

STATUTORY INSTRUMENTS

2010 No. 1.

THE COPYRIGHT AND NEIGHBOURING RIGHTS REGULATIONS, 2010.

ARRANGEMENT OF REGULATIONS

Regulations

PART I—PRELIMINARY

- 1 Title
- 2 Interpretation

PART II—REGISTRATION OF RIGHTS, ASSIGNMENT, TRANSFER, ETC

3. Application for registration of copyright or neighbouring rights
4. Contents of application for registration of copyrights or neighbouring rights
5. Publication of application in Gazette
6. Objection against registration of copyright or neighbouring rights
7. Substitution of an applicant
8. Application for registration of assignment or transfer
9. Application for registration of a licence
10. Entry in register
11. Address for service
12. Method of service

PART III—REGISTRATION OF COLLECTING SOCIETIES

13. Application for registration of collecting societies
14. Probationary registration of collecting societies
15. Cancellation of probationary registration of society
16. Full registration of society
17. Restoration of society on register

PART IV—PROTECTION OF NEIGHBOURING RIGHTS

Sound recordings and audio visual recordings

18. Protection of sound recording and audio visual recordings
19. Security device
20. Collecting societies to issue security devices
21. Security device to be registered by collecting society
22. Seizure of sound recordings or audio visual recordings

Performances

23. Importation of pre-recorded sound recordings or audio visual recording works
24. Protection of performers' rights

Broadcasts

25. Protection of broadcasters' rights

PART V—GENERAL PROVISIONS RELATING TO PROTECTION OF COPYRIGHTS AND NEIGHBOURING RIGHTS

26. Application to owner or collecting society of copyright for grant of licence
27. Appointment of copyright inspectors
28. Seizure of articles, substances, etc by inspector

PART VI—MISCELLANEOUS

29. Fees
30. Raising of funds by collecting society

31. Audit, annual returns, accounts, etc, of collecting society
32. Amendment of schedules by Minister
33. Offences and penalties

Schedule 1 Currency point

Schedule 2

Form 1 -Application for registration of copyright or neighbouring rights.

Form 2 -Notice of application for registration of copyright or neighbouring rights.

Form 3 -Certificate of copyright registration.

Form 4 -Application for registration of assignment or transfer.

Form 5 -Certificate of registration of assignment.

Form 6 -Application for registration of licence.

Form 7 -Application for registration of collecting society.

Form 8 -Probationary certificate of registration.

Form 9 -Notice of cancellation of probationary certificate of registration.

Form 10 -Certificate of registration of collecting society.

Form 11 - Application for clearance of imported audio visual recordings from the customs and excise department.

Form 12 -Authentication of imported or locally produced audio or audio visual recordings.

Form 13 -Application for grant of licence.

Form 14 -Notice of appointment of copyright inspector.

Form 15 -Certificate of authority of copyright inspector.

Schedule 3 Fees

THE COPYRIGHT AND NEIGHBOURING RIGHTS REGULATIONS, 2010

(Under section 82 of the Copyright and Neighbouring Rights Act, 2006, Act 19 of 2006)

IN EXERCISE of the powers conferred upon the Minister by section 82 of the Copyright and Neighbouring Rights Act, 2006, on the recommendation of the Registrar of Copyright; and after consultation with the Collecting Societies, these Regulations are made this 20th day of August, 2009.

PART I—PRELIMINARY

1. Title

These Regulations may be cited as the Copyright and Neighbouring Rights Regulations, 2010.

2. Interpretation

In these Regulations, unless the context otherwise requires—

“Act” means the Copyright and Neighbouring Rights Act, 2006;

“author” includes co-author;

“collecting society” means a society registered under regulation 13;

“copyright inspector” means an inspector appointed under regulation 27;

“currency point” has the value specified in Schedule 1;

“Minister” means the Minister responsible for justice;

“Registrar” means the Registrar of copyright appointed under section 41 of the Act;

“security device” means an adhesive label, banderol, International Standard Book Number (ISBN) or hologram.

3. Application for registration of copyright or neighbouring right

(1) The owner of a copyright or neighbouring right may apply to the Registrar for registration of the copyright or neighbouring right for the purpose of—

- (a) keeping evidence of ownership of the right;
- (b) identification of works and authors; or
- (c) maintenance of record of the right.

(2) An application to the Registrar for registration under sub regulation (1) shall be made in Form 1 specified in Schedule 2 to these Regulations and shall be accompanied by—

- (a) a deposit consisting of copies or records representing the work for which registration is applied, whether the work is published or unpublished; and
- (b) a non refundable application fee specified in Schedule 3 to these Regulations.

4. Contents of application for registration of copyright or neighbouring right

The application for registration of copyright or neighbouring rights shall state the following—

- (a) the title of the work sufficient to identify the work, or if the work has been published as part of a larger work, the title of that larger work in addition to the title of the contribution;
- (b) a description of the nature of the work being registered as specified in section 5 of the Act, such as literary work, dramatic or musical works, audio visual and sound recording works and

others;

- (c) the name and registered address of the author and owner of the copyright or neighbouring rights and his or her nationality;
- (d) the date of birth of author;
- (e) if the author is dead, the date of death;
- (f) the year in which creation of the work was completed;
- (g) the date and year of publication, if work is published;
- (h) the names and addresses of copyright claimants such as assignee, transferee or licensee, if any;
- (i) if the registration being applied for is for derivative work, state the pre-existing work; and
- (j) the date and signature of the applicant.

5. Publication of application in Gazette

- (1) Upon receiving an application for registration of a copyright or neighbouring right, the Registrar shall publish the notice of the application in the Gazette specified in Form 2 of Schedule 2.
- (2) The fees for the publication of the notice shall be paid by the applicant.
- (3) Where, after sixty days from the date of publication of the application in the Gazette, there is no objection lodged against the registration, and the Registrar is satisfied that all the necessary information has been provided by the applicant, the Registrar shall enter the name of the applicant in the register as the author or owner of the copyright or neighbouring right.
- (4) Upon registration, the applicant shall be issued with a certificate of registration as proof of registration.
- (5) The form of the certificate of registration is specified in Form 3 of Schedule 2 to these Regulations.

6. Objection against registration of copyright or neighbouring rights

- (1) A person who wishes to object to the registration of a copyright or neighbouring right may, by ordinary letter, lodge an objection against the registration with the Registrar within sixty days from the date of publication of the application in the Gazette.
- (2) The letter of objection shall clearly spell out the reasons for the objection.
- (3) Upon receipt of the letter of objection, the Registrar shall, as soon as practicable notify the applicant of the objection.
- (4) The Registrar shall convene a meeting of both the applicant and the objector, or their agents, where the parties cannot attend in person, in order for the applicant to address the reasons for the objection.
- (5) Where the Registrar is satisfied with the reasons for the objection, the registrar shall not register the copyright or neighbouring right.
- (6) The Registrar may call upon any other person or demand for the production of any documents or articles to enable him or her make a decision under these Regulations.

7. Substitution of an applicant

Where the Registrar is satisfied that there is good reason for substitution of an applicant in respect of a copyright work, and where the parties agree to the substitution, the Registrar shall approve the substitution subject to such conditions as he or she thinks fit, and the Registrar shall notify the applicant of the substitution.

8. Application for registration of assignment or transfer

(1) A holder of an assignment or transfer of copyright or neighbouring rights may apply to the Registrar for registration of the assignment or transfer for the purpose of—

(a) keeping evidence of the assignment or transfer;

(b) maintenance of a record of the rights;

(c) publication of the assignment or transfer.

(2) The application for registration of an assignment or transfer shall be in Form 4 specified in Schedule 2 to these Regulations.

(3) The application for registration of an assignment or transfer shall be accompanied by—

(a) a copy of the instrument, if any, under which the title is claimed; and

(b) an application fee prescribed in Schedule 3 to these Regulations.

(4) The application made under sub section (1) shall state—

(a) the name and registered address of the author and owner of the copyright or neighbouring rights;

(b) the name, trade or business and the description of the assignor or transferor of a copyright or neighbouring rights;

(c) particulars of the instrument, if any, under which the interest is claimed;

(d) the limitations in the assignment or transfer, and shall address issues on whether or not the assignment is limited to—

(i) some of the assignor's rights;

(ii) a part of the term of copyright; or

(iii) a specified country or geographical area.

(5) Where, in the case of an application under sub regulation (1), the applicant does not claim under any document or instrument, proof of his or her entitlement to the copyright, the applicant shall accompany the application with a statutory declaration setting out the full particulars of facts upon which his or her claim to ownership of the work is based, showing that the work has been assigned or transferred to him or her.

(6) The certificate of registration of assignment shall be in Form 5 specified in Schedule 2 to these Regulations.

9. Application for registration of a licence

(1) A holder of a licence for copyright or neighbouring rights may apply to the Registrar for the registration of the licence.

(2) The application for registration of a licence shall be made in Form 6 specified in Schedule 2 and shall be accompanied by a fee prescribed in Schedule 3 to these Regulations.

(3) The application for registration of a licence shall—

(a) state the name, address and nationality of the licensee;

(b) indicate full particulars of the instrument, if any, under which the interest is claimed;

(c) be accompanied by a statutory declaration made by the owner of the work stating—

(i) the particulars of the relationship between the owner and the licensee;

(ii) whether the licence is a general licence or a specific one;

(iii) whether a licence is granted for a limited period or not;

(iv) whether the licence is exclusive or non exclusive.

10. Entry in register

(1) Upon receiving an application for registration of a copyright, assignment, licence or transfer of a copyright or neighbouring rights, and on being satisfied as to the right of the person seeking to be registered, the Registrar shall cause the person to be registered as the owner or holder of the copyright work in respect of the work and shall issue the applicant with a certificate of registration as proof of registration.

(2) The Registrar shall enter in the register the following information—

(a) the name, trade or business address and description of the owner;

(b) particulars of the assignment, licence or transfer;

(c) statement showing the limitation, if any, to the scope of the assignment, licence or transfer;
and

(d) the date of the publication or the date at which copyright protection begins.

(3) Where the Registrar is not satisfied as to the right of an applicant for registration of a copyright or neighbouring rights, the Registrar shall not enter the name of the applicant in the register and shall in writing, inform the applicant of the reasons for that particular decision.

11. Address for service

A person who applies to become a registered owner or holder of a copyright shall furnish the Registrar with an address for service in Uganda.

12. Method of service

Where notice, application or other document is required to be served on person under these Regulations, service may be effected by delivery of a copy of the notice—

(a) at the address for service furnished to the registrar under regulation 11;

(b) to the person personally or to his or her duly authorised agent;

(c) at the residence or place of business or employment of the person or to some responsible person residing or employed there.

PART III—REGISTRATION OF COLLECTING SOCIETIES

13. Application for registration of collecting societies

(1) An application for registration of a collecting society shall be made to the Registrar and shall be in Form 7 specified in Schedule 2 to these Regulations.

(2) The application for registration of a collecting society shall be signed by at least thirty members.

(3) The application shall be accompanied by—

(a) three copies of the memorandum and articles of association of the society;

(b) the constitution of the society;

(c) a copy of the certificate of registration as a non government organization;

(d) a fee prescribed in Schedule 3; and

(e) such other information as the Registrar may require.

(4) The application shall contain the following information—

(a) the name and business address of the society;

- (b) information pertaining to the legal status of the society;
- (c) the bundles of rights that the society manages;
- (d) a schedule containing the names, addresses nationalities and qualifications of each of the management committee members;
- (e) a statement of the financial position of the society;
- (f) a declaration by the management committee of the society's ability to ensure the enforcement of the rights of the owners or holders of copyright or neighbouring rights; and
- (g) a schedule of names and addresses of copyright owners or holders that the society has running contracts with.

14. Probationary registration of collecting societies

(1) Upon receiving an application for registration of a collecting society, the registrar where satisfied that the society has complied with all the requirements of the Act and these Regulations, shall register the society and its articles and rules on probation for a period of eighteen months.

(2) The registrar shall issue the society with a probationary certificate of registration in Form 8 specified in Schedule 2 to these Regulations.

15. Cancellation of probationary registration of society

(1) The Registrar may at any time during the probation period provided for under Regulation 14 or at the expiration of the probation period of eighteen months, cancel the probation period of the society, where he or she is not satisfied with the performance of the society.

(2) The Registrar shall by notice in writing cancel the probation period of the society.

(3) The notice of cancellation under sub regulation (2) shall state the reasons for the cancellation and shall be published in the Gazette.

(4) The notice shall be in Form 9 specified in Schedule 2 to these Regulations.

16. Full registration of society

Where, at the expiration of the probationary period, the registrar is satisfied with the functioning of the society, the registrar shall fully register the society and shall issue it with a certificate of registration in Form 10 specified in Schedule 2 to these Regulations.

17. Restoration of society on register

(1) A society which has been removed from the register of collecting societies may, within a period of one year from the date of removal, apply to the registrar for its restoration on the register and shall pay a fee as prescribed in Schedule 3 to these Regulations.

(2) The application under sub regulation (1) shall be accompanied by—

(a) a statutory declaration giving reasons for the society's non compliance with these Regulations or the Act, which resulted in its removal from the register;

(b) a document showing steps taken to comply with the Act and these Regulations; and

(c) any other document the registrar may require.

Sound recordings and audio visual recordings

18. Protection of sound recordings and audio visual recordings

A person shall not produce, reproduce, distribute, broadcast, make available to the public, sale or offer for sale, lease or rent out or make public performances or import for distribution sound recordings or audio visual recordings in Uganda except under a licence issued by the owner of the neighbouring rights or a collecting society.

19. Security device

A security device shall be affixed to each and every sound recording or audio visual recording which is distributed or otherwise exposed to the public for sale, hire or rental, within Uganda.

20. Collecting societies to issue security devices

The security device shall be issued by the collecting societies responsible for the interests of the producers after verification that the sound recording or audio visual has been produced or published in Uganda or imported into Uganda without infringing any copyright granted under the Act.

21. Security device to be registered by collecting society

The collecting society shall register the security device with the Office of the Uganda Registration Services Bureau.

22. Seizure of sound recording or audio visual recording

A sound recording or audio visual recording without a security device, which is either imported or distributed or offered or exposed to the public for distribution by way of sale, hire or rental within Uganda shall be considered as a copy infringing copyright and may be seized by an inspector appointed under regulation 27, a police officer or an officer of customs and excise.

23. Importation of pre-recorded sound recordings or audio visual recording works

(1) A person shall not import pre-recorded sound recordings or audio visual recording works into Uganda unless he or she has applied for and obtained clearance from the owner or a collecting society representing the interests of the copyright owner.

(2) The application to the owner or a collecting society for clearance under sub regulation (1) shall be in Form 11 specified in Schedule 2 to these Regulations.

(3) Where the owner or a collecting society is satisfied that the recordings will be produced in conformity with the Act and these Regulations, the owner or the collecting society shall issue an authentication certificate and the certificate shall be in Form 12 specified in schedule 2 to these Regulations.

(4) A customs officer shall, on application by a collecting society, seize, impound or retain a sound recording or audio visual recording imported into Uganda exceeding a quantity of two copies of the recording until the importation has been consented to or verified and authenticated by a collecting society.

Performances

24. Protection of performers' rights

(1) A person shall not, without the express consent of a performer or a collecting society representing the interests of a performer, carry out the following—

(a) fix a performer's live performance not previously fixed on a physical medium;

(b) broadcast or communicate to the public a performer's unfixed performance;

(c) directly or indirectly reproduce a fixation of a performance;

(d) distribute or make available to the public the original or copies of a fixation of a performer's performance through sale or other transfer of ownership;

(e) make available to the public a fixation of a performer's performance by wire or wireless or internet in such a way that members of the public may access it from a place and time individually chosen by them; or

(f) conduct a public performance.

(2) The consent referred to in sub regulation (1) shall be by way of a contract entered into with a performer or a collecting society representing the rights of the performer, setting out the terms and conditions that the performer may wish for the use of the performance or the fixation by the other party to the contract.

Broadcasts

25. Protection of broadcasters' rights

(1) A person shall not, without the express consent of a broadcaster perform any of the following acts—
(a) broadcast a broadcaster's broadcast;
(b) fix a broadcast; or
(c) reproduce a fixation of a broadcast.

(2) The consent referred to in sub regulation (1) shall be by a contract entered into with the broadcaster setting out the terms and conditions that the broadcaster may wish for the use of the broadcast or the fixation by the other party to the contract.

PART V—GENERAL PROVISIONS RELATING TO PROTECTION OF COPYRIGHT AND NEIGHBOURING RIGHTS

26. Application to owner or collecting society of copyright for grant of licence

(1) A person who wishes to use or perform another person's work or who causes work to be used or performed in public for gain shall apply to the owner or the collecting society for a licence to do so.

(2) The owner or collecting society may grant a licence and shall, in respect of any grant, charge such licence fees as the owner or the collecting society may determine.

(3) The application for a licence is specified in Form 13 of Schedule 2 to these Regulations.

27. Appointment of copyright inspectors

(1) The Registrar may, in accordance with section 52 of the Act, by notice in the Gazette, appoint any officer of the Uganda Registration Services Bureau or a member of staff of a collecting society to be an inspector for the purposes of enforcing the Act and these Regulations.

(2) The notice under sub regulation (1) is specified in Form 14 of Schedule 2 of these Regulations and shall be revised annually.

(3) A person appointed under sub regulation (1) shall be issued with a certificate of authority by the Registrar and shall perform all the functions of an inspector under the Act and these Regulations.

(4) A certificate of authority is specified in Form 15 of Schedule 2 to these Regulations.

28. Seizure of articles, substances, etc by inspector

(1) An inspector may seize and detain any substance which he or she has reasonable cause to believe has infringed or is about to infringe a copyright in a work.

(2) Where an inspector seizes a work under sub regulation (1), the inspector shall, in writing, notify the person from whom the items are seized of the fact of the seizure and the item seized.

(3) The seizure under this regulation shall remain pending for a period of sixty days, during which, the owner of the seized item may make objections against the seizure to the registrar.

(4) The Registrar shall expeditiously handle any objections filed under sub regulation (3) and where it is found that the seizure was made in error, the Registrar shall revoke the seizure.

(5) Where, after the objections, the owner of the seized items fails to convince the Registrar that the seizure was made in error, the inspector shall, by an application in writing seek a court order for the

destruction of seized goods.

(6) The owner of the seized items shall be notified of the application and may file a reply to the application.

(7) Where a court is satisfied that the items were infringing a copyright, the court shall make an order for the destruction of the goods and the inspector shall make arrangements for the goods to be destroyed, the destruction shall be under the supervision of a court officer or a customs officer.

PART VI—MISCELLANEOUS

29. Fees

A document shall not be considered to have been lodged unless the fees prescribed in Schedule 3, have been paid.

30. Raising of funds by collecting society

Where a collecting society is desirous of raising funds, either by means of shares or debentures, the society shall apply to and obtain approval from the Registrar.

31. Audit, annual returns, accounts, etc, of collecting society

The executive committee of a collecting society shall ensure—

- (a) that the society keeps proper books of accounts which shall be audited annually in accordance with section 69 of the Act;
- (b) that final accounts and balance sheets and any other statements and schedules relating to them are prepared in accordance with international accounting standards.

32. Amendment of Schedules by Minister

The Minister may, in consultation with the Minister responsible for finance amend Schedule 1 and 3 to these Regulations.

33. Offences and penalties

A person who contravenes regulations 18, 23, 24, 25 and 26 commits an offence and is liable on conviction to a fine not exceeding twenty currency points or to imprisonment for a term not exceeding six months or both.

SCHEDULES

SCHEDULE ONE

Regulation 2

CURRENCY POINT

One currency point is equivalent to twenty thousand shillings.

UGANDA REGISTRATION SERVICES BUREAU
THE COPYRIGHT AND NEIGHBOURING RIGHTS REGULATIONS, 2010

FORM 1

APPLICATION FOR REGISTRATION OF COPYRIGHT OR NEIGHBOURING RIGHTS

FOR OFFICIAL USE Received on Date.....

To: The Registrar of Copyright, Uganda Registration Services Bureau Kampala.

1 Title of work

2 Description of the nature of the work

3 Full names of Author/Performer/Producer/Broadcaster.....

4 Registered address.....

5 Date of birth.....

6 Date of death (if Author/Performer/Producer/Broadcaster is dead).....

7 Date of publication (if work is published).....

8 Name and address of copyright claimants such as assignee, transferee or licensee, if any.....

9 If the registration being sought is for derivative work, state the pre existing work;

Date and signature of the applicant

UGANDA REGISTRATION SERVICES BUREAU

THE COPYRIGHT AND NEIGHBOURING RIGHTS REGULATIONS, 2010

FORM 2

NOTICE OF APPLICATION FOR REGISTRATION OF COPYRIGHT OR NEIGHBOURING RIGHT

TAKE NOTICE THAT(*names of applicant*) of
.....(*address of applicant*) has lodged an application with the Registrar of
Copyright for the registration of copyright / neighbouring rights for the following works: (briefly describe
the works)

1.
2.
3.

Any person intending to object to the application for registration of copyright or neighbouring rights may
file a letter of objection with this office within 60 days from the date of this notice.

Dated this day of 20...

.....
Registrar of Copyright.

UGANDA REGISTRATION SERVICES BUREAU
THE COPYRIGHT AND NEIGHBOURING RIGHTS REGULATIONS, 2010

FORM 3

CERTIFICATE OF COPYRIGHT REGISTRATION

Registration Number

Effective Date of Registration

This Certificate issued under the seal of the Uganda Registration Services Bureau in accordance with section 43(6) of the Copyright and Neighbouring Rights Act, 2006 and the Copyright and Neighbouring Rights Regulations, 2010 attests, that the registration has been made for the work identified below.

The information on this certificate has been made part of the copyright office records.

.....
Registrar of Copyright.

1 Title of work.....

2 Nature of work

3 Name of Author/Performer/Producer/Broadcaster
.....
.....

4 Nature of authorship

5 Citizenship of author.....

Date of birth Date of death.....

6 Year of creation.....

Date of first publication (*if applicable*).....

Country of first publication

UGANDA REGISTRATION SERVICES BUREAU

THE COPYRIGHT AND NEIGHBOURING RIGHTS REGULATIONS, 2010

FORM 4

APPLICATION FOR REGISTRATION OF ASSIGNMENT OR TRANSFER

To: The Registrar of Copyright, Uganda Registration Services Bureau Kampala.

PART 1—ASSIGNMENT OR TRANSFER

1. Registration No
2. Title of work
Nature or category of work.....
A description of the nature of the work
3. Owner of the copyright or neighbouring rights, present on record
 - (a) Name.....
 - (b) Address.....
 - (c) Nationality.....
4. Assignee or transferee
 - (a) Name.....
 - (b) Address.....
 - (c) Nationality.....
 - (d) Country of residence or principal place of business
- 6 Particulars of the instrument, if any, under which the interest is claimed
i.e certified copy of assignment or transfer, contract or other document evidencing change of
ownership.....(specify)
- 7 Limitations, if any, in the assignment or transfer, i.e. whether or not the assignment or transfer is
limited to—
 - (a) some of the assignor's rights;
 - (b) a part of the term of copyright;
 - (c) a specified country or geographical area. Signature of applicant) assignee or transferee or
agent.....

FOR OFFICIAL USE

Date received

UGANDA REGISTRATION SERVICES BUREAU

THE COPYRIGHT AND NEIGHBOURING RIGHTS REGULATIONS, 2010

FORM 5

CERTIFICATE OF REGISTRATION OF ASSIGNMENT

Registration Number

Effective date of registration

This Certificate issued under the seal of the Uganda Registration Services

Bureau in accordance with section 43(6) of the Copyright and Neighbouring Rights Act, 2006 and the Copyright and Neighbouring Rights Regulations, 2010, attests that the registration has been made for the work identified below. Name of work.....

Name of Assignee.....

The information on this certificate has been made part of the copyright office records.

.....

Registrar of Copyright.

UGANDA REGISTRATION SERVICES BUREAU

THE COPYRIGHT AND NEIGHBOURING RIGHTS REGULATIONS, 2010

FORM 6

APPLICATION FOR REGISTRATION OF LICENCE

To: The Registrar of Copyright, Uganda Registration Services Bureau Kampala.

1. Registration No

2. Title of work

3. Nature or category of work.....

Owner of the copyright or neighbouring right, present on record

(a) Name.....

(b) Address.....

(c) Nationality.....

4. Licensee

(a) Name.....

(b) Address.....

(c) Nationality.....

(d) Country of residence or principal place of business.....

6 Particulars of the instrument, if any, under which the licence is claimed

i.e. certified copy of contract or other document evidencing change of ownership.....

Restrictions, if any, in the licence i.e

(a) the proposed term of licence begins on and ends on or is without period;

(b) The licence will/ will not be an exclusive licence; Signature of applicant/Licensee.....

FOR OFFICIAL USE

Received onDate.....

UGANDA REGISTRATION SERVICES BUREAU

THE COPYRIGHT AND NEIGHBOURING RIGHTS REGULATIONS, 2010

FORM 7

APPLICATION FOR REGISTRATION OF COLLECTING SOCIETY

To: The Registrar of Copyright, Uganda Registration Services Bureau Kampala.

1. Name of collecting society.....
2. Legal status.....
3. Formation/Incorporation date.....
4. Business address.....
5. Address for service (if different from business address)
6. Bundle of rights managed by collecting society
 - (a)
 - (b)
 - (c)
 - (d)
7. Attached hereto are: (Tick appropriate box)
 - (a) Memorandum and Articles of Association
 - (b) Statement of financial position of Society
 - (c) Schedules of names and addresses of copyright owners that the society has running contracts with and dates of expiry of those contracts
 - (d) A schedule containing names, addresses, nationalities and qualifications of management committee members
 - (e) Declaration by the management committee of the society's ability to ensure the enforcement of the rights of the owners of copyright
 - (f) Constitution of Society

Dated this day of 20

Signature of applicant/Agent.....

FOR OFFICIAL USE

Received on

UGANDA REGISTRATION SERVICES BUREAU

THE COPYRIGHT AND NEIGHBOURING RIGHTS REGULATIONS, 2010

FORM 8

PROBATIONARY CERTIFICATE OF REGISTRATION

Registration Number.....

The Registrar of Copyright hereby certifies that Collecting Society, having duly met the qualifications for registration has been registered as a collecting society for a probationary period of six months effective on the day of 20....

.....
Registrar of Copyright

UGANDA REGISTRATION SERVICES BUREAU

THE COPYRIGHT AND NEIGHBOURING RIGHTS REGULATIONS, 2010

FORM 9

NOTICE OF CANCELLATION OF PROBATIONARY CERTIFICATE OF REGISTRATION

TAKE NOTICE that(*name of collecting society*) which was registered as a collecting society on the day of 20.. Has been deregistered as a collecting society effective on the day of 20...for the following reasons:

- (a)
- (b)

.....
Registrar of Copyright

UGANDA REGISTRATION SERVICES BUREAU

THE COPYRIGHT AND NEIGHBOURING RIGHTS REGULATIONS, 2010

FORM 10

CERTIFICATE OF REGISTRATION OF COLLECTING SOCIETY

Registration Number.....

..... Collecting Society, having satisfied the Registrar of Copyright with the performance of its functions during the probationary registration period is now fully registered as a collecting society effective on the day of 20.....

.....

Registrar of Copyright

UGANDA REGISTRATION SERVICES BUREAU

THE COPYRIGHT AND NEIGHBOURING RIGHTS REGULATIONS, 2010

FORM 11

APPLICATION FOR CLEARANCE OF IMPORTED AUDIO VISUAL

RECORDINGS FROM OWNER OR COLLECTING SOCIETY

To:(Name of Collecting society) of
(Address of society)

1. Name of applicant/ importer.....

2. TIN No.....

3. Address.....

4. Physical Address

5. Tel No..... Fax..... E-mail.....

6. Title of work for which clearance is sought.....

7. Type of work: Audio* Audio visual* Tick whichever is applicable

8. Quantity of material being imported.....

9. Name of author(s)

10. Name and address of producer.....

11. Has the importer received authorization of the producer or his or her authorized representative to import the said work?

Yes* No*

12. Declaration:

I/We..... declare that the information given above is true to the best of my/ our knowledge and that any misinformation provided by me/ us shall render my/our application void.

Date.....

Signed.....

Official stamp/ seal, where applicable.

Note: Importers must ensure that the imported materials are authenticated by the society of origin or by the copyright holder.

To be filled in triplicate; Original to Society; copy to customs; copy to importer

To be completed for every title imported.

UGANDA REGISTRATION SERVICES BUREAU

THE COPYRIGHT AND NEIGHBOURING RIGHTS REGULATIONS, 2010

FORM 12

AUTHENTICATION OF IMPORTED AUDIO-VISUAL RECORDINGS

NAME OF COLLECTING SOCIETY OR OWNER.....

The customs officer at

Approval is hereby given to

TIN No

To clear the work titled

Produced by

Address

From the Customs and Excise department.

Date

Name and Signature

(For collecting Society)

UGANDA REGISTRATION SERVICES BUREAU

FORM 13

APPLICATION FOR GRANT OF LICENCE

To: The Owner of Copyright/ Agent of Owner of Copyright
P.O Box

1 Title of work

2 Nature or category of work.....

3 Owner of the copyright or neighbouring rights, present on record / Agent of Owner:

(a) Name.....

(b) Address.....

(c) Nationality.....

Applicant for Licence:

(a) Name.....

(b) Address.....

(c) Nationality.....

Purposes for which licence is sought:

(a)

(b)

(c)

Signature of applicant Licensee.....

FOR OFFICIAL USE

Date received

UGANDA REGISTRATION SERVICES BUREAU

THE COPYRIGHT AND NEIGHBOURING RIGHTS REGULATIONS, 2010

FORM 14

NOTICE OF APPOINTMENT OF COPYRIGHT INSPECTOR

(Under section 52 of the Copyright and Neighbouring Rights Act, 2006 and regulation 27(2) of the Copyright and Neighbouring Rights Regulations, 2010)

TAKE NOTICE THAT

(Name of officer of Uganda Registration Services Bureau/ Staff of Collecting Society) has been appointed an Inspector of Copyright for the period*

*Tick whichever is applicable.

.....
Registrar of Copyright

Date received

UGANDA REGISTRATION SERVICES BUREAU

THE COPYRIGHT AND NEIGHBOURING RIGHTS REGULATIONS, 2010

FORM 15

CERTIFICATE OF AUTHORITY OF COPYRIGHT INSPECTOR

This Certificate of Authority is issued to.....of P.O. Box

being an officer of Uganda Registration Services Bureau/ Staff of Collecting Society* this day of
..... 20.....

This certificate is issued for a period of

The certificate entitles the holder—

(a) to enter any premises, ship, aircraft, vehicle or any place; and

(b) to inspect—

(i) any substance or article appearing to be a work;

(ii) any container or package appearing to be used or intended to be used to carry any work;

(iii) any place, plant or equipment appearing to be used in connection with production,
reproduction or to manufacture a work.

*Tick whichever is applicable.

.....

Registrar of Copyright

Date.....

UGANDA REGISTRATION SERVICES BUREAU

THE COPYRIGHT AND NEIGHBOURING RIGHTS REGULATIONS, 2010

FEEES

		<i>Fees</i>
1.	Application for registration of copyright or neighbouring rights	2.5 currency points
2.	Application for registration of assignment, transfer or licence	2.5 currency points
3.	Application for registration of a licence	10 currency points
4.	Application for registration of collecting society	10 currency points
5.	Application for restoration of society on Register	20 currency

HON. (DR.) E. KHIDDU MAKUBUYA (MP),
Attorney General and Minister of Justice and Constitutional Affairs.