

SCHEDULE

PART 2

Modifications to the provisions of Part 1 of the 1988 Act applied by this Order

46. Sections 150 and 151(1) apply as modified and set out as follows—

“150 Power to make rules

(1) The Cabinet may make rules for regulating proceedings before the Copyright Tribunal and as to the fees chargeable in respect of such proceedings.

(2) The rules may apply in relation to the Copyright Tribunal any of the provisions of the Arbitration Law, 2012 (Law 3 of 2012).

(3) Provision shall be made by the rules—

(a) prohibiting the Copyright Tribunal from entertaining a reference under section 118, 119 or 120 by a representative organisation unless the Tribunal is satisfied that the organisation is reasonably representative of the class of persons which it claims to represent;

(b) specifying the parties to any proceedings and enabling the Copyright Tribunal to make a party to the proceedings any person or organisation satisfying the Tribunal that they have a substantial interest in the matter; and

(c) requiring the Copyright Tribunal to give the parties to proceedings an opportunity to state their case, in writing or orally as the rules may provide.

(4) The rules may make provision for regulating or prescribing any matters incidental to or consequential upon any appeal from the Copyright Tribunal under section 152 (appeal to the court on point of law).

(5) Rules made under this section are subject to annulment by a resolution of the Legislative Assembly.

151 Costs, proof of orders

(1) Subject to any rules that may be made by the Rules Committee referred to in section 19 of the Grand Court Law (2008 Revision), the Copyright Tribunal may order that the costs of a party to proceedings before it shall be paid by such other party as the Tribunal may direct; and the Tribunal may tax or settle the amount of the costs, or direct in what manner they are to be taxed.

(2) A document purporting to be a copy of an order of the Copyright Tribunal and to be certified by the chairman to be a true copy shall, in any proceedings, be sufficient evidence of the order unless the contrary is proved.”

(1) Section 150 was amended by the Arbitration Act 1996 (c.23), section 107(1) and Schedule 3, paragraph 50 and S.I. 1999/678, article 2(1) and Schedule.