BELIZE

GOVERNMENT PRINTING CORPORATION ACT
CHAPTER 243:01

REVISED EDITION 2003
SHOWING THE SUBSTANTIVE LAWS AS AT 31ST MAY, 2003

This is a revised edition of the Substantive Laws, prepared by the Law Revision Commissioner under the authority of the Law Revision Act, Chapter 3 of the Substantive Laws of Belize, Revised Edition 2000.

This edition contains a consolidation of the following laws-

ARRANGEMENT OF SECTIONS 3

GOVERNMENT PRINTING CORPORATION ACT 7

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CHAPTER 243:01

GOVERNMENT PRINTING CORPORATION

PART I

Preliminary

1. This Act may be cited as the Government Printing Corporation Act. Short title.

2. In this Act, unless the context otherwise requires: Interpretation.

“Corporation” means the Government Printing Corporation established under section 3 of this Act;

“Board” means the Board of Directors of the Corporation appointed by the Minister under section 12 of this Act;

“Chairman” means the Chairman of the Board appointed under section 12 of this Act;

“Chief Executive Officer” means the Chief Executive Officer of the Corporation appointed pursuant to section 7 of this Act;

“financial year” in respect of the Corporation, means the period of twelve months ending on the 31st day of March, inclusive;

“Minister” means the Minister for the time being to whom the subjects of printing and publishing are assigned by the Governor-General pursuant to section 41 of the Belize Constitution;

“printing” means the process of printing;
“publishing” means the process of publishing and issuing copies of a work to the public;

“publishing services” means any communication in which information is published for the general public;

“publishing services communication” means any written printing or publishing system;

“recognised trade union” means the trade union representing the employees of the Corporation.

PART II

Establishment, Objects and Powers
of the Government Printing Corporation

3. (1) There shall be and is hereby established a Corporation to be known as the Government Printing Corporation, which shall be a body corporate with perpetual succession and a common seal, and subject to the provisions of this Act, having capacity to acquire, hold and dispose of property, real or personal, to enter into contracts, to sue and be sued in its corporate name and to do all things necessary for the purposes of this Act:

Provided that the Corporation shall not mortgage, charge, demise, sell or otherwise alienate its immovable property except with the approval of the Minister.

(2) The common seal of the Corporation shall be authenticated by the signatures of the Chairman or the Chief Executive Officer and one other Director authorized by the Board to act for that purpose, and the seal thus authenticated shall be judicially and officially noticed.
(3) All documents made by the Corporation other than those required by law to be made under seal shall be signified under the hand of the Chairman and the Chief Executive Officer, or by the Chief Executive Officer and any other Director authorised by the Corporation to act for that purpose.

(4) The Corporation have its principal office at such place in Belize as the Board may decide, and may establish other regional or district offices within Belize as it considers necessary.

4. The objects of the Corporation include:

(a) establishing printing and publishing services of high quality using as far as possible, Belizian creative and other resources;

(b) offering to the public printing and publishing services which are varied and comprehensive, at competitive prices;

(c) advocating, promoting and offering opportunities for open publishing of information within the context of the law between the various political parties in Belize;

(d) performing its printing and publishing services with a high degree of professionalism and objectivity, and with due regard to individual rights and liberties as enshrined in the Belize Constitution and, the other laws of Belize;

(e) ensuring that nothing published by the Corporation offends against good taste, decency or morals, or is likely to encourage or incite criminal or delinquent activities, or to lead to public disorder, or to be offensive to public feelings;
Powers of Corporation.

5. In carrying out its objects and functions under this Act, the Corporation shall have power to:

(a) establish, equip, maintain and operate printing and publishing services;

(b) provide printing and publishing services and facilities for commercial or social activities, including the printing and publishing of compact discs (CDs), newspapers, books, periodicals, pamphlets, leaflets, newsletters, advertisements and other material, and to make charges therefor based on the prevailing market forces;

(c) originate, design and secure printing and publishing services from within and without Belize by purchase, exchange, gift or otherwise;

(d) become a member or an affiliate of national, regional or international professional printing and publishing bodies, associations or unions established for the purpose of promoting the printing and publishing industry by sharing the latest technical and professional information, trends and technology in the printing and publishing fields;

(e) enter into contracts with any body or person, within and without Belize, in respect of the printing and publishing services provided by the Corporation;
(f) prepare, compile, print, publish, issue, circulate and distribute, upon payment of a fee or otherwise, audio visual material, papers, books, CDs, periodicals, pamphlets, newspapers and such other published matter as may seem conducive to the printing and publishing objectives of the Corporation;

(g) make operating arrangements or agreements with designers, book packagers or other printers and publishers which are deemed necessary by the Corporation in meeting the Corporation’s printing and publishing policies;

(h) make arrangements or agreements with any organization, body or person for the use of any copyrights, privileges or concessions that the Corporation considers necessary for its purposes;

(i) acquire by purchase or otherwise the copyright in any matter whatsoever, including the copy-right in any literary, musical, theatrical and artistic works such as plays, songs, and other recorded and published material in all forms, and use, exercise, develop and grant licences in respect of same or otherwise turn same to account with a view to the furtherance of the object of the Corporation;

(j) acquire through arrangements and agreements, the use, as an agent or otherwise, of any registered trade mark or trade name, and to use, exercise, develop and grant licences in respect of same, or otherwise turn same to account with a view to the furtherance of the object of the Corporation;
(k) produce, manufacture, purchase or otherwise acquire films, audio and videotapes, songs and other recorded and published material in all forms, and the facilities and apparatus needed to operate, produce or manufacture such films, audio and video tapes, and employ such films, tapes and songs in connection with the purposes of the Corporation or any other purpose incidental thereto, including selling, leasing or otherwise disposing of same at profit to the Corporation;

(l) purchase, lease, exchange, hire or otherwise acquire or dispose of any real or personal property of whatever kind which the Corporation may think necessary or convenient for the conduct of its business or the furtherance of its objects and in this respect to acquire or dispose of any land, buildings, easements, apparatus, machinery, plant and stock-in-trade; and

(m) do all such other things as the Corporation may deem incidental or conducive to the attainment of the objects of the Corporation.

6. (1) The Corporation may, by Order published in the Gazette, or through circulars, specify the rates and tariffs chargeable for any advertisement, printing or publishing services, or other services undertaken by the Corporation for and on behalf of any person, organisation or entity.

(2) In setting a rate or a tariff under subsection (1) above, or in accepting any advertisement or printing or publishing work, the Corporation shall not unreasonably discriminate against or in favour of any particular person, organisation, entity or publisher.
PART III

Appointment of Staff, etc.

7.  (1) The Board may, with the approval of the Minister, appoint and employ, at such remuneration and subject to such terms and conditions as it thinks fit, a suitably qualified person as Chief Executive Officer of the Corporation and the Chief Executive Officer shall, subject to section 8 below, be responsible for managing the day to day affairs of the Corporation.

(2) The Board may appoint and employ, at such remuneration and subject to such terms and conditions as it thinks fit, a suitably qualified person to be the Secretary to the Corporation.

(3) The Board may appoint and employ, at such remuneration and subject to such terms and conditions as it thinks fit, such other officers, employees and agents as it considers necessary for the proper performance of the objects and functions of the Corporation.

(4) The post of Chief Executive Officer, Secretary, administrative, technical, professional, clerical and secretarial staff shall be pensionable under the Pensions Act, notwithstanding anything to the contrary in that Act or any other enactment. Persons holding ancillary posts of the semi-skilled or unskilled category shall be entitled to retirement benefits under the Government (Open Vote Workers) Regulations.

(5) Where a member of staff of the existing Government Printery or any officer in the public service is transferred to the Corporation and he retires or resigns on pension from, or dies while in the service of the Corporation, his service in the public service or under the Government Printery shall rank as qualifying service or pensionable service, as the case may be, for purposes of determining eligibility for a gratuity or pension under the Pensions Act.
Notwithstanding any contrary provision in the Pensions Act or any other enactment amending or replacing that Act, where a person employed in a pensionable office by the Corporation is transferred to a pensionable office in the public service, his service under the Corporation shall rank as qualifying service or pensionable service, as the case may be, for purposes of determining his eligibility for gratuity or pension under the Pensions Act.

When making payment for a pension or gratuity in respect of officers referred to in subsections (5) and (6) above, the Government shall pay the whole pension or gratuity, but the Corporation shall contribute to the Government for the portion representing the number of years of pensionable service rendered by the officer in the employment of the Corporation.

The Corporation may provide for the establishment and maintenance for the benefit of its officers and employees of a Pension Scheme, Social Security Scheme, or Provident Fund Scheme, and without prejudice to the generality of the foregoing, such schemes may enable the Corporation to:

(a) contribute to the Government the monies referred to in subsection (7) above;
(b) grant gratuities, pensions or superannuation allowances to, or to the widows, families or dependants of, its employees and officers;
(c) establish contributory and superannuation schemes and establish and contribute to superannuation funds for the benefit of its employees and officers;
(d) enter into and carry into effect agreements for securing to any such employees or officers, widows, families or dependants such gratuities, pensions or allowances as are by this section allowed to be
(9) The Corporation shall have power to discipline and dismiss its officers, except that the Chief Executive Officer shall not be disciplined or dismissed without the written approval of the Minister.

8. (1) The Chief Executive Officer shall, subject to the general policy decisions of the Board, be responsible for the management of the Corporation, including the organization of staff in accordance with the general terms and conditions of service established by the Board.

(2) The Chief Executive Officer shall have authority:

(a) to sign jointly with another Director, reports, balance sheets and other financial statements;

(b) to delegate his powers provided for in paragraph (a) of this subsection to other officers of the Corporation.

9. Subject to the provisions of this Act, the Board may make Regulations determining generally the conditions of service of employees of the Corporation, and in particular may make Regulations relating to:

(a) the appointment, promotion, dismissal, discipline, hours of work, pay and leave of such employees; and

(b) appeals by such employees against dismissal or other disciplinary measures.

10. The Corporation may, for the purpose of advancing the skills and professional expertise of its employees provide such assistance and facilities as may be necessary for training, education and research.
11. The Corporation shall recognise the basic right of its employees to
organise themselves and to form or belong to trade unions in accordance with
recognised trade union principles and practices.

PART IV

Administration

12. For the purpose of directing the affairs of the Corporation, there shall
be appointed by the Minister a Board of Directors which shall consist of a
Chairman and seven other Directors, who shall be persons having knowledge
or experience in the graphic arts industry, journalism, business management,
law, printing and publishing, and other related subjects.

13. (1) The Board shall consist of the following persons, namely:

(a) the Chairman and two other Directors, who shall be appointed by the Minister in his own discretion; one of the two other Directors shall be the Deputy Chairman of the Board;

(b) a representative of the Ministry for the time being responsible for printing and publishing;

(c) one member nominated by the Leader of the Opposition;

(d) one representative nominated by the Belize Chamber of Commerce and Industry and the Belize Business Bureau;

(e) one representative nominated by the recognised trade union;
(f) the Chief Executive Officer, who shall not have the right to vote.

(2) The Directors referred to in subsection (1) above (other than ex-officio Directors) shall be appointed by the Minister for such period not exceeding three years as may be specified in their instruments of appointment; provided, however, that any such Director retiring at the expiration of his term of office shall, subject to section 14 below, be eligible for reappointment.

14. (1) No person shall be appointed or remain a Director who is a member of the National Assembly.

(2) The Chairman or any other Director (other than an ex-officio Director) may at any time resign his office by writing under his hand addressed to the Minister and copied, where applicable, to the organisation which nominated him.

(3) The Minister may terminate the appointment of the Chairman or any other Director if the Chairman or such other Director, as the case may be:

(a) becomes subject to the disqualification specified in subsection (1) above;

(b) becomes bankrupt or insolvent, compounds with his creditors or benefits under the law for the relief of a bankrupt or makes any assignment in whole or in part of his income for the benefit of such creditors;

(c) is convicted of an offence involving dishonesty, or of any other offence punishable with not less than three years imprisonment (whether or not the convicted persons is awarded such sentence);
(d) becomes totally or permanently incapable of performing his duties;

(e) is guilty of gross misconduct in the performance of his duties under this Act;

(f) absents himself from three consecutive meetings of the Board without leave from the Board; or

(g) ought to be removed from office for any good and sufficient cause.

(4) Where any Director dies, resigns or is removed from the Board pursuant to this section, the person, organisations or entities which nominated such Director shall be entitled to nominate another Director in his place, and upon appointment by the Minister, such Director shall hold office for the remainder of the term of office of the Director he is replacing, and shall be eligible for reappointment.

(5) Where a Director, by reason of illness or absence from Belize or otherwise, is temporarily unable to perform the duties of his office, the Minister may, after consultation with the organization or entity which nominated such Director, appoint another person nominated by the same organization or entity to act in his place.

(6) The names of all members of the Board as first constituted, their terms of office and every change in the membership thereof shall be published in the Gazette.
within seven days of a requisition for that purpose addressed to him in writing by any five Directors.

(3) A quorum for any meeting of the Board shall be six Directors.

(4) Decisions of the Board shall be by majority of the votes cast by Directors present and voting at any meeting; provided that in any case in which the voting is equal, the person presiding at that meeting shall have a second or casting vote.

(5) The Secretary of the Corporation shall act as the Secretary to the Board, and in that capacity shall ensure that proper records are kept of the Board’s acts and decisions.

(6) The Board may act notwithstanding a vacancy in its membership.

16. (1) Any Director who is in any way directly or indirectly interested in a contract or other agreement or arrangement made or proposed to be made by the Corporation shall, as soon as possible after the relevant circumstances come to his knowledge, immediately disclose to the Board the nature of his interest.

(2) Any disclosure made under subsection (1) above shall be recorded in the minutes of the Board and the Director who made the disclosure:

(a) shall not take part after the disclosure in any deliberation or decision related to the issue which is the subject of the disclosure; and

(b) shall be disregarded for the purpose of constituting a quorum for any such deliberation or decision.

17. (1) The Board may from time to time, in respect of any particular matter or class of matters, and in writing, delegate to any other Director or to
the Chief Executive Officer, any of its functions under this Act except this power of delegation and the following functions:

(a) approving annual budgets or programme of activities;
(b) making Regulations; and
(c) carrying out activities which require off-budget expenditures.

(2) Subject to any general directions given to him by the Board, the person to whom any powers are so delegated may exercise those powers in the same manner and with the same effect as if they had been conferred on him directly by this Act and not by delegation.

(3) Every person purporting to act pursuant to a delegation under this section shall, in the absence of proof to the contrary, be presumed to be acting in accordance with the terms of the delegation.

(4) Every delegation under this section shall be revocable at will, and no such delegation shall prevent the exercise of any power by the Corporation.

18. The Corporation shall be entitled to the same protection under the Public Authorities Protection Act as if it were included in the definition of “Public Authority” given in section 2 of that Act, and the place at which the Board of Directors shall hold its meetings shall be deemed to be the “abode” of the Board within the meaning of that Act.

19. No Director shall be personally liable for any act or omission of the Corporation, or the Board, or of any Director, officer or employee of the Corporation, if the act or omission is made in good faith in the course of the operations of the Board, or of the Corporation.
20. The Board may appoint Advisory Committees made up of suitably qualified persons to investigate, analyse and report back to it on any matter concerning printing and publishing services or any other matter which the Corporation properly thinks should be referred to an Advisory Committee.

21. On and after the commencement of this Act, the Chief Executive Officer shall act as the Government Printer and shall in that capacity be responsible for printing, publishing and distributing, on payment of such fee or otherwise as the Government may determine from time to time, the Government Gazette, Acts, Statutory Instruments and all Government work of a legal, legislative or parliamentary nature as set out in any law.

PART V

Financial Provisions, accounts and Reports

22. (1) The Minister responsible for Finance may, by Order, transfer to the Corporation any property belonging to the Government which appears to him to be necessary or useful to the Board for carrying out its objects and functions under this Act, and such property shall vest in the Corporation by virtue of the said Order and without further assurance.

(2) An Order under subsection (1) above:

(a) may contain such incidental, consequential or supplemental provisions as the Minister responsible for Finance thinks necessary or expedient for the purpose of the Order;

(b) shall be subject to affirmative resolution of the House of Representatives.
23. The Government may lend the Corporation such sum as the Minister responsible for Finance certifies is required to enable the Corporation to commence its functions, to be repaid by the Corporation at such times and by such methods as the Minister responsible for Finance may determine.

24. The revenues of the Corporation shall be classified under the following heads of receipt:

(a) dues and charges received by virtue of this Act;

(b) amounts borrowed by the Corporation, and grants from international financial or funding agencies;

(c) miscellaneous receipts, including interest on and service of investments;

(d) any other money lawfully contributed, donated, or bequeathed to the Corporation or received from any source,

and such revenue shall within seven days of receipt thereof be paid into a bank account approved by the Minister responsible for Finance.

25. (1) The revenues of the Corporation shall be applied for the purposes authorized by this Act in relation to the functions, powers and responsibilities of the Corporation, and also to meet the following heads of expenditure:

(a) reimbursement to the Government of all sums certified by the Minister responsible for Finance as having been borrowed by the Government for and on behalf of the Corporation and the repayment of which is outstanding at the commencement of this Act; the arrangements for reimbursing such sums shall be such
as may be determined by the Minister responsible for Finance;

(b) repayment of overdraft, if any, on current accounts;

(c) interest on loans;

(d) sinking fund on loan redemption;

(e) payment to the Government of any consideration for the transfer of property under section 22;

(f) reimbursement to the Government of all sums expended by it in respect of the pensions and gratuities of the Corporation’s employees and officers under section 7 above;

(g) repairs and maintenance of buildings and equipment and other current expenses;

(h) any other expenditure approved by the Minister responsible for Finance.

(2) Any excess of the revenues of the Corporation for any financial year over the total sums chargeable by the Corporation to revenue account for that year, including (without prejudice to the generality of that expression) sums credited under the next following section to the reserve fund of the Corporation, shall be applied by the Corporation, in such manner as the Minister, after consultation with the Chairman of the Board, may direct.

26. (1) The Corporation shall establish and maintain a reserve fund to meet contingencies and for such other purposes as they may think fit.
(2) The management of the said fund, the sums to be carried from time to time to the credit thereof, the charges to be made against it and any other application of the moneys comprised therein shall be as the Board may determine from time to time.

27. It shall be the duty of the Corporation as far as practicable in the conduct of its affairs to ensure that its revenues become, at the earliest possible date and thereafter continue, at least sufficient to meet all sums properly chargeable to revenue account (including sums required for the payment of loans and interest thereon, for provision for depreciation and for the establishment and maintenance of its reserve fund).

28. The Corporation shall establish and maintain sound financial and accounting procedures and where such procedures relate to the following matters:

(a) the determining of rates of depreciation;

(b) the establishing of procedures governing reserves, accumulated surpluses or deficits and the disposal of balances and net revenue,

they shall be subject to the approval of the Minister responsible for Finance.

29. (1) Subject to this section, the Corporation may borrow sums required by it for meeting any of its obligations or discharging any of its functions.

(2) The power of the Corporation to borrow shall be exercisable only with the approval of the Minister responsible for Finance as to the amount and sources of such borrowing.

(3) An approval given in any respect for the purpose of subsection (2) may be either general or limited to a particular borrowing or otherwise and may be either unconditional or subject to conditions.
(4) Notwithstanding anything to the contrary, where any loan is guaranteed by the Minister responsible for Finance under section 30 below, the repayment of the principal moneys and interest represented by the loan so guaranteed shall, during the continuance of such guarantee, be a first charge upon such revenue and assets of the Corporation as shall be specified by the Minister responsible for Finance.

30. (1) With the approval of the National Assembly, the Minister responsible for Finance may from time to time grant or lend to the Corporation out of the Consolidated Revenue Fund, on such terms and conditions as the Minister responsible for Finance may approve, sums of money to finance the construction, extension or improvement of capital works and for such other purposes (including the provision of working capital) as the Minister responsible for Finance may approve, and the sums so granted shall be a charge on the Consolidated Revenue Fund.

(2) With the approval of the National Assembly, the Minister responsible for Finance may guarantee, in such manner and on such terms and conditions as he may think fit, the payment of the principal and of interest on any authorized borrowing of the Board.

(3) Where the Minister responsible for Finance is satisfied that there has been default in the repayment of any principal moneys or interest guaranteed under this section, he shall direct the repayment out of the Consolidated Revenue Fund of the amount in respect of which there has been such default and such sum shall be a charge upon the Consolidated Revenue Fund.

31. The Corporation shall make to the Accountant General, at such times and in such manner as the Minister responsible for Finance or some other person designated by the Minister responsible for Finance may direct, payment of such amounts as may be so directed in or towards repayment of any sums issued in fulfillment of a guarantee given under section 30 above and payment of interest on what is outstanding for the time being in respect of any sums so issued at such rate as the Minister responsible for Finance may direct, and different rates
of interest may be directed in respect of different sums and in respect of interest for different periods.

32. Any sums in the hands of the Corporation which are not immediately required by them for the purposes of their business may with the approval of the Minister responsible for Finance be invested by them in such manner as they think proper.

33. (1) The Corporation shall, in such form and by such dates as may be prescribed by the Financial Secretary, prepare and submit to the Minister responsible for Finance through the Minister, estimates of income receivable and the expenditure to be incurred during each financial year (including any supplementary estimates), and the Minister responsible for Finance shall present the said estimates to the National Assembly with such amendments, if any, as he may consider necessary.

(2) Except with the approval of the Minister responsible for Finance, no further sum shall be expended during any financial year other than that provided in the estimates relating to such financial year.

34. (1) The Corporation shall keep proper accounts and other records in relation to the business of the corporation and shall prepare annually a statement of accounts in a form satisfactory to the Minister responsible for Finance, being a form which shall conform with the best commercial and accounting standards.

(2) The accounts and records shall be kept in such a manner as to secure the provision of separate information in respect of each of the main activities of the Corporation and to show, as far as may be, the financial and operating results of each such activity.

(3) The accounts of the Corporation shall be audited by an auditor appointed annually by the Corporation with the approval of the Minister responsible for Finance.
(4) As soon as the accounts of the Corporation have been audited, the Corporation shall send the statement of their accounts referred to in subsection (1) above to the Minister for transmission to the Minister responsible for Finance, together with a copy of any report made by the auditors on that statement or on the accounts of the Board.

(5) The auditor’s fees and expenses for the audit shall be paid by the Corporation.

(6) The Auditor General shall be entitled at all reasonable times to examine the accounts and other records relating to the business of the Corporation and to make such report thereon to the National Assembly as, in his discretion, he considers necessary.

35. (1) The Corporation shall, as soon as practicable after the end of each financial year, cause to be made and transmit to the Minister a report dealing generally with the activities of the Corporation during the preceding financial year and containing such information relating to the proceedings and policy of the Corporation as can be made public without detriment to the interest of the Corporation.

(2) The Minister shall cause a copy of the report together with the annual statement of accounts and the auditor’s report thereon to be laid on the table of both Houses of the National Assembly.

(3) Copies of the Corporation’s report together with its annual statement of accounts and the auditor’s report on that statement or on the accounts of the Corporation shall be published in such manner as the Minister may direct and shall be made available to the public by the Corporation at a reasonable price.
PART VI

Miscellaneous

36. (1) Subject to the provisions of this Act the Corporation may, with the approval of the Minister, make Regulations for the better carrying out of the provisions of this Act.

(2) Without prejudice to the generality of the foregoing, such Regulations may provide for all or any of the following matters:

(a) the calling of meetings of the Board and the conduct of business at such meeting;

(b) the fees (if any) to be paid to non ex-officio members of the Board for attendance at meetings of the Board and the travelling and other expenses to be paid to such members;

(c) provisions for the printing and publishing of information on matters of national interest and concern;

(d) the criteria to be used for printing and publishing matters of a political or religious nature;

(e) travelling and other allowances (if any) to be paid to members of any Advisory Committee;

(f) the terms and conditions governing contracts with other printers and publisher contractors;

(g) the general conduct and management of the affairs of the Corporation.
37. Any summons, notice or other document required or authorized to be served on the Corporation under any Act may, unless in any case there is express provision to the contrary, be served by delivering the same to the Chairman or the Secretary or by sending it by registered post addressed to the Chairman or Secretary at the principal office of the Corporation.

38. (1) The Corporation shall be exempt from income tax, business tax, sales tax, property tax, and any other tax levied by the Government.

(2) All instruments executed by or on behalf of the Corporation shall be exempt from stamp duty.

39. This Act shall come into force on a day to be appointed by the Minister by Order published in the Gazette.