

32. (1.) The statutory declarations required by the said Act and these regulations, or used in any proceedings thereunder, shall be made and subscribed as follows:—

- (a.) In New Zealand in the manner prescribed by the Justices of the Peace Act, 1908;
- (b.) In the United Kingdom before any Justice of the Peace or any Commissioner or other officer authorized by law in any part of the United Kingdom to administer an oath for the purpose of any legal proceeding;
- (c.) In any other part of His Majesty's Dominions before any Court, Judge, Justice of the Peace, or any officer authorized by law to administer an oath there for the purpose of a legal proceeding; and
- (d.) If made out of His Majesty's Dominions before a British Minister or person exercising the functions of a British Minister, or a Consul, Vice-Consul, or other person exercising the functions of a British Consul, or before a notary public, or before a Judge or Magistrate.

(2.) The Registrar may take notice of the signature to any declaration and of the signature of the person before whom it purports to have been declared without proof of those signatures or of the official character of the person before whom the declaration purports to have been made.

33. The Registers of Copyright may be altered or amended by the Registrar in the following cases:—

- (a.) Where the error in entry has been made purely through the fault of the office;
- (b.) Where the error in entry has been made through accident on the part of an applicant or his agent.

In the latter case, however, no amendment shall be made unless the owner of the copyright or performing-right lodges at the Copyright Office a request to amend, accompanied by the prescribed fee.

34. The Registers of Copyrights shall be open to the inspection of the public during office-hours on every day during which the Copyright Office is open, except on the days and at the times following:—

- (a.) Days which are from time to time notified by a placard posted in a conspicuous place at the Copyright Office; and
- (b.) Times when the registers are required for any purpose of official use.

35. (1.) Every application for the registration of a copyright or performing-right shall be accompanied by a statement of address or appointment of agent in Form G or Form H, and all notices, requisitions, and communications of every kind in connection with an application may be sent by the Registrar to such address or agent.

(2.) The address for service shall, if the Registrar requires, be within New Zealand, and, if he so requires, be in or near to the city in which the Copyright Office is situate.

36. Any notice of address for service or appointment of agent left at or sent to the Copyright Office shall be binding on the person giving the notice until notice of revocation, or of the appointment of some other address for service, or of some other agent has been furnished by him to the Registrar.

36A. A search-warrant issued under section 16 of the Act relating to the seizure of copies believed to be infringing copies of a literary, dramatic, musical, or artistic work shall be in the Form L or the Form M, as the case may require.

36B. A notice under section 17 of the Act (empowering the owner of the sole right to perform a musical or dramatic work to forbid a performance in infringement of his right) shall be in the Form N.

PART II.—ROYALTY SYSTEM (GENERAL).

37. (1.) The notice of intention to reproduce a work in respect of which copyright subsists, required by section 6 of the Act, shall contain the following particulars:—

- (a.) The name and address of the person intending to reproduce the work;
- (b.) The name of the work which it is intended to reproduce, and (if necessary) a description sufficient to identify it;
- (c.) The manner in which it is intended to reproduce the work—*e.g.*, whether by printing, lithography, photography, &c.;
- (d.) The price or prices at which it is intended to publish the work;
- (e.) The earliest date at which any of the copies will be delivered to the purchaser.

(2.) The notice shall, not less than one month before any copies of the work are delivered to the purchaser, be sent by registered post or published by advertisement as follows:—

(a.) If the name and an address within New Zealand of the owner of the copyright, or his agent for the receipt of notice, are known or can with reasonable diligence be ascertained, the notice shall be sent to such owner or agent at such address;

(b.) If such name and address are not known and cannot with reasonable diligence be ascertained, the notice shall be advertised in the *Gazette* and the *Patent Office Journal*. The advertisement in the *Gazette* and *Journal* shall give the particulars required by paragraphs (a) and (b) of subregulation (1) of this regulation, and shall also state an address from which a copy of the notice described in subregulation (1) of this regulation may be obtained.

38. (1.) Unless otherwise agreed royalties shall be payable by means of adhesive labels purchased from the owner of the copyright and affixed to the copies of the work.

(2.) After the person reproducing the work has given the prescribed notice of his intention to reproduce the work the owner of the copyright shall, by writing sent by registered post, intimate to him some reasonably convenient place within New Zealand from which adhesive labels can be obtained, and on demand in writing and tender of the price shall supply from such place adhesive labels of the required denominations at a price equal to the amount of royalty represented thereby.

39. Subject to these regulations no copy of the work shall be delivered to a purchaser until the label or labels denoting amount of royalty have been affixed thereto.

40. (1.) In cases when royalties are payable by means of adhesive labels, if at any time labels of the required denomination are not available, either because—

(a.) After the expiration of fourteen days from the date of the prescribed notice the owner of the copyright has not duly sent to the person reproducing the work an intimation of some reasonably convenient place within New Zealand from which such labels can be obtained; or

(b.) The owner of the copyright refuses or neglects to supply such labels within fourteen days after demand duly made;

copies of the work may be delivered to purchasers without having labels affixed thereto; and the amount of royalties shall be a debt due from the person reproducing the work to the owner of the copyright, and the person reproducing the work shall keep an account of all such copies sold by him.

(2.) For the purpose of this regulation "the date of the prescribed notice" means—

(a.) In cases when the notice is required to be sent by registered post, the date when the notice would in ordinary course of post be delivered;

(b.) In cases when the notice is required to be advertised in the *Gazette* and *Journal*, the date of such advertisement.

41. Where royalties are by agreement payable in any other mode than by means of adhesive labels the time and frequency of the payment shall be such as are specified in the agreement.

42. The adhesive label supplied as aforesaid shall be an adhesive paper label, square in shape, the design to be entirely enclosed within a circle, and the side of the label not to be greater than $\frac{3}{4}$ in. in length. The label shall not be in a form which resembles any postage-stamp, nor bear the effigy of the Sovereign or any other person, nor any word, mark, or design such as to suggest that the label is issued by or under the authority of the Government for the purpose of denoting any duty payable to such Government.

PART III.—ROYALTY SYSTEM (MECHANICAL MUSICAL CONTRIVANCES).

43. (1.) The notice of intention to make contrivances for the mechanical reproduction of musical works, required by section 25 (2) of the Act, shall contain the following particulars:—

- (a.) The name and address of the person intending to make the contrivances;
- (b.) The name of the musical work which it is intended to reproduce and of the author (if known), and (if necessary) a description sufficient to identify the musical work;
- (c.) The class of contrivance on which it is intended to reproduce the musical work—*e.g.*, whether discs, cylinders, or music-rolls;
- (d.) The ordinary retail selling-prices of the contrivances, and the amount of the royalty payable on each contrivance in respect of the musical work;
- (e.) The earliest date at which any of the contrivances will be delivered to the purchaser;
- (f.) Whether any other work is to be reproduced on the same contrivance with the musical work specified in accordance with paragraph (b).