

**Council for Trade-Related Aspects
of Intellectual Property Rights**

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inglés

**MAIN DEDICATED INTELLECTUAL PROPERTY LAWS AND REGULATIONS
NOTIFIED UNDER ARTICLE 63.2 OF THE AGREEMENT**

NEW ZEALAND

Addendum

The present document reproduces the text¹ of the following laws and regulations, as notified by New Zealand under Article 63.2 of the Agreement (see document IP/N/1/NZL/3):

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- Copyright (General Matters) Amendment Regulations 1998	9

**Conseil des aspects des droits de propriété
intellectuelle qui touchent au commerce**

**PRINCIPALES LOIS ET RÉGLEMENTATIONS CONSACRÉES À
LA PROPRIÉTÉ INTELLECTUELLE NOTIFIÉES AU TITRE
DE L'ARTICLE 63:2 DE L'ACCORD**

NOUVELLE-ZÉLANDE

Addendum

Le présent document contient le texte¹ des lois et réglementations ci-après, notifiées par la Nouvelle-Zélande au titre de l'article 63:2 de l'Accord (voir le document IP/N/1/NZL/3):

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**Consejo de los Aspectos de los Derechos de Propiedad
Intelectual relacionados con el Comercio**

**PRINCIPALES LEYES Y REGLAMENTOS DEDICADOS A LA
PROPIEDAD INTELECTUAL NOTIFICADOS EN VIRTUD
DEL PÁRRAFO 2 DEL ARTÍCULO 63 DEL ACUERDO**

NUEVA ZELANDIA

Addendum

En el presente documento se reproduce el texto¹ de las siguientes leyes y reglamentos, notificados por Nueva Zelanda en virtud del párrafo 2 del artículo 63 del Acuerdo (véase el documento IP/N/1/NZL/3):

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- Reglamento de Derecho de Autor (Cuestiones Generales), de 1998	9

¹ In English only/En anglais seulement/En inglés solamente.

1997/39



**COPYRIGHT (APPLICATION TO OTHER COUNTRIES)
AMENDMENT ORDER 1997**

MICHAEL HARDIE BOYS, Governor-General

ORDER IN COUNCIL

At Wellington this 17th day of March 1997

Present:

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL

PURSUANT to sections 204 and 232 of the Copyright Act 1994, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, makes the following order.

ORDER

1. Title and commencement—(1) This order may be cited as the Copyright (Application to Other Countries) Amendment Order 1997, and is part of the Copyright (Application to Other Countries) Order 1995* (“the principal order”).

(2) This order comes into force 28 days after the date of its notification in the *Gazette*.

2. New Schedules substituted—The principal order is amended by revoking the First, Second, and Third Schedules, and substituting the Schedules set out in the Schedule of this order.

*S.R. 1995/145

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*Copyright (Application to Other Countries)
Amendment Order 1997*

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Cl. 2

SCHEDULE

NEW SCHEDULES SUBSTITUTED IN PRINCIPAL ORDER

Cls. 4, 5, 7, 9

"SCHEDULE 1

COUNTRIES TO WHICH COPYRIGHT ACT 1994 (EXCEPT PART IX) APPLIES, IN
RESPECT OF ALL WORKS EXCEPT BROADCASTS AND CABLE PROGRAMMES

Albania	Estonia
Algeria	Fiji
Andorra	Finland
Angola	France
Antigua and Barbuda	Gabon
Argentina	Gambia
Australia	Germany
Austria	Ghana
Bahamas	Greece
Bahrain	Grenada
Bangladesh	Guatemala
Barbados	Guinea
Belarus	Guinea-Bissau
Belgium	Guyana
Belize	Haiti
Benin	Holy See
Bolivia	Honduras
Bosnia and Herzegovina	Hong Kong
Botswana	Hungary
Brazil	Iceland
Brunei Darussalam	India
Bulgaria	Indonesia
Burkina Faso	Ireland
Burundi	Israel
Cambodia	Italy
Cameroon	Jamaica
Canada	Japan
Central African Republic	Kazakhstan
Chad	Kenya
Chile	Korea, Republic of
China	Kuwait
Colombia	Laos
Congo	Latvia
Costa Rica	Lebanon
Côte d'Ivoire	Lesotho
Croatia	Liberia
Cuba	Libya
Cyprus	Liechtenstein
Czech Republic	Lithuania
Denmark	Luxembourg
Djibouti	Macau
Dominica	Macedonia, former Yugoslav
Dominican Republic	Republic of
Ecuador	Madagascar
Egypt	Malawi
El Salvador	

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*Copyright (Application to Other Countries)
Amendment Order 1997*

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"SCHEDULE 1—*continued*

COUNTRIES TO WHICH COPYRIGHT ACT 1994 (EXCEPT PART IX) APPLIES, IN
RESPECT OF ALL WORKS EXCEPT BROADCASTS AND CABLE PROGRAMMES—
continued

Malaysia	Saint Vincent and the Grenadines
Maldives	Saudi Arabia
Mali	Senegal
Malta	Sierra Leone
Mauritania	Singapore
Mauritius	Slovak Republic
Mexico	Slovenia
Monaco	Solomon Islands
Morocco	South Africa
Mozambique	Spain
Myanmar	Sri Lanka
Namibia	Suriname
Netherlands (and the Netherlands Antilles)	Swaziland
Nicaragua	Sweden
Niger	Switzerland
Nigeria	Tajikistan
Norway	Tanzania, United Republic of
Pakistan	Thailand
Panama	Togo
Papua New Guinea	Trinidad and Tobago
Paraguay	Tunisia
Peru	Turkey
Philippines	Uganda
Poland	Ukraine
Portugal	United Arab Emirates
Qatar	United Kingdom
Romania	United States of America
Russian Federation	Uruguay
Rwanda	Venezuela
Saint Kitts and Nevis	Zaire
Saint Lucia	Zambia
	Zimbabwe

Cls. 9 (2), 10 (1)

“SCHEDULE 2

COUNTRIES TO WHICH COPYRIGHT ACT 1994 (EXCEPT PART IX) APPLIES, IN
RESPECT OF SOUND RECORDINGS AND BROADCASTS

Angola	Guyana
Antigua and Barbuda	Haiti
Argentina	Honduras
Australia	Hong Kong
Austria	Hungary
Bahrain	Iceland
Bangladesh	India
Barbados	Indonesia
Belgium	Ireland
Belize	Israel
Benin	Italy
Bolivia	Jamaica
Botswana	Japan
Brazil	Kenya
Brunei Darussalam	Korea, Republic of
Bulgaria	Kuwait
Burkina Faso	Lesotho
Burundi	Liechtenstein
Cameroon	Luxembourg
Canada	Macau
Central African Republic	Madagascar
Chad	Malawi
Chile	Malaysia
Colombia	Maldives
Costa Rica	Mali
Côte d'Ivoire	Malta
Cuba	Mauritania
Cyprus	Mauritius
Czech Republic	Mexico
Denmark	Morocco
Djibouti	Mozambique
Dominica	Myanmar
Dominican Republic	Namibia
Ecuador	Netherlands (and the Netherlands Antilles)
Egypt	Nicaragua
El Salvador	Niger
Fiji	Nigeria
Finland	Norway
France	Pakistan
Gabon	Papua New Guinea
Gambia	Paraguay
Germany	Peru
Ghana	Philippines
Greece	Poland
Grenada	Portugal
Guatemala	Qatar
Guinea	
Guinea-Bissau	

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*Copyright (Application to Other Countries)
Amendment Order 1997*

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“SCHEDULE 2—continued

COUNTRIES TO WHICH COPYRIGHT ACT 1994 (EXCEPT PART IX) APPLIES, IN
RESPECT OF SOUND RECORDINGS AND BROADCASTS—*continued*

Romania	Switzerland
Rwanda	Tanzania, United Republic of
Saint Kitts and Nevis	Thailand
Saint Lucia	Togo
Saint Vincent and the Grenadines	Trinidad and Tobago
Senegal	Tunisia
Sierra Leone	Turkey
Singapore	Uganda
Slovak Republic	United Arab Emirates
Slovenia	United Kingdom
Solomon Islands	United States of America
South Africa	Uruguay
Spain	Venezuela
Sri Lanka	Zaire
Suriname	Zambia
Swaziland	Zimbabwe
Sweden	

Cl. 13

“SCHEDULE 3

COUNTRIES TO WHICH PART IX OF COPYRIGHT ACT 1994 APPLIES

Angola	Haiti
Antigua and Barbuda	Honduras
Argentina	Hong Kong
Australia	Hungary
Austria	Iceland
Bahrain	India
Bangladesh	Indonesia
Barbados	Ireland
Belgium	Israel
Belize	Italy
Benin	Jamaica
Bolivia	Japan
Botswana	Kenya
Brazil	Korea, Republic of
Brunei Darussalam	Kuwait
Bulgaria	Lesotho
Burkina Faso	Liechtenstein
Burundi	Luxembourg
Cameroon	Macau
Canada	Madagascar
Central African Republic	Malawi
Chad	Malaysia
Chile	Maldives
Colombia	Mali
Costa Rica	Malta
Côte d'Ivoire	Mauritania
Cuba	Mauritius
Cyprus	Mexico
Czech Republic	Morocco
Denmark	Mozambique
Djibouti	Myanmar
Dominica	Namibia
Dominican Republic	Netherlands (and the Netherlands Antilles)
Ecuador	Nicaragua
Egypt	Niger
El Salvador	Nigeria
Fiji	Norway
Finland	Pakistan
France	Papua New Guinea
Gabon	Paraguay
Gambia	Peru
Germany	Philippines
Ghana	Poland
Greece	Portugal
Grenada	Qatar
Guatemala	Romania
Guinea	Rwanda
Guinea-Bissau	
Guyana	

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Amendment Order 1997*

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“SCHEDULE 3—continued

COUNTRIES TO WHICH PART IX OF COPYRIGHT ACT 1994 APPLIES—
continued

Saint Kitts and Nevis	Tanzania, United Republic of
Saint Lucia	Thailand
Saint Vincent and the Grenadines	Togo
Senegal	Trinidad and Tobago
Sierra Leone	Tunisia
Singapore	Turkey
Slovak Republic	Uganda
Slovenia	United Arab Emirates
Solomon Islands	United Kingdom
South Africa	United States of America
Spain	Uruguay
Sri Lanka	Venezuela
Suriname	Zaire
Swaziland	Zambia
Sweden	Zimbabwe”
Switzerland	

MARIE SHROFF,
Clerk of the Executive Council.

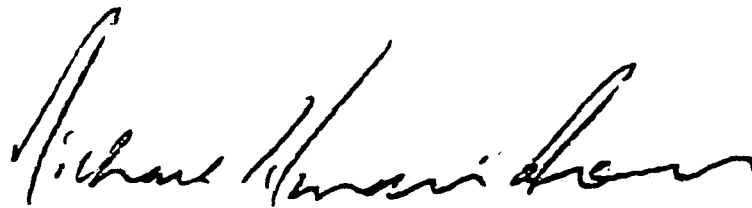
EXPLANATORY NOTE

This note is not part of the order, but is intended to indicate its general effect.

This order, which comes into force 28 days after notification in the *Gazette*, amends the Copyright (Application to Other Countries) Order 1995 by revoking the First, Second, and Third Schedules, and substituting Schedules 1, 2, and 3 set out in the Schedule of this order.

Issued under the authority of the Acts and Regulations Publication Act 1989.
Date of notification in *Gazette*: 20 March 1997.
This order is administered in the Ministry of Commerce.

**COPYRIGHT (GENERAL MATTERS) AMENDMENT
REGULATIONS 1998**



Governor-General

ORDER IN COUNCIL

At Wellington this 21ST day of ~~SEPTEMBER~~ 1998

Present:

~~THE RIGHT HON. JENNIFER SHIPLEY~~ IN COUNCIL

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

ANALYSIS

- | | |
|--|---|
| 1. Title and commencement | 3. Prescribed bodies, broadcasts or cable |
| 2. Prescribed classes of libraries for purposes of section 50 of Act | programmes, for purposes of section 90 of Act |

REGULATIONS

1. Title and commencement—(1) These regulations may be cited as the Copyright (General Matters) Amendment Regulations 1998, and are part of the Copyright (General Matters) Regulations 1995* ("the principal regulations").

(2) These regulations come into force on 1 November 1998.

*Copyright (General Matters) Amendment
Regulations 1998*

2. Prescribed classes of libraries for purposes of section 50 of Act—The principal regulations are amended by revoking regulation 4, and substituting the following regulation:

"4. The following classes of library are prescribed classes of libraries for the purposes of section 50 of the Act:

"(a) Libraries that are members of the interloan scheme:

"(b) Libraries of Crown entities, as that term is defined in section 2 of the Public Finance Act 1989."

3. Prescribed bodies, broadcasts or cable programmes, for purposes of section 90 of Act—The principal regulations are amended by inserting, after regulation 5, the following regulation:

"5A. (1) The following bodies are prescribed bodies for the purposes of section 90 of the Act:

.. "(a) The National Library of New Zealand:

"(b) The Department of Internal Affairs, in respect only of its function in relation to the National Archives:

"(c) The New Zealand Cartoon Archive Trust:

"(d) The New Zealand Film Archive:

"(e) Sound Archives Nga Taonga Korero Limited.

"(2) The following classes are prescribed classes of broadcasts or cable programmes for the purposes of section 90 of the Act:

"(a) Broadcasts or cable programmes broadcast or transmitted in New Zealand that—

"(i) Feature New Zealand or New Zealanders; or

"(ii) Are produced or made, in whole or in part, in New Zealand; or

"(iii) Are produced or made, in whole or in part, by 1 or more New Zealanders, or that feature 1 or more New Zealand actors, writers, artists, or other participants; or

"(iv) Feature a royal event, or a sport played in New Zealand; or.

"(v) Otherwise contain subject-matter of particular relevance to New Zealand or New Zealanders:

"(b) Broadcasts or cable programmes that are broadcast or transmitted in New Zealand during any 24-hour period and that are recorded for that period to establish the programmes and broadcasts that were sent out to New Zealanders on a particular day."

Clerk of the Executive Council.

*Copyright (General Matters) Amendment
Regulations 1998*

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EXPLANATORY NOTE

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

These regulations, which come into force on 1 November 1998, amend the Copyright (General Matters) Regulations 1995.

New regulation 4 adds libraries of Crown entities to the list of libraries that are prescribed classes of libraries for the purposes of section 50 of the Act. Under sections 51 to 56 of the Act, librarians of prescribed libraries may make copies of or from certain copyright works without infringing copyright in those works, provided statutory conditions are met.

New regulation 5A (1) lists those bodies that are prescribed bodies for the purposes of section 90 of the Act. Section 90 allows prescribed bodies to make recordings of prescribed classes of broadcasts and cable programmes, or a copy of such a recording, without permission of the copyright owners, if made for archival purposes.

Subclause (2) lists the classes that are prescribed classes of broadcasts or cable programmes for the purposes of section 90 of the Act.

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

Date of notification in *Gazette*:

These regulations are administered in the Ministry of Commerce.
