

(Statutory Rules and  
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F.R.L.I.



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Department.



Statutory Rules 1987 No. 1

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## Copyright Regulations<sup>2</sup> (Amendment)

I, THE GOVERNOR-GENERAL of the Commonwealth of Australia, acting with the advice of the Federal Executive Council and pursuant to section 4 of the *Acts Interpretation Act 1901*, hereby make the following Regulations under the *Copyright Act 1968*.

Dated 5 MARCH 1987.

N. M. STEPHEN

Governor-General

By His Excellency's Command,

Lionel Bowen  
Attorney-General

### Principal Regulations

1. In these Regulations, "Principal Regulations" means the Copyright Regulations.

2. After regulation 4B of the Principal Regulations the following regulation is inserted:

#### Sound broadcasts by holders of print-handicapped radio licences

"4C. (1) For the purposes of sub-paragraph 47A (1) (b) (iii) of the Act, the following particulars are prescribed—

- (a) in the case where the work is the whole or part of an article contained in a periodical publication—the page numbers of the pages in that volume, or in that number of that volume, that have been broadcast, or, in a case where a page so broadcast does not bear a page number, such description of the page as will enable it to be identified; and
- (b) in any other case—the page numbers of the pages in the edition of the work that have been broadcast or, in a case where a page so broadcast does not bear a page number such description of the page as will enable it to be identified.

“(2) For the purposes of paragraph 47A (2) (a) of the Act a record of the making of a broadcast may, instead of being made in writing, be made in any manner that permits the information in the record to be elicited by the use of a computer.

“(3) Subject to sub-regulation (4), for the purposes of paragraph 47A (2) (b) of the Act, where a record of the making of a broadcast is made in writing, that record shall be made in accordance with—

- (a) in the case where the work is the whole or part of an article contained in a periodical publication—the form in Schedule 3A; and
- (b) in any other case—the form in Schedule 3B.

“(4) Strict compliance with the forms in Schedules 3A and 3B is not necessary and substantial compliance is sufficient.

“(5) For the purposes of paragraph 47A (11) (a) of the Act, the prescribed retention period is 4 years.”.

3. After regulation 25 of the Principal Regulations the following regulation is inserted:

**Copying of eligible items by institutions assisting intellectually handicapped persons**

“25AA. (1) Subject to sub-regulation (4), for the purposes of paragraph 200A (3) (c) of the Act, a record of the making of a copy of—

- (a) a published sound recording or cinematograph film; or
- (b) a sound broadcast or television broadcast,

shall contain the following particulars—

- (c) the title and description of the relevant eligible item;
- (d) the name of the maker of the copy of the relevant eligible item;
- (e) the date on which the copy was made; and
- (f) the form in which the copy was made.

“(2) For the purposes of paragraph 200A (4) (a) of the Act, a record of the making of a copy of the whole or a part of an eligible item may, instead of being kept in writing, be kept in any manner that permits the information in the record to be elicited by the use of a computer.

“(3) Subject to sub-regulation (4), for the purposes of paragraph 200A (4) (b) of the Act, where a record of the making of a copy of the whole or a part of an eligible item is kept in writing, that record shall be kept in accordance with—

- (a) if the copy is a copy of the whole or part of an article contained in a periodical publication—the form prescribed in Schedule 11A;
- (b) if the copy is a copy of the whole or a part of a work other than an article contained in a periodical publication—the form prescribed in Schedule 11B; and

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- (c) in the case of the making of a copy of a sound recording or cinematograph film or a television broadcast or sound broadcast—the form prescribed in Schedule 11C.

“(4) Strict compliance with the forms in Schedules 11A, 11B and 11C is not necessary and substantial compliance is sufficient.”.

### Schedules 3A and 3B

4. The Principal Regulations are amended by inserting after Schedule 3 the following Schedules:

#### SCHEDULE 3A

Paragraph 4C (3) (a)

##### COMMONWEALTH OF AUSTRALIA

##### RECORD OF MAKING OF BROADCAST BY OR ON BEHALF OF A HOLDER OF A PRINT HANDICAPPED RADIO LICENCE OF THE WHOLE OR PART OF AN ARTICLE CONTAINED IN A PERIODICAL PUBLICATION

Item	Matter	Particulars
1	The time and date of the making of the broadcast	
2	If the International Standard Serial Number in respect of the periodical publication is recorded in the periodical publication—that number	
3	If the International Standard Serial Number in respect of the publication is not so recorded—the name of the periodical publication	
4	The title or description of the article	
5	The name of the author of the article (if that name is known)	
6	The volume, or volume and number, as the case requires, of the periodical publication containing the article	
7	The page numbers of the pages in that volume, or in that number of that volume, that have been broadcast, or, in a case where a page so broadcast does not bear a page number, such description of the page as will enable it to be identified	

#### SCHEDULE 3B

Paragraph 4C (3) (b)

##### COMMONWEALTH OF AUSTRALIA

##### RECORD OF MAKING OF BROADCAST BY OR ON BEHALF OF A HOLDER OF A PRINT HANDICAPPED RADIO LICENCE OF THE WHOLE OR PART OF A WORK NOT BEING AN ARTICLE CONTAINED IN A PERIODICAL PUBLICATION

Item	Matter	Particulars
1	The time and date of the making of the broadcast	
2	If the International Standard Book Number in respect of the work is recorded in the edition of the work copied—that number	
3	If the International Standard Book Number in respect of the work is not so recorded—	
	(a) the title or description of the work;	
	(b) the name of the publisher of the edition of the work; and	
	(c) the name of the author of the work (if that name is known)	
4	The page numbers of the pages in the edition of the work that have been broadcast or, in a case where a page so broadcast does not bear a page number, such description of the page as will enable it to be identified	

**Schedules 11A, 11B and 11C**

5. The Principal Regulations are amended by inserting after Schedule 11 the following Schedules:

**SCHEDULE 11A**

Paragraph 25AA (3) (a)

## COMMONWEALTH OF AUSTRALIA

RECORD OF A COPY MADE BY OR ON BEHALF OF THE BODY  
ADMINISTERING (*name of institution assisting handicapped readers*) OF THE  
WHOLE OR A PART OF AN ARTICLE CONTAINED IN A PERIODICAL  
PUBLICATION

Item	Matter	Particulars
1	If the International Standard Serial Number in respect of the periodical publication is recorded in the periodical publication—that number	
2	If the International Standard Serial Number in respect of the publication is not so recorded—the name of the periodical publication	
3	The title or description of the article	
4	The name of the author of the article (if that name is known)	
5	The volume, or volume and number, as the case requires, of the periodical publication containing the article	
6	The page numbers of the pages in that volume, or in that number of that volume, that have been copied or, in a case where a page so copied does not bear a page number, such description of the page as will enable it to be identified	
7	The date on which the copy was made	
8	The form in which the copy was made	

**SCHEDULE 11B**

Paragraph 25AA (3) (b)

## COMMONWEALTH OF AUSTRALIA

RECORD OF A COPY MADE BY OR ON BEHALF OF THE BODY  
ADMINISTERING (*name of institution assisting handicapped readers*) OF THE  
WHOLE OR A PART OF A WORK OTHER THAN AN ARTICLE CONTAINED  
IN A PERIODICAL PUBLICATION

Item	Matter	Particulars
1	If the International Standard Book Number in respect of the work is recorded in the edition of the work copied—that number	
2	If the International Standard Book Number in respect of the work is not so recorded— (a) the title or description of the work; (b) the name of the publisher of the edition of the work; and (c) the name of the author of the work (if that name is known)	
3	The page numbers of the pages in the edition of the work that have been copied or, in a case where a page so copied does not bear a page number, such description of the page as will enable it to be identified	
4	The date on which the copy was made	
5	The form in which the copy was made	

## SCHEDULE 11C

Paragraph 25AA (3) (c)

## COMMONWEALTH OF AUSTRALIA

RECORD OF A COPY MADE BY OR ON BEHALF OF THE BODY  
 ADMINISTERING (name of institution assisting handicapped readers) OF A COPY  
 OF A PUBLISHED SOUND RECORDING, CINEMATOGRAPH FILM, SOUND  
 BROADCAST OR TELEVISION BROADCAST

Item	Matter	Particulars
1	The title description of the relevant eligible item	
2	The name of the maker of the copy of the relevant eligible item	
3	The date on which the copy was made	
4	The form in which the copy was made	

## NOTES

1. Notified in the *Commonwealth of Australia Gazette* on / 1987. 12 March /
2. Statutory Rules 1969 No. 58 (a) as amended by 1981 Nos. 148 and 355; 1982 No. 65; 1983 Nos. 126, 128 and 293; 1984 Nos. 175 and 275. 07 /