

SCHEDULE

PART 2

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

52. Sections 160 to 162(1) apply as modified and set out as follows—

“160 Denial of copyright protection to citizens of countries not giving adequate protection to Caymanian works

(1) If it appears to the Cabinet that the law of a country fails to give adequate protection to Caymanian works to which this section applies, or to one or more classes of such works, the Cabinet may make provision by order in accordance with this section restricting the rights conferred by this Part in relation to works of authors connected with that country.

(2) An order under this section shall designate the country concerned and provide that, for the purposes specified in the order, works first published after a date specified in the order shall not be treated as qualifying for copyright protection by virtue of such publication if at that time the authors are—

- (a) citizens or subjects of that country (not domiciled or resident in the Islands); or
- (b) bodies incorporated under the law of that country,

and the order may make such provision for all the purposes of this Part or for such purposes as are specified in the order, and either generally or in relation to such class of cases as are specified in the order, having regard to the nature and extent of that failure referred to in subsection (1).

(3) This section applies to literary, dramatic, musical and artistic works, sound recordings and films.

(4) In this section “Caymanian works” means works of which the author was a qualifying person at the material time within the meaning of section 154.

(5) An order made under this section is subject to annulment by a negative resolution of the Legislative Assembly.

161 Territorial Waters

161 For the purposes of this Part, the territorial waters of the Cayman Islands shall be treated as part of the Islands.

162 Cayman Islands ships and aircraft

(1) This Part applies to things done on a Cayman Islands ship or aircraft as it applies to things done in the Islands.

(2) In this section “Cayman Islands ship” and “Cayman Islands aircraft” mean, respectively, a ship or an aircraft registered in the Islands.”.

(1) Section 162 was amended by the Merchant Shipping Act [1995 \(c.21\)](#), section 314(2) and Schedule 13, paragraph 84(a).