

SUBSIDIARY LEGISLATION 415.06**FUNCTIONS OF THE COPYRIGHT BOARD
REGULATIONS**

7th November, 2014

LEGAL NOTICE 395 of 2014.

1. The title of these regulations is the Functions of the Copyright Board Regulations. Citation.

2. In these regulations, the following words and phrases shall have the following meanings: Interpretation.

"the Act" means the Copyright Act; Cap. 415.

"the Board" means the Copyright Board established under article 45 of the Act;

"Member State" means Member State of the European Union;

"the Minister" means the Minister responsible for the protection of copyright and neighbouring rights;

"orphan works" means -

- (a) works published in the form of books, journals, newspapers, magazines or other writings contained in the collections of publicly accessible libraries, educational establishments or museums as well as in the collections of archives or of film or audio heritage institutions;
- (b) cinematographic or audiovisual works and phonograms contained in the collections of publicly accessible libraries, educational establishments or museums as well as in the collections of archives or of film or audio heritage institutions; and
- (c) cinematographic or audiovisual works and phonograms produced by public-service broadcasting organisations up to and including 31 December 2002 and contained in their archives,

which are protected by copyright or neighbouring rights and which are first published in a Member State or, in the absence of publication, first broadcast in a Member State, if none of the rightholders in that work or phonogram is identified or, even if one or more of them is identified, none is located despite a diligent search for the rightholders has been carried out and recorded.

3. By virtue of these regulations, the Minister has assigned the following functions to the Board: Functions of the Copyright Board.

- (a) to determine the amount of compensation due in disputes involving orphan works;
- (b) to order a person to pay the amount of compensation fixed by it.