

Statutory Rules 1994 No. 114<sup>1</sup>

**Copyright (International Protection)  
Regulations<sup>2</sup> (Amendment)**

I, THE ADMINISTRATOR of the Government of the Commonwealth of Australia, acting with the advice of the Federal Executive Council and being satisfied for the purposes of subsection 248U (3) of the *Copyright Act 1968* that, in respect of performances that have been fixed in sound recordings, are broadcast live, or are transmitted live to subscribers of diffusion services, provision has been or will be made under the laws of the United States of America under which adequate protection is or will be given to performers whose performances are protected under that Act, make the following Regulations under the *Copyright Act 1968*.

Dated 26 April 1994.

P. BENNETT  
Administrator

By His Excellency's Command,

D. KERR  
Minister for Justice

**1. Amendment**

- 1.1 The Copyright (International Protection) Regulations are amended as set out in these Regulations.

[NOTE: These Regulations commence on gazettal: see *Acts Interpretation Act 1901*, s. 48.]

**2. New regulation 4B**

- 2.1 After regulation 4A, insert:

**Additional application of Act to certain performances**

“4B.

- (1) In this regulation:

‘**relevant country**’ means:

- (a) the United States of America; or
- (b) Australia; or
- (c) a country that constitutes, or forms part of the territory of, a country specified in Part IV of Schedule 1.

- “(2) The provisions of Part XIA of the Act, in so far as they relate to:

- (a) sound recordings; and
- (b) sound broadcasts of live performances; and
- (c) sound transmissions of live performances to subscribers of diffusion services;

apply to:

- (d) a performance by a performer who is a citizen, national or resident of the United States of America:
  - (i) given in a relevant country; or
  - (ii) recorded by a citizen, national or resident of a relevant country; or
  - (iii) broadcast by a relevant broadcaster from a relevant country; or

- (iv) the first recording of which occurred in a relevant country; and
- (e) a performance by a performer who is a citizen or resident of Australia:
  - (i) given in the United States of America; or
  - (ii) recorded by a citizen, national or resident of the United States of America; or
  - (iii) broadcast by a relevant broadcaster from the United States of America; or
  - (iv) the first recording of which occurred in the United States of America.”.

### 3. Schedule 1 (Countries to which the provisions of the Act apply)

#### 3.1 Part I:

Omit “Czechoslovakia”.

#### 3.2 Part I:

Insert the following items in alphabetical order determined on a letter by letter basis:

“Albania”, “Bolivia”, “Bosnia Herzegovina”, “Czech Republic”, “El Salvador”, “Jamaica”, “Namibia”, “Nigeria”, “Saint Lucia”, “Slovakia”, and “The former Yugoslav Republic of Macedonia”.

#### 3.3 Part II:

Omit “Bolivia”, “China, People’s Republic of”, “Croatia, Republic of”, “Democratic Kampuchea”, “Ecuador”, “El Salvador”, “Ghana”, “Kenya”, “Malawi”, “Nigeria”, “Paraguay” and “Zambia”.

#### 3.4 Part II:

Insert the following items in alphabetical order determined on a letter by letter basis:

“Belarus”, “Cambodia”, “Kazakhstan”, “Tajikistan”, and “Ukraine”.

#### 3.5 Part IV:

Omit “Czechoslovakia”.

#### 3.6 Part IV:

Insert the following items in alphabetical order determined on a letter by letter basis:

“Bolivia”, “Czech Republic”, “Jamaica”, “Netherlands”, “Nigeria”, “Slovakia”, and “Switzerland”.

### NOTES

1. Notified in the *Commonwealth of Australia Gazette* on 3 May 1994.
2. Statutory Rules 1969 No. 60 as amended by 1969 No. 65; 1974 No. 137; 1980 No. 276; 1981 No. 74; 1983 No. 127; 1984 No. 43; 1990 Nos. 356 and 357; 1991 Nos. 451 and 452; 1992 No. 124; 1993 No. 214.