



Copyright Act 1956

1956 CHAPTER 74 4 and 5 Eliz 2

PART III

REMEDIES FOR INFRINGEMENTS OF COPYRIGHT

22 Provision for restricting importation of printed copies

- (1) The owner of the copyright in any published literary, dramatic or musical work may give notice in writing to the Commissioners of Customs and Excise (in this section referred to as “the Commissioners”)—
- (a) that he is the owner of the copyright in the work, and
 - (b) that he requests the Commissioners, during a period specified in the notice, to treat as prohibited goods copies of the work to which this section applies:

Provided that the period specified in a notice under this subsection shall not exceed five years and shall not extend beyond the end of the period for which the copyright is to subsist.

- (2) This section applies, in the case of a work, to any printed copy made outside the United Kingdom which, if it had been made in the United Kingdom, would be an infringing copy of the work.
- (3) Where a notice has been given under this section in respect of a work, and has not been withdrawn, the importation into the United Kingdom, at a time before the end of the period specified in the notice, of any copy of the work to which this section applies shall, subject to the following provisions of this section, be prohibited:

Provided that this subsection shall not apply to the importation of any article by a person for his private and domestic use.

- (4) The Commissioners may make regulations prescribing the form in which notices are to be given under this section, and requiring a person giving such a notice, either at the time of giving the notice or at the time when the goods in question are imported, or at both those times, to furnish the Commissioners with such evidence, and to comply with such other conditions (if any), as may be specified in the regulations; and any

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such regulations may include such incidental and supplementary provisions as the Commissioners consider expedient for the purposes of this section.

- (5) Without prejudice to the generality of the last preceding subsection, regulations made under that subsection may include provision for requiring a person who has given a notice under subsection (1) of this section, or a notice purporting to be a notice under that subsection,—
- (a) to pay such fees in respect of the notice as may be prescribed by the regulations ;
 - (b) to give to the Commissioners such security as may be so prescribed, in respect of any liability or expense which they may incur in consequence of the detention, at any time within the period specified in the notice, of any copy of the work to which the notice relates, or in consequence of anything done in relation to a copy so detained;
 - (c) whether any such security is given or not, to keep the Commissioners indemnified against any such liability or expense as is mentioned in the last preceding paragraph.
- (6) For the purposes of section eleven of the Customs and Excise Act, 1952 (which relates to the disposal of duties), any fees paid in pursuance of regulations made under this section shall be treated as money collected on account of customs.
- (7) Notwithstanding anything in the Customs and Excise Act, 1952, a person shall not be liable to any penalty under that Act (other than forfeiture of the goods) by reason that any goods are treated as prohibited goods by virtue of this section.