

1988 No. 797 COPYRIGHT

The Copyright (Sound Recordings) (Indonesia) Order 1988

<i>Made</i>	<i>27th April 1988</i>
<i>Laid before Parliament</i>	<i>5th May 1988</i>
<i>Coming into force</i>	<i>26th May 1988</i>

At the Court of Saint James, the 27th day of April 1988

Present,

The Counsellors of State in Council

Whereas Her Majesty in pursuance of the Regency Acts 1937 to 1953 was pleased, by Letters Patent dated the 28th day of March 1988, to delegate to the six Counsellors of State therein named or any two or more of them full power and authority during the period of Her Majesty's absence from the United Kingdom to summon and hold on Her Majesty's behalf Her Privy Council and to signify thereat Her Majesty's approval for anything for which Her Majesty's approval in Council is required:

And whereas Her Majesty Queen Elizabeth The Queen Mother and His Royal Highness The Prince Charles, Prince of Wales, being authorised thereto by the said Letters Patent, are satisfied that, in respect of the matters provided for in this Order, provision will be made under the laws of Indonesia whereby adequate protection will be given to owners of copyright under the Copyright Act 1956¹:

Now, therefore, Her Majesty Queen Elizabeth The Queen Mother and His Royal Highness The Prince Charles, Prince of Wales, being authorised as aforesaid, and in pursuance of the powers conferred by sections 32 and 47 of the said Act of 1956, and by and with the advice of Her Majesty's Privy Council, do on Her Majesty's behalf order, and it is hereby ordered, as follows:

1. This Order may be cited as the Copyright (Sound Recordings) (Indonesia) Order 1988 and shall come into force on 26th May 1988.

2. Subject to Article 3 below, the provisions of section 12 of the Copyright Act 1956 and all the other provisions of that Act relevant to that section shall apply –

- (a) in relation to sound recordings first published in Indonesia as they apply in relation to sound recordings first published in the United Kingdom; and
- (b) in relation to every maker of a sound recording who –
 - (i) being an individual was, at the time when the recording was made, a citizen or subject of, or resident in, Indonesia, or
 - (ii) being a body corporate was, at the time when the recording was made, incorporated under the laws of Indonesia,

as they apply in relation to individuals who at such a time were British subjects within the meaning of the said Act or resident in the United Kingdom and in relation to bodies incorporated under the laws of any part of the United Kingdom.

3. Where any person has before the commencement of this Order incurred any expenditure or liability in connection with –

- (a) the making of a record embodying a sound recording, or

¹1956 c.74.



- (b) causing a sound recording to be heard in public, or
- (c) the broadcasting of a sound recording or its inclusion in a cable programme,

in a manner which at the time was lawful, or for the purpose of or with a view to the doing of any such act at a time when that act would, but for the making of this Order, have been lawful, nothing in this Order shall diminish or prejudice any right or interest arising from or in connection with the incurring of that expenditure or liability which is subsisting and valuable immediately before the commencement of this Order unless the person who by virtue of this Order becomes entitled to restrain any such act as aforesaid agrees to pay such compensation as, failing agreement, may be determined by arbitration.

G. I. de Deney
Clerk of the Privy Council

EXPLANATORY NOTE

(This note is not part of the Order)

This Order provides for the copyright protection in the United Kingdom of sound recordings originating in Indonesia.