

GUYANA

REGULATIONS

MADE UNDER

THE COPYRIGHT ACT, 1956 AND PURSUANT TO THE
COPYRIGHT (BRITISH GUIANA) ORDER, 1966.

UNDER SUBSECTIONS (1), (3) AND (5) OF SECTION 7 AND
SUBSECTION (4) OF SECTION 15 OF THE COPYRIGHT
ACT, 1956 AND PURSUANT TO THE COPYRIGHT (BRITISH
GUIANA) ORDER, 1966, THE FOLLOWING REGULATIONS
HAVE BEEN MADE BY THE MINISTER FOR THE TIME
BEING CHARGED WITH RESPONSIBILITY FOR PUBLIC
INFORMATION—

1. These Regulations may be cited as the Copyright (Libraries)
Regulations, 1966, and shall come into operation on the 5th June, 1966.

2. In these Regulations—

S.I. 1966/79

“the Act” means the Copyright Act, 1956 as extended by article
1 of the Copyright (British Guiana) Order, 1966;

“work” means a published literary, dramatic or musical work.

Prescribed Classes of Library

3. Each of the classes of library specified in the first schedule
hereto shall be a class prescribed for the purposes of subsections (1) and
(3) of section 7 of the Act:

Provided that this regulation shall not apply to any library established
or conducted for profit.

4. (1) Each of the classes of library specified in the first or second
schedule hereto shall be a class prescribed for the purposes of subsection
(5) of section 7 of the Act, and for the purposes of paragraph (a) of that
subsection (which relates to the librarian to whom a copy is supplied),
any class of library so specified shall, where appropriate, be deemed to
include any library of a similar class situated outside Guyana.

(2) This Regulation shall apply to any library of a class so
specified, whether established or conducted for profit or not.

5. Each of the classes of library specified in the first or second
schedule hereto shall be a class prescribed for the purposes of subsection
(4) of section 15 of the Act.

Prescribed Conditions

6. The following conditions shall be the conditions prescribed
for the purposes of subsections (1) and (3) of section 7 of the Act (which

relate, respectively, to copies of articles in periodical publications and copies of parts of other works)—

- (a) no copy of any work or any part of a work shall be made for or supplied to any person unless he has delivered to the librarian concerned, or to some person appointed by the librarian for that purpose, a declaration and undertaking in writing in relation to that work or part, substantially in accordance with the form set out in the third schedule hereto and signed in the manner therein indicated;
- (b) for the purposes of subsection (1) (which relates to copies of articles in periodical publications) no copy extending to more than one article in any one publication shall be made;
- (c) for the purposes of subsection (3) (which relates to copies of other works) no copy extending to more than a reasonable proportion of a work shall be made;
- (d) persons to whom copies are supplied shall be required to pay for such copies a sum not less than the cost (including a contribution to the general expenses of the library) attributable to their production.

7. The following conditions shall be the conditions prescribed for the purposes of subsection (5) of section 7 of the Act, (which relates to the making and supplying of copies of any works or parts of works to librarians)—

- (a) no copy of a work or a part of a work shall be made for or supplied to the librarian of any library, if a copy of that work or that part has already been supplied to any person as a librarian of that library, unless the librarian by or on behalf of whom the copy is made is satisfied that the copy already supplied has been lost, destroyed or damaged;
- (b) librarians to whom copies are supplied shall be required to pay for such copies a sum not less than the cost (including a contribution to the general expenses of the library) attributable to their production;
- (c) no copy shall be supplied to the librarian of a library that is established or conducted for profit.

8. Nothing in the preceding Regulations shall be taken to authorise the librarian of any library to make or supply a copy of any work or part of a work (other than an article in a periodical publication) for or to any other person (whether that person is the librarian of another library or not) if at the time when the copy is made the librarian knows the name and address of a person entitled to authorise the making of the copy or could by reasonable inquiry ascertain the name and address of such a person.

9. (1) The provisions of paragraph (2) of this regulation shall be the conditions prescribed for the purposes of subsection (4) of section

15 of the Act (which relates to reproductions of the typographical arrangements of published editions of works.)

(2) A reproduction of the typographical arrangement of a published edition of a work or a part thereof may be made or supplied in pursuance of subsection (4) of section 15 only in the circumstances and upon the conditions in and upon which a copy of that work or part may, by virtue of the provisions of Part I of the Act, be made or supplied without infringing the copyright in that work under Part I:

Provided that for the purposes of subsection (4) of section 15 of the Act a reproduction of the typographical arrangement of a published edition of a work may be made without infringing the copyright in the published edition notwithstanding that the librarian by or on behalf of whom the reproduction is made known, at the time it is made, the name and address of a person who is entitled to authorise the making of such a copy or such a reproduction or could by reasonable inquiry ascertain the name and address of such a person.

FIRST SCHEDULE Reg. 3, 4 and 5.

1. Any library of a school (as defined by section 41(7) of the Act), university, college of a university or university college.

2. Any Parliamentary library or library administered as part of a Government Department.

3. Any library conducted for, or administered by any establishment or organisation conducted for the purpose of facilitating or encouraging the study of all or any of the following—

religion, philosophy, science (including any natural or social science), technology, medicine, history, literature, languages, education, bibliography, fine arts, music or law.

SECOND SCHEDULE Reg. 4 and 5.

Any library which makes works in its custody available to the public free of charge.

THIRD SCHEDULE Reg. 6.

Form of Declaration and Undertaking

To
 The Librarian of
 the Library
(Address)

1. I [] of [] *Delete whichever is inappropriate.
 hereby request you to make and supply to me * [a copy of (particulars of article)]* [a copy of (particulars of work of which a part is required to be supplied and particulars of that part)], which I require for the purposes of research or private study.

*Delete
whichever
is inap-
propriate.

2. I have not previously been supplied with a copy of *[the said article] *[the said part of the said work] by any librarian.

3. I undertake that if a copy is supplied to me in compliance with the request made above, I will not use it except for the purposes of research or private study.

Signature †

Date

[† Note: This must be the personal signature of the person making the request. A stamped or typewritten signature, or the signature of an agent is NOT sufficient.]

Made this 2nd day of June, 1966.

L. F. S. BURNHAM.

Minister for the time being charged with
responsibility for public information.

EXPLANATORY NOTE

(This Note is not part of the Regulations, but is intended to indicate their general purport.)

These Regulations prescribe the classes of library entitled to the exemptions provided in the Copyright Act, 1956, with regard to making copies of copyright works for the purpose of research or private study or for the purpose of supplying other libraries. Libraries established or conducted for profit may not make copies except for supply to other libraries. The Regulations also prescribe the conditions which must be complied with in order to enjoy these exemptions. Similar provisions are made in relation to copying typographical arrangements or published editions, which now enjoy copyright independently of any copyright in the work itself.