

LEGAL NOTICE No. 89

REPUBLIC OF TRINIDAD AND TOBAGO

THE COPYRIGHT ACT, 1985

ORDER

MADE BY THE PRESIDENT UNDER SECTIONS 59(1) AND 61(1) OF THE COPYRIGHT ACT, 1985

THE COPYRIGHT (INTERNATIONAL CONVENTIONS AND ORGANISATIONS) ORDER, 1989

1. This Order may be cited as the Copyright (International Conventions and Organisations) Order, 1989. Citation

2. In this Order—

“Convention country” means any country mentioned in Schedule I; Interpre-  
tation  
“international organisation” means any of the organisations mentioned in Schedule II. Schedule I  
Schedule II

3. The provisions of Parts II and III of the Copyright Act, 1985 [except sections 11(ii), 12(c), 13(c) and 14] and all the other provisions of the Act relevant thereto, being the provisions relating to literary, musical or artistic works, buildings erected, sound recordings, audio-visual productions and published editions of literary, musical or artistic works, shall apply in the case of each of the Convention countries in relation to— Application  
of the  
Copyright  
Act No. 13  
of 1985

- (a) literary, musical or artistic works or editions first published, or sound recordings or audio-visual productions made or first published on or after the third of January, 1986 in the Convention country in like manner as those provisions apply in relation to such works or editions first published, or sound recordings or audio-visual productions made or first published in Trinidad and Tobago;
- (b) artistic works that are buildings erected on or after the third of January, 1986 in the Convention country or are incorporated on or after the third of January, 1986 in buildings situated in that country in like manner as those provisions apply in relation to artistic works that are buildings erected in Trinidad and Tobago or are incorporated in buildings situated in Trinidad and Tobago;
- (c) persons who, at all material times, are citizens or nationals of the Convention country in like manner as those provisions apply in relation to persons who, at such times, are citizens of Trinidad and Tobago;
- (d) persons who, at all material times, are domiciled or resident in the Convention country in like manner as those provisions apply in relation to persons who, at such times, are domiciled or resident in Trinidad and Tobago; and
- (e) bodies incorporated under the laws of the Convention country, in like manner as those provisions apply in relation to bodies incorporated under any written law.

Transitional provisions

4. (1) Where any person has, before the commencement of this Order, taken any action whereby he has incurred any expenditure or liability in connection with the reproduction or performance of any work or other subject-matter in a manner which at the time was lawful, or for the purpose of or with a view to the reproduction or performance of a work at a time when such reproduction or performance would, but for the making of this Order, have been lawful, nothing in this Order shall diminish or prejudice any rights or interest arising from, or in connection with, such action which are subsisting and valuable immediately before such commencement unless the person who, by virtue of this Order, becomes entitled to restrain such reproduction or performance agrees to pay such compensation as, failing agreement, may be determined by arbitration.

(2) Nothing in this Order shall be construed as affecting any copyright or other right which subsists in any work or production by virtue of section 67 of the Act.

International organisations

5. Each of the organisations mentioned in Schedule II is hereby declared to be an international organisation to which the Copyright Act applies.

#### SCHEDULE I

##### PART I

##### PARTIES TO THE BERNE COPYRIGHT CONVENTION

|                            |                              |
|----------------------------|------------------------------|
| Argentina                  | Australia                    |
| Austria                    | Bahamas                      |
| Barbados                   | Belgium                      |
| Benin                      | Brazil                       |
| Bulgaria                   | Burkina Faso                 |
| Cameroon                   | Canada                       |
| Central African Republic   | Chad                         |
| Chile                      | Colombia                     |
| Congo                      | Costa Rica                   |
| Cyprus                     | Czechoslovakia               |
| Denmark                    | Egypt                        |
| Fiji                       | Finland                      |
| France                     | Gabon                        |
| German Democratic Republic | Germany, Federal Republic of |
| Greece                     | Guinea                       |
| Holy See                   | Hungary                      |
| Iceland                    | India                        |
| Ireland                    | Israel                       |
| Italy                      | Ivory Coast                  |
| Japan                      | Lebanon                      |
| Libya                      | Liechtenstein                |
| Luxembourg                 | Madagascar                   |
| Mali                       | Malta                        |
| Mauritania                 | Mexico                       |
| Monaco                     | Morocco                      |
| Netherlands                | New Zealand                  |
| Niger                      | Norway                       |
| Pakistan                   | Peru                         |
| Philippines                | Poland                       |
| Portugal                   | Republic of Liberia          |
| Romania                    | Rwanda                       |
| Senegal                    | Spain                        |
| Sri Lanka                  | Suriname                     |
| Sweden                     | Switzerland                  |
| Thailand                   | Togo                         |
| Tunisia                    | Turkey                       |
| United Kingdom             | United States of America     |
| Uruguay                    | Venezuela                    |
| Yugoslavia                 | Zaire                        |
| Zimbabwe                   |                              |

## PART II

## PARTIES TO THE UNIVERSAL COPYRIGHT CONVENTION

|                                  |                              |
|----------------------------------|------------------------------|
| Algeria                          | Australia                    |
| Austria                          | Bahamas                      |
| Bangladesh                       | Barbados                     |
| Brazil                           | Bulgaria                     |
| Colombia                         | Costa Rica                   |
| Czechoslovakia                   | Denmark                      |
| Dominican Republic               | El Salvador                  |
| Finland                          | France                       |
| German Democratic Republic       | Germany, Federal Republic of |
| Guinea                           | Holy See                     |
| Hungary                          | India                        |
| Italy                            | Japan                        |
| Kenya                            | Mexico                       |
| Monaco                           | Morocco                      |
| Norway                           | Panama                       |
| Peru                             | Poland                       |
| Portugal                         | Republic of Korea            |
| Saint Vincent and the Grenadines | Senegal                      |
| Spain                            | Sri Lanka                    |
| Sweden                           | Tunisia                      |
| United Kingdom                   | United Republic of Cameroon  |
| United States of America         | Yugoslavia                   |

## PART III

PARTIES TO THE CONVENTION FOR THE PROTECTION OF PRODUCERS OF  
PHONOGRAMS AGAINST UNAUTHORIZED DUPLICATION OF THEIR  
PHONOGRAMS

|                              |                          |
|------------------------------|--------------------------|
| Argentina                    | Australia                |
| Austria                      | Barbados                 |
| Brazil                       | Burkina Faso             |
| Chile                        | Costa Rica               |
| Czechoslovakia               | Denmark                  |
| Ecuador                      | Egypt                    |
| El Salvador                  | Fiji                     |
| Finland                      | France                   |
| Germany, Federal Republic of | Guatemala                |
| Holy See                     | Hungary                  |
| India                        | Israel                   |
| Italy                        | Japan                    |
| Kenya                        | Luxembourg               |
| Mexico                       | Monaco                   |
| New Zealand                  | Norway                   |
| Panama                       | Paraguay                 |
| Peru                         | Republic of Korea        |
| Spain                        | Sweden                   |
| United Kingdom               | United States of America |
| Uruguay                      | Venezuela                |
| Zaire                        |                          |

## SCHEDULE II

Caribbean Broadcasting Union  
 Caribbean Community Secretariat  
 Caribbean Development Bank  
 Commonwealth Secretariat  
 Organisation of American States  
 Pan American Health Organisation  
 Specialised Agencies of the United Nations  
 United Nations

Made this 17th day of May, 1989.

K. BOSWELL INNISS  
*Secretary to Cabinet*