

An Act to amend the Criminal Code, 1892.

HER Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows :—

1. The Criminal Code, 1892, is amended by inserting after 5 section 455, the following sections : 1892, c. 29 amended.

“ FORGERY OF COPYRIGHT.

- “ 455A. The expression copyright, means the sole and exclusive right or liberty conferred upon, given to, had or held by any person by virtue of any law of copyright in force in Canada, of printing, re-printing, publishing, reproducing, multiplying or selling, in whole or in part, any manuscript, book, map, chart, plan or musical composition, either in the original language in which it was made or used, or in the form of a translation into another language, or any painting, drawing, etching, engraving, statue, sculpture or photograph. Copyright defined.
- 10 “ 455B. Every one is guilty of an indictable offence who, without the authority of the owner of the copyright, prints, reprints, publishes, reproduces, multiplies, sells, has in his possession, or exposes for sale, or causes to be printed, reprinted, published, reproduced, multiplied, sold or exposed for sale anything which is the subject of such copyright, unless he Forgery of copyright.
- 15 “ 455B. Every one is guilty of an indictable offence who, without the authority of the owner of the copyright, prints, reprints, publishes, reproduces, multiplies, sells, has in his possession, or exposes for sale, or causes to be printed, reprinted, published, reproduced, multiplied, sold or exposed for sale anything which is the subject of such copyright, unless he Defence.
- 20 proves (a) that, having taken all reasonable precautions against committing such an offence, he had at the time of the commission of the alleged offence no reason to suspect the existence of copyright in the thing in respect of which the complaint is made ; (b) that, on demand made by or on behalf of the prosecutor, he gave all the information in his power with respect to the persons from whom he obtained such thing ; and (c), that otherwise he had acted innocently.
- 25 “ 455c. Every one guilty of an offence defined in the next preceding section is liable, (a) upon conviction on indictment, to two years’ imprisonment with or without hard labour, or to fine, or to both fine and imprisonment, and (b) on summary conviction, to four months’ imprisonment with or without hard labour, or to a fine not exceeding \$100, and in case of a second or subsequent conviction to six months’ imprisonment, with or without hard labour, or to a fine not exceeding \$250. Punishment.
- 30 “ 455d. In any case in which the offence has been committed the infringing copies shall be forfeited to the owner of the copyright.” Forfeiture of infringing copies.