SCHEDULE

United Nations Organisation.

Specialised Agencies of the United Nations Organisation.

Organisation of American States.

Council of Europe.

Organisation for European Economic Cooperation.

EXPLANATORY NOTE

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

By virtue of this Order copyright is conferred on original works which are made or published by or on behalf of the United Nations Organisation and the other international organisations mentioned in the Schedule and which would not otherwise enjoy copyright.

1957 No. 868

The Copyright (Libraries) Regulations, 1957

Made - - - -	*17th May*, 1957
Laid before Parliament	*24th May*, 1957
Coming into Operation	*1st June*, 1957

The Board of Trade in pursuance of the powers conferred upon them by subsections (1), (3) and (5) of section 7 and subsection (4) of section 15 of the Copyright Act, 1956(a), hereby make the following Regulations :—

Prescribed Classes of Library

1. Each of the classes of library specified in the First Schedule hereto shall be a class prescribed for the purposes of subsections (1) and (3) of section 7 of the Act :

Provided that this Regulation shall not apply to any library established or conducted for profit.

2.—(1) Each of the classes of library specified in the First or Second Schedule hereto shall be a class prescribed for the purposes of subsection (5) of section 7 of the Act and, for the purposes of paragraph (*a*) of that subsection (which relates to the librarian to whom a copy is supplied), any class of library so specified shall, where appropriate, be deemed to include any library of a similar class situated outside the United Kingdom.

(2) This Regulation shall apply to any library of a class so specified, whether established or conducted for profit or not.

3. Each of the classes of library specified in the First or Second Schedule hereto shall be a class prescribed for the purposes of subsection (4) of section 15 of the Act.

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

Prescribed Conditions

4. The following conditions shall be conditions prescribed for the purposes of subsections (1) and (3) of section 7 of the Act (which relate, respectively, to copies of articles in periodical publications and copies of parts of other works)—

(*a*) no copy of any work or any part of a work shall be made for or supplied to any person unless he has delivered to the librarian concerned, or to some person appointed by the librarian for that purpose, a declaration and undertaking in writing in relation to that work or part, substantially in accordance with the form set out in the Third Schedule hereto and signed in the manner therein indicated ;

(*b*) for the purposes of subsection (1) (which relates to copies of articles in periodical publications) no copy extending to more than one article in any one publication shall be made ;

(*c*) for the purposes of subsection (3) (which relates to copies of parts of other works) no copy extending to more than a reasonable proportion of a work shall be made ;

(*d*) persons to whom copies are supplied shall be required to pay for such copies a sum not less than the cost (including a contribution to the general expenses of the library) attributable to their production.

5. The following conditions shall be the conditions prescribed for the purposes of subsection (5) of section 7 of the Act, (which relates to the making and supplying of copies of any works or parts of works to librarians)

(*a*) no copy of a work or a part of a work shall be made for or supplied to the librarian of any library, if a copy of that work or that part has already been supplied to any person as a librarian of that library, unless the librarian by or on behalf of whom the copy is made is satisfied that the copy already supplied has been lost, destroyed or damaged.

(*b*) librarians to whom copies are supplied shall be required to pay for such copies a sum not less than the cost (including a contribution to the general expenses of the library) attributable to their production,

(*c*) no copy shall be supplied to the librarian of a library that is established or conducted for profit.

6. Nothing in the preceding Regulations shall be taken to authorise the librarian of any library to make or supply a copy of any work or part of a work (other than an article in a periodical publication) for or to any other person (whether that person is the librarian of another library or not) if at the time when the copy is made the librarian knows the name and address of a person entitled to authorise the making of the copy or could by reasonable inquiry ascertain the name and address of such a person.

7.—(1) The provisions of paragraph (2) of this Regulation shall be the conditions prescribed for the purposes of subsection (4) of section 15 of the Act (which relates to reproductions of the typographical arrangements of published editions of works).

(2) A reproduction of the typographical arrangement of a published edition of a work or a part thereof may be made or supplied in pursuance of subsection (4) of section 15 only in the circumstances and upon the conditions in and upon which a copy of that work or part may, by virtue of the provisions of Part I of the Act, be made or supplied without infringing the copyright in that work under Part I :

Provided that for the purposes of subsection (4) of section 15 of the Act a reproduction of the typographical arrangement of a published edition of a work may be made without infringing the copyright in the published edition notwithstanding that the librarian by or on behalf of whom the reproduction is made knows, at the time it is made, the name and address of a person who is entitled to authorise the making of such a copy or such a reproduction or could by reasonable inquiry ascertain the name and address of such a person.

Interpretation

8. In these Regulations "the Act" means the Copyright Act, 1956, and "work" means a published literary, dramatic or musical work.

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

Citation and Commencement

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

Dated this 17th day of May, 1957.

F. J. Erroll,

Parliamentary Secretary to the Board of Trade.

FIRST SCHEDULE

I. Any library (including the British Museum) to which section 15 of the Copyright Act, 1911(b), applies.

II. Any library of a school (as defined by section 41 (7) of the Act), university, college of a university, university college, or (in relation to England, Wales and Northern Ireland) any library of an establishment for further education (within the meaning assigned to that expression by section 41 of the Education Act, 1944(c) and by section 39 of the Education Act (Northern Ireland), 1947(d) respectively) or (in relation to Scotland) any library of an educational establishment (within the meaning assigned to that expression by section 143 of the Education (Scotland) Act, 1946(e)).

III. Any library administered by a Library Authority under the Public Libraries Acts, 1892 to 1919(f), or the Public Libraries (Scotland) Acts, 1887 to 1955(g), or the Public Libraries Acts (Northern Ireland) 1855 to 1924(h).

IV. Any Parliamentary library or library administered as part of a Government Department (including any Department of the Government of Northern Ireland).

V. Any library conducted for, or administered by any establishment or organisation conducted for, the purpose of facilitating or encouraging the study of all or any of the following:—religion, philosophy, science (including any natural or social science), technology, medicine, history, literature, languages, education, bibliography, fine arts, music or law.

SECOND SCHEDULE

Any library which makes works in its custody available to the public free of charge.

(a) 52 & 53 Vict. c. 63. (b) 1 & 2 Geo. 5. c. 46. (c) 7 & 8 Geo. 6. c. 31.
(d) 1947, c. 3. (e) 9 & 10 Geo. 6. c. 50.
(f) 55 & 56 Vict. c. 53. 56 & 57 Vict. c. 11. 1 Edw. 7. c. 19. 9 & 10 Geo. 5. c. 93.
(g) 50 & 51 Vict. c. 42. 57 & 58 Vict. c. 20. 62 & 63 Vict. c. 5. 10 & 11 Geo. 5. c. 45. & 4 Eliz. 2. c. 27.
(h) 18 & 19 Vict. c. 40. 40 & 41 Vict. c. 15. 47 & 48 Vict. c. 39. 57 & 58 Vict. c. 38. 2 Edw. 7. c. 20. 14 & 15 Geo. 5. c. 10. (N.I.).

THIRD SCHEDULE

FORM OF DECLARATION AND UNDERTAKING

To

The Librarian of

the Library

(Address)

1. I [ ] of [ ]

*Delete whichever is inappropriate.

hereby request you to make and supply to me* [a copy of (*particulars of article*)] *[a copy of (*particulars of work of which a part is required to be supplied and particulars of that part*)], which I require for the purposes of research or private study.

do.

2. I have not previously been supplied with a copy of *[the said article] *[the said part of the said work] by any librarian.

3. I undertake that if a copy is supplied to me in compliance with the request made above, I will not use it except for the purposes of research or private study.

Signature†.....

Date .....

[†*Note:* This must be the personal signature of the person making the request. A stamped or typewritten signature, or the signature of an agent is *NOT* sufficient.]

EXPLANATORY NOTE

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

These Regulations prescribe the classes of library entitled to the exemptions provided for in the Copyright Act, 1956, with regard to making copies of copyright works for the purpose of research or private study or for the purpose of supplying other libraries. Libraries established or conducted for profit may not make copies except for supply to other libraries. The Regulations also prescribe the conditions which must be complied with in order to enjoy these exemptions. Similar provisions are made in relation to copying typographical arrangements of published editions, which now enjoy copyright independently of any copyright in the work itself.

1957 No. 865

The Copyright (Notice of Publication) Regulations, 1957

Made - - - -	17*th May*, 1957
Laid before Parliament	24*th May*, 1957
Coming into Operation	1*st June*, 1957

The Board of Trade in pursuance of the powers conferred upon them by subsection (7) of section 7 of the Copyright Act, 1956(a), hereby make the following Regulations:—

1. Notice of an intended publication of a new work for the purposes of subsection (7) of section 7 of the Act shall be given by advertisement in a daily or Sunday newspaper with a national circulation in the United Kingdom.

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