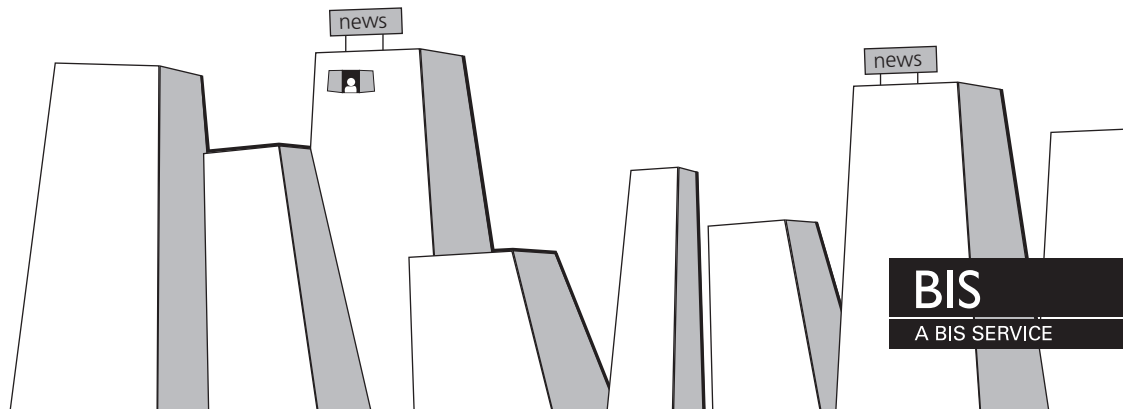




newspaper libel and registration act

GPO3 - May 2011



BIS

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This guidance is available in alternative formats which include Braille, large print and audio tape. For further details please see our website – www.companieshouse.gov.uk or email our enquiries section at enquiries@companieshouse.gov.uk or telephone our contact centre on 0303 1234 500

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This guide answers many frequently asked questions and provides information on completing the most commonly used filings relating to this area. The guide is not drafted with unusual or complex transactions in mind. Specialist professional advice may be needed in those circumstances.

Introduction

This guidance explains what documents you need to file at Companies House in respect of a registration of a newspaper proprietor.

If you are considering registering you should refer to the legislation governing the registration or seek legal advice. You will find the relevant law in the Newspaper Libel and Registration Act 1881.

Chapter 1

Filing responsibilities

1. What is a newspaper?

Section 1 of the Newspaper Libel and Registration Act 1881 (the Act) defines a 'newspaper' as any paper containing public news, intelligence, or occurrences, or any remarks or observations therein printed for sale, and published in England, Wales or Ireland periodically, or in parts or numbers at intervals not exceeding 26 days between the publication of any two papers, parts or numbers. This Act does not cover Scotland.

Also any paper printed in order to be dispersed, and made public weekly or more frequently (but not at intervals exceeding 26 days) containing only or principally advertisements.

2. Who should register?

There is no requirement in the Act for a proprietor or representative proprietor of a newspaper to register at Companies House.

However, there is a requirement for newspapers to file a return (form NLR1) on or before 31 July every year with Companies House in Cardiff or Belfast.

Furthermore, there is a requirement for any party to a transfer of any share or interest in any newspaper to file a return (form NLR2) notifying Companies House of any changes to the proprietors of the newspaper.

However, filing the relevant returns with Companies House is not required if the newspaper:

- is owned by a company formed and registered under the Companies Act 2006, or under one of its predecessors (or corresponding Northern Ireland legislation or incorporated in another EEA State);
- is, or will be, published at intervals exceeding 26 days;
- is, or will be, issued free of charge (unless it consists mainly of advertisements).

3. What details need to be filed at Companies House?

As a rule, the names of all the proprietors must be registered with Companies House however, where it would be inconvenient to register all the names, the Secretary of State for Business, Innovation and Skills can authorise the registration of one or more 'representative proprietors' instead. This may be, for example, where there are a large number of proprietors or where the proprietors are not present in the UK.

If you want to register 'representative proprietors' on this basis, you should write to the Registrar setting out the reasons that make it inconvenient to register the names of all the proprietors. You should also give information to show that the proposed representatives are well able to meet any claims that may arise for libel or otherwise in connection with the management of the newspaper.

Form NLR1 can be obtained from Companies House in Cardiff or Belfast - addresses are shown in chapter 2 under Further Information.

4. How do I file form NLR1?

Complete form NLR1, which is available from our website and send it to the Registrar of Companies at Cardiff or Belfast together with the filing fee of £10. The Registrar sends a reminder letter to each registered newspaper shortly before the due date.

5. What other documents have to be filed?

If there are any changes to the registered proprietors at any other time of year, this should be notified on form NLR2. This form can be obtained from our website.

If there has been a change to the name of the newspaper during the year, the change should be shown on the next annual return (form NLR1). On form NLR1, the original name should be shown on page one and the new name should be shown in column one of page two.

6. What fees are payable to the Registrar?

The old fees were repealed with effect from 1 October 2009 by paragraph 1 of Schedule 1 to the Companies Act 2006 (Consequential Amendments, Transitional Provisions and Savings) Order 2009.

With effect from 1 October 2009, a fee of £10 should be delivered with each form NLR1. Cheques or Postal Orders should be made payable to 'Companies House' and sent with the form to the relevant address shown in chapter 2.

7. Is the name of a registered newspaper protected?

Registration under the Act does not protect the name of the newspaper; any number of registrations could be made using the same name. A name may be protected by registering it as a trade mark. Further details may be obtained from the Trade Marks Registry of the UK Intellectual Property Office on:

Tel: 08459 500505

E-mail: enquiries@ipo.gov.uk

Website: www.ipo.gov.uk

The Patent Office changed its name to UK Intellectual Property Office (UK- IPO) on 2nd April 2007

Chapter 2

Further information

1. Where can returns be inspected?

Returns of newspapers currently registered under the Act may be inspected at:

Companies House
Crown Way
Cardiff
CF14 3UZ

They may also be inspected by giving two days' notice at the:

London Search Room
Companies House
21 Bloomsbury Street
London
WC1B 3XD
(all enquiries Tel: 0303 1234 500)

Similar arrangements apply to Northern Ireland where any enquiries should be addressed to the:

Registrar of Companies
Companies House
Second Floor
The Linenhall
32-38 Linenhall Street
Belfast
Northern Ireland
BT2 8BG
DX481 NR Belfast 1

2. Where do I get forms and guidance?

This is one of a series of Companies House guidance which provide a simple guide to the Companies Act.

Statutory forms and guidance are available, free of charge from Companies House. The quickest way to get them is through this website or by telephoning 0303 1234 500.

Forms can also be obtained from company law stationers, accountants, solicitors and company formation agents - addresses can be found in business phone books.

3. How do I send information to the Registrar?

You may deliver documents to the Registrar by hand (personally or by courier), including outside office hours, bank holidays and weekends to Cardiff, and Belfast.

You may also send documents by post or by the Document Exchange Service (DX). If you send documents, please address them to:

For newspapers incorporated in England & Wales

The Registrar of Companies
Companies House
Crown Way
Cardiff
CF14 3UZ
DX33050 Cardiff 1

For newspapers incorporated in Northern Ireland

The Registrar of Companies
Companies House
Second Floor
The Linenhall
32-38 Linenhall Street
Belfast, Northern Ireland
BT2 8BG
DX 481 NR Belfast 1

If you are sending documents by post, courier or the Document Exchange Service (DX) and would like a receipt, Companies House will provide an acknowledgement if you enclose a copy of your covering letter with a pre-paid addressed return envelope. We will barcode your copy letter with the date of receipt and return it to you in the envelope provided.

Please note: an acknowledgement of receipt does not mean that a document has been accepted for registration at Companies House.

Please note: Companies House does not accept accounts or any other statutory documents by fax.

how to contact us

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contact centre: **0303 1234 500**

(For training and quality purposes your call may be monitored)

mini-com: 029 2038 1245

enquiries@companieshouse.gov.uk

www.companieshouse.gov.uk

Cardiff: Companies House
Crown Way, Cardiff CF14 3UZ
Fax: 029 2038 0900

Edinburgh: Companies House
4th Floor, Edinburgh Quay 2,
139 Fountainbridge, Edinburgh, EH3 9FF
Fax: 0131 535 5820

London: Companies House
21 Bloomsbury Street, London, WC1B 3XD
Fax: 029 2038 0900

Belfast: Companies House,
1st Floor, Waterfront Plaza,
8 Laganbank Road, Belfast, BT1 3BS.
Fax: 028 9090 5291

For the most up to date version of this booklet please visit our website at:

www.companieshouse.gov.uk