



SUPPLEMENT

TO THE

NEW ZEALAND GAZETTE

OF

THURSDAY, MARCH 26, 1914.

Published by Authority.

WELLINGTON, WEDNESDAY, APRIL 1, 1914.

Extension of the Copyright Act, 1913 (British Dominions).

LIVERPOOL, Governor.
ORDER IN COUNCIL.

At the Government Buildings, at Wellington, this twenty-seventh day of March, 1914.

Present :

THE HONOURABLE W. FRASER PRESIDING IN COUNCIL.

WHEREAS it is provided by section twenty-eight of the Copyright Act, 1913, that the Governor may by Order in Council direct that the said Act shall extend—

- (a.) To works first published in any part of the British dominions to which the Order relates, in like manner as if such works were first published in New Zealand ; and
- (b.) In respect of residence in any part of the British dominions to which the Order relates, in like manner as if such residence were residence in New Zealand :

Now, therefore, His Excellency the Governor of the Dominion of New Zealand, acting by and with the advice and consent of the Executive Council of the said Dominion, and in exercise of the powers and authorities conferred upon him as aforesaid, doth hereby direct that the said Act shall extend to works first published in any part of His Majesty's dominions to which the Copyright Act, 1911 (1 and 2 Geo. 5 c. 46), at the making of this Order extends—viz., the United Kingdom, the Channel Islands, the Isle of Man, India, the Commonwealth of Australia, Papua, Norfolk Island, Newfoundland, Ashanti, Bahamas, Barbados, Basutoland, Bermuda, British Guiana, British Honduras, Ceylon, Falkland Islands, Fiji, Gambia, Gibraltar, Gold Coast, Grenada, Hong Kong, Jamaica and Turks Islands, Leeward Islands, Malta, Mauritius, St. Helena, St. Lucia, St. Vincent, Seychelles, Sierra Leone, Southern Nigeria, Straits Settlements, Trinidad, and Tobago—as if such works were first published in New Zealand ; and doth hereby further direct that the said Act shall extend in respect of residence in any of the said parts of His Majesty's dominions as if such residence were residence in New Zealand.

J. F. ANDREWS,
Clerk of the Executive Council

Extension of the Copyright Act, 1913 (Foreign Countries).

LIVERPOOL, Governor.
ORDER IN COUNCIL.

At the Government Buildings, at Wellington, this twenty-seventh day of March, 1914.

Present :

THE HONOURABLE W. FRASER PRESIDING IN COUNCIL.

WHEREAS it is provided by section thirty-three of the Copyright Act, 1913 (hereinafter called "the said Act"), that the Governor may by Order in Council direct that the said Act shall extend :—

- (a.) To works first published in a foreign country to which the Order relates, in like manner as if they were first published in New Zealand ;
- (b.) To literary, dramatic, musical, and artistic works, or any class thereof, the authors whereof were at the time of the making of the work subjects or citizens of a foreign country to which the Order relates, in like manner as if the authors were British subjects ;
- (c.) In respect of residence in a foreign country to which the Order relates, in like manner as if such residence were residence in New Zealand :

Now, therefore, His Excellency the Governor of the Dominion of New Zealand, acting by and with the advice and consent of the Executive Council of the said Dominion, and in exercise of the powers and authorities conferred upon him as aforesaid, doth hereby direct as follows :—

(1.) This Order shall relate to the following foreign countries—namely, Austro-Hungarian Monarchy, Belgium, Denmark and the Faroe Islands, France, Germany and the German Protectorates, Hayti, Italy, Japan, Liberia, Luxemburg, Monaco, the Netherlands, the Netherlands East Indies, the Colonies of Curaçoa and Surinam, Norway, Portugal, Spain, Sweden, Switzerland, and Tunis. And the above countries are in this Order referred to as the foreign countries of the Copyright Union.

(2.) The said Act shall extend :—

- (a.) To works first published in any of the foreign countries of the Copyright Union in like manner as if they had been first published within New Zealand ;

- (b.) To literary, dramatic, musical, and artistic works, the authors whereof were at the time of the making of the works subjects or citizens of any of the said foreign countries, in like manner as if the authors had been British subjects;
- (c.) In respect of residence in any of such foreign countries, in like manner as if such residence had been residence in New Zealand;

Provided that—

(i.) Paragraph (d) of subsection (2) of section 3 and section 25 of the said Act, and such other provisions thereof as confer upon the owner of the copyright in a literary, dramatic, or musical work the exclusive right of making any record, perforated roll, cinematograph film, or other contrivance by means of which the work may be mechanically performed, and such other part or parts thereof as confer copyright in any record or perforated roll, shall not apply in the case of any work of which the country of origin is Italy or Sweden.

(ii.) The term of copyright in New Zealand of any work shall not exceed that conferred by the law of the country of origin of that work.

(iii.) The enjoyment of the rights conferred by the said Act shall be subject to the accomplishment of the following conditions and formalities, that is to say:—

(a.) In the case of any newspaper article (not being a serial story or tale) of which the country of origin is one of the foreign countries following—namely, Belgium, France, Germany, and the German Protectorates, Hayti, Japan, Liberia, Luxembourg, Monaco, Portugal, Spain, Switzerland, and Tunis—the right to prevent the reproduction of such article (either in the original language or in a translation) in another newspaper, with an indication of the source, shall be conditional upon reproduction being forbidden by express declaration in some conspicuous part of the newspaper in which the article is published.

(b.) In the case of any newspaper or magazine article (not being a serial story or tale) of which the country of origin is Denmark, Italy, The Netherlands, The Netherlands East Indies, and the Colonies of Curaçoa and Surinam, Norway, or Sweden, the right to prevent the reproduction of such article (either in the original language or in a translation), with an indication of the source, shall be conditional upon reproduction being forbidden by express declaration in some conspicuous part of the newspaper or magazine in which the article is published.

(c.) In the case of any literary or dramatic work of which the country of origin is Italy, Japan, The Netherlands, The Netherlands East Indies, and the Colonies of Curaçoa and Surinam, or Sweden, the right after the expiration of ten years from the end of the year in which the work, or, in the case of a book published in numbers, each number of the work, was first published, to prevent the production, reproduction, performance in public, or publication of any translation of the work, shall be conditional upon the publication before the expiration of the above-mentioned period, and within the parts of His Majesty's dominions to which the Copyright Act, 1911 (1 & 2 Geo. 5, c 46), extends, or within any foreign country of the Copyright Union, of an authorized translation in the language for which protection is claimed of the work or of each number of the work.

(d.) In the case of any literary or dramatic work, the country of origin of which is the Austro-Hungarian Monarchy, the right after the expiration of ten years from the end of the year in which the work, or, in the case of a book published in numbers, each number of the work, was first published, to prevent the production, reproduction, performance in public, or publication of any English translation of the work shall be conditional upon the publication before the expiration of the above-mentioned period of an authorized English translation of the work, or of each number of the work.

(e.) In the case of any published musical work of which the country of origin is Italy, Japan, or Sweden, the right to prevent performance in public shall be conditional upon performance in public being forbidden by an express declaration on the title page or commencement of the work.

(f.) In the case of any work of which the country of origin is Italy or Sweden, the entire rights conferred by the said Act shall be conditional upon the accomplishment of the conditions and formalities prescribed by law in the country of origin.

(g.) In the application to works of which the country of origin is The Netherlands, The Netherlands East Indies, and the Colonies of Curaçoa and Surinam, of the provisions of section 32 of the said Act, the date of this Order shall be substituted for 26th July, 1913, in subsection (1) (b).

(h.) In the case of any work first published in the Austro-Hungarian Monarchy, the entire rights conferred by the said Act shall be conditional upon the accomplishment of the conditions and formalities prescribed by law in that part of the Monarchy in which the work was first published.

(iv.) Nothing in the provisions of the said Act as applied to existing works shall be construed as reviving any right of preventing the production or importation of any translation in any case where the right has ceased by virtue of section 5 of the International Copyright Act, 1886 (49 & 50 Vic., c. 33).

(3.) Subject to the provisions of subparagraph (i) of the proviso to the last preceding clause of this Order, where any musical work to which this Order applies has been published before the commencement of the said Act, but no contrivances by means of which the work may be mechanically performed have before the commencement of this Order been lawfully made or placed on sale within New Zealand, or within any part of His Majesty's dominions to which an Order in Council under section 28 of the said Act relates, copyright in the 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.

(4.) In this Order the expression "the country of origin," as applied to a work, has the same meaning as in the third paragraph of Article 4 of the Berlin Convention.

(5.) This Order shall be construed as if it formed part of the said Act.

(6.) The Imperial Orders in Council mentioned in the Schedule to this Order are hereby revoked, as from the date of the commencement of this Order, so far as the said Orders relate to New Zealand:

Provided that neither such revocation nor anything else in this Order shall prejudicially affect any right acquired or accrued before the commencement of this Order by virtue of any Order hereby revoked, and any person entitled to such right shall continue entitled thereto, and to the remedies for the same, in like manner as if this Order had not been made.

(7.) This Order shall come into operation on the 1st day of April, 1914, the day on which the Copyright Act, 1913, comes into operation, which day is in this Order referred to as the commencement of this Order.

SCHEDULE.

ORDERS in Council, of the dates named below, for securing the privileges of copyright in His Majesty's dominions to authors of literary and artistic works first produced in the following foreign countries, namely:—

Date of Order.	Countries to which it extends.
November 23, 1887	Belgium, France, Germany, Hayti, Italy, Spain, Switzerland, and Tunis.
August 10, 1888 ..	Luxemburg.
October 15, 1889 ..	Monaco.
August 1, 1896 ..	Norway.
March 7, 1898 ..	Belgium, France, Germany, Italy, Luxemburg, Monaco, Spain, Switzerland, and Tunis.
May 19, 1898 ..	Hayti.
August 8, 1899 ..	Japan.
October 9, 1903 ..	Denmark and Farøe Islands.
December 12, 1904 ..	Sweden.
November 23, 1908 ..	Liberia.
March 2, 1909 ..	German Protectorates.

J. F. ANDREWS,
Clerk of the Executive Council.

Regulations under the Copyright Act, 1913, relating to Copyright.

LIVERPOOL, Governor.

ORDER IN COUNCIL.

At the Government Buildings, at Wellington, this twenty-seventh day of March, 1914.

Present :

THE HONOURABLE W. FRASER PRESIDING IN COUNCIL.

IN pursuance and exercise of the power and authority conferred on him by the Copyright Act, 1913, His Excellency the Governor of the Dominion of New Zealand, acting by and with the advice and consent of the Executive Council of the said Dominion, doth hereby make the following regulations under the said Act; and doth hereby declare that this Order in Council shall come into force on the first day of April, nineteen hundred and fourteen.

THE COPYRIGHT REGULATIONS, 1913.

1. THESE regulations may be cited as the Copyright Regulations, 1913.

2. These regulations are divided into parts, as follows:—

Part I.—General.

Part II.—Royalty System (General).

Part III.—Royalty System (Mechanical Musical Contrivances).

PART I.—GENERAL.

3. In these regulations—

“The Act” means the Copyright Act, 1913:

“Journal” means the *Patent Office Journal*.

“Mechanical musical contrivances” means records, perforated rolls, and other contrivances by means of which sounds may be mechanically reproduced:

“Published work” means work which is printed and issued to the public:

“Unpublished work” means work which has not been printed and issued to the public.

4. All letters relating to the Act or these regulations should be addressed to “The Registrar of Copyright, Wellington.”

5. (1.) The several fees specified in the First Schedule hereto shall be payable in respect of the matters severally referred to therein.

(2.) Except in the case of fees remitted from outside New Zealand, which may be sent by money-order made payable to the Registrar of Copyright, Wellington, all fees must be paid in stamps, which must be affixed uncancelled or undefaced in any way to the documents in respect of which such fees are payable.

6. Where any fee is payable in respect of any act or document the Registrar may refuse to permit or perform the act, or to receive or issue the document, as the case requires, until the fee payable is paid.

7. (1.) Where in these regulations any form is referred to the reference is to the appropriate form in the Second Schedule.

(2.) The forms contained in the Second Schedule may, as far as they are applicable, be used in any proceeding under the Act or these regulations to which they are appropriate.

8. As regards proceedings not specifically provided for in the forms in the Second Schedule any appropriate form will be accepted.

9. The office shall be open to the public every week-day except Saturday between the hours of 10 a.m. and 1 p.m. and from 2 p.m. till 4 p.m., and on Saturday between the hours of 10 a.m. and noon, except on the days following:—

The days from Good Friday to Easter Tuesday, both inclusive; the days from Christmas Eve to the 3rd January, both inclusive; the birthday of the reigning Sovereign; the birthday of His Royal Highness the Prince of Wales; and any other day observed by the Government as a public holiday.

10. Every application for the registration of copyright or performing-right must be left at or sent to the Copyright Office, and may be sent by prepaid letter through the post, and must in every case be accompanied by the prescribed fee.

11. Every application for the registration of copyright or performing-right must be signed by all applicants.

12. An application for the registration of copyright in a published literary, dramatic, musical, or artistic work may be in accordance with Forms A, A1, A2, or A3, as the case requires.

13. An application for the registration of copyright in an unpublished literary, dramatic, musical, or artistic work may be in accordance with Form B.

14. An application for the registration of copyright in a photograph may be in accordance with Forms C or C1, as the case requires.

15. An application for the registration of copyright in a published mechanical musical contrivance may be in accordance with Form D.

16. An application for the registration of copyright in an unpublished mechanical musical contrivance may be in accordance with Form E.

17. An application for the registration of the sole right to perform or authorize the performance of a musical or dramatic work may be in accordance with Form F, and shall be accompanied by a copy of the work.

18. An application for the registration of copyright in an unpublished dramatic work, consisting of a choreographic work or entertainment in dumb show, must be accompanied by a description thereof, typewritten, or else written in a fair legible hand on one side only of the paper, and with no inter-lineations or erasures.

19. Any variation in the arrangement or acting form of a choreographic work or entertainment in dumb show must be made the subject of a separate application for copyright registration.

20. An application for the registration of copyright in an unpublished dramatic work consisting of a cinematograph production must be accompanied by a description of the work, preferably typewritten, and by a photograph taken from each scene represented. If after registration the work is printed or reproduced for sale a complete copy of the work must be filed, and, if the Registrar so desires, an amended description thereof.

21. An application for the registration of copyright in an unpublished work, other than a work specified in Regulations Nos. 18 and 20, must be accompanied by a copy of the work.

22. The title of a literary work should be given exactly as on the title-page of the book or on the work, and the other particulars required to be specified should be exactly as indicated in the work itself.

23. An application for the registration of copyright in a published book must be accompanied by a copy of the book, with all maps and illustrations belonging thereto, finished and coloured in the same manner as the best copies of the books are published, and bound, sewed, or stitched together, and on the best paper on which the book is printed.

24. An application for the registration of copyright in an artistic work must be accompanied by a copy thereof or a representation of it.

25. An application for the registration of copyright in an interchangeable part of a mechanical instrument for mechanically reproducing musical works must be accompanied by the disc, cylinder, or music-roll by means of which the music is reproduced.

26. Where an application for registration of copyright is made by a person other than the author of the work he shall in his application trace his title from the author, and shall attach to his application each assignment or instrument by virtue of which he derives his title, with an attested copy thereof.

27. In the case of new editions of works containing material additions or alterations either in the letterpress or in the maps, prints, or other engravings belonging thereto, application for copyright registration may be made in respect of the new edition as if it were an independent work.

28. If it is desired to register the words only of a song the application should be made out for a literary work; if it is desired to register both words and music application should be made for a musical work.

29. In the case of music published in different editions arranged for different instruments application for copyright registration may be made for each arrangement.

30. In the case of engravings, photographs, or other artistic works published with variations, application for copyright registration may be made for each variety, and should be so worded as to closely differentiate the different issues.

31. (1.) When any person becomes entitled to any registered copyright or performing-right by virtue of an assignment or transmission, or to any interest therein, a request for the entry of his name in the register may be left at or sent by post to the Copyright Office.

(2.) The request may be in accordance with Form I or Form J, as the case requires, and shall be made and signed by the person claiming to be registered as owner or licensee, or by his agent, and shall be accompanied by the deed or document upon which he bases his request for registration.

(3.) An attested copy of every deed and document affecting the ownership of the copyright or performing-right, or of any license thereunder, shall accompany the request.

(4.) The Registrar, if satisfied with the request, shall register the assignment, transmission, or license by entering particulars thereof in the proper register.

32. (1.) The statutory declarations required by the said Act and these regulations, or used in any proceedings thereunder, shall be made and subscribed as follows:—

- (a.) In New Zealand in the manner prescribed by the Justices of the Peace Act, 1908;
- (b.) In the United Kingdom before any Justice of the Peace or any Commissioner or other officer authorized by law in any part of the United Kingdom to administer an oath for the purpose of any legal proceeding;
- (c.) In any other part of His Majesty's Dominions before any Court, Judge, Justice of the Peace, or any officer authorized by law to administer an oath there for the purpose of a legal proceeding; and
- (d.) If made out of His Majesty's Dominions before a British Minister or person exercising the functions of a British Minister, or a Consul, Vice-Consul, or other person exercising the functions of a British Consul, or before a notary public, or before a Judge or Magistrate.

(2.) The Registrar may take notice of the signature to any declaration and of the signature of the person before whom it purports to have been declared without proof of those signatures or of the official character of the person before whom the declaration purports to have been made.

33. The Registers of Copyright may be altered or amended by the Registrar in the following cases:—

- (a.) Where the error in entry has been made purely through the fault of the office;
- (b.) Where the error in entry has been made through accident on the part of an applicant or his agent.

In the latter case, however, no amendment shall be made unless the owner of the copyright or performing-right lodges at the Copyright Office a request to amend, accompanied by the prescribed fee.

34. The Registers of Copyrights shall be open to the inspection of the public during office-hours on every day during which the Copyright Office is open, except on the days and at the times following:—

- (a.) Days which are from time to time notified by a placard posted in a conspicuous place at the Copyright Office; and
- (b.) Times when the registers are required for any purpose of official use.

35. (1.) Every application for the registration of a copyright or performing-right shall be accompanied by a statement of address or appointment of agent in Form G or Form H, and all notices, requisitions, and communications of every kind in connection with an application may be sent by the Registrar to such address or agent.

(2.) The address for service shall, if the Registrar requires, be within New Zealand, and, if he so requires, be in or near to the city in which the Copyright Office is situate.

36. Any notice of address for service or appointment of agent left at or sent to the Copyright Office shall be binding on the person giving the notice until notice of revocation, or of the appointment of some other address for service, or of some other agent has been furnished by him to the Registrar.

36A. A search-warrant issued under section 16 of the Act relating to the seizure of copies believed to be infringing copies of a literary, dramatic, musical, or artistic work shall be in the Form L or the Form M, as the case may require.

36B. A notice under section 17 of the Act (empowering the owner of the sole right to perform a musical or dramatic work to forbid a performance in infringement of his right) shall be in the Form N.

PART II.—ROYALTY SYSTEM (GENERAL).

37. (1.) The notice of intention to reproduce a work in respect of which copyright subsists, required by section 6 of the Act, shall contain the following particulars:—

- (a.) The name and address of the person intending to reproduce the work;
- (b.) The name of the work which it is intended to reproduce, and (if necessary) a description sufficient to identify it;
- (c.) The manner in which it is intended to reproduce the work—*e.g.*, whether by printing, lithography, photography, &c.;
- (d.) The price or prices at which it is intended to publish the work;
- (e.) The earliest date at which any of the copies will be delivered to the purchaser.

(2.) The notice shall, not less than one month before any copies of the work are delivered to the purchaser, be sent by registered post or published by advertisement as follows:—

(a.) If the name and an address within New Zealand of the owner of the copyright, or his agent for the receipt of notice, are known or can with reasonable diligence be ascertained, the notice shall be sent to such owner or agent at such address;

(b.) If such name and address are not known and cannot with reasonable diligence be ascertained, the notice shall be advertised in the *Gazette* and the *Patent Office Journal*. The advertisement in the *Gazette* and *Journal* shall give the particulars required by paragraphs (a) and (b) of subregulation (1) of this regulation, and shall also state an address from which a copy of the notice described in subregulation (1) of this regulation may be obtained.

38. (1.) Unless otherwise agreed royalties shall be payable by means of adhesive labels purchased from the owner of the copyright and affixed to the copies of the work.

(2.) After the person reproducing the work has given the prescribed notice of his intention to reproduce the work the owner of the copyright shall, by writing sent by registered post, intimate to him some reasonably convenient place within New Zealand from which adhesive labels can be obtained, and on demand in writing and tender of the price shall supply from such place adhesive labels of the required denominations at a price equal to the amount of royalty represented thereby.

39. Subject to these regulations no copy of the work shall be delivered to a purchaser until the label or labels denoting amount of royalty have been affixed thereto.

40. (1.) In cases when royalties are payable by means of adhesive labels, if at any time labels of the required denomination are not available, either because—

(a.) After the expiration of fourteen days from the date of the prescribed notice the owner of the copyright has not duly sent to the person reproducing the work an intimation of some reasonably convenient place within New Zealand from which such labels can be obtained; or

(b.) The owner of the copyright refuses or neglects to supply such labels within fourteen days after demand duly made;

copies of the work may be delivered to purchasers without having labels affixed thereto; and the amount of royalties shall be a debt due from the person reproducing the work to the owner of the copyright, and the person reproducing the work shall keep an account of all such copies sold by him.

(2.) For the purpose of this regulation "the date of the prescribed notice" means—

(a.) In cases when the notice is required to be sent by registered post, the date when the notice would in ordinary course of post be delivered;

(b.) In cases when the notice is required to be advertised in the *Gazette* and *Journal*, the date of such advertisement.

41. Where royalties are by agreement payable in any other mode than by means of adhesive labels the time and frequency of the payment shall be such as are specified in the agreement.

42. The adhesive label supplied as aforesaid shall be an adhesive paper label, square in shape, the design to be entirely enclosed within a circle, and the side of the label not to be greater than $\frac{3}{4}$ in. in length. The label shall not be in a form which resembles any postage-stamp, nor bear the effigy of the Sovereign or any other person, nor any word, mark, or design such as to suggest that the label is issued by or under the authority of the Government for the purpose of denoting any duty payable to such Government.

PART III.—ROYALTY SYSTEM (MECHANICAL MUSICAL CONTRIVANCES).

43. (1.) The notice of intention to make contrivances for the mechanical reproduction of musical works, required by section 25 (2) of the Act, shall contain the following particulars:—

- (a.) The name and address of the person intending to make the contrivances;
- (b.) The name of the musical work which it is intended to reproduce and of the author (if known), and (if necessary) a description sufficient to identify the musical work;
- (c.) The class of contrivance on which it is intended to reproduce the musical work—*e.g.*, whether discs, cylinders, or music-rolls;
- (d.) The ordinary retail selling-prices of the contrivances, and the amount of the royalty payable on each contrivance in respect of the musical work;
- (e.) The earliest date at which any of the contrivances will be delivered to the purchaser;
- (f.) Whether any other work is to be reproduced on the same contrivance with the musical work specified in accordance with paragraph (b).

(2.) The notice shall, not less than ten days before any contrivances on which the musical work is reproduced are delivered to a purchaser, be sent by registered post or published by advertisement as follows:—

- (a.) If the name and an address within New Zealand of the owner of the copyright, or his agent for the receipt of notice, are known or can with reasonable diligence be ascertained, the notice shall be sent to such owner or agent at such address;
- (b.) If such name and address are not known and cannot with reasonable diligence be ascertained, the notice shall be advertised in the *Gazette* and the *Journal*. The advertisement in the *Gazette* and *Journal* shall give the particulars required by paragraphs (a) and (b) of subregulation (1) of this regulation, and shall also state an address from which a copy of the notice described in subregulation (1) of this regulation may be obtained. Any number of musical works may be included in the same advertisement.

44. (1.) Unless otherwise agreed royalties shall be payable by means of adhesive labels purchased from the owner of the copyright and affixed in the manner provided by this part of these regulations.

(2.) After the person making the contrivances has given the prescribed notice of his intention to make or sell the contrivances the owner of the copyright shall by writing, sent by registered post, intimate to him some reasonably convenient place within New Zealand from which adhesive labels can be obtained, and on demand in writing and tender of the price shall supply from such place adhesive labels of the required denominations at a price equal to the amount of royalty represented thereby.

45. Subject to these regulations no contrivance shall be delivered to a purchaser until such label or labels denoting the amount of royalty have been affixed thereto, or, in the case of cylinders to which it is not reasonably practicable to affix the labels, until such label or labels have been affixed to a carton or box enclosing the cylinder.

46. (1.) In cases where royalties are payable by means of adhesive labels, if at any time labels of the required denominations are not available, either because—

- (a.) After the expiration of five days from the date of the prescribed notice of the intention of the person making the contrivances to make or sell such contrivances the owner of the copyright has not duly sent to the person making the contrivances an intimation of some reasonably convenient place within New Zealand from which such labels can be obtained; or
- (b.) The owner of the copyright refuses or neglects to supply such labels within three days after demand duly made;

contrivances may be delivered to purchasers without having labels affixed thereto or to the carton or box enclosing the same; and the amount of royalties shall be a debt due from the person making the contrivances to the owner of the copyright, and the person making the contrivances shall keep an account of all such contrivances sold by him.

(2.) For the purposes of this regulation "the date of the prescribed notice" means—

- (a.) In cases where the notice is required to be sent by registered post, the date when the notice would in ordinary course of post be delivered;
- (b.) In cases where the notice is required to be advertised in the *Gazette* and *Journal*, the date of such advertisement.

47. In cases where royalties are payable on contrivances made before the commencement of the Act, the person making such contrivances may give notice of his intention to sell them, containing *mutatis mutandis* the same particulars and given in the same manner as is prescribed by these regulations in the case of the notice required by section 25 (2) of the Act.

48. Where royalties are by agreement payable in any other mode than by means of adhesive labels the time and frequency of the payment shall be such as are specified in the agreement.

49. The adhesive label supplied as aforesaid shall be an adhesive paper label, square in shape, the design to be entirely enclosed within a circle, and the side of the label not to be greater than $\frac{3}{4}$ in. in length. The label shall not be in a form which resembles any postage-stamp, nor bear the effigy of the Sovereign or any other person, nor any word, mark, or design such as to suggest that the label is issued by or under the authority of the Government for the purpose of denoting any duty payable to such Government.

50. The ordinary retail selling-price of any contrivance shall be calculated at the marked or catalogued selling-price of single copies to the public, or, if there is no such marked or catalogued selling-price, at the highest price at which single copies are ordinarily sold to the public.

51. (1.) The inquiries referred to in section 25 of the Act shall be directed to the owner of the copyright by name, or

(if his name is not known and cannot with reasonable diligence be ascertained) in general terms to "the owner of the copyright" of the musical work in respect of which the inquiries are made, and shall contain—

- (a.) A statement of the name of the musical work in respect of which the inquiries are made and of the author (if known), and (if necessary) a description sufficient to identify it;
- (b.) A statement of the name, address, and occupation of the person making the inquiries;
- (c.) An allegation that a contrivance has previously been made by means of which the musical work may be mechanically performed, with the trade name (if known) and a description of such contrivance;
- (d.) An inquiry whether the contrivance so described was made with the consent or acquiescence of the owner of the copyright.

(2.) The inquiries shall be sent by registered post or published by advertisement as follows:—

- (a.) If an address within New Zealand of the owner of the copyright is known, or can with reasonable diligence be ascertained, the inquiries shall be sent to such address; or
 - (b.) If such address is not known and cannot with reasonable diligence be ascertained, the inquiries shall be advertised in the *Gazette* and *Journal*.
52. The prescribed time for reply to such inquiries shall be—
- (a.) In cases where the inquiries are required to be sent by registered post, seven days after the date when the inquiries would in ordinary course of post be delivered;
 - (b.) In cases where the inquiries are required to be advertised in the *Gazette* and *Journal*, seven days after the date of such advertisement.

FIRST SCHEDULE.

FEES.

1. On filing application for registration of copyright in a literary or musical work	s. d.
2. On filing application for registration of copyright in an artistic work (except copyright in a photograph)	2 6
3. On filing application for registration of copyright in a dramatic work (except copyright in an original cinematograph production)	2 6
4. On filing application for registration of copyright in a photograph	1 0
5. On filing application for registration of performing-right in a musical or dramatic work	2 6
6. On filing application for the registration of copyright in an original cinematograph production	5 0
7. On filing application for the registration of the copyright in a mechanical contrivance for reproducing a musical work	5 0
8. On request to the Registrar to register an assignment, transmission, or license in connection with a copyright or performing-right	2 6
9. For inspection of the register—for each entry searched for or inspected	1 0
10. For certified copy of an entry in the register	5 0
11. On application to the Registrar for amendment of the register under section 43 of the Act	5 0

SECOND SCHEDULE.

INDEX TO COPYRIGHT FORMS.

- A. Application for registration of copyright in a published original literary, dramatic, musical, or artistic work. (By the author or his assignee, agent, or attorney.)
- A1. Application for registration of copyright in a published original literary, dramatic, musical, or artistic work. (By a firm.)
- A2. Application for registration of copyright in a published original literary, dramatic, musical, or artistic work. (By a body corporate.)
- A3. Application for the registration of copyright in a collective work. (By owner or his assignee, agent, or attorney.)
- B. Application for registration of copyright in an unpublished original literary, dramatic, musical, or artistic work.
- C. Application for registration of copyright in a photograph. (By the author or his assignee, agent, or attorney.)
- C1. Application for registration of copyright in a photograph. (By a firm.)
- D. Application for registration of copyright in a published mechanical musical contrivance.

- E. Application for registration of copyright in an unpublished mechanical musical contrivance.
 F. Application for registration of the sole right to perform or authorize the performance of a musical or dramatic work.
 G. Statement of address.
 H. Appointment of agent.
 I. Request to enter name of subsequent owner of copyright upon the Register of Copyright.
 J. Request to enter notification of license or other document in the Register of Copyright.
 K. Application for amendment or alteration of the register under section 48 of the Act.
 L. Search-warrant under section 16 (1) (a) of the Act.
 M. Search-warrant under section 16 (1) (b) of the Act.
 N. Notice under section 17 of the Act forbidding the performance of a musical or dramatic work.

FORMS.

[Form A.]

NEW ZEALAND.

The Copyright Act, 1913.

APPLICATION FOR REGISTRATION OF COPYRIGHT IN A PUBLISHED ORIGINAL LITERARY, DRAMATIC, MUSICAL, OR ARTISTIC WORK.

(By the author or authors, or his or their assignee, agent, or attorney.)

I [WE], [Name of applicant in full], of [Address], [Occupation], hereby make application for the registration of the copyright in a [State whether literary, dramatic, musical, or artistic, as the case may be] work, being a [State whether book, drama, song, painting, work of sculpture, lecture, &c., as the case may be] entitled [Title of work in full, or description sufficient to identify it].

I [We] do hereby declare that the said [literary, dramatic, musical, or artistic, as the case may be] work was first published in [State country of publication] by , at , on the , and that such date was not later than fourteen days (or such further time as is fixed by law) after the date of its first publication elsewhere.

I [We] do further declare that is the author of the said [literary, dramatic, musical, or artistic, as the case may be] work, and that I am [we are] the owner[s] of the copyright therein.

And I [we] make this declaration conscientiously believing the statements contained therein to be true in every particular.

[Signature of Applicant.]

Declared at , this day of , 19 , before me—[Signature of person before whom the declaration is made].

To the Registrar of Copyright, Wellington, New Zealand.

NOTE.—Where the applicant is the assignee from the author the applicant must forward with his application each assignment or instrument by virtue of which he derives his title, with an attested copy thereof.

[Form A1.]

NEW ZEALAND.

The Copyright Act, 1913.

APPLICATION FOR REGISTRATION OF COPYRIGHT IN A PUBLISHED ORIGINAL LITERARY, DRAMATIC, MUSICAL, OR ARTISTIC WORK.

(By a firm.)

I [WE], [Name of firm in full], doing business at [Place of business], and composed of the following members [Name of individual members of firm in full], hereby apply for the registration of the copyright in a [State whether literary, dramatic, musical, or artistic, as the case may be] work, being a [State whether book, drama, song, painting, work of sculpture, &c., as the case may be] entitled [Title of work in full, or description sufficient to identify it].

And I [Name in full of member of firm who makes the declaration], a member of the firm of [Name of firm in full], the applicant named herein, declare that the said [State whether literary, dramatic, musical, or artistic, as the case may be] work was first published in [State country of publication] by , at , on the , and that such date was not later than fourteen days (or such further time as is fixed by law) after the date of its first publication elsewhere.

I, the said [Name in full of member of firm who makes the declaration], do further declare that [State the name of the author of the work] is the author of the said [State whether literary, dramatic, musical, or artistic, as the case may be] work, and that the said firm of [Name of firm in full] is the owner of the copyright therein.

And I, the said [Name in full of member of firm who makes the declaration], make this declaration conscientiously believing the statements contained therein to be true in every particular.

[Signature of person authorized to sign the application.]

Declared at , this day of , 19 , before me—[Signature of person before whom the declaration is made].

To the Registrar of Copyright, Wellington, New Zealand.

NOTE.—Where the applicant is the assignee from the author the applicant must forward with his application each assignment or instrument by virtue of which he derives his title, with an attested copy thereof.

[Form A2.]

NEW ZEALAND.

The Copyright Act, 1913.

APPLICATION FOR REGISTRATION OF COPYRIGHT IN A PUBLISHED ORIGINAL LITERARY, DRAMATIC, MUSICAL, OR ARTISTIC WORK.

(By a body corporate.)

THE [Name of company in full], a corporation duly organized under the laws of [Name of State or country under whose laws company is organized], located at [State where company is located], and having an established place of business at [State where place of business is established], hereby applies for the registration of the copyright in a [State whether literary, dramatic, musical, or artistic, as the case may be] work, being a [State whether book, drama, song, painting, work of sculpture, &c., as the case may be] entitled [Title of work in full, or description sufficient to identify it].

And I [Name and address of secretary or other officer authorized to make declaration] declare that the said [State whether literary, dramatic, musical, or artistic, as the case may be] work was first published in [State country of publication] by , at , on , and that such date was not later than fourteen days (or such further time as is fixed by law) after the date of its first publication elsewhere.

I, the said [Name and address of secretary or other officer authorized to make declaration], do further declare that [State name of author of work], the author of the said [State whether literary, dramatic, musical, or artistic, as the case may be] work, and that [Name of company in full] is the owner of the copyright therein.

And I, the said [Name and address of secretary or other officer authorized to make declaration], make this declaration conscientiously believing the statements contained therein to be true in every particular.

[Seal of Company.]

The common seal of [Name of company in full] was hereto affixed in the presence of—[Seal must be affixed with signatures of officers as prescribed by the articles of association of company].

Witness to signature of declarant—

[Signature of Declarant.]

To the Registrar of Copyright, Wellington, New Zealand.

NOTE.—Where the applicant is the assignee from the author the applicant must forward with his application each assignment or instrument by virtue of which he derives his title, with an attested copy thereof.

[Form A3.]

NEW ZEALAND.

The Copyright Act, 1913.

APPLICATION FOR THE REGISTRATION OF COPYRIGHT IN A COLLECTIVE WORK.

(By the owner or owners, or his or their assignee, agent, or attorney.)

I [Name in full, address, and occupation of applicant; if application is made by an agent or attorney evidence of authority to make the application must be furnished] hereby make application for the registration of [my, our, their, or its] copyright in a collective work, being a [State whether encyclopædia, dictionary, year-book, or similar work] entitled [Title of work in full, or description sufficient to identify it].

I do hereby declare that the said [State whether encyclopædia, dictionary, year-book, or similar work] was first published in [State country of publication] by , at , on the , and that such date was not later than fourteen days (or such further time as is fixed by law) after the date of its first publication elsewhere.

I do further declare that [Name of owner of collective work] is the owner of the copyright in the said [State whether encyclopædia, dictionary, year-book, or similar work].

And I make this declaration conscientiously believing the statements contained therein to be true in every particular.

[Signature of Applicant.]

Declared at , this day of , 19 , before me—[Signature of person before whom the declaration is made].

To the Registrar of Copyright, Wellington, New Zealand.

NOTE.—Where the applicant is the assignee from the author the applicant must forward with his application each assignment or instrument by virtue of which he derives his title, with an attested copy thereof.

[Form B.

NEW ZEALAND.

The Copyright Act, 1913.

APPLICATION FOR REGISTRATION OF COPYRIGHT IN AN UNPUBLISHED ORIGINAL LITERARY, DRAMATIC, MUSICAL, OR ARTISTIC WORK.

(By the author or authors, or his or their assignee, agent, or attorney.)

I [WE], [Name of applicant in full], of [Address], [Occupation], hereby make application for the registration of the copyright in a [State whether literary, dramatic, musical, or artistic, as the case may be] work, being a [State whether book, song, drama, painting, &c., as the case may be] entitled [Title of work in full, or description sufficient to identify it].

I [We] declare that , is the author of the said [literary, dramatic, musical, or artistic, as the case may be] work, and at the time of the making thereof, viz. [Fill in date of making of the negative in the case of a photograph], was a British subject [or as the case may be] or resident in [State country of residence].

I [We] do further declare that I am [we are] the owner[s] of the copyright in the said [literary, dramatic, musical, or artistic, as the case may be] work.

And I [we] make this declaration conscientiously believing the statements contained therein to be true in every particular.

[Signature of Applicant.]

Declared at , this day of , 19 , before me—[Signature of person before whom the declaration is made].

To the Registrar of Copyright, Wellington, New Zealand.

NOTE.—Where the applicant is the assignee from the author the applicant must forward with his application each assignment or instrument by virtue of which he derives his title, with an attested copy thereof.

[Form C.

NEW ZEALAND.

The Copyright Act, 1913.

APPLICATION FOR REGISTRATION OF COPYRIGHT IN A PHOTOGRAPH.

(By the author or authors, or his or their assignee, agent, or attorney.)

I [WE], [Name of applicant in full], of [Address], [Occupation], hereby make application for the registration of the copyright in a photograph entitled [Title of photograph in full, or description sufficient to identify it].

I [We] declare that [State name of author of work, or the words I am or we are, as the case requires], of [Here insert address of author if a person other than the applicant], the author of the said photograph, and at the time of the making of the original negative, viz. [Fill in date of the making of the negative], from which it was directly or indirectly derived [I or he was, we or they were, a British subject (or as the case may be) resident in .]

And I [we] do hereby further declare that I am [we are] the owner of the copyright in the said photograph.

And I [we] make this declaration conscientiously believing the statements contained therein to be true in every particular.

[Signature of Applicant.]

Declared at , this day of , 19 , before me—[Signature of person before whom the declaration is made].

To the Registrar of Copyright, Wellington, New Zealand.

NOTE.—Where the applicant is the assignee from the author the applicant must forward with his application each assignment or instrument by virtue of which he derives his title, with an attested copy thereof.

[Form Cl.

NEW ZEALAND.

The Copyright Act, 1913.

APPLICATION FOR REGISTRATION OF COPYRIGHT IN A PHOTOGRAPH.

(By a firm.)

I [WE], [Name of firm in full], doing business at [Place of business], and composed of the following members [Names of individual members of firm in full], hereby apply for the

registration of the copyright in a photograph entitled [Title of photograph in full, or description sufficient to identify it].

And I [Name in full of member of firm who makes the declaration], a member of the firm of [Name of firm in full], the applicant named herein, declare that [Here insert in full name of author of photograph], of [Address of author], is the author of the said photograph, and at the time of the making of the original negative, viz. [Fill in date of making of negative], from which it was directly or indirectly derived, was [were] a British subject [or as the case may be] resident in .

I, the said [Name in full of member of firm who makes the declaration], do further declare that the said firm of [Name of firm in full] is the owner of the copyright in the said photograph.

And I, the said [Name in full of member of firm who makes the declaration], make this declaration conscientiously believing the statements contained therein to be true in every particular.

[Signature of person authorized to sign the application.]

Declared at , this day of , 19 , before me—[Signature of person before whom the declaration is made].

To the Registrar of Copyright, Wellington, New Zealand.

NOTE.—Where the applicant is the assignee from the author the applicant must forward with his application each assignment or instrument by virtue of which he derives his title, with an attested copy thereof.

[Form D.

NEW ZEALAND.

The Copyright Act, 1913.

APPLICATION FOR REGISTRATION OF COPYRIGHT IN A PUBLISHED MECHANICAL MUSICAL CONTRIVANCE.

(By the author or authors, or his or their assignee, agent, or attorney.)

I [WE], [Name of applicant in full], of [Address], [Occupation], hereby make application for the registration of the copyright in a mechanical musical contrivance, being a [State whether disc, cylinder, roll, &c., as the case may be] for mechanically reproducing a musical work entitled [Title of musical work, and (if necessary) a description sufficient to identify it] by [Name of the author of the musical work].

The original plate from which the said contrivance was directly or indirectly derived was made by [Name of maker of the plate] at [Place where the original plate was made] on [Date on which the original plate was made].

I declare that the said contrivance was first published in [Name of country of first publication] by , at on , and that such date was not later than fourteen days (or such further period as is fixed by law) after the date of its first publication elsewhere.

I [We] do further declare that is the author of the said mechanical contrivance, and that I am [we are] the owner[s] of the copyright therein.

And I [we] make this declaration conscientiously believing the statements contained therein to be true in every particular.

[Signature of Applicant.]

Declared at , this day of , 19 , before me—[Signature of person before whom the declaration is made].

To the Registrar of Copyright, Wellington, New Zealand.

NOTE.—Where the applicant is the assignee from the author the applicant must forward with his application each assignment or instrument by virtue of which he derives his title, with an attested copy thereof.

[Form E.

NEW ZEALAND.

The Copyright Act, 1913.

APPLICATION FOR REGISTRATION OF COPYRIGHT IN AN UNPUBLISHED MECHANICAL MUSICAL CONTRIVANCE.

(By the author or authors, or his or their assignee, agent, or attorney.)

I [WE], [Name of applicant in full], of [Address], [Occupation], hereby make application for the registration of the copyright in a mechanical musical contrivance, being a [State whether disc, cylinder, roll, &c., as the case may be] for mechanically reproducing a musical work entitled [Title of musical work, and (if necessary) a description sufficient to identify it] by [Name of the author of the musical work].

The original plate from which the said contrivance was directly or indirectly derived was made by [Name of the maker of the plate] at [Place where the original plate was made] on [Date on which the original plate was made].

I [We] declare that is the author of the said contrivance, and at the time of the making thereof was a British subject [or as the case may be] [or was resident in .]

I [We] do further declare that I am [we are] the owner[s] of the copyright in the said contrivance.

And I [we] make this declaration conscientiously believing the statements contained therein to be true in every particular.

[Signature of Applicant.]

Declared at _____, this _____ day of _____, 19____, before me—[Signature of person before whom the declaration is made].

To the Registrar of Copyright, Wellington, New Zealand.

NOTE.—Where the applicant is the assignee from the author the applicant must forward with his application each assignment or instrument by virtue of which he derives his title, with an attested copy thereof.

[Form F.]

NEW ZEALAND.

The Copyright Act, 1913.

APPLICATION FOR REGISTRATION OF THE SOLE RIGHT TO PERFORM OR AUTHORIZE THE PERFORMANCE OF A MUSICAL OR DRAMATIC WORK.

I [WE], [Name of applicant in full], of [Address], [Occupation], hereby make application for the registration of the sole right to perform or authorize the performance of a musical [or dramatic] work entitled [Title of work in full].

I [We] do hereby declare that _____ is the author of the said work, and that he has assigned the sole right to perform or authorize the performance of the said work to [Where the applicant is the assignee of the author insert me. Where there are one or more intermediate assignments, particulars of each must be inserted, e.g., A.B., who has assigned his interest to C.D., who has assigned his interest to me].

And I [we] make this declaration conscientiously believing the statements contained therein to be true in every particular.

[Signature of Applicant.]

Declared at _____, this _____ day of _____, 19____, before me—[Signature of person before whom the declaration is made].

To the Registrar of Copyright, Wellington, New Zealand.

NOTE.—The applicant must forward with his application each assignment or instrument through which he derives his title, with an attested copy thereof.

[Form G.]

NEW ZEALAND.

The Copyright Act, 1913.

STATEMENT OF ADDRESS.

SIR,—

I hereby authorize and request you to send all notices, requisitions, and communications in connection with my application for the registration of the copyright in my [literary, dramatic, musical, or artistic work, or mechanical musical contrivance, as the case requires] entitled [Title of work] to [Name and address in full].

[Signature of Applicant.]

Dated this _____ day of _____, 19____.

To the Registrar of Copyright, Wellington, New Zealand.

NOTE.—A particular address must be given. An address such as "General Post Office, Wellington," will not be accepted.

[Form H.]

NEW ZEALAND.

The Copyright Act, 1913.

APPOINTMENT OF AGENT.

SIR,—

I [Name, address, and occupation of principal in full] hereby nominate, constitute, and appoint [Name of agent in full], of [Full address of agent], in New Zealand [Occupation of agent], my agent [Principal may here insert the words with full powers of substitution and revocation] for me in my name [Here insert purpose for which agent was appointed, such as to apply for and obtain] registration of my copyright in my [literary, dramatic, musical, or artistic work, or mechanical musical contrivance, as the case requires] entitled [Title of work], and for that purpose to sign on my behalf all documents that my said agent may think necessary or desirable; and I further empower my said agent to alter and amend any documents, whether originally executed by me or on my behalf, in any manner which may be necessary.

Dated this _____ day of _____, 19____.

[Signature of Applicant.]

Witness—

To the Registrar of Copyright, Wellington, New Zealand.

[Form I.]

NEW ZEALAND.

The Copyright Act, 1913.

REQUEST TO ENTER NAME OF SUBSEQUENT OWNER OF COPYRIGHT UPON THE REGISTER OF COPYRIGHT.

[Place.]

[Date.]

I [Name, address, and occupation of applicant in full] hereby request that you will enter my name in the Register of Copyright as owner of the copyright in the [literary, dramatic, musical, or artistic work, or mechanical musical contrivance, as the case requires] entitled [Title of work], which was entered in the Register of [literary, dramatic, musical, or artistic, as the case requires] Copyright on the _____ day of _____, 19____.

I am entitled to the said copyright by virtue of [Particulars showing how transferee derives his title]. And in proof whereof I transmit the accompanying [Nature of the document], with an attested copy thereof.

Dated this _____ day of _____, 19____.

[Signature of person applying for registration of the transfer.]

To the Registrar of Copyright, Wellington, New Zealand.

[Form J.]

NEW ZEALAND.

The Copyright Act, 1913.

REQUEST TO ENTER NOTIFICATION OF LICENSE OR OTHER DOCUMENT IN THE REGISTER OF COPYRIGHT.

[Place.]

[Date.]

I [Name and address in full] hereby transmit an attested copy of [Description of the nature of the document] under Copyright No. [Number of the entry] which was entered in the Register of [literary, dramatic, musical, or artistic, as the case may be] Copyright on the _____ day of _____, 19____.

I also enclose the original document for verification, and I have to request that a notification thereof may be entered in the register.

Dated this _____ day of _____, 19____.

[Signature.]

To the Registrar of Copyright, Wellington, New Zealand.

[Form K.]

NEW ZEALAND.

The Copyright Act, 1913.

APPLICATION FOR AMENDMENT OR ALTERATION OF THE REGISTER UNDER SECTION 48 OF THE ACT.

I [Name of registered owner of copyright or performing-right in full], of [Address], [Occupation], the owner of Copyright No. [Number of the entry] which was entered in the Register of [literary, dramatic, musical, or artistic, as the case may be] Copyright on the _____ day of _____, 19____, request that you will amend or alter the register in the following manner: [Set out desired amendment or alteration of the register].

And I do hereby declare that the error arose through the following circumstances: [Furnish particulars of the circumstances under which the error arose].

And I make this solemn declaration conscientiously believing the statements contained therein to be true in every particular.

Dated this _____ day of _____, 19____.

[Signature of registered owner.]

Declared before me, at _____, this _____ day of _____, 19____.

[Signature of person before whom the declaration is made.]

To the Registrar of Copyright, Wellington, New Zealand.

[Form L.]

NEW ZEALAND.

The Copyright Act, 1913.

SEARCH-WARRANT UNDER SECTION 16 (1) (a) OF THE ACT.

To Constable _____, and to all other Constables of _____.

WHEREAS I am satisfied by evidence that there is reasonable ground for believing that infringing copies of a [literary, dramatic, musical, or artistic, as the case requires] work, bearing the following title or description, viz. [Insert sufficient for identification purposes, the title, or a description of the literary, dramatic, musical, or artistic work], are being sold

or offered for sale at [Name of town or place]. This is therefore to authorize and command you to seize the said alleged infringing copies of said work, and to bring them before [Specify the Court of summary jurisdiction before which the said alleged infringing copies are to be brought].

Given under my hand at _____, in _____, the _____ day of _____, 19____.

Justice of the Peace.

[Form M.]

NEW ZEALAND.

The Copyright Act, 1913.

SEARCH-WARRANT UNDER SECTION 16 (1) (b) OF THE ACT.

To Constable _____, and to all other Constables of _____.

WHEREAS I am satisfied by evidence that there is reasonable ground for believing that infringing copies of a [literary, dramatic, musical, or artistic, as the case requires] work, bearing the following title or description, viz. [Insert sufficient for identification purposes, the title, or a description of the literary, dramatic, musical, or artistic work], are to be found in [Describe the house, shop, or other place where the alleged infringing copies are believed to be, and the town or place in which it is situated].

This is therefore to authorize and command you to search, between sunrise and sunset, the said [house, shop, or place, as the case requires], and to seize the said alleged infringing copies of the said [literary, dramatic, musical, or artistic, as the case requires] work, or any copies reasonably suspected to be infringing copies of said work found by you therein, and to bring them before [Insert the Court of summary jurisdiction before which the said alleged infringing copies are to be brought].

Given under my hand at _____, in _____, the _____ day of _____, 19____.

Justice of the Peace.

[Form N.]

NEW ZEALAND.

The Copyright Act, 1913.

NOTICE UNDER SECTION 17 OF THE ACT FORBIDDING THE PERFORMANCE OF A MUSICAL OR DRAMATIC WORK.

To [Name, description, and address of the person to whom notice is given].

I HEREBY give you notice that [Name, description, and address of the owner of the sole right to perform] am [is] the registered owner of the sole right to perform in New Zealand a [musical or dramatic, as the case requires] work entitled [Title of the musical or dramatic work], which right was registered in the Copyright Office on the _____ day of _____, 19____, and that I have reasonable ground to believe that you are about to perform or take part in the performance of the said work at [Place where performance is believed to be about to take place] in infringement of the said sole right to perform.

I now give you notice, in accordance with section 17 of the Copyright Act, 1913 (a copy of which section is endorsed on this notice), that I forbid the performance in public of the said work in infringement of the said sole right to perform, and that I require you to refrain from performing or taking part in the performance in public of the said work in infringement of the said sole right to perform at [Place where performance is believed to be about to take place] or at any other place in New Zealand.

Dated the _____ day of _____, 19____.

[Signature.]*

* To be signed by the owner of the sole right to perform or his agent. If signed by the agent the words "Agent of the owner of the sole right to perform appointed in writing" are to be added.

NOTE.—A copy of section 17 must be endorsed on this notice.

J. F. ANDREWS,
Clerk of the Executive Council

Regulations relating to the Importation into New Zealand of Copies of Books infringing Copyright.

LIVERPOOL, Governor.
ORDER IN COUNCIL.

At the Government Buildings, at Wellington, this twenty-seventh day of March, 1914.

Present :

THE HONOURABLE W. FRASER PRESIDING IN COUNCIL.

IN pursuance and exercise of the powers conferred on him by section twenty-one of the Copyright Act, 1913 (hereinafter referred to as "the said Act"), His Excellency the Governor of the Dominion of New Zealand, acting by and with the advice and consent of the Executive Council of the said Dominion, doth hereby make the following regulations

for the purposes of the said section; and doth hereby declare that the said regulations shall come into force on the date of the publication of this Order in Council in the Gazette.

REGULATIONS.

1. (1.) THE notice in writing to be given to the Minister of Customs under section 21 of the said Act by the owner, or by the agent of the owner, of the copyright in any book or other printed work in which copyright subsists, shall be in the form No. 1 in the Schedule hereto, or as near thereto as circumstances permit.

(2.) The notice in writing to be given to the Minister under the said section 21 by the owner, or by the agent of the owner, of the copyright in any work (other than a book or other printed work) in which the copyright subsists, may be either a general notice in the form No. 2 in the Schedule hereto or as near thereto as circumstances permit, or a special notice in the form No. 3 in the said Schedule (relating to a particular importation).

(3.) All notices (relating to infringing copies of works in which copyright subsists) given to the Commissioners of Customs and Excise of the United Kingdom prior to the commencement of the said Act, and communicated by them to the Minister of Customs, shall be deemed to have been given by the owner to the Minister of Customs pursuant to section 21 of the said Act.

2. Every notice given in pursuance of these regulations in the form No. 1 or No. 2 in the Schedule hereto shall be accompanied by a statutory declaration in the form No. 4 in the same Schedule.

3. Before any article which appears or is alleged to be a copy of a work to which a notice applies is detained, or any further proceedings with a view to the forfeiture thereof are taken, the person who signed the notice (whether as owner or agent) shall, if required so to do, give to the said Minister in writing such further information and evidence, verified, if so required, by a statutory declaration, as he considers necessary to satisfy him that the article in question is liable to detention or forfeiture.

4. In the case of the detention of any goods in consequence of a notice in the form No. 3, given to the said Minister, the person who signed the notice (whether as owner or agent) must, if so required, deposit with the Collector of Customs or other Chief Officer of Customs at the port or place of detention a sum of money sufficient in the opinion of that officer to cover any expense which may be incurred in the examination required by reason of his notice of the goods detained; and if, upon the examination of the goods, the said Collector or other chief officer is satisfied that there is no ground for their detention they may be delivered.

5. (1.) If any goods are placed under detention in consequence of any notice given in pursuance of these regulations the Minister may require the person who signed the notice to give to the Collector of Customs such bond or other security as he deems sufficient to reimburse the Minister for all expenses and damages that may be incurred in respect of the detention, and in respect of any proceedings that may arise from such detention.

(2.) The bond or other security as aforesaid may be either general or special, and shall be executed prior to the detention of any goods in respect of which notice has been given.

6. In these regulations,—

"Book or other printed work" means every part or division of a book, pamphlet, sheet of letterpress, sheet of music, map, plan, chart, or table separately published.

SCHEDULE.

Form No. 1.

Notice relating to Copyright Books and other Printed Works.

To the Minister of Customs.

I, _____, of _____, hereby give you notice that copyright in the original work [or works] mentioned in the Schedule hereto now subsists under the Copyright Act, 1913, and that [If notice is given by the owner insert "I am," if given by an agent insert name of owner and the word "is"] the owner of the copyright in the said work [or works], and that ["I am" or "he is"] desirous that copies of the said work [or works] printed or reprinted out of New Zealand shall not be imported into the said New Zealand.

Dated at _____ this _____ day of _____, 19____.

Signature [If an agent insert "Agent of owner"].

SCHEDULE.

Title of book [The notice may apply to a number of books or printed works, in which case the particulars in the Schedule must be given in respect to each book or printed work].

Description of printed work if not a book.

Full name of author or authors.

Whether author or authors alive; if not, date of death.

When and where [*It is sufficient to state the country of first publication*] book or printed work first published.

NOTE.—Where advantage has been taken of the provisions of the Copyright Act, 1913, as to simultaneous publication, the date and place stated should be those which entitle the work to copyright in New Zealand.

Form No. 2.

Notice relating to Copyright Works other than Books or other Printed Works.

To the Minister of Customs.

I, _____, of _____, hereby give you notice that copyright in the original work mentioned in the Schedule hereto now subsists under the Copyright Act, 1913, and that [*If notice is given by the owner, insert "I am"; if given by an agent, insert name of owner and the word "is"*] the owner of the copyright in the said work, and that [*"I am" or "he is"*] desirous that copies of the said work made out of New Zealand shall not be imported into the said New Zealand.

Dated at _____, this _____ day of _____, 19 _____.

[*Signature.*]

[*If an agent, insert "Agent of Owner."*]

SCHEDULE.

Title of work (if any):

Full description of work:

Initials or marks (if any) usually placed on copies of work:

Full name of author or authors:

Whether author or authors alive; if not, date of death.

When and where [*It is sufficient to state the country of first publication*] work first published.

NOTE.—Where advantage has been taken of the provisions of the Copyright Act, 1913, as to simultaneous publication, the date and place stated should be those which entitle the work to copyright in New Zealand.

If the work is not published:—

Whether author British subject or not.

If not a British subject, name of country in which author was resident or domiciled at date of the making of the work.

In the case of photographs, phonographic records, and music rolls, date of making the original negative or original plate.

Form No. 3.

Notice relating to a Particular Importation.

To the Minister of Customs.

I, _____, of _____, hereby give you notice that I am the owner [*or agent for the owner*] of the copyright in a certain original work as to which copyright now subsists under the Copyright Act, 1913, and that the undermentioned goods—that is to say [*Describe the goods, number of packages, marks used, and any other particulars necessary for their identification*—] are about to be imported into the Port of _____ on or about the _____ day of _____ next in the [*Describe the ship, and give name or indication*] from _____; that such goods are liable to detention and forfeiture as being [*State if the goods are copies of the original work made out of New Zealand, or how otherwise the goods are liable to detention and forfeiture*]. And I request that the said goods may be detained and dealt with accordingly; and I hereby undertake to reimburse all expenses and damages incurred in respect of the detention, and of any proceedings for forfeiture which may be subsequently taken.

Dated at _____, this _____ day of _____, 19 _____.

[*Signature.*]

[*If an agent, insert "Agent of Owner."*]

Form No. 4

Statutory Declaration.

I, _____, of _____, do solemnly and sincerely declare that the contents of the notice hereto annexed are true; and I make this solemn declaration conscientiously believing the same to be true, and by virtue of the provisions of the Justices of the Peace Act, 1908.

Declared at _____, this _____ day of _____, 19 _____, before me—

Justice of the Peace
[*or Solicitor, or Notary Public*].

J. F. ANDREWS,
Clerk of the Executive Council.