

CORRESPONDENCE

ON THE SUBJECT OF THE

LAW OF COPYRIGHT IN CANADA.

No. 1.

52 VICTORIA, CHAP. 29.

AN ACT to amend "The Copyright Act," Chapter sixty-two of the Revised Statutes.
[Assented to 2nd May 1889.]

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

1. Sections four and five of "the Copyright Act" are hereby repealed and the following substituted therefor:—

"4. Any person domiciled in Canada or in any part of the British possessions, or any citizen of any country which has an international copyright treaty with the United Kingdom, in which Canada is included, who is the author of any book, map, chart or musical or literary composition, or of any original painting, drawing, statue, sculpture or photograph, or who invents, designs, etches, engraves or causes to be engraved, etched or made from his own design, any print or engraving, and the legal representatives of such person or citizen, shall have the sole and exclusive right and liberty of printing, reprinting, publishing, reproducing and vending such literary, scientific, musical or artistic works or compositions, in whole or in part, and of allowing translations to be printed or reprinted and sold of such literary works, from one language into other languages, for the term of twenty-eight years from the time of recording the copyright thereof in the manner and on the conditions, and subject to the restrictions herein-after set forth.

Sections 4 and 5 of R.S., c. 62, repealed; new sections. Who may obtain copyright.

Translations.

Term of copyright.

"5. The conditions for obtaining such copyright shall be that the said literary, scientific, musical or artistic work shall, before publication or production elsewhere, or simultaneously with the first publication or production thereof elsewhere, be registered in the office of the Minister of Agriculture, by the author or his legal representatives, and further that such work shall be printed and published or produced in Canada, or reprinted and republished or reproduced in Canada, within one month after publication or production elsewhere; but in no case shall the sole and exclusive right and privilege in Canada continue to exist after it has expired in the country of origin.

Conditions for obtaining copyright.

Proviso.

"2. No immoral, licentious, irreligious, or treasonable or seditious literary, scientific, or artistic work shall be the subject of such registration or copyright.

Exception.

"3. If any such copyright work has been reprinted previously to the coming into force of this Act, any person who has, previously to such date, imported any foreign reprints, may dispose of such reprints by sale or otherwise; but the burden of proof of establishing the extent and regularity of the transaction shall, in such case, be upon such person.

Reprints previously imported may be sold.

"4. In the case of any person who has contracted, previously to the coming into force of this Act, to supply any reprint of any work, either in its complete state or by serial numbers, of which work copyright has been obtained either in the United Kingdom or any such country as aforesaid, but not in Canada, such person shall be entitled to complete such contract, and, subject to the provisions of the Acts respecting duties of Customs, to import the same; but the burden of proof of establishing the extent and regularity of the transaction shall, in such case, be upon such person."

Previous contract for supplying reprint may be fulfilled.

2. Section six of the said Act is hereby repealed.

Section 6 repealed.