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Copyright Amendment Regulations 2001 (No. 1)

Statutory Rules 2001 No. ²

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I, WILLIAM PATRICK DEANE, Governor-General of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, make the following Regulations under the *Copyright Act 1968*.

Dated 6 FEB 2001 2001

WILLIAM DEANE
Governor-General

By His Excellency's Command

DARYL WILLIAMS
Attorney-General

1 Name of Regulations

These Regulations are the *Copyright Amendment Regulations 2001* (No. ✓).

2 Commencement

These Regulations commence on gazettal.

3 Amendment of *Copyright Regulations 1969*

Schedule 1 amends the *Copyright Regulations 1969*.

Schedule 1 Amendments

(regulation 3)

[1] After regulation 25

insert

25AA Other information and particulars for notices under section 195AT

- (1) For paragraph 195AT (2A) (c) of the Act, the following information and particulars are prescribed for inclusion in a notice to an author in relation to an artistic work that is affixed to or forms part of a building:
- (a) the date of the notice;
 - (b) the name (if any) and address of the building;
 - (c) a brief description of the work and its location in or on the building;
 - (d) the name and address of the owner of the building;
 - (e) the owner's contact details during business hours, including work telephone and facsimile numbers, and email address (if available);

- (f) the name of the person who can provide the author with access to the building or the work, or both, as applicable, and that person's contact details;
 - (g) the business hours during which the author may reasonably have access to the building or to the work, or both, as applicable;
 - (h) in relation to a change in the building (other than by reason of relocation, demolition or destruction), a brief description of the change and the extent (if any) to which the work is likely to be affected;
 - (i) in relation to the relocation of the building, a brief description of the place and form of the relocation, and the extent to which the work is likely to be affected.
- (2) For paragraph 195AT (3A) (c) of the Act, the following information and particulars are prescribed for inclusion in a notice to an author in relation to a building, or to any plans or instructions used in the construction of the building or a part of the building:
- (a) the date of the notice;
 - (b) the name (if any) and address of the building;
 - (c) the name and address of the owner of the building;
 - (d) the owner's contact details during business hours, including work telephone and facsimile numbers, and email address (if available);
 - (e) the name of the person who can provide the author with access to the building and that person's contact details;
 - (f) the business hours during which the author may reasonably have access to the building;
 - (g) in relation to a change in the building (other than by reason of relocation, demolition or destruction), a brief description of the change and the extent (if any) to which the building is likely to be affected;

- (h) in relation to the relocation of the building, a brief description of the place and form of the relocation and the extent to which the building is likely to be affected.
- (3) For paragraph 195AT (4B) (c) of the Act, the following information and particulars are prescribed for inclusion in a notice to an author in relation to the removal or relocation of a moveable artistic work situated at a place that is accessible to the public:
- (a) the date of the notice;
 - (b) a brief description of the moveable artistic work;
 - (c) the address of the place or description of the location, at which the moveable artistic work may be accessed;
 - (d) the name and address of the remover of the moveable artistic work;
 - (e) the remover's contact details during business hours, including work telephone and facsimile numbers, and email address (if available);
 - (f) if necessary, the name of the person who can provide the author with access to the place and the moveable artistic work, as applicable, and that person's contact details;
 - (g) if necessary, the business hours during which the author may reasonably have access to the place and to the moveable artistic work;
 - (h) if the moveable artistic work is to be permanently removed or relocated, the address or description of the new location or storage location (if not open to the public) of the moveable artistic work;
 - (i) if the removal or relocation of the moveable artistic work will result in a change of ownership in the work, the name and address of the new owner.
- (4) In this regulation, *author* includes a person representing the author.

[2] After subregulation 27 (2)

insert

- (3) For paragraphs 195AT (2A) (a), (3A) (a) and (4B) (a) of the Act, the giving of a notice to an author, or person representing the author, (*addressee*) must be:
- (a) by registered post; or
 - (b) by a courier service that provides means of confirming delivery to, or receipt by, the addressee.

Notes

1. These Regulations amend Statutory Rules 1969 No. 58, as amended by 1981 Nos. 148 and 355; 1982 No. 65; 1983 Nos. 126, 128 and 293; 1984 Nos. 175 and 275; 1987 No. 34; 1988 No. 125; 1990 Nos. 4, 5, 76 and 301; 1992 No. 165; 1993 No. 228; 1995 No. 129; 1998 No. 359.
2. Notified in the *Commonwealth of Australia Gazette* on *L* 2001.

13 February