

S.I. 15 of 2015

COPYRIGHT ACT, 2014

(Act 5 of 2014)

**COPYRIGHT (VOLUNTARY REGISTRATION)
REGULATIONS, 2015**

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SCHEDULE 1 FORMS.

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S.I. 15 of 2015**COPYRIGHT ACT, 2014***(Act 5 of 2014)***Copyright (Voluntary Registration) Regulations, 2015**

In exercise of the powers conferred by sections 37 read with section 28(2) of the Copyright Act, 2014, the Minister for Tourism and Culture hereby makes the following regulations —

1. These regulations may be cited as the Copyright (Voluntary Registration) Regulations, 2015. Citation

2. In these regulations, unless the context otherwise requires — Interpretation

“Act” means the Copyright Act, 2014 (Act 5 of 2014);

“Form” means a Form set out in Schedule 1 appended to these regulations;

“Registrar” means the Registrar of Copyrights appointed under section 28(1) of the Act.

3.(1) The fees to be paid under these regulations shall be as provided under column (3) of Schedule 2 to these regulations for a service mentioned under column (2) of that Schedule. Fees

(2) The fees specified in Schedule 2 shall be paid to the Registrar upon the filing of the application by such means and in such manner as the Registrar may direct.

(3) Any fees paid to the Registrar shall be non-refundable.

Application for
registration of
copyright

4.(1) Any person who desires to register his or her works specified in section 4 of the Act or derivative works specified in section 5 of the Act may apply to the Registrar in Form CR-I for registration of the copyright.

(2) The application shall be accompanied with the fee specified in Schedule 2.

(3) The Registrar shall on the receipt of the application cause the application entered in a register of application kept for the purpose.

Examination

5.(1) The Registrar shall, within two weeks, on receipt of the application for registration of the copyright, determine whether the work meets the requirements laid down in the Act and these Regulations for registering the copyright.

(2) The Registrar may by notice in writing require the applicant to furnish such evidence regarding the ownership of the copyright, within a period of one month from the date of such notice.

(3) Where no response is made by the applicant in pursuance to the notice under subregulation (2), the application shall be treated as withdrawn.

(4) Where an application for registration of copyright is rejected by the Registrar, the Registrar shall communicate in writing to the applicant the reasons therefor.

Deposit as
proof

6.(1) An applicant for registration of copyright may submit to the Registrar a copy or a photograph carrying a declaration made by the applicant on the back as a proof of the items in the application that he or she is the author of the work shown.

(2) The Registrar shall record the items of proof with the registration number, name of the author and date.

7.(1) Where the Registrar determines that the work is a subject matter for registration of copyright, the Registrar shall register the applicant in the Copyright Register as the owner of the copyright in the works and issue the applicant a certificate of registration in Form CR-2.

Registration of
the Copyright
and issuing of
certificate

(2) The registration of a copyright under these regulations shall take effect on the date of the certification of registration.

8.(1) The Registrar shall keep a Copyright Register for registering the registration of copyrights.

Copyrights
Register

(2) Without prejudice to subregulation (1), the Registrar shall cause the Copyright Register maintained in electronic format, which is backed up and stored carefully all related materials with appropriate numbering.

9.(1) The registered owner of a registered copyright may apply for registration in the Copyright Register any agreement, contract, assignment, licence or document relating to or dealing with the registered copyright.

Application for
registration of
agreement,
contract,
licence or
assignment

(2) An application for registration under subregulation (1) shall be made in Form CR-3 accompanied with the fee specified in Schedule 2.

(3) The Registrar shall within one month from the receipt of the application under sub-regulation (2) determine the application and make entries in the Copyright Register accordingly.

10.(1) Any applicant or interested person may apply to the Registrar for a search of the Copyright Register.

Request for
search of
Copyright
Register

(2) An application under subregulation (1) shall be

made in Form CR-4 accompanied with the fee specified in Schedule 2.

(3) The Registrar shall within one month from the receipt of the application give the applicant his or her findings in a report, which shall include the date, reference number and title.

Inspection of
Copyright
Register

11.(1) Any interested person may apply to the Registrar for inspection of the Copyright Register.

(2) An application under subregulation (1) shall be made in Form CR-5 accompanied with the fee specified in Schedule 12.

SCHEDULE 1

(Regulation 2)

FORM CR-1

[Regulation 4(1)]

Copyright Act, 2014 (Act 5 of 2014)

Copyright (Voluntary Registration) Regulations, 2014

APPLICATION FOR REGISTRATION OF COPYRIGHT

Application is hereby made for registration of the accompanying work in the Copyright Register

Title of Work:

.....

.....

| | | | |
|------------|--------------------------|------------|--------------------------|
| Literature | <input type="checkbox"/> | Artistic | <input type="checkbox"/> |
| Dramatic | <input type="checkbox"/> | Scientific | <input type="checkbox"/> |

Group of Work

1.

(1) Describe the relevant work

[illegible]

Date of Production: □□□□□□□□

(date/month/year)

Publication:

The Work is published Yes ☐

No ☐

Date of first publication: □□□□□□□□

(date/month/year)

Place: City..... - Province:

Country:.....

Material Support:

ISBN code: (for books only).

☐ Claim of Priority filed outside Seychelles
Priority Date

[illegible]

Application Number (if known)

[illegible]

Country

[illegible]

2. In the name

[Insert full name, description and nationality if the individual, firm or body corporate making the application. The name of all partners in firm must be given and if applicant is a body corporate the kind and country of incorporate shall be stated]

3. whose address is.....
[Insert address for all purpose connected with the application]

.....
[Insert the mailing address if different to from paragraph 3]

4. Contact details:

Phone Number

Email Address

Fax

Seychelles ID Number

Passport Number

Attachments

- | | |
|--------------------------|--------------------------|
| <input type="checkbox"/> | Copy of the work |
| <input type="checkbox"/> | Fee payment receipt slip |
| <input type="checkbox"/> | Copy of ID document |
| <input type="checkbox"/> | Registration certificate |
| <input type="checkbox"/> | Power of attorney |
| <input type="checkbox"/> | Other..... |

Verification:

I hereby certify that the information given to the best of my knowledge is true, complete and all signature in the attachments are made by the persons stated. I also understand that any false declaration may lead to prosecution.

Date:.....

Applicant's Signature:.....

Fee of R\$100 per item is enclosed:.....

To:

The Registrar of Copyrights,
Republic of Seychelles

FORM CR-2

[Regulation 7(1)]

Copyright Act, 2014 (Act 5 of 2014)**Copyright (Voluntary Registration) Regulations, 2015****CERTIFICATE OF REGISTRATION**

The following work, namely,

.....

.....

.....

.....

has been registered under section 28(3) of the Copyright Act, 2014 (Act 5 of 2014) in the
Copyright Register under Reference No:

in the name of

.....

Residing at.....

.....

.....

on this.....day of.....20.....

sealed at my direction this.....day of.....20.....

.....

Registrar of Copyrights

The Registrar of Copyrights,
National Cultural Centre
Republic of Seychelles

NOTE: Upon any change of ownership of this copyright, or change in address, the
Registrar should be advised at once.

FORM CR-3*[Regulation 9(2)]***Copyright Act, 2014 (Act 5 of 2014)****Copyright (Voluntary Registration) Regulations, 2015****APPLICATION FOR REGISTRATION OF AGREEMENT, CONTRACT,
LICENCE OR ASSIGNMENT**

I/We
[Name and address of the applicant]

hereby apply for registration of the accompanying document(s), namely,
[specify the type of document, i.e., contract, agreement, licence, assignment, etc.]

which relate to the copyright
[state here the reference number of registered copyright]

the purpose of which is
[state briefly the purport of the document, including, the name of any person authorised to use the registered copyright and the scope of his authority]

My/Our address for service in Seychelles is

Attachments

- | | |
|--------------------------|--------------------------|
| <input type="checkbox"/> | Copy of the work |
| <input type="checkbox"/> | Fee payment receipt slip |
| <input type="checkbox"/> | Copy of ID document |
| <input type="checkbox"/> | Registration certificate |
| <input type="checkbox"/> | Power of attorney |
| <input type="checkbox"/> | Other..... |

Verification:

I hereby certify that the information given to the best of my knowledge is true, complete and all signatures in the attachments are made by the persons stated. I also understand that any false declaration may lead to prosecution.

Date:.....

Applicant's Signature:.....

Fee of SCR100 per item is enclosed:.....

To:

The Registrar of Copyright,
Republic of Seychelles

FORM CR-4

[Regulation 10(2)]

Copyright Act, 2014 (Act 5 of 2014)

Copyright (Voluntary Registration) Regulations, 2015

REQUEST FOR SEARCH OF THE COPYRIGHT REGISTER

I/We
[Name and address of the applicant]

request the Registrar to search in respect of

.....
[describe the relevant work as fully as far as possible]

to ascertain whether any copyright or document relating thereto, meeting the above description/resembling the work sent herewith (*delete whichever is not applicable*) are on the record of the Copyright Register.

Applicant's signature

Dated this.....day of....., 20.....

Fee of RS100 per item is enclosed:.....

To:

The Registrar of Copyright,
Republic of Seychelles

FORM CR-5

[Regulation 11(2)]

Copyright Act, 2014 (Act 5 of 2014)

Copyright (Voluntary Registration) Regulations, 2015

APPLICATION FOR INSPECTION OF COPYRIGHT REGISTER

I/We
[Name and address of the applicant]

apply to the Registrar of Copyright to inspect the Copyright Register for the following
.....
[describe here the work fully as far as possible]

I/We named above will attend in person on date[mention here date] at
.....[mention here the time] to inspect the register or mail to the requested information
to my/our address

Applicant's signature.....

Dated this.....day of....., 20

Fee of RS50 per item is enclosed:.....

To:

The Registrar of Copyrights,
Republic of Seychelles

SCHEDULE 2*[Regulations 3(1), 4(2), 9(2), 10(2) and 11(2)]***FEEs**

| SERIAL NUMBER | SERVICE | Fees in Seychelles Rupees |
|--------------------------|--|--------------------------------------|
| (1) | (2) | (3) |
| 1. | Application for registration copyright under regulation 4(1) | 100 per item |
| 2. | Application for registration of agreement, contract, licence or assignment under regulation 9(1) | 100 per item |
| 3. | Request for a search of the copyright Register under regulation 10(1) | 50 per search |
| 4. | Application to inspect the Copyright Register under regulation 11(1) | 50 per inspection |

Made this 10th day of April, 2015.

ALAIN ST. ANGE
MINISTER FOR TOURISM
AND CULTURE
