



THE COPYRIGHT (GENERAL MATTERS) REGULATIONS 1995

CATHERINE A. TIZARD, Governor-General

ORDER IN COUNCIL

At Wellington this 10th day of July 1995

Present:

HER EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL

PURSUANT to section 234 of the Copyright Act 1994, Her Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, hereby makes the following regulations.

ANALYSIS

1. Title and commencement
2. Interpretation
3. Prescribed judicial bodies for purposes of Act
4. Prescribed classes of libraries for purposes of section 50 of Act
5. Prescribed bodies for purposes of section 69 of Act
6. Revocations

REGULATIONS

1. Title and commencement—

- (1) These regulations may be cited as the Copyright (General Matters) Regulations 1995.
- (2) These regulations shall come into force on the 15th day of August 1995.

2. Interpretation—

In these regulations, unless the context otherwise requires,—

“Act” means the Copyright Act 1994:

“Interloan scheme” means the scheme of that name jointly administered by the National Library of New Zealand established by the National Library Act 1965 and the New Zealand Library and Information Association: Te Rau Herenga o Aotearoa Incorporated, a society incorporated under the Incorporated Societies Act 1908.

3. Prescribed judicial bodies for purposes of Act—

The following bodies are hereby declared to be judicial bodies for the purposes of the Act:

- (a) The Advertising Standards Complaints Appeal Board appointed by the Advertising Standards Authority Incorporated, a society incorporated under the Incorporated Societies Act 1908:
- (b) The Advertising Standards Complaints Board appointed by the Advertising Standards Authority Incorporated, a society incorporated under the Incorporated Societies Act 1908.

4. Prescribed classes of libraries for purposes of section 50 of Act—

The class of library constituted by libraries that are members of the interloan scheme is hereby declared to be a class of library for the purposes of section 50 of the Act.



5. Prescribed bodies for purposes of section 69 of Act—

The following bodies are hereby declared to be prescribed bodies for the purposes of section 69 of the Act:

- (a) The Christian Ministries with Disabled Trust, a trust incorporated under the Charitable Trusts Act 1957;
- (b) The Royal New Zealand Foundation for the Blind constituted under the Royal New Zealand Foundation for the Blind Act 1963.

6. Revocations—

The following regulations are hereby consequentially revoked:

- (a) The Copyright (Prescribed Body) (Christian Ministries with Disabled Trust) Regulations 1995*;
- (b) The Copyright (Prescribed Body) (Royal New Zealand Foundation for the Blind) Regulations 1995[†].

MARIE SHROFF,
Clerk of the Executive Council.

EXPLANATORY NOTE

This note is not part of the regulations, but is intended to indicate their general effect.

These regulations come into force on 15 August 1995.

Regulation 3 declares the Advertising Standards Complaints Appeal Board and the Advertising Standards Complaints Board to be judicial bodies for the purposes of the Act. 'File definition of the term "judicial proceedings" in section 2 of the Act includes proceedings before a body prescribed as a judicial body. Sections 59 and 181 of the Act provide that copyright and performers' rights, respectively, are not infringed by anything done for the purposes of judicial proceedings or for the purposes of reporting such proceedings.

Regulation 4 declares the class of library constituted by libraries that are members of the interloan scheme jointly administered by the National Library and the New Zealand Library and Information Association: Te Rau Herenga o Aotearoa Incorporated to be a class of library for the purposes of section 50 of the Copyright Act 1994. Section 50 defines the term "prescribed library". The definition includes a library of any class of library prescribed by regulations, not being a library conducted for profit. Under sections 51 to 56 of the Act, librarians of prescribed libraries may make copies of or from certain copyright works, if the statutory conditions are met, without infringing copyright in those works.

Regulation 5 incorporates in these regulations 2 existing sets of regulations, the Copyright (Prescribed Body) (Christian Ministries for Disabled Trust) Regulations 1995 and the Copyright (Prescribed Body) (Royal New Zealand Foundation for the Blind) Regulations 1995.

As a consequence, those sets of regulations are revoked by *regulation 6*.

Issued under the authority of the Acts and Regulations Publication Act 1989.

Date of notification in *Gazette*: 13 July 1995.

These regulations are administered in the Department of Justice.

WELLINGTON, NEW ZEALAND: Published under the authority of the New Zealand Government—1995

64204E—95/NS

* S.R. 1995/95

† S.R. 1995/42