And the Right Honourable Herbert Morrison, His Majesty's Principal Secretary of State for Foreign Affairs, is to give the necessary directions herein.

E. C. E. Leadbitter.

EXPLANATORY NOTE

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

The purport of Sections one, two and four of the Act is stated in the preamble to this Order. Section 1 relates to England and, with modifications, to Northern Ireland; Section 2 relates only to Scotland; Section 4 relates to England, Scotland and, with modifications, to Northern Ireland. The modifications are provided in Section 7 of the Act.

COPYRIGHT

The Copyright (Union of Burma) Order, 1951

1951 No. 613

Made - - - -	*9th April*, 1951
Laid before Parliament	*10th April*, 1951
Coming into Operation	*16th April*, 1951

At the Court at Buckingham Palace, the 9th day of April, 1951

Present,

The King's Most Excellent Majesty in Council.

Whereas by the Copyright Act, 1911(a), authority is conferred upon His Majesty to extend by Order in Council the protection of the said Act to certain classes of foreign works within any part of His Majesty's dominions, other than self-governing Dominions, to which the said Act extends:

And Whereas His Majesty is satisfied that the Government of the Union of Burma have made, or have undertaken to make, such provisions as it appears to His Majesty expedient to require for the protection of works entitled to copyright under the provisions of Part I of the said Act:

Now therefore, His Majesty, by and with the advice of His Privy Council, and by virtue of the authority conferred upon Him by the Copyright Act, 1911, is pleased to order and it is hereby ordered as follows:—

1. The Copyright Act, 1911, including the provisions as to existing works, shall, subject to the provisions of the said Act and of this Order, apply—

(*a*) to works first published in the Union of Burma on or after the 4th January, 1948, in like manner as if they had been first published within the parts of His Majesty's dominions to which the said Act extends;

(a) 1 & 2 Geo. 5. c. 46.

(*b*) to unpublished literary, dramatic, musical and artistic works made on or after the 4th January, 1948, the authors whereof were at the time of the making of the work citizens of the Union of Burma, in like manner as if the authors had been British subjects;

(*c*) in respect of residence in the Union of Burma, in like manner as if such residence had been residence in the parts of His Majesty's dominions to which the said Act extends.

2. The copyright conferred by this Order upon any musical work shall include all rights conferred by the said Act with respect to the making of records, perforated rolls and other contrivances by means of which the work may be mechanically performed.

3. Nothing in this Order shall be construed as depriving any work of any rights which were lawfully acquired before the 4th January, 1948, under the provisions of the Copyright Act, 1911, or any Order in Council thereunder.

4. Where any person has, before the date of coming into operation of this Order, taken any action whereby he has incurred any expenditure or liability in connection with the reproduction or performance of any work in a manner which at the time was lawful, or for the purpose of or with a view to the reproduction or performance of a work at a time when such reproduction or performance would, but for the making of this Order, have been lawful, nothing in this Order shall diminish or prejudice any rights or interests arising from or in connection with such action which are subsisting and valuable at the said date unless the person who, by virtue of this Order, becomes entitled to restrain such reproduction or performance agrees to pay such compensation as failing agreement may be determined by arbitration.

5. This Order shall apply to all parts of His Majesty's dominions, including any territories under His Majesty's protection, to which the Copyright Act, 1911, extends, except to the self-governing Dominions and to Southern Rhodesia.

6. The Interpretation Act, 1889(**a**), shall apply to the interpretation of this Order as if it were an Act of Parliament.

7. This Order shall come into operation on the 16th day of April, 1951.

8. This Order may be cited as the Copyright (Union of Burma) Order, 1951.

E. C. E. Leadbitter.

EXPLANATORY NOTE

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

The application of the Copyright Act, 1911, to Burma ceased on the 4th January, 1948, when Burma ceased to be part of His Majesty's dominions.

An agreement for the protection of copyright has now been concluded between the United Kingdom and the Union of Burma, and the present Order extends the protection of the Copyright Act, 1911, to works first published in Burma and to the unpublished works of Burmese nationals and of persons resident in Burma.

(**a**) 52 & 53 Vict. c. 63.