Subsidiary
2005/078

COPYRIGHT (GIBRALTAR) ORDER 2005

(LN. 2005/078)

28.4.2005 *(LN. 2005/079)*

Amending enactments	Relevant current provisions	Commencement date

The following was published as United Kingdom Statutory Instrument 2005 No. 853 and comes into operation in Gibraltar on 28 April 2005.

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2005-22

Subsidiary 2005/078

Intellectual Property (Copyright and Related Rights)

COPYRIGHT (GIBRALTAR) ORDER 2005

COPYRIGHT

The Copyright (Gibraltar) Order 2005

Made - - - - 22nd March 2005

Coming into force in accordance with Article 1

At the Court at Buckingham Palace, the 22nd day of March 2005

Present,

The Queen's Most Excellent Majesty in Council

Her Majesty, in exercise of the powers conferred upon Her by section 157(2) of the Copyright, Designs and Patents Act 1988(**1**) and all other powers enabling Her in that behalf, is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered, as follows:

1. This Order may be cited as the Copyright (Gibraltar) Order 2005 and shall come into force on such date as the Governor of Gibraltar may appoint by proclamation published in the Gazette of Gibraltar.

2. The provisions of the Copyright, Designs and Patents Act 1988 specified in Part I of the Schedule hereto shall extend to Gibraltar subject to the modifications specified in Parts II and III of that Schedule.

3. The Copyright (Gibraltar) Order 1960(**2**) and the Copyright (Gibraltar) (Amendment) Order 1985(**3**) are revoked.

A. K. Galloway
Clerk of the Privy Council

(**1**) 1988 c.48.
(**2**) S.I. 1960/847.
(**3**) S.I. 1985/1986.

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SCHEDULE

PART I
PROVISIONS OF THE COPYRIGHT, DESIGNS AND PATENTS ACT 1988 EXTENDED TO GIBRALTAR

All the provisions of Part I of the Copyright, Designs and Patents Act 1988, except sections 31A–F, 44A, 98, 107A, 114B, 115, 128A, 128B, 135A–135H, 143, 144, 145–152, 157, 158, 161, 166A, 166B and 177, and all the provisions of Schedule 1 except paragraphs 13, 21, 34, 36, 37, 38 and 42.

PART II
MODIFICATIONS TO THE PROVISIONS OF PART I AS EXTENDED

The provisions mentioned in the first column in the following table shall be modified in the manner specified in the second column.

Provision	***Modification***
Section 6A	In subsections (1), (2) and (3), for "an EEA state" there is substituted "Gibraltar, the United Kingdom or another EEA state".
Section 11	In section 11(3), for "Parliamentary" there is substituted "House of Assembly".
Section 12	In subsection (6)– (a) for "an EEA state" there is substituted "Gibraltar, the United Kingdom, or another EEA state"; (b) for "national of an EEA state" there is substituted "Gibraltarian, or a national of the United Kingdom or another EEA state". In subsection 8(c), for "national of an EEA state" there is substituted "Gibraltarian or a national of the United Kingdom or another EEA state". In subsection (9), for "Parliamentary" there is substituted "House of Assembly".
Section 13A	In subsection (4), for "national of an EEA state" there is substituted "Gibraltarian, or a national of the United Kingdom or another EEA state". In subsection (5), for "the United Kingdom" there is substituted "Gibraltar".
Section 13B	In subsection (7)–

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	(a) for "an EEA state" there is substituted "Gibraltar, the United Kingdom, or another EEA state"; (b) for "national of an EEA state" there is substituted "Gibraltarian, or a national of the United Kingdom or another EEA state". In subsection (8), for "national of an EEA state" there is substituted "Gibraltarian or a national of the United Kingdom or another EEA state".
Section 14	In subsection (3), for "national of an EEA state" there is substituted "Gibraltarian, or a national of the United Kingdom or another EEA state". In subsection (4), for "the United Kingdom" there is substituted "Gibraltar".
Section 15A	In subsections 4(a) and (b), for "an EEA state" there is substituted "Gibraltar, the United Kingdom or another EEA state".
Section 16	In subsection (1), for "the United Kingdom" there is substituted "Gibraltar".
Section 18	In subsection (3) before "the United Kingdom or another EEA state" in paragraph (b) there is inserted "Gibraltar,";
Section 22	For "the United Kingdom" there is substituted "Gibraltar".
Section 24	In subsections (1)(b) and (2), for "the United Kingdom" there is substituted "Gibraltar".
Section 27	In subsections (3) and (5), for "the United Kingdom" there is substituted "Gibraltar". In subsection (5), for "2(1) of the European Communities Act 1972" there is substituted "3(1) of the European Communities Act".
Section 35	There is omitted subsection (2).
Section 37	In subsection (1)(a), for "Secretary of State" there is substituted "Minister". There is omitted subsection (5).
Section 40A	For the section there is substituted– "Copyright in a work of any description is not infringed by the lending of copies of the work by a prescribed library or archive which is not conducted for profit."

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Section 44	For “the United Kingdom” there is substituted “Gibraltar”.
Section 45	In the section heading for “Parliamentary” there is substituted “Legislative”. In subsection (1), for “parliamentary” there is substituted “legislative”.
Section 46	In the section heading there is omitted “Royal Commissions and”. In subsections (1) and (3) there is omitted “Royal Commission or”. In subsection (4)– (a) there is omitted the definition of “Royal Commission”. (b) in the definition of “statutory inquiry”, for “or under an enactment” there is substituted “law”.
Section 47	In subsections (4) and (5)– (a) for “Secretary of State” there is substituted “Minister”; (b) for “order” there is substituted “regulations”. In subsection (5)(a)(ii)– (a) for “the United Kingdom” there is substituted “Gibraltar”; (b) for “party” there is substituted “subject”. There is omitted subsection (7).
Section 48	There is omitted subsection (6).
Section 49	For the section there is substituted– “49. Material which is comprised in public records which are open to public inspection in pursuance of any enactment may be copied and a copy may be supplied to any person, by or with the authority of any officer appointed under that enactment, without infringement of copyright”.
Section 50	In subsection (1), for “Act of Parliament” and “Act” where it occurs there is substituted “Act”.

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	There is omitted subsection (2). In subsection (3) for “enactment” there is substituted “law”.
Section 50A	In subsection (3), there is omitted “(such terms being, by virtue of section 296A, void)”.
Section 50B	In subsection (4), there is omitted “(such terms being, by virtue of section 296A, void)”.
Section 50BA	In subsection (2), there is omitted “(such terms being, by virtue of section 296A, void)”.
Section 50D	In subsection (2), there is omitted “(such terms being, by virtue of section 296B, void)”.
Section 52	In subsection (1)(b), for “the United Kingdom” there is substituted “Gibraltar”. In subsection (4)– (a) for “Secretary of State” there is substituted “Minister”; (b) for “order” there is substituted “regulations ”. There is omitted subsection (5).
Section 53	In subsection (1)– (a) for “Registered Designs Act 1949” in paragraph (a) there is substituted “Designs Act”; (b) for “1949 Act” in the tailpiece, there is substituted “Designs Act”. In subsection (2), for “1949 Act” there is substituted “Designs Act”.
Section 55	In subsection (3), for “the United Kingdom” there is substituted “Gibraltar”.
Section 60	There is omitted subsection (2).
Section 61	In subsection (5)(a), for “order of the Secretary of State” there is substituted “regulations made by the Minister”. In subsection (5)(b), for “order of the Secretary of State” there is substituted “regulations made by the Minister”.

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	There is omitted subsection (6).
Section 66	In subsection (1)– (a) for "Secretary of State" there is substituted "Minister"; (b) for "order" there is substituted "regulations "; (c) for "Copyright Tribunal" there is substituted "Court". In subsection (3) for "An order" there is substituted "Regulations". There are omitted subsections (2) and (4).
Section 66A	In subsection (2)(b), for "an Order" there is substituted "regulations".
Section 69	For the section there is substituted– "69. (1) Copyright is not infringed by the making or use by a prescribed broadcaster, for the purpose of maintaining supervision and control over programmes broadcast by that broadcaster, of recordings of those programmes. (2) Copyright is not infringed by the making or use by the Gibraltar Broadcasting Corporation of recordings of programmes in connection with or for the purpose of carrying out their functions under the Gibraltar Broadcasting Corporation Act. (3) In this section "prescribed" means prescribed by regulations made by the Minister."
Section 73	In subsection (1), for "the United Kingdom" there is substituted "Gibraltar". In subsections (2)(a) and 4(a), for "relevant" there is substituted "statutory". In subsection 4 in the tailpiece, for "Copyright Tribunal" there is substituted "Court". For subsection (6) there is substituted– "(6) In this section, "qualifying service" means any television broadcasting services provided by the Gibraltar Broadcasting Corporation or any broadcaster designated by

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	the Minister by regulations." There are omitted subsections (7) to (12).
Section 73A	For "Copyright Tribunal" and "Tribunal" where they appear there is substituted "Court".
Section 74	In subsection (2), for "order of the Secretary of State" there is substituted "regulations made by the Minister". There are omitted subsections (3) and (4).
Section 75	In subsection (2), for "order of the Secretary of State" there is substituted "regulations made by the Minister". There is omitted subsection (3).
Section 78	In subsection (5), for "court" there is substituted "Court".
Section 79	In subsection (4)(d), for "parliamentary" there is substituted "legislative". In subsection (4)(e), there is omitted "Royal Commissions and". In subsection (7)(a), for "Parliamentary" there is substituted "House of Assembly".
Section 81	In subsection (6)– (a) in paragraph (a), there is inserted "or" at the end thereof; (b) in paragraph (b), for ", or" there is substituted "." at the end thereof; (c) there is omitted paragraph (c).
Section 82	In subsection (1)(b), for "Parliamentary" there is substituted "House of Assembly".
Section 85	In subsection 2(b), for "parliamentary" there is substituted "legislative". In subsection (2)(c), there is omitted "Royal Commissions and".
Section 93B	In subsection (4), for "Copyright Tribunal" there is substituted "Court".
Section 93C	For "Copyright Tribunal" and "Tribunal" where they appear there is substituted "Court".

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Section 97A	In subsection (1) for, "High Court (in Scotland, the Court of Session)" there is substituted "Court". For subsections (2) and (3) there is substituted– "(2) In determining whether a service provider has actual knowledge for the purposes of this section, the Court shall take into account all matters which appear to it in the particular circumstances to be relevant. (3) In this section "service provider" means any person providing a service normally provided for remuneration, at a distance, by means of electronic equipment for the processing (including digital compression) and storage of data, and at the individual request of a recipient of a service."
Section 99	For "court" where it appears there is substituted "Court".
Section 100	In subsection (1), for "court" there is substituted "Court". In subsection (5), for "order of the Secretary of State" there is substituted "regulations made by the Minister". There is omitted subsection (6).
Section 102	For "court" where it appears there is substituted "Court".
Section 103	For "court" where it appears there is substituted "Court".
Section 104	In subsection (2)(b) for "Parliamentary" there is substituted "House of Assembly".
Section 107	In subsection (1)(b), for "the United Kingdom" there is substituted "Gibraltar". There are omitted subsections (2A), (3) and (4A)
Section 108	For "court" where it appears there is substituted "Court". For subsection (2) there is substituted– "(2) For this purpose a person shall be treated as charged with an offence when he is orally charged or is served with a summons or indictment." In subsection (3) there is omitted "(or, in Scotland, the Lord Advocate or procurator–fiscal)." For subsection (4) there is substituted– "(4) An appeal lies from an order made under this section by the Court to the Appeal Court."

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	For subsection (6) there is substituted– "(6) Nothing in this section affects the powers of the Court as to forfeiture under section 248 of the Criminal Procedure Act (general provisions as to forfeiture in criminal proceedings)."
Section 109	In subsection (1), for the words beginning with "a justice" and ending with "on oath)" there is substituted "a magistrate is satisfied by information on oath given by a constable". In subsections (1)(a) and (4) for ",(2) or (2A)" there is substituted "or (2)". There is omitted subsection (2).
Section 111	For "Commissioners of Customs and Excise" and "Commissioners" where they occur there is substituted "Collector of Customs". For "the United Kingdom" where it occurs there is substituted "Gibraltar". For subsection (3B) there is substituted– "(3B) This section does not apply to goods placed in, or expected to be placed in, one of the situations referred to in Article 1(1), in respect of which an application may be made under Article 5(1), of Council Regulation (EC) No 1383/2003 concerning customs action against goods suspected of infringing certain intellectual property rights and the measures to be taken against goods found to have infringed such rights".
Section 112	For "Commissioners of Customs and Excise" and "Commissioners" where they occur there is substituted " Government". There are omitted subsections (4) and (5).
Section 113	In subsection (2), for paragraph (a) there is substituted– "(a) is an infant or of unsound mind; or". There is omitted subsection (3).
Section 114	For "court" where it occurs there is substituted "Court". For subsection (6) there is substituted–

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	"(6) References in this section to a person having an interest in a copy or other article include any person in whose favour an order could be made in respect of it under this section or by virtue of the Trade Marks Act."
Section 114A	In the section heading there is omitted "England and Wales or Northern Ireland". In subsection (1), there is omitted "In England and Wales or Northern Ireland". In subsection (2)(a) for ", (2) or (2A)" there is substituted "or (2)". There is inserted "or" at the end of subsection (2)(a). There is omitted subsection (2)(b). In subsection (6)– (a) there is inserted "to the Court." after "decision"; (b) paragraphs (a) and (b) are omitted. In subsection (7) the words from "(including" to the end are omitted.
Section 116	In subsection (4)– (a) for "holding" there is substituted "parent"; (b) for "section 736 of the Companies Act" there is substituted "section 2 of the Companies (consolidated accounts) Act 1999".
Section 118	For "Copyright Tribunal" and "Tribunal" where they appear there is substituted "Court".
Section 119	For "Copyright Tribunal" and "Tribunal" where they appear there is substituted "Court".
Section 120	For "Copyright Tribunal" and "Tribunal" where they appear there is substituted "Court". In subsection (1) for ", 119 or 128A" there is substituted "or 119".
Section 121	For "Copyright Tribunal" and "Tribunal" where they appear there is substituted "Court".

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Section 122	For "Copyright Tribunal" and "Tribunal" where they appear there is substituted "Court".
Section 123	For "Copyright Tribunal" and "Tribunal" where they appear there is substituted "Court". In subsection (3), there is omitted "No such direction may be made where subsection (4) below applies". There is omitted subsection (4).
Section 125	For "Copyright Tribunal" and "Tribunal" where they appear there is substituted "Court".
Section 126	For "Copyright Tribunal" and "Tribunal" where they appear there is substituted "Court".
Section 127	For "Copyright Tribunal" and "Tribunal" where they appear there is substituted "Court". In subsection (1), for ", 126 or 128B" there is substituted "or 126".
Section 128	For "Copyright Tribunal" and "Tribunal" where they appear there is substituted "Court".
Section 129	For "Copyright Tribunal" and "Tribunal" where they appear there is substituted "Court".
Section 130	For "Copyright Tribunal" and "Tribunal" where they appear there is substituted "Court".
Section 131	For "Copyright Tribunal" and "Tribunal" where they appear there is substituted "Court".
Section 132	For "Copyright Tribunal" and "Tribunal" where they appear there is substituted "Court".
Section 133	For "Copyright Tribunal" and "Tribunal" where they appear there is substituted "Court".
Section 134	For "Copyright Tribunal" and "Tribunal" where they appear there is substituted "Court".
Section 135	For "Copyright Tribunal" and "Tribunal" where they appear there is substituted "Court".
Section 137	In subsections (2) to (5), for "Secretary of State" there is

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	substituted "Minister".
Section 138	For "Secretary of State" where it appears there is substituted "Minister".
Section 139	For "Copyright Tribunal" and "Tribunal" where they appear there is substituted "Court". In subsection (2), for "Secretary of State" there is substituted "Minister".
Section 140	In subsections (1) to (3), for "Secretary of State" there is substituted "Minister". There is omitted subsection (6).
Section 141	In subsections (1) and (4), for "Secretary of State" there is substituted "Minister". There is omitted subsection (2)(a). In subsection (2)(b)(ii), for "Copyright Tribunal" there is substituted "Court". In subsection (3), there is omitted "licence granted under a certified licensing scheme or a". There are omitted subsections (8) and (9).
Section 142	For "Copyright Tribunal" and "Tribunal" where they appear there is substituted "Court".
Section 144A	In subsection (1), after "from" and before "another EEA member state" insert "the UK or".
Section 153	In subsection (2)– (a) for "Parliamentary" there is substituted "House of Assembly". (b) for "166B" there is substituted "166"
Section 154	For subsection (1) there is substituted– "(1) A work qualifies for copyright protection if at the material time the author– (a) is a Gibraltarian or a national of the United Kingdom or

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	another EEA state; (b) is an individual domiciled or resident in Gibraltar, the United Kingdom or another EEA state; (c) is a body incorporated under the law of Gibraltar, the United Kingdom or another EEA state." In subsection (2), for "countries to which it does not extend" there is substituted "foreign countries".
Section 155	In subsection (1)– (a) there is inserted "in Gibraltar, the United Kingdom or another EEA state" immediately after "first published"; (b) there are omitted paragraphs (a) and (b). In subsection (2)– (a) for "Order" where it appears there is substituted "order"; (b) for "countries to which it does not extend" there is substituted "foreign countries".
Section 156	In subsection (1)– (a) there is inserted "Gibraltar, the United Kingdom or another EEA state" immediately after "place in"; (b) there are omitted paragraphs (a) and (b). In subsection (2)– (a) for "Order" where it appears there is substituted "order"; (b) for "countries to which it does not extend" there is substituted "foreign countries".
Section 159	In the section heading, for "countries to which it does not extend" there is substituted "foreign countries". For "Order" where it appears there is substituted "order". In subsection (1)– (a) for "Her majesty may by Order in Council" there is substituted "The Minister may by order";

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	(b) for "country to which this Part does not extend" there is substituted "foreign country"; (c) for "are British citizens" in paragraph (a), there is substituted "Gibraltarians"; (d) for "the United Kingdom" where it occurs there is substituted "Gibraltar"; (e) for "part of the United Kingdom" in paragraph (b) there is substituted "Gibraltar". In subsection (3)– (a) for "another" there is substituted "a"; (b) for the words beginning with "Her Majesty" and ending with "in Council" there is substituted "the Minister shall not make an order". In subsection (4), for "United Kingdom is also a party" there is substituted "Gibraltar is also subject". There is omitted subsection (5).
Section 160	In subsection (1)– (a) for "Her Majesty" where it occurs there is substituted "the Minister"; (b) for "British" there is substituted "Gibraltarian"; (c) for "Her Majesty may make provision by Order in Council" there is substituted "the Minister may make provision by order. In subsection (2)– (a) for "Order in Council" and "Order" where they occur there is substituted "order"; (b) for the words beginning with "the United Kingdom" and ending with "extend" in paragraph (a), there is substituted "Gibraltar" In subsection (3) for "British works" there is substituted "Gibraltarian works".

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	There is omitted subsection (4).
Section 162	For the section there is substituted– "**Gibraltarian ships, aircraft and hovercraft** 162.(1) This Part applies to things done on a Gibraltar ship, aircraft or hovercraft as it applies to things done in Gibraltar. (2) In this section "Gibraltar ship", "Gibraltar aircraft" and "Gibraltar hovercraft" mean, respectively, a ship, aircraft or hovercraft registered in Gibraltar."
Section 163	In the subheading, for "Parliamentary" there is substituted "House of Assembly". In subsection (1)– (a) there is omitted "Her Majesty or by"; (b) for "Her Majesty" in paragraph (b) there is substituted "the Crown". There is omitted subsection (1A). In subsection (6)– (a) for "Parliamentary" there is substituted "House of Assembly"; (b) for "sections 165 and 166B" there is substituted "section165".
Section 164	For "Acts and Measures" in the section heading there is substituted "Acts". For subsection (1) there is substituted– "(1) The Crown is entitled to copyright in every Act of the House of Assembly". For subsection (2) there is substituted– "The copyright subsists from the time when a copy of the Act is first published until the end of the period of 50 years from the end of the calendar year in which the Act was so published".

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	In subsection (4) for "Act or Measure" there is substituted "Act".
Section 165	For "Parliamentary" where it occurs there is substituted "House of Assembly". In subsections (1), (4) and (5), for "the House of Commons or the House of Lords" where it occurs there is substituted "the House of Assembly". For subsection (1)(b) there is substituted– "the House of Assembly is the first owner of any copyright in the work". In subsection (4) for "either" there is substituted "that". There are omitted subsections (7) and (8).
Section 166	In the section heading, there is omitted "Parliamentary". For "Parliamentary" where it occurs there is substituted "House of Assembly". For subsection (1), there is substituted– "(1) Copyright in every Bill introduced into the House of Assembly belongs, in accordance with the following provisions, to the House of Assembly; and copyright subsists from the time when a copy of the Bill is first published." There are omitted subsections (2), (3) and (4). In subsection (5)– (a) for "on Royal Assent" there is substituted "from the time when a copy of the Act is first published (as referred to in section 164(2))"; (b) there is omitted the proviso.
Section 167	In the section heading, for "Houses of Parliament" there is substituted "House of Assembly". In subsection (1), for "each House of Parliament" there is substituted "the House of Assembly". In subsection (2)–

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	(a) for "House of Commons" there is substituted "House of Assembly"; (b) for "Chairman of Ways and Means or a Deputy Chairman" there is substituted "Clerk of the House of Assembly". In subsection (3)– (a) for "Parliament" where it occurs there is substituted "the House of Assembly"; (b) for Speaker of the House of Commons, Chairman of Ways and Means or a Deputy Chairman" there is substituted "Speaker of the House of Assembly or Clerk of the House of Assembly". There is omitted subsection (4). For subsection (5) there is substituted– "(5) Legal proceedings relating to copyright shall be brought by or against the House of Assembly in the name of "The Speaker of the House of Assembly".
Section 168	In subsection (2), for "Her Majesty has by Order in Council" there is substituted "the Minister has by regulations". In subsection (3)– (a) for "Her Majesty by Order in Council" there is substituted "the Minister by regulations"; (b) for "of the United Kingdom" there is substituted "to which Gibraltar is subject". There is omitted subsection (5).
Section 169	In this section for "the United Kingdom" where it occurs there is substituted "Gibraltar". In subsection (2), for "Her Majesty may by Order in Council" there is substituted "the Minister may by regulations". There is omitted subsection (4).

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Section 171	In subsection (1)(c), for "either House of Parliament" there is substituted "the House of Assembly". In subsection (1)(d), there is omitted "and excise". In subsection (5), for "Acts, Measures" there is substituted "Acts".
Section 172	There is inserted at the end of subsection (1) "(as extended to Gibraltar by the Copyright (Gibraltar) Order 1960 as amended)."
Section 174	In subsection (1)(a) there is inserted at the end "within the meaning of the Education and Training Act". In subsection (1)(b), for "order of the Secretary of State" there is substituted "regulations made by the Minister". For "order" where it occurs there is substituted "regulations"; and in subsection (4) for "An Order" there is substituted "Regulations". There are omitted subsections (2), (3) and (7).
Section 178	There is omitted the definition of "public library". For the definition of "the Crown" there is substituted "'the Crown' means the Crown in right of Her Majesty's Government in Gibraltar". For the definition of "parliamentary proceedings" there is substituted "'legislative proceedings' includes the proceedings of the House of Assembly and the European Parliament". There are inserted the following definitions in their appropriate alphabetical place– "Court" means the Supreme Court; "Minister" means the Minister for Trade, Industry & Communications.
Section 179	There are omitted from the index the expressions– "accessible copy"; "account of profits and accounts (in Scotland)"; "approved body"; "assignment (in Scotland)"; "Copyright Tribunal"; "costs (in Scotland)"; "defendant (in

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	Scotland)"; "delivery up (in Scotland)"; "injunction (in Scotland)"; "interlocutory relief (in Scotland)"; "needletime"; "Parliamentary copyright"; "parliamentary proceedings"; "plaintiff (in Scotland)"; "public library"; "terms of payment"; "visually impaired person". There are inserted into the index the expressions. "legislative proceedings"; "House of Assembly copyright"; "Minister".

PART III

MODIFICATIONS TO THE PROVISIONS OF SCHEDULE I AS EXTENDED

The provisions mentioned in the first column in the following table shall be modified in the manner specified in the second column.

Provision	***Modification***
Paragraph 1	In subparagraph (1)– (a) there is inserted "as applied in Gibraltar" at the end of the definitions of the "1911 Act" and the "1956 Act"; (b) there is omitted the words from "and Schedule 3" to the end, in the definition of "the new copyright provisions".
Paragraph 5	In subparagraph (2)(b), for "countries to which it does not extend" there is substituted "foreign countries".
Paragraph 6	In subparagraph (1)– (a) for "Registered Designs Act 1949" there is substituted "Designs Act"; (b) for "that Act" there is substituted "that Act". In subparagraph (2)(a), the words from "as defined" to the end are omitted. After subparagraph (2) there is inserted– "(3) For the purposes of subparagraph 6(2)(a)– "article" means any article of manufacture and includes any part of an article if that part is made or sold separately;

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	and "set of articles" means a number of articles of the same general character ordinarily on sale or intended to be used together, to each of which the same design, or the same design with modifications or variations not sufficient to alter the character or substantially to affect the identity thereof, is applied."
Paragraph 12	In subparagraph (7), for "Parliamentary" there is substituted "House of Assembly".
Paragraph 14	There is omitted subparagraph (2). In subparagraph (3), for "the United Kingdom" there is substituted "Gibraltar".
Paragraph 15	There is omitted subparagraph (2)(b).
Paragraph 19	There are omitted subparagraphs (2) to (6).
Paragraph 23	There is omitted subparagraph (4).
Paragraph 39	For "British" where it occurs there is substituted "Gibraltarian".
Paragraph 40	In subparagraph (1)(b)– (a) for "Acts, Measures" there is substituted "Acts". (b) for "Parliamentary" there is substituted "House of Assembly".
Paragraph 41	After subparagraph 41(5) there is inserted– "(6) Section 164 (copyright in Acts) applies to existing Acts."
Paragraph 43	For "Parliamentary" where it occurs there is substituted "House of Assembly". For subparagraph (2) there is substituted– "(2) Section 166 (copyright in House of Assembly Bills) does not apply to a Bill which was introduced into the House of Assembly and published before commencement."

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