STATUTORY INSTRUMENTS

1961 No. 2460

COPYRIGHT

The Copyright (Broadcasting Organisations) Order, 1961

Made - - - -	21*st December*, 1961
Laid before Parliament	29*th December*, 1961
Coming into Operation	1*st January*, 1962

At the Court at Buckingham Palace, the 21st day of December, 1961

Present,

The Queen's Most Excellent Majesty in Council

Her Majesty, by and with the advice of Her Privy Council, and by virtue of the authority conferred upon Her by sections 31, 34 and 47 of the Copyright Act, 1956(a) (hereinafter referred to as "the Act"), and of all other powers enabling Her in that behalf, is pleased to provide, and it is hereby provided as follows:—

1. The provisions of the Act relating to television or sound broadcasts specified in the first column of the Schedule hereto shall apply, subject to the modifications correspondingly specified in the second column, in relation to the operation of wireless telegraphy apparatus by way of the emission (as opposed to the reception) of electromagnetic energy by all persons or classes of persons lawfully authorised to broadcast to the public in any country to which section 14 of the Act extends by virtue of an Order in Council made in pursuance of the powers conferred by section 31 of the Act (in this Order referred to as "lawfully authorised broadcasting authorities") for all purposes as they apply to television broadcasts, or, as the case may be, to sound broadcasts made by the Corporation or the Authority.

2. This Order shall extend to the Isle of Man, Sarawak, Gibraltar and Fiji.

3. The Copyright (Broadcasting Organisations) Order, 1959(b), is hereby revoked.

4. The Interpretation Act, 1889(c), shall apply to the interpretation of this Order as it applies to the interpretation of an Act of Parliament and as if this Order and the Order hereby revoked were Acts of Parliament.

5. The Order may be cited as the Copyright (Broadcasting Organisations) Order, 1961, and shall come into operation on the 1st day of January, 1962.

W. G. Agnew.

(a) 4 & 5 Eliz. 2. c. 74. (b) S.I. 1959/2214 (1959 I, p 743). (c) 52 & 53 Vict. c. 63.

SCHEDULE

Provisions applied	Modifications
Section 14, section 40 and subsection (4) of section 48.	For references to the Corporation and the Authority there shall be substituted references to lawfully authorised broadcasting authorities; subsection (3) of section 40 shall be omitted; in subsection (4) of section 40, for "either of the two last preceding subsections" there shall be substituted "the last preceding subsection", and there shall be omitted "or the programme to be transmitted, as the case may be"; in subsection (5) of section 40, references to a work shall be omitted.
Seventh Schedule, paragraph 17.	After "subsist" there shall be inserted "in any country", and for "commencement of that section" there shall be substituted "date on which that section was extended to that country or the date on which that section was extended to the country in which the broadcast was made, whichever is the later".
Seventh Schedule, paragraph 18.	At the beginning there shall be inserted "In any country,", and for "commencement of that section" there shall be substituted "date on which that section was extended to that country or the date on which that section was extended to the country in which the previous broadcast was made whichever is the later".

EXPLANATORY NOTE

(This Note is not part of the Order, but is intended to indicate its general purport.)

This Order, which replaces the Copyright (Broadcasting Organisations) Order, 1959, automatically gives copyright protection in the United Kingdom to television and sound broadcasts made in any country where the provisions of the Copyright Act, 1956, relating to television and sound broadcasts are extended to that country by an Order in Council. Hitherto such protection could only be given by an express amendment to the Order now replaced.

The Order is extended to the Isle of Man, Sarawak, Gibraltar and Fiji, to which the above mentioned provisions have already been extended, and thus gives mutual protection to broadcasts made in any of those countries and the United Kingdom.