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**LAWS OF THE GAMBIA**

**TELEGRAPHS (MESSAGES  
PROTECTION) ACT**

**CHAPTER 74:02**

**Act No.  
9 of 1887**

**CHAPTER 74:02****TELEGRAPHS (MESSAGES PROTECTION) ACT****ARRANGEMENT OF SECTIONS****SECTION**

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## CHAPTER 74:02

**TELEGRAPHS (MESSAGES PROTECTION) ACT**

**An Act to prohibit the improper publication or divulging of telegraphic messages and the forging of telegrams, and for connected matters.**

[Act No. 9 of 1887.]

[Date of commencement: 15th November, 1887.]

**1. Short title**

This Act may be cited as the Telegraphs (Messages Protection) Act.

**2. Interpretation**

In this Act, unless the context otherwise requires—

“**message**” means matter entrusted to any telegraph company for transmission by telegraph;

“**telegram**” means a written or printed message or communication sent to or delivered at the office of a telegraph company, for transmission by telegraph, or delivered by a telegraph company as a message or communication transmitted by telegraph;

“**telegraph company**” means any company, corporation or persons carrying on the business of sending messages or telegrams for the public, under whatsoever authority or in whatsoever manner such company, corporation or persons may act or be constituted.

**3. Telegraph employee divulging or omitting to transmit message**

A person who, being in the employment of any telegraph company—

- (a) improperly publishes or divulges to any person the purport or contents of any message or telegram or any information relating to the despatch or receipt of any message or telegram;
- (b) wilfully or negligently omits or delays to transmit or delivers any message or telegram; or
- (c) by any wilful or negligent act or omission prevents or delays the transmission or delivery of any message or telegram,

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commits a misdemeanour, and is liable on summary conviction before a Magistrate of the First Class to a penalty not exceeding two hundred dalasis, and in default of payment to imprisonment, with or without hard labour, for a term not exceeding three months, or on conviction on information in the High Court, to a fine not exceeding two thousand dalasis, or to imprisonment, with or without hard labour, for a term not exceeding two years, or in default of payment of such fine, to imprisonment, with or without hard labour, for the term stated above or until the fine shall have been paid.

#### **4. Inducing telegraph employee to commit an offence**

A person who procures or induces, or attempts to procure or induce, a person in the employment of any telegraph company to commit an offence under section 3 of this Act commits a misdemeanour, and is liable to the penalties prescribed by the section.

#### **5. Forgery of telegrams, etc.**

A person who—

- (a) forges or wilfully and without due authority alters a telegram;
- (b) utters a telegram knowing it to be forged, or wilfully and without due authority altered; or
- (c) transmits by telegraph as a telegram, or utters as a telegram, any message or communication which he or she knows to be not a telegram,

whether he or she had or had not an intent to defraud, commits a misdemeanour, and is liable to the penalties prescribed by section 3 of this Act.

#### **6. Procedure. Property in message may be laid in company. Value of message shall be presumed**

In every case where an offence is committed in respect of a message or telegram, it shall be sufficient in the charge or information to lay the property in a message or telegram in a telegraph company, and it shall not be necessary to allege or prove that such message or telegram was of any value, and it shall be sufficient to state and allege that the offender was employed by a telegraph company at the time of the committing of the offence without stating further the nature or particulars of his or her employment.

**CHAPTER 74:02**

**TELEGRAPHS (MESSAGES PROTECTION) ACT**

**SUBSIDIARY LEGISLATION**

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*No Subsidiary Legislation*

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