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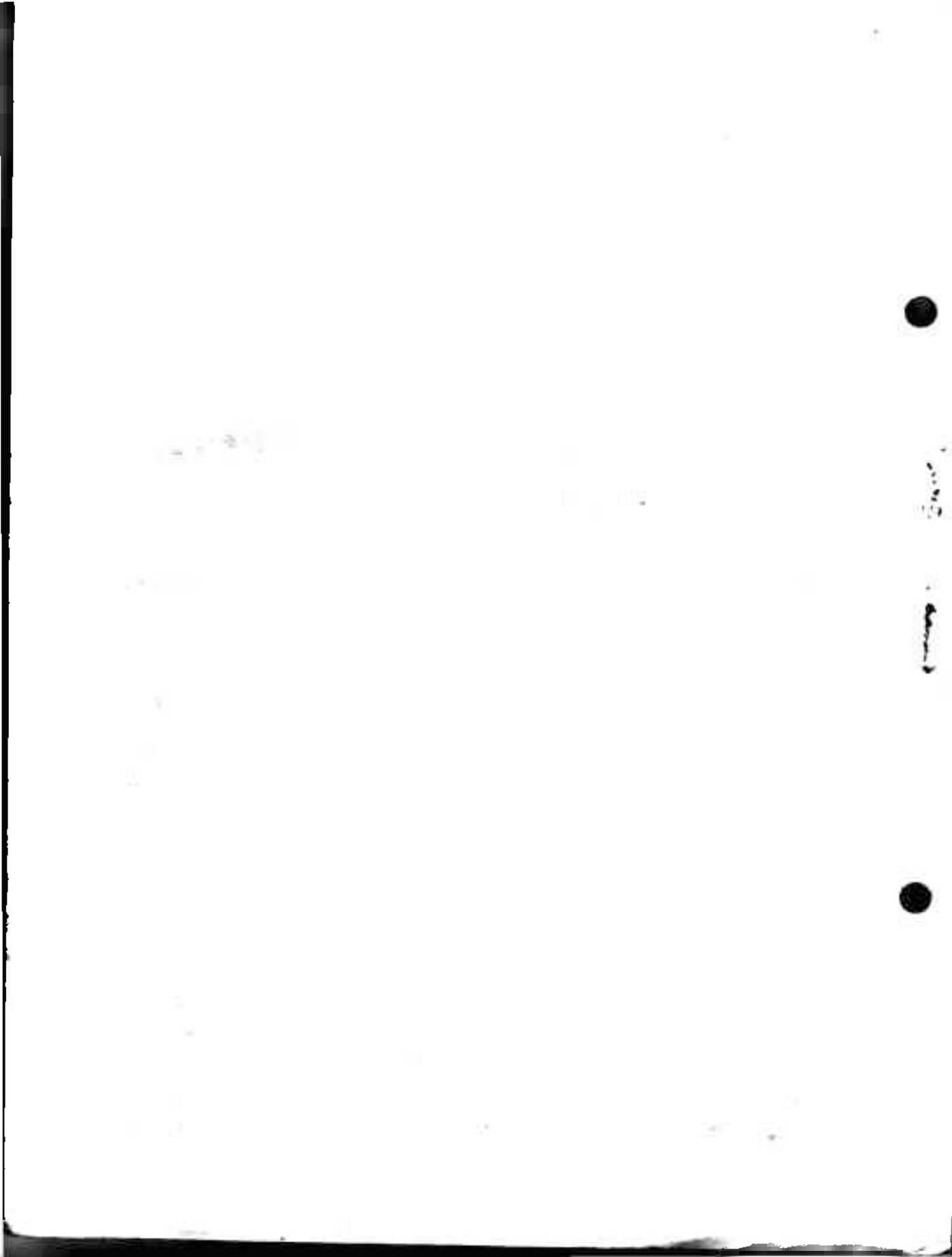
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Government Notice No. 144

COPYRIGHT (VIDEO RENTAL) REGULATIONS 1999

Copyright Act

(As amended by the Copyright (Amendment) Decree 1999)

Commencement : 7th September, 1999

In pursuance of the powers vested in it under Section 37(4) of the Copyright Act as amended by the Copyright (Amendment) Decree 1999, the Nigerian Copyright Commission, with the prior consent of the Honourable Minister of Culture and Tourism hereby makes the following Regulations :

1. Accreditation of Outlets

All persons engaged in the business of rental, leasing, hiring, loaning or otherwise distributing cinematograph works, to the public for commercial purposes shall apply, in the prescribed forms, to the Nigerian Copyright Commission for accreditation to carry on such business.

2. Compliance with Relevant Laws

Notwithstanding anything in these regulations to the contrary, no person shall be so accredited unless he has complied with the National Film and Video Censors Board Decree and all other requirements as may be prescribed by law.

3. Certificate of Accreditation

(1) Upon being accredited, a rental outlet shall be given a certificate of accreditation by the Nigerian Copyright Commission and such accreditation shall be renewable annually.

(2) The Commission shall maintain a register of all outlets approved and accredited under these regulations to carry on the business of video rental.

4. Keeping of Books and Returns

Every accredited rental outlet shall keep such books and make periodic returns as may be required and in the manner prescribed by the Nigerian Copyright Commission.

5. Rental Copies

(1) Each copyright owner shall make available to the accredited rental outlets specially packaged copies of his cinematograph film in library jackets or any other format as may be prescribed by the Commission to be designated as rental copies for the purpose of licensing the rental outlets to commercially distribute same to the public.

(2) No work shall be offered or used for rental except it is in the specially packaged library jacket or any other prescribed format.

(3) The Nigerian Copyright Commission may, as it deems necessary, require the use of anti-piracy device in or on copies of works that are intended for rental.

6. Undertaking against Infringement

Every accredited rental outlet shall give an undertaking not to produce or otherwise engage in any form of copyright infringement or abuses. Failure to honour any undertaking so given may lead to forfeiture of licence.

7. Fees

The fees to be paid in relation to any transaction under these Regulations shall be as prescribed from time to time by the Nigerian Copyright Commission.

8. Interpretation

"Cinematograph film" in this regulations shall have the same meaning as used in the Copyright Act and includes works in video, electronic or other format.

DATED this 7th day of September, 1999.

MR MOSES F. EKPO
*Director-General,
Nigerian Copyright Commission.*

Government Notice No. 145

COPYRIGHT (SECURITY DEVICES) REGULATIONS 1999

Copyright Act

(As amended by the Copyright (Amendment) Decree 1999)

Commencement : 7th September, 1999

In pursuance of the powers vested in it under section 18A of the Copyright Act as amended by the Copyright (Amendment) Decree 1999, the Nigerian Copyright Commission, with the prior consent of the Honourable Minister of Culture and Tourism hereby makes the following Regulations :

1. Prescription of Hologram

(1) The Nigerian Copyright Commission hereby prescribes the use of hologram stamps in relation to sound recordings and cinematograph films intended or offered for sale, rental, hiring, lending or otherwise distributed to the public for commercial purposes in Nigeria.

(2) The hologram shall be a tamper proof sticker to be designated by the Nigeria Copyright Commission.

2. Affixation of Hologram

(1) The hologram stamps shall be affixed :

(a) in the case of works produced in Nigeria, at the point of production ; and

(b) in the case of works imported into Nigeria, except where such works are for domestic use, before they are released into the channels of commerce.

(2) The hologram shall be affixed to every cassette, disc, or other medium in which the sound recording or film is embodied, in such manner as to make the hologram visible to prospective purchasers.

3. Accreditation of Producers

(1) All persons engaged in the reproduction of sound recordings and cinematograph films shall, for the purpose of applying the hologram stamps, apply in the prescribed form to the Nigerian Copyright Commission for accreditation.

(2) Upon being accredited, the applicant shall be issued with a certificate of accreditation by the Nigerian Copyright Commission and such accreditation shall be renewable annually.

4. Accreditation of Importers

(1) Any person who imports into Nigeria any sound recording or cinematograph film for the purpose of sale, rental, hiring, lending or otherwise distributing to the public for commercial purposes shall apply to the Nigerian Copyright Commission for accreditation to use hologram stamps in connection with such works.

(2) Accreditation under this section shall be granted upon the applicant showing valid licence from the copyright owner permitting the importation of such works into Nigeria.

5. Keeping of Books and Returns

Every accredited person shall keep such books and make periodic returns as may be required and in the manner prescribed by the Nigerian Copyright Commission.

6. Technical Implementation Committee

(1) The Nigerian Copyright Commission shall create a committee to be known as the Technical Implementation Committee with responsibility to supervise the administration of the hologram and the committee shall have such additional powers as the Commission may from time to time delegate to it.

(2) The composition of the committee shall be as follows :

- (i) The Director-General, Nigerian Copyright Commission—Chairman ;
- (ii) A representative of the Inspector-General of Police—Member ;
- (iii) A representative of the Comptroller-General, Nigeria Customs Service ;
- (iv) Two representatives each from the music and film industries representing the interest of authors and producers.

7. Fees

The fees to be paid in relation to any transaction under these Regulations shall be as prescribed from time to time by the Nigerian Copyright Commission.

DATED this 7th day of September, 1999

MR MOSES F. EKPO
*Director-General,
Nigerian Copyright Commission*