

1905.

HOUSE OF REPRESENTATIVES.

COPYRIGHT BILL.

MEMORANDUM OF REFERENCES TO SIMILAR PROVISIONS IN
ACTS AND BILLS.*(Circulated by Mr. Groom.)*

IN THE SUBJOINED REFERENCES—

- (1) "Copyright Bill" means the print of 1900 of Copyright Bill (House of Commons, No. 295, Vol. I., 1900) to amend and consolidate the Law relating to Literary Copyright; and
- (2) "Copyright (Artistic) Bill" means the print of 1900 Copyright (Artistic) Bill (House of Lords, Bill 192, Vol. IV., 1900) to amend and consolidate the Law relating to Artistic Copyright.

Clauses in the above two Bills are referred to as sections.

- Clause 5. Copyright Bill, definition "simultaneously."
 Clause 6. Copyright Bill, ss. 4 (4), 5 (5), 6 (7).
 Clause 7. Application of Common Law.
 Clause 8. Cf. s. 8, *Patents Act* 1903.
 Clauses 9, 10, 11, 12. Cf. Part II., *Patents Act* 1903.
 Clause 13. Copyright Bill, s. 3 and s. 4 (1).
 Clause 14. Copyright Bill, s. 5 (1), (2).
 Clause 15. Copyright Bill, s. 6 (1), (2).
 Clause 16. Copyright Bill, ss. 4 (3), 5 (4), 6 (4).
 Clause 17. Copyright Bill, ss. 4 (3), 5 (3), 6 (4), 6 (6), 7 (2), 8.

TERMS OF LITERARY COPYRIGHT AND PERFORMING RIGHT IN THE UNITED
KINGDOM AND THE AUSTRALIAN STATES AND CANADA.

- U.K., 5 and 6 Vict., ch. 45, s. 3.—Life of author and seven years or 42 years, whichever longer.
 N.S.W., 42 Vict. No. 20, ss. 3, 18.—Life of author and seven years or 42 years, whichever longer.
 Vict. No. 1076, ss. 15, 30.—Life of author and seven years or 42 years, whichever longer.
 Qld., Acts of U.K. apply.—Life of author and seven years or 42 years, whichever longer.
 S.A. No. 95, 1878, ss. 13, 28.—Life of author and seven years or 42 years, whichever longer.
 W.A. No. 24, 1895, ss. 5, 24.—Life of author and seven years or 42 years, whichever longer.
 Tas.—Acts of U.K. apply.—Life of author and seven years or 42 years, whichever longer.
 Canada, Revised Statutes, 1886, ch. 62, ss. 4, 17.—28 years, with conditional extension for additional fourteen years.

[C. 3]—254/1.11.1905.—F.3402.

- Clause 18. Copyright Bill, ss. 4 (2), 5 (3), 6 (3)—
 Cf. U.K., 5 and 6 Vict., ch. 45, s. 3.
 N.S.W., 42 Vict. No. 20, ss. 3, 18.
 Vict., 1076, ss. 15, 30.
 S.A., No. 95, 1878, ss. 13, 28.
 W.A., 1895, No. 24, ss. 5 (1), 24.
- Clause 19. Copyright Bill, s. 8.
- Clause 20. Copyright Bill, s. 9.
- Clauses 21, 22. Copyright Bill, s. 10—
 U.K., 5 and 6 Vict., ch. 45, s. 18.
 N.S.W., 42 Vict., No. 20 s. 13.
 Vict., 1076, s. 25.
 S.A., No. 95, 1878, s. 23.
 W.A., 1895, No. 24, s. 18.
- Clause 23— —
- Clause 24. Copyright Bill, s. 40—
 U.K., 5 and 6 Vict., ch. 45, s. 25.
 U.K., 25 and 26 Vict., ch. 68, s. 3.
 Similar provisions in State Acts.
- Clause 25. Cf. Copyright (Artistic) Bill, s. 5.
- Clause 26. Copyright Bill, s. 13—
 U.K., 25 and 26 Vict., ch. 68, s. 3.
 Similar provisions in State Acts.
- Clause 27. Copyright Bill, s. 11.
- Clause 28. Copyright Bill, s. 4 (5). Report of Copyright Commission, 1878, par. 74.
- Clause 29. Copyright Bill, s. 4 (6).
- Clause 30. Copyright Bill, s. 4 (7). Cf. Berne Convention, Art. V.
- Clause 31. Copyright Bill, s. 4 (8).
- Clause 32. Copyright Bill, s. 5 (6), (7). Cf. U.K., 45 and 46 Vict., ch. 40, ss. 2-3.
- Clause 33. Copyright Bill—
 Cf. N.S.W., 42 Vict. No. 20, ss. 20, 21, 22, and 23.
 Vict., 1076, ss. 32, 33, and 34.
 S.A., 95, 1878, ss. 30, 31, 32, and 33.
 W.A., 24, 1895, ss. 30, 31, 32, and 33.
 Copyright Commission Report, 1878, par. 82 to 87.
- Clause 34. Protection of newspapers. Copyright Bill, s. 12.

TERMS OF PROTECTION FOR NEWSPAPERS IN SOME OF THE STATES.

- S.A., Act No. 10, 1872, s. 1.—24 hours from time of publication, but not to exceed 36 hours after receipt.
- W.A., Act No. 24, 1895.—72 hours from time of publication.
- Tas., Act No. 49, 1891.—48 hours from time of publication.

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- Clause 35. Copyright (Artistic) Bill, s. 16, definition of "copyright."
- Clause 36. Compare clause 13 (2) of Bill.
- Clause 37. Copyright (Artistic) Bill, s. 3.

TERMS OF ARTISTIC COPYRIGHT IN UNITED KINGDOM, IN THE STATES OF THE
COMMONWEALTH, AND CANADA.

Paintings, Drawings, &c.

U.K., 25 and 26 Vict., ch. 68.—Life of author and seven years.
N.S.W., 42 Vict. No. 20, s. 25.—Fourteen years.
Vict., 1076, s. 37.—Fourteen years.
Qld.—Acts of U.K. apply.—Life of author and seven years.
S.A., No. 95, 1878, s. 34.—Fourteen years.
W.A., No. 24, 1895, s. 35.—Fourteen years.
Tas.—Acts of U.K. apply.—Life of author and seven years.
Canada, Act 1886, ch. 62, ss. 4 and 17.—28 years, with conditional extension for fourteen years.

Sculpture.

U.K., 54 Geo. III., ch. 56.—Fourteen years and an additional fourteen years if original holder alive.

Photographs.

U.K., 25 and 26 Vict., ch. 68.—Life of author and seven years.
N.S.W., 42 Vict. No. 20, s. 25.—Three years.
Vict., 1076, s. 37.—Three years.
Qld.—Acts of U.K. apply.—Life of author and seven years.
S.A., No. 95, 1878, s. 34.—Three years.
W.A., No. 24, 1895, s. 35.—Three years.
Tas.—Acts of U.K. apply.—Life of author and seven years.
Canada, Act 1886, ch. 62, ss. 4 and 17.—28 years, with conditional extension for fourteen years.

Engravings and Prints.

U.K., 7 Geo. III., ch. 38, s. 2.—28 years.
N.S.W., 42 Vict. No. 20, s. 25.—Fourteen years.
Vict., 1076, s. 37.—Fourteen years.
Qld. and Tas.—Acts of U.K. apply.—28 years.
S.A., No. 95, 1878.—Fourteen years.
W.A., No. 24, 1895, s. 35.—Fourteen years.
Canada, Act 1886, ch. 62, ss. 4 and 17.—28 years, with conditional extension for fourteen years.

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- Clause 38. Cf. clause 18 of Bill.
Clause 39. Copyright (Artistic) Bill, s. 4.
Clause 40. Cf. Copyright (Artistic) Bill, s. 18.
Clause 41. Cf. Copyright (Artistic) Bill, s. 17.
Clause 42. Copyright (Artistic) Bill, s. 7.
Clause 43. Cf. clause 24 of Bill.
Clause 44. Cf. clause 25 of Bill.
Clause 45. Cf. clause 26 of Bill.
Clause 46. Copyright Bill, ss. 14, 8.
Clause 47. Copyright Bill, s. 15.
Clause 48. Copyright Bill, s. 16—
Cf. U.K., 5 and 6 Vict., ch. 45, s. 16.
Similar provisions in State Copyright Acts.

- Clause 49. Copyright Bill, s. 17—
 U.K., 5 and 6 Vict., ch. 45, s. 26.
 Similar provisions in State Copyright Acts.
- Clause 50. Copyright Bill, s. 18—
 U.K., 5 and 6 Vict., ch. 45, s. 23.
 N.S.W., 42 Vict., No. 20, s. 16.
 Vict., No. 1076, s. 28.
 S.A., 95, 1878, s. 26.
 W.A., 24, 1895, s. 17.
- Clause 51. Copyright Bill, s. 24—
 Copyright (Artistic) Bill, s. 9.
 U.K., 5 and 6 Vict., ch. 45, s. 15.
 N.S.W., 42 Vict., No. 20, s. 10.
 Vict., 1076, s. 22.
 S.A., 95, 1878, s. 20.
 W.A., 24, 1895, s. 15.
- Clause 52. Copyright Bill, s. 25—
 Cf. U.K., 51 and 52 Vict., ch. 17, s. 3.
- Clause 53. Copyright Bill, s. 26—
 Cf. U.K., 2 Edw. VII., ch. 15, ss. 1, 2.
- Clause 54. Cf. U.K., s. 23 of 5 and 6 Vict., ch. 45—
 N.S.W., 42 Vict. No. 2, s. 16.
 Vict., No. 1076, s. 28.
 S.A., 95, 1878, s. 26.
 W.A., 24, 1895, s. 17 (2).
- Clause 55. Forbidding infringement.
- Clause 56. Penalty for false representations in notices.
- Clause 57. Seizing of pirated copies. Cf. Copyright Bill, s. 27—
 U.K., 2 Edw. VII., ch. 15, ss. 1 and 2.
- Clause 58. Copyright Bill, s. 30—
 N.S.W., 42 Vict. No. 20, ss. 10, 31.
 Vict., No. 1076, ss. 22, 43.
 S.A., 95, 1878, ss. 20, 40.
 W.A., 24, 1895, ss. 15, 41.
- Clause 59. Aiders and abettors.
- Clause 60. Copyright Bill, s. 28.
- Clause 61. S.A., 95, 1878, s. 48.
- Clause 62. Copyright Bill, s. 19—
 Cf. ss. 52 and 57, Customs Act, No. 6, 1901.
 U.K., 39 and 40 Vict., ch. 36, ss. 42-45.
 N.S.W., 42 Vict. No. 20, s. 12.
 Vict., No. 1076, s. 24.
 S.A., 95, 1878, s. 22.
 W.A., 24, 1895, s. 16.
- Clauses 63, 64. Provisions relating to International Copyright.
- Clauses 65, 66, 67, 68, 69, 70, 71, 72, 73. Registration provisions.
 N.S.W., 42 Vict. No. 20, s. 53—
 Vict., No. 1076, s. 54.
 S.A., 95, 1878, s. 55.
 W.A., 24, 1895, s. 57.

- Clause 74. U.K., 5 and 6 Vict., ch. 45, s. 14—
N.S.W., 42 Vict. No. 20, s. 50.
Vict., 1076, s. 51.
S.A., 95, 1878, s. 52.
W.A., 24, 1895, s. 47.
- Clause 75. U.K., 5 and 6 Vict., ch. 45, s. 24—
N.S.W., 42 Vict. No. 20, s. 17.
Vict., No. 1076, s. 29.
S.A., 95, 1878, s. 27.
W.A., 24, 1895, s. 13.
- Clause 76. U.K., 5 and 6 Vict., ch. 45, s. 6—
N.S.W., 42 Vict. No. 20, s. 5.
Vict., 1076, s. 17.
S.A., 95, 1878, s. 15.
W.A., 24, 1895, s. 7.
- Clause 77. Cf., *Patents Act* 1903, s. 112—
N.S.W., 42 Vict. No. 20, s. 46.
Vict., 1076, s. 47.
S.A., 95, 1878, s. 44.
W.A., 24, 1895, s. 50.
- Clause 78. U.K., 5 and 6 Vict., ch. 45, s. 5—
N.S.W., 42 Vict. No. 20, s. 4.
Vict., 1076, s. 16.
S.A., 95, 1878, s. 14.
W.A., 24, 1895, s. 6.
- Clause 79. Power to award costs.
- Clause 80. Regulations.