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STATUTORY INSTRUMENTS

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**1987 No. 2060**

**COPYRIGHT**

**The Copyright (International Conventions) (Amendment) Order 1987**

*Made - - - - 26th November 1987*  
*Laid before Parliament 4th December 1987*  
*Coming into force - - 25th December 1987*

At the Court at Buckingham Palace, the 26th day of November 1987

Present,

The Queen's Most Excellent Majesty in Council

Her Majesty, by virtue of the authority conferred upon Her by sections 31, 32 and 47 of the Copyright Act 1956(1), is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered, as follows:—

1. This Order may be cited as the Copyright (International Conventions) (Amendment) Order 1987 and shall come into force on 25th December 1987.
2. The Copyright (International Conventions) Order 1979(2) shall be amended as follows:—
  - (a) in Article 4(3)(a) (which names the countries in respect of which Article 4 does not apply) there shall be included references to the Bahamas, Barbados, Cyprus, Fiji, Malta and Zimbabwe;
  - (b) in Schedule 2 (which names the countries party to the Universal Copyright Convention but not members of the Berne Copyright Union) there shall be included a reference to the Republic of Korea with a related reference to 1st October 1987;
  - (c) in Schedule 3 (which names countries in the case of which copyright in sound recordings includes exclusive right to perform in public and to broadcast) there shall be included a reference to France; and
  - (d) in Schedule 4 (which names countries of which the broadcasting organisations have copyright protection in relation to sound broadcasts) there shall be included a reference to France with a related reference to 3rd July 1987.

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(1) 1956 c. 74.

(2) S.I.1979/1715; the relevant amending instrument is S.I. 1983/1708.

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*Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

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3. Where any person has before the commencement of this Order incurred any expenditure or liability in connection with the reproduction or performance of any work or other subject matter in a manner which at the time was lawful, or for the purpose of or with a view to the reproduction or performance of a work at a time when such reproduction or performance 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 such action 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 such reproduction or performance agrees to pay such compensation as, failing agreement, may be determined by arbitration.

4.—(1) This Order, except for paragraph (d) of Article 2, shall extend to the countries mentioned in the Schedule hereto.

(2) Paragraph (d) of Article 2 shall extend to Bermuda and Gibraltar.

*G.I. de Deney*  
Clerk of the Privy Council

## SCHEDULE

Article 4

### COUNTRIES TO WHICH THIS ORDER EXTENDS

Bermuda  
British Indian Ocean Territory  
British Virgin Islands  
Cayman Islands  
Falkland Islands  
Gibraltar  
Hong Kong  
Isle of Man  
Montserrat  
South Georgia and the South Sandwich Islands  
St. Helena  
St. Helena Dependencies  
(Ascension, Tristan da Cunha)

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### EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order restores copyright protection in the United Kingdom to works originating in the Bahamas, Barbados, Cyprus, Fiji, Malta and Zimbabwe which were first published between 1st June 1957 and 26th September 1957 inclusive and which depended for their copyright protection at the time of first publication solely upon the author's being domiciled or resident in one of those countries. Those works were inadvertently excluded from protection when each of those countries became a member of the Berne Copyright Union (Cmnd. 361 and 5002) after its independence from the United Kingdom.

The Order also takes account of the accession of the Republic of Korea to the Universal Copyright Convention (Cmnd. 4905) and the accession of France to the International Convention for the Protection of Performers, Producers of Phonograms and Broadcasting Organisations (Cmnd. 2425).

Article 3 provides for the protection of contrary rights acquired before the commencement of this Order.

Article 4 extends the Order to the dependent countries of the Commonwealth to which the Copyright (International Conventions) Order 1979 now extends.85p net