

2005-22 Intellectual Property (Copyright and Related Rights)

Subsidiary Legislation made under s.169.

Intellectual Property (WCT Country) Order 2021

LN.2021/213

Commencement **1.4.2021**

ARRANGEMENT OF REGULATIONS.

Regulation

1. Title and commencement.
2. Interpretation.
3. Application of Part I of the Act to a WCT country.

2005-22 Intellectual Property (Copyright and Related Rights)

2021/213 Intellectual Property (WCT Country) Order 2021

In exercise of the powers conferred upon the Minister by section 169 of the Intellectual Property (Copyright and Related Rights) Act 2005, and all other enabling powers, and for the purposes of implementing, in part, the WIPO Copyright Treaty adopted in Geneva on 20th December, 1996, the Minister has made the following Order-

Title and commencement.

1. This Order may be cited as the Intellectual Property (WCT Country) Order 2021 and comes into operation on the day of publication.

Interpretation.

2.(1) In this Order-

“the Act” means the Intellectual Property (Copyright and Related Rights) Act 2005;

“the Treaty” means the WIPO Copyright Treaty adopted in Geneva on 20th December, 1996;

“a WCT country” means a country or territory which is a party to or has extension of the Treaty.

(2) In this Order, words and expressions that are not defined must have the same meaning as given in the Act.

Application of Part I of the Act to a WCT country.

3.(1) Part I of the Act, insofar as it relates to literary, dramatic, musical and artistic works, films and typographical arrangements of published editions, shall apply to a WCT country, in relation to -

- (a) authors who are citizens or subjects of the WCT country as it applies to authors who are Gibraltarians;
- (b) persons domiciled or resident in the WCT country as it applies to persons who are domiciled or resident in Gibraltar;
- (c) bodies incorporated under the law of the WCT country as it applies to bodies incorporated under the law of Gibraltar; or
- (d) a work first published in a WCT country as it applies in relation to a work first published in Gibraltar.