

**LAWS OF TRINIDAD AND TOBAGO**

**SEDITION ACT**

**CHAPTER 11:04**

**Act**  
**10 of 1920**  
**Amended by**  
172/1961  
8/1962  
36 of 1971  
136/1976

**Current Authorised Pages**

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**CHAPTER 11:04**

**SEDITION ACT**

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## CHAPTER 11:04

## SEDITION ACT

1950 Ed.  
Ch. 4, No. 6.

10 of 1920.

**An Act to provide for the punishment of seditious acts and seditious libel, to facilitate the suppression of seditious publications, and to provide for the temporary suspension of newspapers containing seditious matter.**

Commencement.

[9TH APRIL 1920]

Short title.

1. This Act may be cited as the Sedition Act.

Interpretation.  
[36 of 1971].

2. (1) In this Act—

“Court” means the High Court or a Judge thereof;

“identifiable group” means any section of the public distinguished by colour, race, religion or ethnic origin or profession, calling or employment;

“newspaper” means a periodical publication containing any public news or comments thereon or any discussion of political matters;

“periodical publication” includes every publication issued periodically, or in parts or numbers at intervals, whether regular or irregular;

“publication” includes all written or printed matter, and every thing whether of a nature similar to written or printed matter or not, containing any visible representation, or by its form, shape, or in any manner capable of suggesting words or ideas, and every copy and reproduction of or extract from any publication;

“publish” in relation to a seditious publication, includes publish the publication, either by itself or as part of a newspaper or periodical or otherwise than as part of a newspaper or periodical, for distribution to the public;

“seditious publication” includes every publication, whether periodical or otherwise, having a seditious intention;

“statements” includes words spoken or written or recorded electronically or electromagnetically or otherwise, and signs or other visible representations.

(2) In any prosecution for an offence under this Act a person shall be deemed, until the contrary is proved, knowingly to have been in possession of a seditious publication, if the same is found in any place or thing over which he has the possession, custody, power, or control.

## 3. (1) A seditious intention is an intention—

Meaning of  
seditious  
intention.  
[36 of 1971].

- (a) to bring into hatred or contempt, or to excite disaffection against Government or the Constitution as by law established or the House of Representatives or the Senate or the administration of justice;
- (b) to excite any person to attempt, otherwise than by lawful means, to procure the alteration of any matter in the State by law established;
- (c) to raise discontent or disaffection amongst inhabitants of Trinidad and Tobago;
- (d) to engender or promote—
  - (i) feelings of ill-will or hostility between one or more sections of the community on the one hand and any other section or sections of the community on the other hand; or
  - (ii) feelings of ill-will towards, hostility to or contempt for any class of inhabitants of Trinidad and Tobago distinguished by race, colour, religion, profession, calling or employment; or
- (e) to advocate or promote, with intent to destroy in whole or in part any identifiable group, the commission of any of the following acts, namely:
  - (i) killing members of the group; or
  - (ii) deliberately inflicting on the group conditions of life calculated to bring about its physical destruction.

(2) But an act, speech, statement or publication is not seditious by reason only that it intends to show that the Government has been misled or mistaken in its measures, or to point out errors or defects in the Government or Constitution as by law established, with a view to their reformation, or to excite persons to attempt by lawful means the alteration of any matter in the State by law established, or to point out, with a view to their removal by lawful means, matters which are producing, or have a tendency to produce—

Limitation.

- (a) feelings of ill-will, hostility or contempt between different sections of the community; or
- (b) feelings of ill-will, hostility or contempt between different classes of the inhabitants of Trinidad and Tobago distinguished by race, colour, religion, profession, calling or employment.

Determination  
of intention.

(3) In determining whether the intention with which any act was done, any words were spoken or communicated, or any document was published, was or was not seditious, every person shall be deemed to intend the consequences which would naturally follow from his conduct at the time and under the circumstances in which he so conducted himself.

Offences.  
[36 of 1971].

4. (1) A person is guilty of an offence who—

- (a) does or attempts to do, or makes any preparation to do, or conspires with any person to do, any act with a seditious intention;
- (b) communicates any statement having a seditious intention;
- (c) publishes, sells, offers for sale or distributes any seditious publication;
- (d) with a view to its being published prints, writes, composes, makes, reproduces, imports or has in his possession, custody, power or control any seditious publication.

(2) Subject to subsection (3), a person guilty of an offence under this section is liable—

- (a) on summary conviction to a fine of three thousand dollars and to imprisonment for two years; or
- (b) on conviction on indictment to a fine of twenty thousand dollars and to imprisonment for five years, and any seditious publication, the subject matter of the charge, shall be forfeited.

(3) Notwithstanding any other written law to the contrary where a person is charged summarily with an offence under this section the magistrate shall—

- (a) inform him that he may, if he so requires, be tried indictably by a jury instead of being tried summarily and explain to him what is meant by being tried summarily; and
- (b) after so informing him ask him whether he wishes to be tried indictably by a jury or consents to be tried summarily,

and if the person charged requests to be tried indictably, the magistrate shall proceed with the matter as if it was a preliminary enquiry.

(4) A person shall not be convicted under this section for communicating, importing or having a seditious publication or

statement in his possession, power, or control, if he proves that he did not know and had no reason to suspect that the publication or statement was seditious.

POWER TO PROHIBIT IMPORTATION OF SEDITIOUS PUBLICATIONS

5. (1) Whenever the President is of opinion that any publication or statement is seditious, the President may, if he thinks fit, by Order, prohibit the importation into Trinidad and Tobago of that publication or statement and also, in the case of a periodical publication or statement, of any past or future issue of that publication or statement.

Power to prohibit importation of seditious publications. [36 of 1971].

(2) Any person who imports, prints, publishes, copies, reproduces, communicates or has in his possession, power, or control any publication or statement of which the importation is for the time being prohibited by Order is liable on summary conviction to a fine of ten thousand dollars or to imprisonment for three years or on conviction on indictment to imprisonment for five years, and the publication or statement shall be forfeited.

(3) Where the importation of a publication or statement is for the time being prohibited by Order, any person—

- (a) to whom such a publication is sent without his knowledge or privity; or
- (b) to whom such a publication or statement is sent in execution of an order given before the prohibition on its importation came into effect; or
- (c) who has such a publication or statement in his possession, power or control at the time when the prohibition on its importation comes into effect,

shall forthwith deliver it to the person in charge of the nearest police station and if he fails to do so is liable on summary conviction to a fine of five thousand dollars or to imprisonment for two years.

(4) Any person who complies with subsection (3) or is convicted of a breach of the provisions of that subsection shall not be fined or imprisoned for having imported the same publication or statement or for having it in his possession, power, or control.

(5) The Postmaster General or any person in the public service authorised by him who suspects that any postal packet contains a publication or statement of which the importation is

for the time being prohibited shall send the packet to the Comptroller of Customs and Excise.

Ch. 32. No. 2.  
(1950 Ed.).

(6) This section shall have effect as if it formed part of the Customs Ordinance, and a person punishable under that Ordinance and also this Act may be punished under either Ordinance or Act, but shall not be punished twice for the same offence.

#### SUSPENSION OF NEWSPAPERS CONTAINING SEDITIOUS MATTER

Suspension of  
newspaper  
containing  
seditious  
matter.

6. (1) Where any person is convicted of publishing a seditious libel in any newspaper, the Court may, if it thinks fit, either in lieu of or in addition to any other punishment, make orders as to all or any of the following matters, that is to say:

- (a) prohibiting either absolutely or except on conditions to be specified in the order, for any period not exceeding one year from the date of the order, the future publication of that newspaper;
- (b) prohibiting either absolutely or except on the conditions to be specified in the order, for the period aforesaid, the publisher, proprietor, or editor of that newspaper from publishing, editing, or writing for any newspaper, or from assisting, whether with money or money's worth, material, personal service, or otherwise, in the publication, editing, or production of any newspaper; and
- (c) that for the period aforesaid any printing press used in the production of the newspaper be used only on conditions to be specified in the order, or that it be seized by the Police and detained by them for the period aforesaid.

(2) Any person who contravenes an order made under this section is guilty of an offence.

(3) Nothing in this Act affects the power of the Court to punish any person contravening an order made under this section for contempt of Court; but a person shall not be punished twice for the same offence.

#### POWER TO PROHIBIT CIRCULATION OF SEDITIOUS PUBLICATIONS

Power of Court  
to prohibit  
circulation of  
seditious  
publications.  
[36 of 1971  
136/1976].

7. (1) Where on the application of the Director of Public Prosecutions it is shown to the satisfaction of the Court that the issue or circulation of a seditious publication is or, if commenced or continued, would be likely to lead to unlawful violence, or

appears to have the object of promoting feelings of hostility between different classes or races of the community, the Court shall make an order (in this Act called a "prohibition order") prohibiting the issue and circulation of that publication (in this Act called a "prohibited publication") and requiring every person having any copy of the prohibited publication in his possession, power, or control forthwith to deliver every such copy into the custody of the Police.

(2) An order under this section may be made *ex parte* on the application of the Director of Public Prosecutions in Chambers.

(3) It shall be sufficient if the order so describes the prohibited publication that it can be identified by a reasonable person who compares the prohibited publication with the description in the prohibition order.

(4) Any person on whom a copy of a prohibition order is served by any member of the Police Service shall forthwith deliver to that police officer every prohibited publication in his possession, power, or control, and, if he fails to do so, he is guilty of an offence.

(5) Any person to whose knowledge it shall come that a prohibited publication is in his possession, power, or control shall forthwith deliver every such publication to the person in charge of the nearest Police Station.

(6) The Court may, if it thinks fit, either before or after or without service of the prohibition order on any person, issue a warrant authorising any member of the Police Service, not below the rank of sergeant, and his assistants to break, enter, and search, either by day or night, any building or place specified in the order, and any enclosure, room, box, receptacle, or thing in such building or place, and to seize and carry away every prohibited publication there found, and to use such force as may be necessary for the purpose.

(7) A copy of the prohibition order and of the search warrant shall be left in a conspicuous position at every building or place so entered.

(8) The owner of any prohibited publication delivered or seized under this Act may, at any time within fourteen days after the delivery or seizure, petition the Court for the discharge of the prohibition order, and the Court, if on the hearing of the petition it decides that the prohibition order ought not to have been made,

shall discharge the order and shall order the publication delivered by or seized from the petitioner to be returned to him.

(9) Every prohibited publication delivered or seized under this section with respect to which a petition is not filed within the time prescribed above or which is not ordered to be returned to the owner shall be taken as forfeited and shall be dealt with in such manner as the President may direct.

*Supplemental*

Punishment for offences.  
[36 of 1971].

8. Unless otherwise provided, every person guilty of an offence under this Act is liable on summary conviction, to a fine of five thousand dollars and to imprisonment for two years.

Consent of Director of Public Prosecutions.  
[172/1961  
GN 8/1962  
136/1976].

9. A person shall not be prosecuted under this Act without the written consent of the Director of Public Prosecutions.

Saving of other powers.

10. Nothing in this Act prevents a prosecution under the Common Law or under any other Act; but a person shall not be punished twice for the same offence.

Limitation on legal proceedings.  
[36 of 1971].

11. A prosecution for an offence under section 4 shall be commenced within twelve months after the offence is committed.

Evidence.  
[36 of 1971].

12. No person shall be convicted of an offence under section 4 on the uncorroborated testimony of one witness.

Search warrant.  
[36 of 1971].

13. If a magistrate is satisfied by information on oath that there is reasonable cause to believe that an offence under this Act has been or is about to be committed he may grant a search warrant authorising any police officer to enter any premises or place named in the warrant, with such assistance as may be necessary, and if necessary by force, and to search the premises or place and every person found therein and to seize anything found on the premises or place which the officer has reasonable ground for suspecting to be evidence of an offence under this Act.

**SUBSIDIARY LEGISLATION****PROHIBITED PUBLICATIONS ORDER***made under section 5(1)*

1. This Order may be cited as the Prohibited Publications Order. Citation.
2. The publications set out in the Schedule and any past or future issue of those publications are prohibited from being imported into Trinidad and Tobago. Schedule.

**SCHEDULE**

<i>The Soviet Weekly</i>	103/1952.
<i>For a Lasting Peace, for a People's Democracy</i>	
<i>Caribbean News</i> published by Billy Strachan	201/1952.
<i>World Trade Union Movement</i> (Fortnightly Illustrated Journal of the World Federation of Trade Unions) published by W.F.T.U. Publications Ltd.	
<i>West Indian Clarion</i>	157/1953.
<i>Caribbean Clarion</i>	
<i>West Indian News</i>	
<i>Caribbean Challenge</i>	7/1954.
<i>Caribbean Gazette</i>	
<i>Caribbean Advocate</i>	45/1954.
<i>Caribbean Review</i>	67/1954.
<i>Soviet News</i>	136/1954.
<i>The Mask is off!</i>	148/1954.
<i>Caribbean News</i> published by Billy Strachan	154/1954.
<i>World Trade Union Movement</i> (Fortnightly Illustrated Journal of the World Federation of Trade Unions) published by W.F.T.U. Publications Ltd.	
<i>Teachers of the World</i> published by W.F.T.U. Publications Ltd.	

[Subsidiary]

*Prohibited Publications Order*

106/1967.

<i>Publication</i>	<i>Country of Origin</i>	<i>Description and Publisher</i>
Bulletin of the World Council of Peace	Austria ..	Published monthly by the International Institute for Peace in Vienna
Active Co-Existence—Documents and Reflections on the Political, Economic and Cultural Aspects of International Co-operation	do. ..	Published irregularly by the International Institute for Peace, Vienna
Peace and the Sciences	do. ..	Published quarterly by the International Institute for Peace, Vienna
Information Bulletin	Bulgaria ..	Published every two months in Sofia by the T.U.I. of Food, Tobacco and Beverage Industries
World Marxist Review	Canada ..	Printed by Eveready Printers, Toronto, and distributed by Progress Books, 42-48 Stafford Street, Toronto 3, Ontario, Canada
The Marxist Quarterly	do. ..	.. do.
China Pictorial	People's Republic of China	Published monthly in Peking in many languages including English, French and Swahili. Distributed by Guozi Shudian, P.O. Box 399, Peking, Editorial Office: Baiwanzhuang Road, Peking 37

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[Subsidiary]

<i>Publication</i>	<i>Country of Origin</i>	<i>Description and Publisher</i>	106/1967.
China Reconstructs ..	People's Republic of China	Published monthly in Peking by the China Welfare Institute	
Chinese Literature ..	do. ..	Published monthly in Peking. Distributed by Guozi Shudian, P.O. Box 399, Peking. Editorial Office: Pai Wan Chuang, Peking 37	
Evergreen ..	do. ..	Published bi-monthly in Peking by the All-China Youth Federation and the All-China Students Federation, 3 Yu Ho Chiao, Peking	
Peking Review ..	do. ..	Published weekly in Peking by the Foreign Languages Press, Pai Wan Chuang, Peking 37	
Women of China ..	do. ..	Published bi-monthly in Peking by the National Women's Federation of the People's Republic of China. Distributed by Guozi Shudian, P.O. Box 399, Peking. Editorial Office: 82 Teng Shih K'ou, Peking	
People's China ..	do. ..	Published monthly in Peking. Distributed by Guozi Shudian, P.O. Box 399, Peking.	

[Subsidiary]

*Prohibited Publications Order*

106/1967.

<i>Publication</i>	<i>Country of Origin</i>	<i>Description and Publisher</i>
Official Press Releases	People's Republic of China	From: (i) New China News Agency (ii) Press Department of Diplomatic Missions
Eastern Horizons ..	do. ..	Printed by Commercial Press Ltd. Published in Hong Kong. Controlled by the Chinese People's Government (C.P.G.)
News from Cuba, alias Cuba News, alias Weekly News from Cuba	Cuba ..	Distributed weekly by Cuban Embassies
Revolucion .. ..	do. ..	The official Government paper, Communist and pro-Castro
Cuba Socialists ..	do. ..	The theoretical organ of the Revolution
Hoy .. ..	do. ..	Communist newspaper
Verde Olivo ..	do. ..	Cuban Armed Forces magazine
Obra Revolucionario	do. ..	Produced by the Institute of Sport, Education and Recreation
Servicio de Informacion	do. ..	A news service in Spanish put out by the offices "Casa de las Americas"

<i>Publication</i>	<i>Country of Origin</i>	<i>Description and Publisher</i>	106/1967.
El Mundo Cientifico	Cuba	The Spanish edition of the World Federation of Scientific Workers "Scientific World" published by the Asociacion de Trabajadores Cientificos de Cuba, Cespedes 53, Santa Clara, Cuba	
Granma	do.	Organ of the Communist Party of Cuba	
World Student News	Czechoslovakia	Published monthly by the International Union of Students, Vocolova 3, Prague 2	
News Service	do.	Published fortnightly in Prague by the International Union of Students, Vocolova 3, Prague 2	
Trade Union Press	do.	Published fortnightly in Prague by the World Federation of Trade Unions	
The Democratic Journalist	do.	Published monthly by the International Organisation of Journalists, Vinohradska 3, Prague 1	
Land and Labour	do.	Published every two months in Prague by the T.U.I. of Agriculture and Forestry	

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*Prohibited Publications Order*

106/1967.

<i>Publication</i>	<i>Country of Origin</i>	<i>Description and Publisher</i>
Information Bulletin . .	Czechoslovakia	Published in Prague once in two months by the T.U.I. of Commercial, Office and Bank Workers
Czechoslovak Life	do. . . . .	Published monthly in English, French, Swedish and Italian by the Orbis Publishing House, Prague
Information Bulletin	do. . . . .	Published monthly in Prague by the T.U.I. of Metal and Engineering Industries
For Democratic Education	do. . . . .	Published, possibly monthly, in Prague by the T.U.I. of Teachers (F.I.S.E.)
Transport Workers of the World	do. . . . .	Quarterly review published in Prague by the T.U.I. of Transport, Port and Fishery Workers
Women of the Whole World	East Germany	Published monthly by the Women's International Democratic Federation in Berlin
Information Bulletin	do. . . . .	Published in Berlin by the T.U.I. of Public and Allied Employees
Afro-Asian Bulletin	Egypt . . . . .	Published in Cairo by the Afro-Asian Peoples' Solidarity Organization. Normally a monthly but in fact published irregularly

		<i>Sedition Act</i>	<b>Chap. 11:04</b>	17
		<i>Prohibited Publications Order</i>		[Subsidiary]
<i>Publication</i>	<i>Country of Origin</i>	<i>Description and Publisher</i>		
Information Bulletin	Finland	..	Published monthly in Helsinki by the T.U.I. of Building, Wood and Building Materials Industries	106/1967.
Revolution	.. France	..	Formerly known as "African Revolution". Published monthly in English, Spanish and French from 40 Rue Francois ler, Paris 8e	
World Federation of Democratic Youth Information Service	do. ..	..	Published fortnightly in Budapest	
World Federation of Democratic Youth News	do. ..	..	Published in Budapest	
World Youth	.. do. ..	..	Published fortnightly in French, English, German and Swedish by the W.F.D.Y., Budapest, Hungary	
Information Bulletin	do ..	..	Probably published in Hungary by the T.U.I. of Chemical, Oil and Allied Workers	
Textile and Clothing Workers in the World	Italy ..	..	Published once every two months in Milan by the T.U.I. of Textile and Clothing Workers	
The Afro-Asian Journalist	Indonesia	..	Published every two months by the Afro-Asian Journalists' Association from Press House, Djakarta	

[Subsidiary]

*Prohibited Publications Order*

106/1967.

<i>Publication</i>	<i>Country of Origin</i>	<i>Description and Publisher</i>
Korea .. ..	North Korea	Published in Pyongyang by the Foreign Languages Publishing House
Korea Today .. ..	do. .. ..	do.
News from Hsinhua News Agency	United Kingdom	Published by S. Ching, 76 Chancery Lane, London, W.C.2
World Marxist Review—Problems of Peace and Socialism	do. .. ..	Distributed by Central Books Ltd., 37 Gray's Inn Road, London, W.C.1 monthly
Peace, Freedom and Socialism—Problems of Peace and Socialism	do. .. ..	Identical with "World Marxist Review" but intended for overseas territories. Distributed by Central Books Ltd., 37 Gray's Inn Road, London, W.C.1
Scientific World .. ..	do. .. ..	Published quarterly in London by the World Federation of Scientific Workers, 40 Goodge Street, London, W.1., in English, French, Russian, Chinese, German and Spanish.
The Carib .. ..	do. .. ..	Published monthly by a dissident pro-Chinese group of West Indians from 374 Gray's Inn Road, London, W.C.1

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[Subsidiary]

<i>Publication</i>	<i>Country of Origin</i>	<i>Description and Publisher</i>	106/1967.
Comment .. ..	United Kingdom	Published weekly by the Communist Party of Great Britain, 16 King Street, W.C.2	
Labour Monthly ..	do. .. ..	Published monthly by the Trinity Trust, 134 Ballard's Lane, N.3	
Marxism Today ..	do. .. ..	Published monthly by the Communist Party of Great Britain, 16 King Street, W.C.2	
Challenge .. ..	do. .. ..	Published monthly by the Young Communist League, 16 King Street, W.C.2	
Vanguard .. ..	do. .. ..	A pro-Chinese Communist periodical published monthly from 33 Anson Road, N.7	
The Broadsheet ..	do. .. ..	Published monthly by the China Policy Study Group, 85 Holden Road, N.12	
The Daily Worker now The Morning Star	do. .. ..	Published daily by the Daily Worker Co-operative Society Ltd., 75 Farringdon Road, London E.C.1	
Malayan Monitor ..	do. .. ..	Published monthly from 41 Croftdown Road, N.W.5. Claims to be an official organ of the Malayan Communist Party	

[Subsidiary]

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106/1967.

<i>Publication</i>	<i>Country of Origin</i>	<i>Description and Publisher</i>
Miners News	International United Kingdom	The organ of the T.U.I. of Miners, published by W.F.T.U. Publications, believed, monthly in London
The Worker	.. United States of America	Published weekly by the Publishers News Press, Inc., New York. An organ of the C.P.U.S.A.
Culture and Life	.. U.S.S.R.	.. Published monthly in Moscow by the Union of Soviet Societies for Friendship and Cultural Relations with Foreign Countries
Moscow News	.. do. ..	.. do.
New Times	.. do. ..	.. Published weekly from 16/2 Gorky Street, Moscow
Soviet Union	.. do. ..	.. Published monthly in Moscow from 8 Ulitsa Moskrina, Moscow K.9
Soviet Woman	.. do. ..	.. Published monthly in Moscow by the Soviet Women's Committee and the Central Council of Trade Unions of the U.S.S.R.
Tass and Novosti	.. do. ..	.. Official releases
International Affairs	do. ..	.. Published monthly by the All-Union Society "Knowledge"

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[Subsidiary]

All publications of World Peace Council (W.P.C.)  
 All publications of World Federation of Trade Unions (W.F.T.U.) and the Trade Departments (Trade Unions International or T.U.I.'s) of W.F.T.U.  
 All publications of World Federation of Democratic Youth (W.F.D.Y.).  
 All publications of International Union of Students (I.U.S.).  
 All publications of Women's International Democratic Federation (W.I.D.F.).  
 All publications of World Federation of Scientific Workers (W.F.S.W.).  
 All publications of International Association of Democratic Lawyers (I.A.D.L.).  
 All publications of World Federation of Teachers' Union (F.I.S.E.).  
 All publications of International Organisation of Journalists (I.O.J.).  
 All publications of International Radio and Television Organisation (O.I.R.T.).  
 All publications of International Federation of Resistance Fighters (F.I.R.).  
 All publications of International Medical Association (I.M.A.).  
 All publications of Peace and Socialism Publishers, Prague, Czechoslovakia.  
 All publications distributed by Peace Book Company, Hong Kong.  
 All publications of the Trade Union Publishing House, Moscow.

<i>Publication</i>	<i>Country of Origin</i>	<i>Description and Publisher</i>	113/1967.
Quotations from Chairman Mao Tse Tung	People's Republic of China	Published by Foreign Languages Press, Peking	
Tricontinental Bulletin	Cuba	Published by the Executive Secretariat of the Solidarity with the Peoples of Africa, Asia and Latin America, P.O. Box 4,224, Havana, Cuba	

[Subsidiary]

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<i>Publication</i>	<i>Country of Origin</i>	<i>Description and Publisher</i>
Guyana Information Bulletin	Guyana	Issued by the Information Bureau of the People's Progressive Party, Freedom House, 41 Robb Street, Georgetown

All publications of the Foreign Languages Press, Peking, China.

All publications of the Foreign Languages Publishing House, Hanoi.