

(13) For an application for a reference for the Board under section 65 (2).	Rs.1,500.00	per work
(14) For an appeal before the Copyright Board under section 76.	Rs.1,500.00	-do-
(15) For a notice of relinquishment of copyright under section 17.	Rs.1,500.00	-do-

COPYRIGHT BOARD (PROCEDURE) REGULATIONS, 1981

In pursuance of the powers conferred under section 46 of the Copyright Ordinance, 1962 (XXXIV of 1962) the Copyright Board is pleased to make the following regulation, namely Copyright Board (Procedure) Regulations, 1981.

- (1) Short title and commencement. --(i) These regulations may be called Copyright Board (Procedure) Regulations, 1981.
- (ii) These shall come into force at once.
- (2) Definition----- (i) In these regulations, unless there is anything repugnant in the subject or context:-
- (a) "Board" means the Copyright Board.
- (b) "Chairman" means the Chairman of the Copyright Board. (c) "Form" means a form set out in the First Schedule.
- (d) "Member" means a member of the Copyright Board.
- (e) "Ordinance" means Copyright Ordinance, 1962.
- (f) "Registrar" means the Registrar of Copyright (which includes the Deputy Registrar).
- (g) "Register" means the Register of Copyrights.
- (h) "Regulations" means the Copyright Board (Procedure) Regulations, 1981.
- (i) "Rules" means Copyright Rules, 1967.
- (j) "Schedule" means Schedule annexed to these Regulations.
- (k) "Secretary" means Secretary of the Board; Le. Registrar of Copyrights.

- (1) "Section" means a section of the Ordinance.
- (2) Words and expressions not defined in these regulations shall have the same meaning as are assigned to them in the Ordinance . . .
- (3) The permanent seat of the Board shall be at Karachi The Board shall ordinarily hold its sittings at its permanent seat, but it may hold its sitting at any other place if in its opinion the holding of such sittings at such other place will be convenient to the parties to the proceedings 'or otherwise.
- (4) (a) Meeting of the Board shall be convened by the Chairman at such place and at such time as may be deemed necessary. Reasonable notice shall given to all the members.
- (5) Reference to the Board -----(I) (a) A reference to the Board under section 4(2) as to whether issue of any work to the public are in sufficient quantities shall be made in Form "A"
 (b) A reference to the Board under section 6(2) for determination of any term of 'copyright in any other country, shall be made in Form "B"
 (c) A reference to the Board under section 65(2) for the decision with regard to the infringement of copyright in any work shall be in Form "C".
- (II) On receipt of any reference under these regulations, the Board shall issue notice to the parties in the prescribed Form "C 1 " .
- (6) Objection referred to the Board: -
 (I) An objection filed with the. Copyright Office under section 32 and refer for the determination by the Board under section 33 shall be in Form 'D'
 (II) On receipt .of any objection under these regulations from any party, the Board shall fix a date "Of hearing and issue notice to the parties to the dispute in the prescribed Form '1'.
- (7) Application to the Board: -
 (I) (a) An application under section 36 of the Ordinance for the grant of a licence in words withholding from public shall be in Form 'E'.
 (b) An application under section 41 of the Ordinance for the correction of entries in the Register of Copyrights shall be in Form 'F'.

(II) On receipt of any such application, the Board shall issue notice to other party or parties as the case may be:

(8) Appeal to the Board: -

(I) An appeal under section 76 of the Ordinance against orders of Registrar shall be in Form 'G'

(II) A summons to party or witness under section 78 shall be in Form 'H'.

(III) A notice for fixation of hearing of appeal/application/objection/reference before the Copyright Board shall be in Form 'I'.

(9) Any application, reference or appeal to the Board may be sent to the Secretary by registered post acknowledgement due or presented to him during office hours either by the applicant or the appellant personally or through his advocate, agent along with authorization in Form J/K

(10) (I) Every memorandum of appeal shall-

(a) be legibly,~ correctly and concisely written, typed written, or printed,

(b) be divided into paragraphs, numbered consecutively each paragraph containing, as nearly as may be a separate assertion or averment,

(c) contain the full name, and address of each party,

(d) set out briefly the facts of the case,

e) clearly set out the relief claimed,

(f) be accompanied by a copy of the final order against which appeal is preferred,

(g) be signed or thumb-impressed by the appellant, and

(h) be accompanied by 8 copies of the memorandum of appeal and as many copies of the final order against which an appeal is preferred.

(II) All applications shall be in such form as may be prescribed under the regulations.

(11) When an appeal is presented after the period prescribed in the

Ordinance it shall be accompanied by a petition, supported by an affidavit setting forth the cause of delay.

- (12) The Secretary shall scrutinize every application, reference or appeal received by him and if found to be correctly drawn, cause it to be registered as an application, reference or an appeal in the Register of Applications or the Register of Appeals as the case may;
- (a) If any such application, reference or appeal as the case may be is not found to be drawn up properly, it may be returned for amendment and may be filed duly amended again within 14 days or such extended time as granted by the Board.
- (b) Board may direct a party to deposit towards costs for issue of processes a sum of Rs.100.
- (c) A notice of filing of appeal, application or reference shall be issued to the parties in the prescribed form, and may be served by registered post or any other manner, including by publication in one or more daily newspapers as the Board may direct:

Provided that a notice shall not be issued for publication until costs of such publication are deposited or paid by the party.

- (13) Any party on whom notice of an application, reference or an appeal has been served may send his objections by registered post acknowledgement due to the Secretary so as to reach in his office or deliver the same to the Secretary either personally or through his advocate, not later than 21 days of service of notice on him.
- (14) (I) The written objections shall be legibly, correctly and concisely written, written, typed or printed in the prescribed form and shall be signed by the party himself or by a person duly authorized by him in this behalf, and shall be accompanied by documents on which reliance is made in support of such objection.
- (III) The written objection shall be accompanied by 8 copies therefore complete in all respects and duly attested or certified as true copies by the Advocate of the parties.
- (15) (I) An application to summon witnesses before the Board shall be made, by the party wishing to produce such witnesses not later

than 21 days before the date fixed for hearing before the Board, and shall state:-

- (a) The name, designation and address of the witnesses to be summoned.
 - (b) The reasons or necessity of evidence of such witness.
- (II) If in the opinion of the Board the evidence of witnesses specified in the list of witnesses is necessary for the proper adjudication of the material question at issue it shall direct him to be summoned on a date to be fixed by the Board, and shall direct that the daily allowance and travelling expenses of such witnesses be deposited by the party.
- (III) The Board may by special or general order prescribe scale of daily allowances and travelling expenses payable to the witnesses summoned.
16. Summons----A summons issued by the Board shall be in Form the Board may require any person to produce before it any books, papers or other documents and things in his possession or under his control in any way relating to the matter under investigation, adjudication, or determination.
17. Notice---- A notice issued by the Board shall be in 'Form I'
18. Service of summons or notices Any notice, summons process or order issued by the Board may be served either personally or by registered post.
19. Procedure---- (I) At the first sitting of the Board in respect of any matter before the Board, the Chairman shall call upon the parties to state their case in such order as he may think fit.
- (II) The hearing shall be in public 'except for in a particular case, if the Chairman considers that public hearing will be against public morals and interests or State security, the Chairman may, for reasons to be recorded, or a closed hearing.
20. Administration of Oath---- The Chairman or any other member of the Board may administer an oath to any party or witness appearing before it.
21. Evidence---- The Board may accept, admit or call for evidence at any stage of the 'proceedings before it and in such manner as it may think fit.

22. Manner of business before the Board--(I) The Chairman may curtail or dispense with the examination, cross-examination or re-examination of a party or witness, if he is of the opinion that such examination, cross-examination is likely to cause delay or defeat the purpose of the proceedings before the Board for reasons to be recorded.
- (II) The Board may in certain cases if it deems proper endeavour to remove differences between the parties and secure an amicable settlement of the issue before it.
23. The Board may proceed ex parte ----- If, without good cause shown any party to. Proceedings before the Board fails to attend or to be represented, the Board may proceed ex parte as if such party had duly attended or has been represented.
24. Powers of entry and inspection----- For the purposes of any investigation, inquiry or adjudication to be made by the Board at any time between the hours of sunrise and sunset the Board or any other person authorized by the Chairman in this behalf, may after he has given reasonable notice to enter any building, factory, godown, workshop, shop or other place or premise whatsoever and inspect the same or any work, machinery, appliance or article therein, or interrogate any person therein in respect of anything situated therein or any matter relevant to matters before the Board.
25. The Board may summon and examine suo motto any person whose evidence appears to it to be material. .
26. Decision by the Board ----- (I) All questions arising for decision at any sitting of the Board shall be decided by the Chairman in consultation with the members of the Board.
- (II) The Board after hearing the parties and their advocates if any, and after hearing the evidence, if any, as may be produced by the parties, shall give its decision in writing, and if the Board is not unanimous in its decision, the decision of the majority shall prevail.
27. Correction of errors. - The Chairman may correct any clerical mistake or error arising from any accidental slip or omission in any order or decision made or given by the Board.
28. The Secretary on receipt of an application and after deposit of an application and after deposit of the costs, if any, deliver a copy of the decision to the parties concerned and shall also cause a

copy to be made available at the office for public inspection during working hours.

29. The Board in addition to Chairman and Member-Secretary of the Board shall have a quorum of at least two members two members in all matters except in hearing of appeals under section 76 for which the quorum shall be 2 members besides the Chairman.
30. Except in cases where hearing of any application, reference or appeal is fixed for final adjudication before the Board, all matters including matter referred under section 78 may be placed before the Chairman who may pass such order as may be deemed necessary.
31. The proceeding of the Board in matters of hearing of any matter shall be in English or Urdu as the parties may so desire.

FIRST SCHEDULE

FORM A
COPYRIGHT BOARD

Reference under section 4 (2)

To,

The Secretary,
Copyright Board,
Karachi.

Sir,

- (i). In accordance with section 4(2) of the Ordinance, I/We hereby refer the matter of the (Name of the literary, dramatic, musical or artistic work or record) for the determination by the Board as to whether under section 4 (1) of the Ordinance, copies of the aforesaid literary/dramatic:/musical/or artistic work or records issued to the public are sufficient in quantities.
- (ii) These are delivered herewith for the perusal of the Board: -
 - (a) The relevant documents of the matter under reference.
 - (b) Eight copies of the literary, dramatic musical or artistic work or record under reference.

(iii) Brief statement.
.....
.....

Name and address of the Referrer:

Name and address of the Advocate of Referrer:.....
.....
.....

Signed
Status and designation of
signatory
Date:

FORM B

COPYRIGHT BOARD
Reference under section 6(2)

To,

The Secretary,
Copyright Board,
Karachi.

Sir,

- (i) In accordance with section 6(2) of the Ordinance, I/We hereby refer the matter' of the (Name of the work, name of country where work published) for the determination by the Board, as to whether under section 6(1) of the Ordinance, the term of copyright, for any work is shorter (in any other country named) than that' provided in respect of that work under this Ordinance.
- (ii) These are delivered herewith for the perusal of the Board:--
 - (a) The relevant documents of the matter under reference.
 - (b) Eight copies of the work under reference.

Brief statement
:.....

Name and address of the Referrer 1 :.....

Name and address of the Advocate of the Referrer:.....
.....
.....

Signed:
Status and designation of
Signatory.....
Date.....

FORM C

COPYRIGHT BOARD

.Reference under section 65.of the Ordinance:

To,

The Secretary
Copyright Board,
Karachi.

Sir,

(i) In accordance with section 65 of the Ordinance, we the parties to the suit or proceedings (Name of the suit or proceeding if !!!YL or the undersigned parties agree to refer and hereby refer for determination by the Board. the dispute with regard to infringement of copyright in the matter of

(ii) These are delivered herewith for the perusal of the Board:--

(a) The relevant documents of the matter under reference.

(b) Eight copies of the work under reference.

(U) Brief Statement
.....
.....

(1) Name and address, of the

Referrer No.1: _____

(2) Name and address of the Referrer No.2: _____

Signed (Referrer No.2) _____

Status and designation of signatory No.2 _____

Date: _____

Signed Referrer No.1) _____

Status and designation of Signatory No 1: _____

Date _____

.....

FORM D

COPYRIGHT BOARD

To.

The Secretary,
Copyright Board.
Karachi.

Re: Statement filed by the (Performing right Society).

Sir,

(i) In accordance with section 33 of the Ordinance. I/We (Name of the Parties Objectors) file herewith objections under section 32, to fees, charges or royalties proposed by (.....) to the" Copyright office to be referred for the determination by the Board:..

(ii) These are delivered herewith for the perusal of the Board: -

- (a) The relevant documents of the matter under reference.
- (b) Eight copies of the statement/ scheme under reference.

(III) Brief statement

.....

Name and address Of objector: _____

Name and address of the Advocate of objector:

Signed: _____

Status and designation

of signatory _____

Date _____

.....

FORM E

COPYRIGHT BOARD

APPLICATION UNDER SECTION 36 OF
THE ORDINANCE

To,.

The Secretary,
Copyright Board,
Karachi'

Sir,

(i) In accordance with 'section'60f the Ordinance for the ,rant of licence in work with held from public (Name of the author and name of the literary, dramatic, musical or artistic work or record) this application is hereby submitted .for grant to the application, a licence to.....for the determination by the Board.

go These redelivered herewith for the perusal of the Board:-

(a) The relevant documents of the matter support of this application.

(b), Eight Copies of the work under reference in the application.

(Hi) Brief Statement.

Name and address of
the applicant _____

Name and address of the
Advocate of the Applicant

_____.

Signed _____

Status and designation

.of the Signatory _____

Date _____

FORM F

COPYRIGHT BOARD

APPLICATION UNDER SECTION 37 OF
THE ORDINANCE.

TQ,

The, Secretary,
Copyright Board,
Karachi.

(0) .In /accordance with section 37 of the Ordinance for the grant of licence to produce and publish translations (Name of author and name of literary, dramatic, musical, artistic work record / this application hereby submitted for grant to applicant a Licence the Produce and -publish & translation of ,the after ,the determination by the X Board.

(Ii) These are delivered herewith for the perusal of the Board.

(a) The relevant documents of this application.

(b) Eight copies of the work under reference in this application.

(Hi) Brief statement.

Name and address of

Applicant

Name and address of the Advocate of

the applicant

.....--

Signed-----

Status and designation of

the Signatory -----

Date.....

FORM G
COPYRIGHT BOARD
APPLICATION UNDER SECTION 41 OF
THE ORDINANCE.

To,

The Secretary,
Copyright Board,
Karachi.

Sir,

- (i) In accordance with section 41 of the 'Ordinance, for the correction of entries in the Register of Copyrights and Indexes, this 'application is hereby submitted for the determination of the Board, namely: (here, state corrections sought) (1)----- (2)-----
- (ii) These are delivered herewith for the perusal of the Board: -
- (a) The relevant documents' of the matter in support of this application.

(b) Eight copies of the work under reference in the application.

(iii) Brief statement

Name and address of the

Applicant.....

--

Name and address of the Advocate

of the applicant-----

Signed -----

Status and designation of the

Signatory.....

Date-----

FORM H

COPYRIGHT BOARD

Appeal under section 76 of the Ordinance

To,

The Secretary,
Copyright Board,
Karachi.

In Ref. -----

Sir,

(i) In accordance with section 76 of the Ordinance this appeal is filed against the final decision or order of Registrar in respect of ----- --for the determination by the Board.

(1) Name of appellant. -----

(2) Name/particulars of the work-----

(3) Date-of order appealed from-----

(4) Name and address of respondents -----

(S) Brief statesmen -----

(6) Grounds of appeal -----

(7) Relief sought -----

(8) These are delivered herewith for perusal of the Board: -

(a) The relevant documents of the matter under appeal.

(b) Eight copies of the statement/scheme/work under reference in appeal.

Name and address of appellant-----

Name and address of the Advocate of the appellant-----

Signed _____

Status and designation of the signatory _____

Date _____

FORM I

COPYRIGHT BOARD

SUMMONS TO PARTY OR WITNESS RE: -----

Whereas the Copyright Board has received an application! Appeal/reference/objection for adjudication in a dispute between ----- And----- you are hereby summoned to appear before the Board in person in the ----- day of -----at-----O' clock in the ----- noon to answer all material questions relating to the said dispute and you are directed to produce on that 'day all the books, papers and other documents and things in your Possession or under your 'control in any way relating to the matter under investigation by this Board.

Date: -----19

Secretary
copyright Board.
(Seal)

FORM J

COPYRIGHT BOARD

Appeal I Application/Objection/reference No.

Under section -----Copyright ordinance, 1962 (Act XXXIV of 1962)
-----of 19-----

To,

Take notice that an appeal/application/objection/reference has been presented by----- and registered in this Board for hearing of this appeal/application /objection /reference on----- at -----0' clock -----

If no appearance is made on your behalf in person or by your authorized representative and able to answer all question, it will be heard and decided in your' absence.

Secretary,
Copyright Board.
(Seal)

Pl ace- - - - -

D ate- - - - -

FORM, K

V AKALA TNAMA

BEFORE THE REGISTRAR, CENTRAL COPYRIGHT OFFICE/BEFORE THE COPYRIGHT BOARD

In the matter of -----

I/We-----

hereby authorize and appoint under Rule 25 of the Copyright Rules 1967,

Mr. ----- Advocate to represent me/us in connection with -----before the Registrar, Central Copyright Office/Copyright Board, to attend, plead and act on my/our behalf all acts, deeds, and things done, statements made by him shall be binding on me/us, as statements made or acts done by me/us personally,

Dated -----

Received on-----

Address of party - -----

Address of Advocate-----

Accepted by me

Advocate

FORM "L"

To be stamped under Stamp Act, 1899

FORM OF AUTHORIZATION OF AGENT IN A MATTER OR PROCEEDING UNDER THE COPYRIGHT ORDINANCE, 1962 UNDER RULE 25 OF COPYRIGHT RULES, 1967

I (or we) (a) ----- hereby authorize and appoint ----- (b) ----- of ----- to act as my or (our) agent for (c)-----, and request that all notices, and communications relating thereto may be sent to such agent at the above address.

I/we also authorize our said agent to apply for, obtain and complete any registration, rectification, reference, or appeal in respect of aforesaid matter.

I/we hereby revoke all previous authorizations if any in respect of the same matter or proceedings. All acts, deeds and things done, statements made by him shall be binding on me/us as acts, statements made by me/us personally.

(d) ----- Address -----

(e) -----(to be struck out if the person

appointing the agent desires his own address to be treated as the address for the services after registration.

Dated this -----day of-----

To,

The Registrar of Copyrights,
Government of Pakistan,
Liaquat National Memorial Library Building,
National Stadium Road,
Karachi

Instructions:

- (a) Insert full name and address and Nationality.
- (b) Insert name and address of the agent.
- (c) State the particular matter or proceedings for which the agent is appointed and giving the reference if known.
- (d) To be signed by the person appointing the agent.
- (e) Insert the full trade or business address of the person appointing the agent.

THE INTERNATIONAL COPYRIGHT ORDER, 1968

1. (1) This Order may be called. the International Copyright Order, 1968.

(2) It shall come into force at once.

2. In this Order, unless there is anything repugnant in the subject or context,--

- (a) "Country of the Berne Copyright Union" means. a country mentioned in Part I of the Schedule:
 - (b) "country party to the Universal Copyright Convention" means a country mentioned in Part II of the Schedule: and
 - (c) " Schedule" means the Schedule to this Order.
3. Subject to the provisions of paragraph 4, all the provisions of