

Copyright (Removal of Prohibition on Parallel Importing) Amendment Act 1998

Public Act 1998 No 20
Date of assent 19 May 1998

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An Act to amend the Copyright Act 1994 and the Medicines Act 1981 to—

- (a) **Remove the prohibition on parallel importing from the Copyright Act 1994; and**
- (b) **Increase the penalties for importation of pirated copyright works and for breaching certain requirements of the Medicines Act 1981 in relation to the sale and distribution of medicines**

BE IT ENACTED by the Parliament of New Zealand as follows:

1 Short Title and commencement

- (1) This Act may be cited as the Copyright (Removal of Prohibition on Parallel Importing) Amendment Act 1998.
- (2) This Act comes into force on the day on which it receives the Royal assent.

Part 1

Amendments to Copyright Act 1994

2 Part to be part of Copyright Act 1994

This Part is part of the Copyright Act 1994 (in this Part referred to as the “principal Act”).

3 Interpretation

This section inserted the definition of the term **graphic work** in s 2(1) of the principal Act.

4 Meaning of “issue to the public”

This section amended s 9(1), and inserted s 9(1)(d) of the principal Act.

5 Meaning of “infringing copy”

- (1) This subsection substituted s 12(3) of the principal Act.

- (2) This subsection inserted s 12(5A) of the principal Act.

6 Criminal liability for making or dealing with infringing objects

- (1) This subsection substituted s 131(5) of the principal Act.
(2) This subsection repealed section 131(8) of the principal Act.

7 Definitions—border protection measures

This section inserted para (c)(ia) of the definition of the term **pirated copy** in s 135 of the principal Act.

8 Notices to Chief Executive concerning importations of parallel imports

- (1) The principal Act is amended by repealing section 144.
(2) Any notices given under section 144 cease to have effect on the commencement of this Act.

9 No compensation for diminution in rights attaching to copyright

No person is entitled to compensation from the Crown in respect of any diminution in the rights attaching to copyright that may arise by virtue of the enactment of this Part of this Act.

Part 2

Amendments to Medicines Act 1981

10 Part to be part of Medicines Act 1981

This Part is part of the Medicines Act 1981 (in this Part referred to as the “principal Act”).

11 Restrictions on sale or supply of new medicines

This section substituted s 20(4) of the principal Act.

12 Distribution of changed medicines restricted

This section inserted s 24(7) of the principal Act.

13 Duty of importer and manufacturer to have and produce specifications of medicines

This section substituted s 42(3) of the principal Act.