

GREFFE
ROYAL COURT
30 SEP 2020
DMS.
GUERNSEY

GUERNSEY STATUTORY INSTRUMENT

2020 No. 99

**The Copyright (Application to Rome Convention
Countries) (Bailiwick of Guernsey)
Regulations, 2020**

<i>Made</i>	<i>29th September, 2020</i>
<i>Coming into operation</i>	<i>29th September, 2020</i>
<i>Laid before the States</i>	<i>, 2020</i>

THE COMMITTEE FOR ECONOMIC DEVELOPMENT, in exercise of the powers conferred on it by sections 185 and 221 of the Copyright (Bailiwick of Guernsey) Ordinance, 2005^a and all other powers enabling it in that behalf, hereby makes the following Regulations:-

Application to Rome Convention Countries.

1. (1) Subject to paragraph (5) and in relation to sound recordings and broadcasts, section 182 (qualification by reference to author) of the Ordinance applies in relation to:

- (a) persons who are citizens or subjects of, or who are domiciled or resident in any part of a Rome Convention Country as it applies to persons who are British citizens domiciled or resident in the Bailiwick, and

^a Order in Council No. XIX of 2005; as amended by No. XXXIII of 2013 and No. IX of 2016.

- (b) bodies incorporated under the law of a Rome Convention Country as it applies in relation to bodies incorporated under the law of the Bailiwick.

(2) In relation to sound recordings and broadcasts, section 183 (qualification by reference to country of first publication) of the Ordinance applies in relation to works first published in a Rome Convention Country as it applies in relation to works first published in the Bailiwick.

(3) In relation to broadcasts, section 184 (qualification by reference to place of transmission) of the Ordinance applies in relation to broadcasts made from a Rome Convention Country as it applies in relation to broadcasts made in the Bailiwick.

(4) Where copyright subsists in a work by virtue of these regulations, the Ordinance applies in relation to the work.

(5) For the avoidance of doubt, copyright does not subsist in a work by virtue of section 182 of the Ordinance (qualification by reference to author) if it was first published before 1st January 2006.

Interpretation.

2. (1) In these Regulations –

“the Ordinance” means the Copyright (Bailiwick of Guernsey) Ordinance, 2005,

“the Rome Convention” means the International Convention for the Protection of Performers, Producers of Phonograms and Broadcasting Organisations done at Rome on 26 October 1961, and

“Rome Convention Country” means a country party to the Rome Convention.

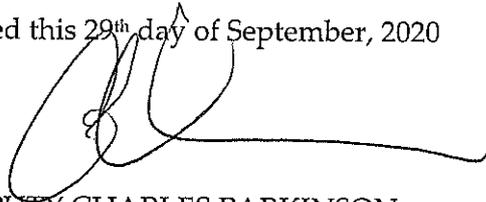
(2) Unless the context otherwise required words used in these Regulations have the same meaning as given in the Ordinance.

(3) Any reference in these Regulations to an enactment is a reference thereto as from time to time amended, re-enacted (with or without modification), extended or applied.

Citation and commencement.

3. These Regulations may be cited as the Copyright (Application to Rome Convention Countries) (Bailiwick of Guernsey) Regulations, 2020 and shall come into force on the day they are made.

Dated this 29th day of September, 2020



DEPUTY CHARLES PARKINSON

President of the Committee *for* Economic Development

For and on behalf of the Committee

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations extend the protections afforded under the Copyright (Bailiwick of Guernsey) Ordinance, 2005 to Rome Convention Countries.

These Regulations come into force on the day on which they were made.

