

- (b.) To literary, dramatic, musical, and artistic works, the authors whereof were at the time of the making of the works subjects or citizens of any of the said foreign countries, in like manner as if the authors had been British subjects;
- (c.) In respect of residence in any of such foreign countries, in like manner as if such residence had been residence in New Zealand;

Provided that—

(i.) Paragraph (d) of subsection (2) of section 3 and section 25 of the said Act, and such other provisions thereof as confer upon the owner of the copyright in a literary, dramatic, or musical work the exclusive right of making any record, perforated roll, cinematograph film, or other contrivance by means of which the work may be mechanically performed, and such other part or parts thereof as confer copyright in any record or perforated roll, shall not apply in the case of any work of which the country of origin is Italy or Sweden.

(ii.) The term of copyright in New Zealand of any work shall not exceed that conferred by the law of the country of origin of that work.

(iii.) The enjoyment of the rights conferred by the said Act shall be subject to the accomplishment of the following conditions and formalities, that is to say:—

(a.) In the case of any newspaper article (not being a serial story or tale) of which the country of origin is one of the foreign countries following—namely, Belgium, France, Germany, and the German Protectorates, Hayti, Japan, Liberia, Luxemburg, Monaco, Portugal, Spain, Switzerland, and Tunis—the right to prevent the reproduction of such article (either in the original language or in a translation) in another newspaper, with an indication of the source, shall be conditional upon reproduction being forbidden by express declaration in some conspicuous part of the newspaper in which the article is published.

(b.) In the case of any newspaper or magazine article (not being a serial story or tale) of which the country of origin is Denmark, Italy, The Netherlands, The Netherlands East Indies, and the Colonies of Curaçoa and Surinam, Norway, or Sweden, the right to prevent the reproduction of such article (either in the original language or in a translation), with an indication of the source, shall be conditional upon reproduction being forbidden by express declaration in some conspicuous part of the newspaper or magazine in which the article is published.

(c.) In the case of any literary or dramatic work of which the country of origin is Italy, Japan, The Netherlands, The Netherlands East Indies, and the Colonies of Curaçoa and Surinam, or Sweden, the right after the expiration of ten years from the end of the year in which the work, or, in the case of a book published in numbers, each number of the work, was first published, to prevent the production, reproduction, performance in public, or publication of any translation of the work, shall be conditional upon the publication before the expiration of the above-mentioned period, and within the parts of His Majesty's dominions to which the Copyright Act, 1911 (1 & 2 Geo. 5, c. 46), extends, or within any foreign country of the Copyright Union, of an authorized translation in the language for which protection is claimed of the work or of each number of the work.

(d.) In the case of any literary or dramatic work, the country of origin of which is the Austro-Hungarian Monarchy, the right after the expiration of ten years from the end of the year in which the work, or, in the case of a book published in numbers, each number of the work, was first published, to prevent the production, reproduction, performance in public, or publication of any English translation of the work shall be conditional upon the publication before the expiration of the above-mentioned period of an authorized English translation of the work, or of each number of the work,

(e.) In the case of any published musical work of which the country of origin is Italy, Japan, or Sweden, the right to prevent performance in public shall be conditional upon performance in public being forbidden by an express declaration on the title page or commencement of the work.

(f.) In the case of any work of which the country of origin is Italy or Sweden, the entire rights conferred by the said Act shall be conditional upon the accomplishment of the conditions and formalities prescribed by law in the country of origin.

(g.) In the application to works of which the country of origin is The Netherlands, The Netherlands East Indies, and the Colonies of Curaçoa and Surinam, of the provisions of section 32 of the said Act, the date of this Order shall be substituted for 26th July, 1913, in subsection (1) (b).

(h.) In the case of any work first published in the Austro-Hungarian Monarchy, the entire rights conferred by the said Act shall be conditional upon the accomplishment of the conditions and formalities prescribed by law in that part of the Monarchy in which the work was first published.

(iv.) Nothing in the provisions of the said Act applied to existing works shall be construed as reviving any right of preventing the production or importation of any translation in any case where the right has ceased by virtue of section 5 of the International Copyright Act, 1886 (49 & 50 Vic., c. 33).

(3.) Subject to the provisions of subparagraph (i) of the proviso to the last preceding clause of this Order, where any musical work to which this Order applies has been published before the commencement of the said Act, but no contrivances by means of which the work may be mechanically performed have before the commencement of this Order been lawfully made or placed on sale within New Zealand, or within any part of His Majesty's dominions to which an Order in Council under section 28 of the said Act relates, copyright in the work shall include all rights conferred by the said Act with respect to the making of records, perforated rolls, and other contrivances by means of which the work may be mechanically performed.

(4.) In this Order the expression "the country of origin," as applied to a work, has the same meaning as in the third paragraph of Article 4 of the Berlin Convention.

(5.) This Order shall be construed as if it formed part of the said Act.

(6.) The Imperial Orders in Council mentioned in the Schedule to this Order are hereby revoked, as from the date of the commencement of this Order, so far as the said Orders relate to New Zealand:

Provided that neither such revocation nor anything else in this Order shall prejudicially affect any right acquired or accrued before the commencement of this Order by virtue of any Order hereby revoked, and any person entitled to such right shall continue entitled thereto, and to the remedies for the same, in like manner as if this Order had not been made.

(7.) This Order shall come into operation on the 1st day of April, 1914, the day on which the Copyright Act, 1913, comes into operation, which day is in this Order referred to as the commencement of this Order.

SCHEDULE.

ORDERS in Council, of the dates named below, for securing the privileges of copyright in His Majesty's dominions to authors of literary and artistic works first produced in the following foreign countries, namely:—

Date of Order.	Countries to which it extends.
November 28, 1887	Belgium, France, Germany, Hayti, Italy, Spain, Switzerland, and Tunis.
August 10, 1888 ..	Luxemburg.
October 15, 1889 ..	Monaco.
August 1, 1896 ..	Norway.
March 7, 1898 ..	Belgium, France, Germany, Italy, Luxemburg, Monaco, Spain, Switzerland, and Tunis.
May 19, 1898 ..	Hayti.
August 8, 1899 ..	Japan.
October 9, 1903 ..	Denmark and Farøe Islands.
December 12, 1904 ..	Sweden.
November 28, 1908 ..	Liberia.
March 2, 1909 ..	German Protectorates.

J. F. ANDREWS,
Clerk of the Executive Council.