

PART B

(regulation 3(3))

Any library outside Bermuda which is conducted wholly or mainly for the purpose of facilitating or encouraging the study of bibliography, education, fine arts, history, languages, law, literature, medicine, music, philosophy, religion, science (including natural and social science) or technology.

SCHEDULE 2

FORM A

(regulation 4)

COPYRIGHT AND DESIGNS ACT 2004

DECLARATION: COPY OF ARTICLE OR PART OF PUBLISHED WORK

To:

The Librarian ofLibrary

[Address of Library]

1 Please supply me with a copy of:

*the article in the periodical, the particulars of which are ()

*the part of the published work, the particulars of which are ()

required by me for the purposes of research or private study.

2 I declare that—

(a) I have not previously been supplied with a copy of the same material by you or any other librarian;

(b) I will not use the copy except for research or private study and will not supply a copy of it to any other person; and

(c) to the best of my knowledge no other person with whom I work or study has made or intends to make, at or about the same time as this request, a request for substantially the same material for substantially the same purpose.

3 I understand that if the declaration is false in a material particular the copy supplied to me by you will be an infringing copy and that I shall be liable for infringement of copyright as if I had made the copy myself.

****Signature**

Date

Name

Address

.....

.....

** Delete whichever is inappropriate.*

*** 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 acceptable.*

FORM B

(Regulation 7)

COPYRIGHT AND DESIGNS ACT 2004

DECLARATION: COPY OF WHOLE OR PART OF UNPUBLISHED WORK

To:

The *Librarian/Archivist of *Library/Archive

[Address of Library/Archive]

1 Please supply me with a copy of:

the *whole/following part (particulars of part) of the (particulars of the unpublished work) required by me for the purposes of research or private study.

2 I declare that—

(a) I have not previously been supplied with a copy of the same material by you or any other *librarian/archivist;

(b) I will not use the copy except for research or private study and will not supply a copy of it to any other person; and

(c) to the best of my knowledge the work had not been published before the document was deposited in your *library/archive and the copyright owner has not prohibited copying of the work.

3 I understand that if the declaration is false in a material particular the copy supplied to me by you will be an infringing copy and that I shall be liable for infringement of copyright as if I had made the copy myself.

****Signature**

Date

Name

Address

.....

.....

** Delete whichever is inappropriate.*

*** 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 acceptable.*

Made this 31st day of January 2014

Minister of Home Affairs

BERMUDA

COPYRIGHT (RECORDING FOR ARCHIVES) (DESIGNATED CLASSES AND BODIES) ORDER 2014

BR 17 / 2014

The Minister responsible for intellectual property, on being satisfied that the bodies designated by this Order are not established or conducted for profit and in exercise of the powers conferred by section 101 of the Copyright and Designs Act 2004, makes the following Order:

Citation

1 This Order may be cited as the Copyright (Recording for Archives) (Designated Classes and Bodies) Order 2014.

Designated classes of broadcasts and cable programmes

2 Each of the following broadcasts and cable programmes are designated as a class for the purposes of section 101 of the Act—

(a) all broadcasts, other than encrypted transmissions;

(b) all cable programmes

Designated bodies maintaining archives

3 Each of the following bodies is designated as a body for the purposes of section 101 of the Act—

- (a) Bermuda Archives;
- (b) Bermuda Medical Association;
- (c) Bermuda Medical Society;
- (d) Bermuda National Library;
- (e) Bermuda Underwater Exploration Institute;
- (f) National Museum of Bermuda.

Made this 31st day of January 2014

Minister of Home Affairs

BERMUDA

COPYRIGHT (SUBTITLING OF TELEVISION BROADCASTS AND CABLE PROGRAMMES) (DESIGNATED BODY) ORDER 2014

BR 18 / 2014

The Minister responsible for intellectual property, on being satisfied that the body designated by this Order is not established or conducted for profit and in exercise of the powers conferred by section 100 of the Copyright and Designs Act 2004, makes the following Order:

Citation

1 This Order may be cited as the Copyright (Subtitling of Television Broadcasts and Cable Programmes) (Designated Body) Order 2014.

Designated body

2 The Bermuda Islands Association of the Deaf (B.I.A.D.) is designated as a body for the purposes of section 100 of the Act.

Made this 31st day of January 2014

Minister of Home Affairs

BERMUDA

COPYRIGHT AND RIGHTS IN PERFORMANCES (NOTICE OF SEIZURE) ORDER 2014

BR 19 / 2014

The Minister responsible for intellectual property, in exercise of the powers conferred by sections 128 and 243 of the Copyright and Designs Act 2004, makes the following Order:

Citation

1 This Order may be cited as the Copyright and Rights in Performances (Notice of Seizure) Order 2014.

Notice of seizure (copyright)

2 Form A in the Schedule is prescribed for the notice required under section 128(5) of the Act.

Notice of seizure (rights in performances)

3 Form B in the Schedule is prescribed for the notice required under section 243(5) of the Act.

SCHEDULE

FORM A

(paragraph 2)

COPYRIGHT AND DESIGNS ACT 2004

NOTICE OF SEIZURE (COPYRIGHT)

To Whom it May Concern

1 Goods in which you were trading have been seized. This notice tells you who carried out the seizure, the legal grounds on which this has been done and the goods which have been seized and detained. As required by the Copyright and Designs Act 2004, notice of the proposed seizure was given to the Commissioner of Police at *(state address)* on *(date)*.

Person carrying out seizure

2 *(State name and address)*

** acting on the authority of (state name and address).*

** Delete if not appropriate.*

Legal grounds for seizure and detention

3 This action has been taken under section 128 of the Act which, subject to certain conditions, permits a copyright owner to seize and detain infringing copies of works found exposed or otherwise immediately available for sale or hire, or to authorise such seizure and detention. The right to seize and detain is subject to any decision of the court under section 142 of the Act (order as to disposal of goods seized and detained).

Nature of the goods seized and detained

4 Infringing copies of works (within the meaning of section 39 of the Act):

(specify all goods seized)

Signed Date

FORM B

(paragraph 3)

COPYRIGHT AND DESIGNS ACT 2004

NOTICE OF SEIZURE (RIGHTS IN PERFORMANCES)

To Whom it May Concern

1 Goods in which you were trading have been seized. This notice tells you who carried out the seizure, the legal grounds on which this has been done and the goods which have been seized and detained. As required by the Copyright and Designs Act 2004, notice of the proposed seizure was given to the Commissioner of Police at *(state address)* on *(date)*.

Person carrying out seizure

2 *(State name and address)*

** acting on the authority of (state name and address).*

** Delete if not appropriate.*

Legal grounds for seizure and detention

3 This action has been taken under section 243 of the Act which, subject to certain conditions, permits a person having performer's rights or recording rights to seize and detain illicit recordings of performances found exposed or otherwise immediately available for sale or hire, or to authorise such seizure and detention. The right to seize and detain is subject to any decision of the court under section 251 of the Act (order as to disposal of goods seized and detained).

Nature of the goods seized and detained

4 Illicit recordings of performances (within the meaning of section 244 of the Act):

(specify all goods seized)

Signed Date

Made this 31st day of January 2014

Minister of Home Affairs