



REPUBLIC OF NAURU

COPYRIGHT BILL 2019

No. of 2019

A Bill for an Act to make provision for copyright in literary, musical and artistic works, audio-visual works, sound recordings and broadcasts and related purposes

Certified: []

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Enacted by the Parliament of Nauru as follows:

PART 1 – PRELIMINARY

1 Short Title

This Act may be cited as the *Copyright Act 2019*.

2 Commencement

This Act commences on certification by the Speaker.

3 Act binds the Republic

This Act binds the Republic.

4 Objective of the Act

The objective of the Act is to:

- (a) encourage authors, music composers, singers, artists to create original piece of works by granting them exclusive rights;
- (b) stop the misuse of copyrights;
- (c) protect the rights of the person who holds the copyright;
- (d) provide methods of acquiring copyright;
- (e) provide for economic rights and use of copyright; and
- (f) provide civil and criminal remedies when there is copyright infringement.

5 Scope of application

- (1) The provisions of this Act concerning the protection of literary and artistic works apply to:
 - (a) works of authors who are nationals of or have their permanent place of residence in the Republic; or
 - (b) works first published in the Republic.
- (2) This Act also applies to works that are protected in the Republic under any international convention or other international agreement to which the Republic is a party to.

6 Copyright not to subsist except by this Act

Subject to the provisions of this Act, no copyright shall subsist otherwise than by virtue of this Act.

Interpretation

In this Act:

‘artistic, literary or scientific work’ includes the production of artistic, literary or scientific domain of:

- (a) a book, pamphlet or other writing;
- (b) an illustration, a map, plan or sketch;
- (c) a lecture, sermon or any other address of a similar nature;
- (d) a dramatic or dramatico-musical work;
- (e) a musical work;
- (f) a choreographic work or pantomime;
- (g) an audio-visual work;
- (h) a sound recording;
- (i) a work of fine art, such as a drawing or painting;
- (j) a work of architecture or sculpture, an engraving or lithography or applied art including a multi-dimensional work;
- (k) a painting, drawing, illustration, sketch, lithograph, tapestry, woodcut, print, collage and model;
- (l) a photographic work;
- (m) a computer programme; and
- (n) any other work of artistic craftsmanship;

‘audio-visual work’ means a work consisting of a series of related images and accompanying sounds which are intended to be shown by any appropriate device includes a cinematograph or other film, and cinematographic elements of computer games;

‘author’ means the natural person who has created the work:

‘broadcast’ means a transmission by any means including by satellite or other wireless transmission and *‘broadcasting’* as defined in the ***Communications and Broadcasting Act 2018***;

‘computer’ means a digital or smart phone, tablet computer, smart watch or other electronic or similar device having information processing capabilities;

‘computer program’ means a set of instructions, expressed in words, codes, schemes or in any other form, which is capable, when incorporated in a machine-