

## COPYRIGHT (CUSTOMS) REGULATIONS, 1964.

STATUTORY INSTRUMENTS.

**S.I. No. 231 of 1964.**

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### **COPYRIGHT (CUSTOMS) REGULATIONS, 1964.**

The Revenue Commissioners, in exercise of the powers conferred on them by section 28 of the Copyright Act, 1963 (No. 10 of 1963), hereby make the following regulations:

1.—

- (1) These Regulations may be cited as the Copyright (Customs) Regulations, 1964.
- (2) These Regulations shall come into operation on the 1st day of October, 1964.

2. The notice to be given to the Revenue Commissioners (hereinafter referred to as the Commissioners) under section 28 of the Copyright Act, 1963, shall be—

- (a) a general notice in the Form No. 1 in the Schedule hereto or as near thereto as circumstances permit, or
- (b) a special notice relating to a particular importation in the Form No. 2 in that Schedule, as may be appropriate.

3. The fee payable to the Commissioners in respect of a notice pursuant to these Regulations shall be one pound.

4. The person who gives a notice pursuant to these Regulations shall, either at the time of giving of the notice or at the time when the copy of the work or recording to which the notice relates is imported, or at both those times, give, if and as required by the Commissioners, such further information (verified by statutory declaration if the Commissioners so require) and such other evidence as shows that the importation of such copy is prohibited.

5. If any copy of a work or recording is placed under detention in consequence of a notice pursuant to these Regulations, the Commissioners may require the person who gave the notice to give to the Commissioners an undertaking under seal, with one or two (as may be required by the Commissioners) guarantors approved of by the Commissioners, to defray any liability or expense which the Commissioners may incur in consequence of the detention, or in consequence of anything done in relation to the copy so detained.

6. Whether or not an undertaking as provided for in the foregoing Regulation is given, the person who gave the notice shall keep the Commissioners indemnified against any such liability or expense as is mentioned in that Regulation.



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*Notice of the making of this Statutory Instrument was published in “Iris Oifigiúil” of 29 September, 1964.*



## SCHEDULE

### FORM NO. 1.

Copyright Act, 1963.

Notice to the Revenue Commissioners.

I, \_\_\_\_\_ of \_\_\_\_\_ hereby give notice  
to the Revenue Commissioners under Section 28 of the Copyright Act, 1963, that

- (i) I am the owner of the copyright in the following published literary, dramatic or musical work or sound recording:—

Title:

Full description:

Full name of Author/Maker\*:

- (ii) I request the Revenue Commissioners, during the period ending<sup>†</sup>  
, to treat as prohibited goods copies of the said work/recording\* to which Section 28 of the Copyright Act, 1963, applies.

I hereby indemnify the Revenue Commissioners against any liability or expense which they may incur, in consequence of the detention, at any time during the period specified above, of any copy of the said work/recording\* or in consequence of anything done in relation to a copy so detained.

Dated this \_\_\_\_\_ day of \_\_\_\_\_

(Signature)

*Statutory Declaration.*

I, \_\_\_\_\_, of \_\_\_\_\_  
do solemnly and sincerely declare that the contents of the above notice are true and I make this solemn declaration conscientiously believing the same to be true and by virtue of the Statutory Declarations Act, 1938.

(Signature)

Declared before me by ..... who is  
personally known to me (or who is identified to me by ..... who is  
personally known to me) at ..... this  
..... day of ..... 19.....

.....  
.....

\* Delete words inapplicable.

<sup>†</sup> The period specified in the notice may not exceed five years and may not extend beyond the end of the period for which the copyright is to subsist.



**FORM NO. 2.**

Copyright Act, 1963.

Notice to the Revenue Commissioners.

- I, \_\_\_\_\_ of \_\_\_\_\_  
hereby give notice to the Revenue Commissioners under Section 28 of the Copyright Act, 1963, that
- (i) I am the owner of the copyright in the following published literary, dramatic or musical work or sound recording:—  
Title: \_\_\_\_\_  
Full description: \_\_\_\_\_  
Full name of Author/Maker:<sup>1</sup> \_\_\_\_\_
- (ii) the following goods, that is to say,<sup>2</sup> \_\_\_\_\_ which are about to be  
imported at \_\_\_\_\_ on or about the \_\_\_\_\_ day of \_\_\_\_\_ by<sup>3</sup>  
from \_\_\_\_\_ are goods to which Section 28 of the Copyright Act, 1963,  
applies on the grounds that<sup>4</sup> \_\_\_\_\_
- (iii) I request the Revenue Commissioners to treat the said goods as prohibited goods.

I hereby indemnify the Revenue Commissioners against any liability or expense which they may incur in consequence of the detention of the goods in question or in consequence of anything done in relation to such detention.

Dated this \_\_\_\_\_ day of \_\_\_\_\_

(Signature)

*Statutory Declaration.*

I, \_\_\_\_\_, of \_\_\_\_\_, do  
solemnly and sincerely declare that the contents of the above notice are true and I make this solemn declaration conscientiously believing the same to be true and by virtue of the Statutory Declarations Act, 1938.

(Signature)

Declared before me by ..... who is  
personally known to me (or who is identified to me by .....  
.....who is personally known to me) at .....  
.....this.....day of ..... 19.....

.....  
.....

<sup>1</sup> Delete word inapplicable.

<sup>2</sup> Full description of the goods should be given, e.g., number of packages, marks used, any other identifying particulars.

<sup>3</sup> State mode of conveyance. If imported by  
(a) Ship, state the name of the ship,  
(b) Motor Vehicle or Aircraft, state the registration marks of numbers,  
(c) Train, state the time of arrival.

<sup>4</sup> State how the goods infringe copyright.

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GIVEN this 23rd day of September, 1964.

B. CULLIGAN,  
Revenue Commissioner.

EXPLANATORY NOTE.

*(This note is not part of the Regulations and does not purport to be a legal interpretation.)*

These Regulations replace the Regulations dated 22nd March, 1928, made by the Commissioners under Section 165 of the Industrial and Commercial Property (Protection) Act, 1927, which section was repealed by the Copyright Act, 1963.

The effect of the Regulations is

- (a) to prescribe the form of notices requesting the Commissioners to treat as prohibited goods copies of copyright works or recordings made outside the State which, if made in the State, would be infringing copies;
- (b) to prescribe the fee payable in respect of the notice;
- (c) to set out the requirements as to furnishing information and indemnifying the Commissioners against any liability or expense arising out of the detention of copies.