

amount of royalties shall be a debt due from the person reproducing the work to the owner of the copyright, and the person reproducing the work shall keep an account of all such copies sold by him.

(c.) For the purposes of this regulation "the date of the prescribed notice" means—

- (i.) In cases when the notice is required to be sent by registered post, the date when the notice would in ordinary course of post be delivered :
- (ii.) In cases when the notice is required to be advertised in the *London Gazette*, the date of such advertisement.

(d.) Where royalties are by agreement payable in any other mode than by means of adhesive labels the time and frequency of the payment shall be such as are specified in the agreement.

(e.) The adhesive label supplied as aforesaid shall be an adhesive paper label, square in shape, the design to be entirely enclosed within a circle, and the side of the label not to be greater than  $\frac{3}{4}$  in. in length. The label shall not bear the effigy of the Sovereign or any other person, nor any word, mark, or design such as to suggest that the label is issued by or under the authority of the Government for the purpose of denoting any duty payable to the Government.

#### *Interpretation.*

6. In these regulations the expression "owner of the copyright" has the same meaning as in section 3 of the Copyright Act, 1911.

Dated this 7th day of June, 1912.

H. LLEWELLYN SMITH,  
Secretary to the Board of Trade.

#### STATUTORY RULES AND ORDERS, 1912.—No. 533.—COPYRIGHT.

##### THE COPYRIGHT ROYALTY SYSTEM (MECHANICAL MUSICAL INSTRUMENTS) REGULATIONS, 1912.

(Dated 7th June, 1912.)

THE Board of Trade, in pursuance of the powers conferred by section 19 (6) of the Copyright Act, 1911, hereby make the following regulations :—

#### *Preliminary.*

1. These regulations may be cited as the Copyright Royalty System (Mechanical Musical Instruments) Regulations, 1912, and shall come into operation on the 1st day of July, 1912.

#### *Notice.*

2. The notice required by section 19 (2) of the Copyright Act, 1911, shall contain the following particulars :—

- (a.) The name and address of the person intending to make the contrivances :
- (b.) The name of the musical work which it is intended to reproduce and of the author (if known), and (if necessary) a description sufficient to identify the musical work :
- (c.) The class of contrivance on which it is intended to reproduce the musical work (e.g., whether discs, cylinders, or music-rolls) :
- (d.) The ordinary retail selling-prices of the contrivances, and the amount of the royalty payable on each contrivance in respect of the musical work :
- (e.) The earliest date at which any of the contrivances will be delivered to a purchaser :
- (f.) Whether any other work is to be reproduced on the same contrivance with the musical work specified in accordance with paragraph (b).

3. The notice shall, not less than ten days before any contrivances on which the musical work is reproduced are delivered to a purchaser, be sent by registered post or published by advertisement as follows :—

- (a.) If the name and an address within the United Kingdom of the owner of the copyright, or his agent for the receipt of notice, are known or can with reasonable diligence be ascertained, the notice shall be sent to such owner or agent at such address.
- (b.) If such name and address are not known and cannot with reasonable diligence be ascertained, the notice shall be advertised in the *London Gazette*; the advertisement in the *London Gazette* shall give the particulars required by paragraphs (a) and (b) of Regulation 2, and shall also state an address from which a copy of the notice described in Regulation 2 may be obtained. Any number of musical works may be included in the same advertisement.

The notice may be given either before or after the 1st day of July, 1912.

#### *Payment of Royalties.*

4. (a.) Unless otherwise agreed, royalties shall be payable by means of adhesive labels purchased from the owner of the copyright and affixed in the manner provided by these regulations.

After the person making the contrivances has given the prescribed notice of his intention to make or sell the contrivances, the owner of the copyright shall by writing sent by registered post intimate to him some reasonably convenient place within the United Kingdom from which adhesive labels can be obtained, and, on demand in writing and tender of the price, shall supply from such place adhesive labels of the required denominations at a price equal to the amount of royalty represented thereby.

Subject to these regulations, no contrivance shall be delivered to a purchaser until such label or labels denoting the amount of royalty have been affixed thereto, or in the case of cylinders, to which it is not reasonably practicable to affix the labels, until such label or labels have been affixed to a carton or box enclosing the cylinder.