1957 No. 875

The Copyright (Customs) Regulations, 1957

Made - - - -	*20th May*, 1957
Laid before Parliament	*27th May*, 1957
Coming into Operation	*1st June*, 1957

The Commissioners of Customs and Excise in pursuance of the powers conferred on them by subsection (4) of section twenty-two of the Copyright Act, 1956(a), hereby make the following Regulations:—

1. The notice required by subsection (1) of section twenty-two shall be in the form No. 1 or form No. 2 set out in the Schedule hereto. A separate notice on form No. 1 shall be given in respect of each work. A separate notice on form No. 2 shall be given in respect of each importation, whether of one or more works.

2. A fee of two pounds two shillings in respect of each notice shall be paid to the Commissioners at the time such notice is given.

3. The owner of the copyright in any published literary, dramatic or musical work for which a notice has been given shall notify the Commissioners in writing of any change in ownership or other change affecting the notice, within twenty-eight days of such change and further notice shall be given as the Commissioners may require. On a change of ownership of copyright, whether notified to the Commissioners or not, any notice already given shall be deemed to have been withdrawn as from the expiry of twenty-eight days from the change of ownership.

4. The owner of the copyright in any work, and any agent of his, who gives a notice shall either at the time of giving the notice or at the time when the work is imported, or at both such times, furnish to the Commissioners such evidence and information within such time and in such form as they may require, and shall produce within such time as they may specify such books or other documents as they may require. If such evidence and information is not furnished and if such books or other documents are not produced as required by the Commissioners, the notice shall be deemed to have been withdrawn as from such time as the Commissioners shall specify.

5. The owner of the copyright in any work, and any agent of his, who gives notice, shall give to the Commissioners security or further security, within such time and in such manner, whether by bond, deposit of a sum of money or otherwise, as the Commissioners may require, against all actions, proceedings, claims and demands whatsoever which may be taken or made against, or costs and expenses which may be incurred by, them in consequence of the detention of any copy to which the notice relates. Such security or further security shall be given at the time the notice is given or at such other

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(a) 4 & 5 Eliz. 2 c. 74.

time as the Commissioners may require. If such security or further security is not given within the time or in the manner required by the Commissioners, the notice shall be deemed to have been withdrawn as from the expiry of the time so required.

6. In every case—

(*a*) in which the Commissioners have not required the security or further security referred to in Regulation 5 to be given, or

(*b*) in which the Commissioners have taken security and that security is insufficient, or

(*c*) in which the notice is deemed to have been withdrawn under Regulation 3, 4 or 5,

the owner of the copyright in any work, and any agent of his, who has given a notice shall jointly and severally keep the Commissioners indemnified against all actions, proceedings, claims and demands whatsoever which may be taken or made against them, and shall repay to the Commissioners all costs and expenses which may be incurred by them in consequence of the detention of, or anything done in relation to, any copy of a work to which the notice relates. Any such costs, expenses, damages or other sums may be recovered as a debt due to the Crown.

7. The Interpretation Act, 1889(**a**), shall apply to the interpretation of these Regulations as it applies for the interpretation of an Act of Parliament.

8. The Regulations dated the 19th June, 1912(**b**), and the 13th March, 1923(**c**), made by the Commissioners of Customs and Excise are hereby revoked.

9. These Regulations may be cited as the Copyright (Customs) Regulations, 1957, and shall come into operation on the 1st day of June, 1957.

Dated this 20th day of May, 1957.

A. D. Owen,
Deputy Chairman and
Commissioner of Customs and Excise.

King's Beam House,
London, E.C.3.

(**a**) 52 & 53 Vict. c. 63. (**b**) S.R. & O. 1912/1714 (Rev. IV, p. 878: 1912, p. 42).
(**c**) S.R. & O. 1923/556 (Rev. IV, p. 878: 1923, p. 166).

THE SCHEDULE

FORM NO. 1

COPYRIGHT ACT, 1956

Notice relating to copyright in any published literary, dramatic or musical work

To the Commissioners of Customs and Excise.

I, ...

of .....

hereby give you notice that copyright in the original work specified in the Schedule hereto now subsists under the Copyright Act, 1956, and that (1).....the owner of the copyright in the said work and that (2).....request(s) that copies of the said work printed out of the United Kingdom shall be treated as prohibited goods, and shall not be imported into the United Kingdom for a period up to and including (3).....

Dated this.....day of.....19 .

Signature.....

(4).....

(1)If notice is given by the owner insert "I am", or if a company, the name of the company and the word "is"; if given by an agent insert name of owner and the word "is".

(2)"I", or "he"; or if a company the name of the company.

(3)The period shall not exceed five years and shall not extend beyond the period for which the copyright is to subsist.

(4)If an agent insert "Agent of owner", or if a company insert the name of the company and status in the company of the signatory.

SCHEDULE

Title of work.....

Description of work, if not a book.....

Full name of author or authors (5).....

Whether author or authors alive. If not, date of death (6).....

Country and date of first publication (7).....

Status of author at date of first publication (8).....

(5)If the author is anonymous or pseudonymous, insert words to this effect and state for what period the copyright exists.

(6)Delete if author anonymous or pseudonymous.

(7)If copyright is claimed by virtue of section 2 (2) (*a*) of the Copyright Act, 1956, it is enough to state the country and date of first publication (see section 49 (2) (*d*) of the Act for the meaning of "first publication" for this purpose).

(8)If copyright is claimed by virtue of section 2 (2) (*b*) or 2 (2) (*c*) of the Copyright Act, 1956, state the grounds on which it is claimed that the author was a qualified person either (*a*) when the work was first published, or (*b*) if he died before the date of first publication, immediately before he died. ("Qualified person" is defined in section 1 (5) of the Act.)

STATUTORY DECLARATION

I, ...

of .....

do solemnly and sincerely declare that the contents of this notice are true, and I make this solemn declaration conscientiously believing the same to be true and by virtue of the provisions of the Statutory Declarations Act, 1835.

Declared by the above-named.....
at .....
this .....
day of.....19 ,
before me.....
A Commissioner for Oaths.

FORM NO. 2

COPYRIGHT ACT, 1956

Notice relating to a particular importation

To the Commissioners of Customs and Excise.

I, ...

of .....

hereby give you notice that copyright in the original work(s) specified in the Schedule hereto now subsists under the Copyright Act, 1956, and that (1)..... the owner(s) of the copyright in the said work(s), and that the under-mentioned copies of the said work(s) made out of the United Kingdom, that is to say

(2)

are about to be imported into the port/airport (3) of (4).....on or about the.....

day of.....next in the (5).....

from.....

And I request that the said copies be treated as prohibited goods and dealt with accordingly.

Dated this.....day of.....19 .

Signature.....

(6).....

(1)If notice is given by the owner insert "I am"; if given by a company insert name of the company and the word "is", if given by an agent insert name of owner and the word "is".

(2)Describe the copies, number of packages, marks used, and any other particulars necessary for their identification.

(3)Delete that which is inapplicable.

(4)Insert name of port or airport.

(5)Insert name or indication of ship or aircraft.

(6)If an agent insert "Agent of Owner(s)". If a company insert the name of the company and status in the company of the signatory.

SCHEDULE

Title of work(s).....

Description of work(s), if not a book.....

Full name of author or authors (7).....

Whether author or authors alive. If not, date of death (8).....

Country and date of first publication of work(s) (9).....

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Status of author or authors at date of first publication (10) .....

(7)If the author(s) is/are anonymous or pseudonymous, insert words to this effect and state for what period the copyright exists.

(8)Delete if author(s) anonymous or pseudonymous.

(9)If copyright is claimed by virtue of section 2 (2) (*a*) of the Copyright Act, 1956, it is enough to state the country and date of first publication (see section 49 (2) (*d*) of the Act for the meaning of "first publication" for this purpose).

(10)If copyright is claimed by virtue of section 2 (2) (*b*) or 2 (2) (*c*) of the Copyright Act, 1956, state the grounds on which it is claimed that the author was a qualified person either (*a*) when the work was first published, or (*b*) if he died before the date of first publication, immediately before he died. ("Qualified person" is defined in section 1 (5) of the Act.)

STATUTORY DECLARATION

I, ...

of .....

do solemnly and sincerely declare that the contents of this notice are true, and I make this solemn declaration conscientiously believing the same to be true and by virtue of the provisions of the Statutory Declarations Act, 1835.

Declared by the above-named.....
at .....
this .....
day of.....19 ,
before me.....
A Commissioner for Oaths.

EXPLANATORY NOTE

(This Note does not form part of the Regulations, but is intended to indicate their general purport.)

These Regulations, made by the Commissioners of Customs and Excise under section twenty-two of the Copyright Act, 1956, prescribe the form in which notices by or on behalf of the owner of copyright in any published literary, dramatic or musical work are to be given for the purpose of having copies made abroad treated as prohibited goods; the fee to be paid in respect of the notices; and the requirements as to furnishing information and indemnifying the Commissioners against the consequences of any detention of such copies.

The Regulations revoke the Regulations dated the 19th June, 1912, and the 13th May, 1923, made by the Commissioners under section 14 of the Copyright Act, 1911, which was repealed by the Copyright Act, 1956.

1957 No. 1523

The Copyright (International Conventions) Order, 1957

Made - - - -	*23rd August*, 1957
Laid before Parliament	*29th August*, 1957
Coming into Operation	*27th September*, 1957

At the Court at Balmoral, the 23rd day of August, 1957

Present,

The Queen's Most Excellent Majesty in Council

Whereas it is provided by section 32 of the Copyright Act, 1956(a), that Her Majesty may by Order in Council apply any provisions of that Act in the case of any country to which those provisions do not extend:

And whereas it is further provided by the said section 32 that the power of applying any of those provisions shall not be exercised in the case of a country, other than a country which is a party to a Convention relating to copyright to which the United Kingdom is also a party, unless Her Majesty is satisfied that, in respect of the class of works or other subject-matter to which those provisions relate, provision has been or will be made under the laws of that country whereby adequate protection will be given to owners of copyright under that Act:

And whereas the countries mentioned in Part I of the First Schedule hereto are members of the Berne Copyright Union as parties to the Conventions relating to copyright therein respectively specified:

And whereas the countries mentioned in Part II of the said First Schedule are parties to a Convention relating to copyright concluded at Geneva on the sixth day of September, one thousand nine hundred and fifty-two (hereinafter referred to as "the Universal Copyright Convention"):

(a) 4 & 5 Eliz. 2. c. 74.