

1970 No. 1437

COPYRIGHT

The Copyright (Isle of Man) Order 1970

Made - - - 30th September 1970

Laid before Parliament 6th October 1970

Coming into Operation 12th October 1970

At the Court at Balmoral, the 30th day of September 1970

Present,

The Queen's Most Excellent Majesty in Council

Her Majesty, in exercise of the powers conferred on Her by sections 31(1) and 47(3) of the Copyright Act 1956(a), is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered, as follows :—

1.—(1) This Order may be cited as the Copyright (Isle of Man) Order 1970 and shall come into operation on 12th October 1970.

(2) The Interpretation Act 1889(b) shall apply for the purpose of the interpretation of this Order as it applies for the purpose of the interpretation of an Act of Parliament.

2.—(1) The Copyright (Isle of Man) Order 1959(c), as amended by Article 10(1) of, and the first entry in Part I of Schedule 4 to, the Copyright (International Conventions) Order 1964(d), shall be further amended as provided in the following paragraphs.

(2) In paragraph 2 of Schedule 1 (which paragraph specifies modifications in the extension of certain sections to the Isle of Man), after the entry relating to section 8 there shall be inserted in the first column (Provisions) the words "Section 10" and in the second column (Modification) opposite thereto the following words :—

"Subsection (1) shall be omitted ;
 in subsection (2)(b) after the words "offered for sale or hire" there shall be inserted the words "whether in the Isle of Man or elsewhere" ;
 subsection (2)(c) shall be omitted ;
 for subsection (3) there shall be substituted the following subsection :—

"(3) Subject to the next following subsection, after the end of the relevant period of 15 years it shall not be an infringement of the copyright in the work to do anything which at the time when it was done would, if a corresponding design had been registered under the Registered Designs Act 1949(e) (in this section referred to as "the Act

(a) 1956 c. 74.

(c) S.I. 1959/861 (1959 I, p. 748).

(e) 1949 c. 88.

(b) 1889 c. 63.

(d) S.I. 1964/690 (1964 II, p. 1319).

of 1949”) immediately before that time, have been within the scope of the copyright in the design as extended to all associated designs and articles.

In this subsection “the relevant period of 15 years” means the period of 15 years beginning with the date on which articles, such as are mentioned in paragraph (b) of the last preceding subsection, were first sold, let for hire or offered for sale or hire, whether in the Isle of Man or elsewhere.”

(3) In the said paragraph 2 after the entry relating to section 48 there shall be inserted in the first column the words “First Schedule” and in the second column opposite thereto the following words :—

“In paragraph 2 the words “subsection (1) of section ten of this Act shall not apply and” shall be omitted.

In paragraph 3 for the words from “subsection (1)” to the end of the paragraph there shall be substituted the words “this shall be a good defence to such proceedings”.

W. G. Agnew.

EXPLANATORY NOTE

(This Note is not part of the Order.)

This Order amends the Copyright (Isle of Man) Order 1959, which extended the Copyright Act 1956 to the Isle of Man, so as to extend to the Isle of Man the amendments made to that Act by the Design Copyright Act 1968 (c.68).

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