in particular, the production of "in-house" publications) are not considered to be mass media services for the purposes of the principal Act and accordingly are exempted from registration, unless it is seen that they circulate their products to the general public, in which event the Commission may require the person or enterprise producing them to be registered.

Clause 14

This clause proposes to amend section 69 of the principal Act by providing for a right of appeal to the Administrative Court from a decision by the Mass Media Commission to refuse to register a mass media service.

Clause 15

This clause proposes to repeal section 73 of the principal Act. The section is not necessary because its provisions (that registered entities may operate from the date of registration, and the freedom of such entities to enter into lawful contracts) ordinarily apply to any body corporate or undertaking that is registered (including companies).

Clause 16

The principal amendment sought by this clause is to include a specific reference to the duration and renewal of registration of a news agency in section 74 of the principal Act.

Clause 17

This clause seeks to limit the existing broad requirement of free publication by mass media services of court or Commission decisions affecting them. Not all such

decisions are of a nature that require publication (for instance, a decision on an application for the extension of a time-limit, or a condonation for non-compliance with some procedural formality) Accordingly, publication will be limited to such occasions, and be done in such manner, as the Commission may require.

Clause 18

This clause seeks to amend section 78 by supplying a definition of “journalistic privilege” and clarifying one aspect of this privilege, namely, the journalist’s rights in relation to any editing of the journalist’s work that he or she considers to be distortive.

Clause 19

This clause replaces the phrase “accredited for a limited period” in relation to the accreditation of foreign journalists by a more definite expression.

Clause 20

This clause seeks to substitute section 80 of the principal Act. The new provision proposes to frame the offence of “Abuse of journalistic privilege” in a manner that avoids any apparent conflict with the constitutional freedom of expression, and by replacing the reference to a specific maximum fine by a “level” of a fine in accordance with the Criminal Penalties Amendment Act, 2001.

Clause 21

This clause seeks to repeal section 81 of the principal Act. The extension of journalistic privilege to the non-journalists mentioned in section 81 of the principal Act is potentially too broad to permit of proper enforcement, especially as such persons may be subject to criminal sanctions without having the same privileges as journalists.

Clause 22

This clause proposes to amend section 87 of the principal Act by providing for a right of appeal to the Commission about the manner in which a mass media service makes a correction of information injurious to a person’s reputation, honour or dignity.

Clause 23

This clause proposes to amend section 89 of the principal Act by relating the “right to reply” to any “offending information” instead of simply to an “offending story”, and by specifying with greater precision when the reply is to be published.

Clause 24

This clause seeks to amend section 90 of the principal Act by including a specific reference to the renewal of permission to set up or operate a representative office of a foreign mass media service.

Clause 25

The purpose of this amendment is explained in the commentary under clause 9 in

connection with the repeal of sections 60 and 61 of the principal Act.

Clause 26

The amendment sought by this clause will remove an inconsistency between subsections (1) and (2) of section 93 of the principal Act (subsection (1) presently requires both journalists and mass media services to be registered or accredited within three months of the commencement of the principal Act, whereas subsection (2) permits journalists who were accredited before the commencement of the principal Act to continue to be accredited to the end of 2002).

Clause 27 and Schedule

This clause and Schedule effect various small amendments to the principal Act.

BILL

TO amend the Access to Information and Protection of Privacy Act [*Chapter 10:27*] and to provide for matters connected therewith or incidental thereto.

ENACTED by the President and the Parliament of Zimbabwe.

1 Short title

This Act may be cited as the Access to Information and Protection of Privacy Amendment Act, 2002.

2 Amendment of section 2 of Cap. 10:27

Section 2 of the Access to Information and Protection of Privacy Act [*Chapter 10:27*] (Act No. 5 of 2002) (hereinafter called “the principal Act”) is amended in subsection (1)—

(a) by the insertion of the following definitions—

“dissemination”, in relation to any mass media product, includes the sale, subscription, delivery, diffusion or distribution of periodically printed

publications, audio-recorded programmes, electronically distributed information or teletext programmes;

“journalist” means a person who gathers, collects, edits or prepares news, stories and materials for a mass media service, whether as an employee of the service or as a freelancer;

“legal representative” means—

- (a) the liquidator of a company;
- (b) the representative recognised by law of any person who has died, become insolvent or bankrupt or assigned his estate, is an infant or a minor, is of unsound or is otherwise under a disability;”

“periodically printed publication” means a regular newspaper, magazine or journal, bulletin or any other publication with a constant name;”;

(b) by the repeal of the definition of ““mass media service” or “mass media”” and the substitution of the following definitions—

“ “mass medium” or “mass media” includes any medium or media consisting in the transmission, circulation or distribution of voice, visual, data or textual messages to an unlimited number of persons, and includes an advertising agency, publisher, production house or, except as otherwise excluded or specially provided for in this Act, a news agency or broadcasting service as defined in the Broadcasting Services Act [*Chapter 12:06*];”.

“mass media products” means an advertisement, the total print or part of the total print of a separate issue of a periodically printed publication, a separate issue of a teletext programme, the total data or part of the data of any electronically transmitted material, or audio or video recorded programme;

“mass media service” means any service that produces mass media products, whether or not it also disseminates them;”.

3 New section substituted for section 22 of Cap. 10:27

Section 22 of the principal Act is repealed and the following is substituted —

“22 Protection of information relating to personal safety

The head of a public body may refuse to disclose to an applicant information, including personal information about the applicant, if the disclosure will result in a threat to the applicant’s or another person’s safety or mental or physical health.”.

4 Amendment of section 25 of Cap. 10:27

Section 25 of the principal Act is amended—

(a) in subsection (2) by the repeal of paragraph (f) and the substitution of—

“(f) subject to subsection (5), the personal information has been supplied in confidence by the third party about himself or herself, or by the third party about another person;”

- (b) in subsection (3) by the deletion from paragraph (i) of “racial or ethnic origin,”;
- (c) in subsection (4) by the repeal of paragraph (h) and the substitution of—
- “(h) the disclosure reveals the details of, or the reasons for the grant by, a public body or authority of a licence, permit or other benefit whatsoever to the third party:
- Provided that—
- (i) the reasons for the grant of the benefit shall not be disclosed if the law under which the benefit was granted provides that the grant is at the sole discretion of the public body or authority, or that the reasons for the grant or refusal of the benefit shall not be disclosed to the beneficiary or any other person;
- (ii) personal information supplied in support of the application for the benefit shall not be disclosed;
- or”;
- (d) in subsection (5) by the deletion of “supplied in confidence about a third party” and the substitution of “supplied in confidence as described in paragraph (f) of subsection (2)”.

5 Amendment of section 28 of Cap. 10:27

Section 28 of the principal Act is amended by the repeal in subsection (1) of subparagraphs (iv), (v) and (vi) and the substitution of—

- “(iv) any matter that is in the interest of public security or public order, including any threat to public security or public order:

Provided that information concerning any threat to public security or public order shall only be disclosed to the relevant law enforcement authorities; or

- (v) any matter that assists in the prevention, detection or suppression of crime.”.

6 New section substituted for section 35 of Cap. 10:27

Section 35 of the principal Act is repealed and the following is substituted—

“35 Penalty for deliberately falsifying personal information

Any person who, when required under any enactment to supply to a public body any personal information verbally or in writing about himself or herself or a third party, supplies any information which he or she knows to be false or does not have reasonable grounds for believing to be true, shall be guilty of an offence and liable to a fine not exceeding level five or to imprisonment for a period not exceeding six months or to both such fine and such imprisonment.”.

7 Amendment of section 40 of Cap. 10:27

Section 40 of the principal Act is amended in subsection (2) by the deletion of “(at least three of whom shall be nominated by an association of journalists and an association of media houses)”.

8 New sections inserted in Part IX of Cap. 10:27

The principal Act is amended by the insertion in Part IX after section 52 of the following sections—

“52A Power of Commission to issue orders

(1) Subject to sections *fifty-two B* and *ninety A*, the Commission shall have power—

- (a) to issue orders in relation to any matter referred to in paragraphs (a) to (e) or (g) of subsection (1) of section *fifty-two B*;
- (b) on its own initiative or at the request of any person, to issue orders—
 - (i) requiring that a duty imposed by or under this Act be performed;
 - (ii) extending a time limit in terms of section *eleven* or extending any other time limit in terms of this Act;
 - (iii) confirming, waiving or reducing a fee, or ordering a refund of a fee, in the appropriate circumstances;
 - (iv) confirming a decision not to correct personal information or specifying how personal information is to be corrected;
 - (v) requiring a public body to stop collecting, using or disclosing personal information in contravention of this Act;
 - (vi) requiring the head of a public body to destroy personal information collected in contravention of this Act.

(2) The Commission may specify any terms or conditions subject to which an order is issued in terms of this section, including the time within which the person to whom the order is issued shall comply with the order.

52B Determinations and inquiries by Commission

(1) The Commission shall, in relation to the determination by it of the following matters—

- (a) a request for a review in terms of Part X;
- (b) an application for registration of a mass media service, in terms of Part XI;
- (c) whether to suspend or cancel any registration certificate or make any other order in terms of section *seventy-one*;
- (d) whether to exercise any power referred to in subsection (2) of section *eighty-five*;
- (e) an appeal received in terms of section *eighty-six* or *eighty-seven*;

- (f) whether to issue an order in terms of paragraph (b) of subsection (1) of section *fifty two A*;
- (g) any other matter in terms of this Act which it is required or empowered to determine;

do either of the following—

- (i) if it considers that the matter involves no substantial dispute of fact or law, and after affording any party concerned an opportunity to make written representations to it within the time it specifies, determine the matter and give notice of its determination orally or in writing to the party or the parties concerned; or
- (ii) if it considers that the matter involves any substantial dispute of fact or law, conduct an inquiry in terms of the following provisions of this section.

(2) If the Commission conducts an inquiry, it may decide all questions of fact and law arising in the course of the inquiry.

(3) An inquiry in terms of subsection (2) may be conducted *in camera*.

(4) The Commission shall give every person who has an interest in the matter which is the subject of an inquiry an opportunity to make representations during the inquiry.

(5) The Commission may decide—

- (a) whether representations are to be made orally or in writing; and
- (b) whether a person other than the persons referred to in subsection (4) is entitled to be present during or to have access to or to comment on representations made to the Commission by another person.

(6) Every person appearing before the Commission at an inquiry may be represented at the inquiry by a legal practitioner.

(7) An inquiry into any matter shall be completed within ninety days from the date of commencement of the inquiry.

(8) On completing an inquiry the Commission shall make a written determination of its findings and may, on the basis of those findings, issue an appropriate order to the parties concerned in the matter and give a copy of it to the Minister and any other party considered by the Commission to have an interest in the matter.

(9) Any person aggrieved by any order or determination of the Commission made in terms of section *fifty-two A* or this section may, within twenty-eight days after being notified of that order or determination, appeal to the Administrative Court.”.

9 Repeal of sections 56, 58, 59, 60, 61 and 62 of Cap. 10:27

Sections 56, 58, 59, 60, 61 and 62 of the principal Act are repealed.

10 New section substituted for section 64 of Cap. 10:27

Section 64 of the principal Act is repealed and the following is substituted—

“64 Abuse of freedom of expression

A person registered in terms of this Part who makes use, by any means, of a mass media service for the purposes of—

- (a) intentionally or recklessly falsifying information; or
- (b) maliciously or fraudulently fabricating information; or
- (c) publishing any statement—
 - (i) knowing it to be false or without having reasonable grounds for believing it to be true; and
 - (ii) recklessly, or with malicious or fraudulent intent, representing it as a true statement;

or

- (d) committing or facilitating the commission of a criminal offence;

shall be guilty of an offence and liable to a fine not exceeding level seven or to imprisonment for a period not exceeding two years or to both such fine and such imprisonment.”.

11 Amendment of section 65 of Cap. 10:27

(1) Section 65 of the principal Act is amended in subsection (3) by the insertion after “to the extent of his ownership on that date” of “, unless the mass media service of which he is the owner publishes a newspaper for sale for mass circulation”.

(2) Any person who, at the date of commencement of this Act, does not qualify to be a mass media owner or to own shares in a mass media service in terms of section 65 of the principal Act shall, within three months of the date of commencement of this Act, dispose of his controlling interest or shares, as the case may be, to a person who is so qualified.

12 Amendment of section 66 of Cap. 10:27

Section 66 of the principal Act is amended

- (a) in subsection (1)—
 - (i) by the deletion of “A mass media owner” and the substitution of “Subject to section *sixty-eight*, a mass media owner”;
 - (ii) by the deletion of the proviso;

- (b) by the insertion of the following subsection after subsection (6)—

“(7) The owner of a registered mass media service may, in the form and manner and subject to payment of the fee prescribed, apply to the Commission for the renewal of the registration of the mass media service upon the same terms and conditions that applied when the mass media service was originally registered:

Provided that if there are any material changes in the particulars furnished in connection with the original application for registration, the owner concerned shall make a new application for registration of the mass media service in terms of subsection (2).”.

13 New section substituted for section 68 of Cap. 10:27

Section 68 of the principal Act is repealed and the following is substituted—

“68 Exemption from registration

The following mass media services and activities are exempted from registration in terms of this Act—

- (a) a mass media service founded by or under an Act of Parliament;
- (b) a mass media service consisting of the activities of a person holding a licence issued in terms of the Broadcasting Services Act [*Chapter 12:06*], to the extent that such activities are permitted by such licence; or
- (c) a representative office of a foreign mass media service permitted to operate in Zimbabwe in terms of section *ninety*;
- (d) the production of publications by any enterprise, association, institution or other person that are disseminated exclusively to members or employees of that enterprise, association, institution or other person:

Provided that the Commission may require the enterprise, association, institution or other person producing any such publication to register as a mass media service in terms of this Part if—

- (i) the publication is sold in a public place to members of the public or is otherwise not disseminated exclusively to members or employees of the enterprise, association, institution or other person concerned; or
- (ii) the number of any publication produced by it significantly exceeds the number of members or employees to whom the publication is intended to be disseminated, or exceeds a prescribed number.”.

14 Amendment of section 69 of Cap. 10:27

Section 69 of the principal Act is amended by the repeal of subsections (2) and (3) and the substitution of—

“(2) An appeal shall lie to the Administrative Court against any decision made or action taken by the Commission in terms of this section.”.

15 Repeal of section 73 of Cap. 10:27

Section 73 of the principal Act is repealed.

16 Amendment of section 74 of Cap. 10:27

Section 74 of the principal Act is amended

- (a) in subsection (2) by the deletion of “to *seventy-three*” and the substitution of “to *seventy-two*”;
- (b) in subsection (3) by the deletion of “three hundred thousand dollars” and the substitution of “level twelve”;
- (c) by the insertion of the following subsections after subsection (6)—

“(7) A registration certificate issued in terms of subsection (1) shall be valid for two years.

(8) A registered news agency may, in the form and manner and subject to payment of the fee prescribed, apply to the Commission for the renewal of its registration upon the same terms and conditions that applied when it was originally registered:

Provided that if there are any material changes in the particulars furnished in connection with the original application for registration, the news agency concerned shall make a new application for registration in terms of subsection (1).”.

17 New section substituted for section 77 of Cap. 10:27

Section 77 of the principal Act is repealed and the following is substituted—

“77 Obligatory reports

A mass media service shall, if ordered to do so by the Commission, publish free of charge the full particulars or a summary approved by the Commission of a decision of a court or the Commission pertaining to its mass media service—

- (a) on the front page or centrespread, if it is a newspaper; or
- (b) if it is an electronic mass media service, on three consecutive occasions during prime time;

or in such other manner as the Commission may approve or prescribe.”.

18 Amendment of section 78 of Cap. 10:27

Section 78 of the principal Act is amended—

- (a) by the deletion of “Subject to this Act and any other law, a journalist shall have the right” and the substitution of “Subject to this Act and any other law, a journalist shall have the following rights (hereafter in this Act collectively referred to as “journalistic privilege”);
- (b) by the repeal of paragraph (f) and the substitution of—
 - “(f) to prohibit the publication of, remove his signature from or attach conditions to the manner of using a report or material whose content was distorted, in his opinion, in the process of editorial preparation; or”.

19 Amendment of section 79 of Cap. 10:27

Section 79 of the principal Act is amended in subsection (4) by the deletion of “for a limited period” and the substitution of “for any period specified by the Commission not exceeding thirty days”.

20 New section substituted for section 80 of Cap. 10:27

Section 80 of the principal Act is repealed and the following is substituted—

“80 Abuse of journalistic privilege

A journalist who abuses his journalistic privilege by—

- (a) intentionally or recklessly falsifying information; or
- (b) maliciously or fraudulently fabricating information; or
- (c) publishing any statement—
 - (i) knowing it to be false or without having reasonable grounds for believing it to be true; and
 - (ii) recklessly, or with malicious or fraudulent intent, representing it as a true statement;

or

- (d) committing or facilitating the commission of a criminal offence;

shall be guilty of an offence and liable to a fine not exceeding level seven or to imprisonment for a period not exceeding two years or to both such fine and such imprisonment.”.

21 Repeal of section 81 of Cap. 10:27

Section 81 of the principal Act is repealed.

22 Amendment of section 87 of Cap. 10:27

Section 87 of the principal Act is amended

- (a) in subsection (1) by the deletion of “and real”;
- (b) by the insertion of the following subsection after subsection (2) —

“(3) A person aggrieved by the manner in which a correction in terms of this section is made or published may appeal in the time and manner prescribed to the Commission.”.

23 Amendment of section 89 of Cap. 10:27

Section 89 of the principal Act is amended—

- (a) in subsection (1) by the deletion of “as the offending story” and the substitution “as that accorded to the offending information”;
- (b) by the repeal of subsection (2) and the substitution of—

“(2) The reply shall be published in the earliest possible issue of the publication in which the offending information appeared after the request for the reply is received.”.

24 Amendment of section 90 of Cap. 10:27

Section 90 of the principal Act is amended

(a) in subsection (1) by the deletion of “foreign mass media service shall not be set up” and the substitution of “a foreign mass media service shall not be set up or operated”;

(b) by the insertion of the following subsections after subsection (2)—

“(3) The permission to set up or operate a representative office of a foreign mass media service shall be valid for twelve months.

(4) A foreign mass media service may, in the form and manner and subject to payment of the fee prescribed, apply to the Commission for the renewal of permission to operate a representative office upon the same terms and conditions that applied when it originally applied for permission:

Provided that if there are any material changes in the particulars furnished in connection with the original application for permission, the foreign mass media service concerned shall make a new application for permission in terms of subsection (1).”.

25 New sections inserted in Part XIII of Cap. 10:27

The principal Act is amended by the insertion in Part XIII before section 91 of the following sections—

“90A Appeals to Administrative Court

(1) Any appeal to the Administrative Court shall be made in the form and manner prescribed and within the period prescribed in the rules of court.

(2) For the purpose of determining an appeal in terms of subsection (1) the President of the Administrative Court shall be assisted by two assessors.

(3) On an appeal in terms of subsection (1), the Administrative Court may, subject to subsection (4), confirm, vary or set aside the order, determination or decision appealed against and may make such order, whether as to costs or otherwise, as it thinks just.

(4) Any person whose appeal against a refusal by the Commission to register a mass media service in terms of section *sixty-nine* or news agency in terms of section *seventy-four*, or give permission for the setting up or operation within Zimbabwe of a representative office of a foreign mass media service in terms of section *ninety*, is upheld shall not be entitled to be registered or permitted but shall have his application for registration or permission remitted to the Commission for re-determination in terms of Part XI or section *ninety*, as the case may be.

90B Offences and penalties

(1) Any person who wilfully—

(a) makes a false statement to, or misleads or attempts to mislead the Commission or any other person in the performance of their duties, powers or functions in terms of this Act;

- (b) obstructs the Commission or any other person in the performance of their duties, powers or functions in terms of this Act;
- (c) fails to comply with an order made by the Commission;

shall be guilty of an offence and liable to a fine not exceeding level seven or to imprisonment for a period not exceeding two years or to both such fine and such imprisonment.

(2) Any person who wilfully contravenes section *sixty-five, seventy-five, seventy-six, seventy-seven or eighty-nine* shall be guilty of an offence and liable to a fine not exceeding level five or to imprisonment for a period not exceeding six months or to both such fine and such imprisonment.”.

26 Amendment of section 93 of Cap. 10:27

Section 93 of the principal Act is amended in subsection (1)—

- (a) by the deletion of “or practising as a journalist”;
- (b) by the deletion of “or accreditation” wherever it occurs.

27 Minor amendments to Cap. 10:27

The provisions of the principal Act specified in the first column of the Schedule are amended to the extent specified opposite thereto in the second column of the Schedule.

SCHEDULE (Section 27)

MINOR AMENDMENTS

<i>Provision</i>	<i>Extent of amendment</i>
Section 10	<ul style="list-style-type: none"> (a) In subsection (1) by the deletion from paragraph (b) of “to examine such record” and the substitution of “to take notes from such record”; and (b) by the repeal of subsection (2).
Section 17 (1) (b)	By the deletion of “by disclosing information protected from disclosure under the Official Secrets Act [<i>Chapter 11:09</i>]”.
Section 36 (b)	By the deletion of “has identified the information and”.

Section 37	By the deletion of “for archival or historical purposes” and the substitution of “to a third party for the purpose of historical research or any other lawful purpose”.
Section 39 (2)	By the repeal of paragraph (g).
Section 44	By the deletion of “mass media editors’ offices” and the substitution of “registered mass media services”.
Section 47 (2)	By the deletion from the proviso of “mass media editor’s office that is a corporate body” and the substitution of “mass media service company”.
Section 71 (1) (c)	By the deletion of “sections <i>sixty-five</i> , <i>seventy-five</i> and <i>eighty-nine</i> ” and the substitution of “section <i>sixty-five</i> , <i>seventy-five</i> , <i>seventy-six</i> , <i>seventy-seven</i> or <i>eighty-nine</i> ”.
Section 72 (2)	By the deletion of “three hundred thousand dollars” and the substitution of “level twelve”.
Sections 83 (1)	By the deletion of “or pretend to be”.
Section 85	By the repeal of subsection (7).
Section 86 (1)	By— (a) the insertion after “A person” of “or his legal representative”; (b) by the deletion of “and the same

right shall vest in the lawful representatives of the person, if he has no opportunity of demanding a correction”.

Section 88

By the repeal of subsection (2).

Section 91 (2) (p)

By the deletion of “registration” and the substitution of “accreditation”.

Fourth Schedule, paragraph 9 (4)

By the deletion of “ten thousand dollars” and the substitution of “level four”.

Fifth Schedule, paragraph 6 (2)

By the deletion of “one thousand dollars” and the substitution of “level four”.