

[L.S.]

BICKHAM ESCOTT,
High Commissioner.



No. I., 1914.

KING'S REGULATION

RELATING TO COPYRIGHT.

Made by His Britannic Majesty's High Commissioner for the Western Pacific under the provisions of the Pacific Order in Council, 1893.

In the name of His Majesty, George the Fifth, by the Grace of God of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas King, Defender of the Faith, Emperor of India.

1. This Regulation may be cited for all purposes as the Solomon and Gilbert Islands Copyright Regulation, 1914. Short title.

2. In this Regulation—

“ a Protectorate ” means either the British Solomon Islands Protectorate or the Gilbert and Ellice Islands Protectorate as the case may be ;

“ Resident Commissioner ” means the Resident Commissioner in a Protectorate.

Interpretation.

3.—(1) If in a Protectorate any person knowingly—

(a) makes for sale or hire any infringing copy of a work in which copyright subsists ; or

(b) sells or lets for hire, or by way of trade exposes or offers for sale or hire any infringing copy of any such work ; or

(c) distributes infringing copies of any such work either for the purposes of trade or to such an extent as to affect prejudicially the owner of the copyright ; or

(d) by way of trade exhibits in public any infringing copy of any such work ; or

(e) imports for sale or hire into a Protectorate any infringing copy of any such work ;

Penalties for dealing with infringing copies, etc.

he shall be guilty of an offence and be liable on conviction to a fine not exceeding forty shillings for every copy dealt with in contravention of this section, but not exceeding fifty pounds in respect of the same transaction ; or in the case of a second or subsequent offence either to such fine or to imprisonment with or without hard labour for a term not exceeding two months.

(2) If any person knowingly makes or has in his possession any plate for the purpose of making infringing copies of any work in which copyright subsists or knowingly and for his private profit causes any such work to be performed in public without the consent of the owner of the copyright he shall be guilty of an offence and be liable to a fine not exceeding fifty pounds or, in the case of a second offence, either to such fine or to imprisonment with or without hard labour for a term not exceeding two months.

(3) The court before which any such proceedings are taken may, whether the alleged offender is convicted or not, order that all copies of the work or all plates in the possession of the alleged offender, which appear to it to be infringing copies, be destroyed or delivered up to the owner of the copyright or otherwise dealt with as the court may think fit.

Importation of
copies.

4.—(1) Copies made out of a Protectorate of any work in which copyright subsists which if made in the Protectorate would infringe copyright, and as to which the owner of the copyright gives notice in writing by himself or his agent to the High Commissioner that he is desirous that such copies should not be imported into the Protectorate shall not be so imported and shall, subject to the provisions of this section, be deemed to be goods declared to be prohibited under section 77 of the Solomons (Customs) Regulation, 1907, and section 68 of the Gilbert and Ellice (Customs) Regulation, 1912, and those sections shall apply accordingly.

(2) Before detaining any such copies or taking any further proceedings with a view to forfeiture thereof under the law relating to Customs a customs officer may require the rules under this section, whether as to information conditions or other matters, to be complied with, and may satisfy himself in accordance with these rules that the copies are such as are prohibited by this section to be imported.

(3) The High Commissioner may make rules, either general or special, respecting the detention and forfeiture of copies the importation of which is prohibited by this section, and the conditions, if any, to be fulfilled before such detention and forfeiture, and may, by such rules, determine the information, notices, and security to be given and the evidence requisite for any of the purposes of this section, and the mode of verification of such evidence.

(4) The rules may apply to copies of all works the importation of which is prohibited by this section, or different rules may be made respecting different classes of such works.

(5) The rules may provide for the informant re-imbursing the customs officer all expenses and damages incurred in respect of any detention made on his information, and of any proceedings consequent on such detention.

Published and exhibited in the Public Office of the High Commissioner for the Western Pacific this twenty-sixth day of January, one thousand nine hundred and fourteen.

By Command,

C. H. HART-DAVIS,

Secretary to His Britannic Majesty's High Commissioner
for the Western Pacific.

Suva, Fiji: Printed by S. BACH,

Printer to the Government of His Britannic Majesty's High Commission for the Western Pacific.

[Price, 1s.]

1914.