

THE COPYRIGHT ACT

1. Short title. This Act may be cited as the Copyright Act.

2.- Offences under this Act.

(1) If any person knowingly-

- (a) makes for sale or hire any infringing copy of a work in which copyright subsists; or
- (b) sells or lets for hire, or by way of trade exposes or offers for sale or hire any infringing copy of any such work; or
- (c) distributes infringing copies of any such work either for the purposes of trade or to such an extent as to affect prejudicially the owner of the copyright; or
- (d) by way of trade exhibits in public any infringing copy of any such work; or
- (e) imports for sale or hire into this Island any infringing copy of any such work,

he shall be guilty of an offence under this Act and be liable on summary conviction to a fine not exceeding four dollars for every copy dealt with in contravention of this section, but not exceeding one hundred dollars in respect of the same transaction; and in default of payment of such fine to imprisonment with or without hard labour for a term not exceeding two months; or, in the case of a second or subsequent offence, either to such fine with such imprisonment in default or to imprisonment with or without hard labour for a term not exceeding two months.

(2) If any person knowingly makes or has in his possession any plate for the purpose of making infringing copies of any work in which copyright subsists, or knowingly and for his private profit causes any such work to be performed in public without the consent of the owner of the copyright, he shall be guilty of an offence under this Act and be liable on summary conviction to a fine not exceeding one hundred dollars, and in default of payment of such fine to imprisonment with or without hard labour for a term not exceeding two months; or, in the case of a second or subsequent offence, either to such fine with such imprisonment in default or to imprisonment with or without hard labour for a term not exceeding two months.

(3) Destruction or delivery up of all copies or plates. The Court before which any such proceedings are taken may, whether the alleged offender is convicted or not, order that all copies of the work or all plates in the possession of the alleged offender, which appear to it to be infringing copies or plates for the purpose of making infringing copies, be destroyed or delivered up to the owner of the copyright or otherwise dealt with as the Court may think fit.

3.- Duties and powers of Collector-General. (14/1965 S. 2.) For the purpose of the application of section 14 of the (U.K.) Copyright Act, 1911 (hereinafter referred to as the "United Kingdom Act") to the importation into this Island of works made out of this Island

(1) The Collector-General shall perform the duties, and may exercise the powers thereby imposed on or given to the Commissioners of Customs and Excise of the United Kingdom.

(2) Regulations made by the Collector-General under that section shall require the approval of the Minister.

(3) Regulations made under that section may provide that notices given to the Commissioners of Customs and Excise of the United Kingdom, if communicated by them to the Collector-General, shall be deemed to have been given by the owner of the copyright to the Collector-General.

(4) That section shall have effect as if it formed part of the Customs Act.

4.- Power of Minister to make orders. (14/1965 S. 3.)

(1) In the application of section 29 of the United Kingdom Act in Jamaica the powers by that section vested in Her Majesty in Council shall be exercisable by the Minister, by order, in accordance with the provisions of this section, instead of by Her Majesty in Council.

(2) In lieu of the provisions set out in subsection (2) of section 32 of the United Kingdom Act, every order made by the Minister pursuant to this section shall be published in the Jamaica Gazette and shall be laid before both Houses of Parliament in Jamaica as soon as may be after it is made.

Date of Act: July 25, 1913.