

for the purposes of the rights conferred by this Act, be treated as if it were a dominion to which this Act extends; and it shall be lawful for the Secretary of State to give such a certificate as aforesaid, notwithstanding that the remedies for enforcing the rights, or the restrictions on the importation of copies of works, manufactured in a foreign country, under the law of the dominion, differ from those under this Act."

Prior to the coming into force of the Canadian Act, the Imperial authorities having satisfied themselves that the Canadian Act met the requirements of s.s. (2) of sec. 25 of the Imperial Act issued in favour of Canada the certificate therein provided and the same became effective on the first of January, 1924, the date of the coming into force of the Canadian Act.

All British subjects and residents within His Majesty's dominions are given the benefit of the Canadian Act by s.s. (1) of section 4 thereof.

The proposed amendment, as it is understood, would have the effect of curtailing and restricting the author's control of the public performance of his work. If made it might be said that Canada no longer meets the requirements of the Imperial Act to entitle her to the benefit thereof.

It is not clear what the effect of the proposed amendment would be in regard to the Revised Berne Convention as the Convention gives the adhering countries a good deal of latitude in the way of domestic legislation. It might be held to conflict with Article 13. There is no doubt that many of the adhering countries would consider the amendment repugnant to the spirit of the Convention.

The reciprocal arrangement with the United States is based on the Canadian Act as it stands. No opinion will be ventured as to how that country would regard the proposed change in the law.

GEO. F. O'HALLORAN
Commissioner of Patents.

March 30th, 1925.