THE COPYRIGHT REGULATIONS, 2004
ARRANGEMENT OF REGULATIONS

PART I - PRELIMINARY
Regulations

1. Citation and commencement.
2. Interpretation.
3. Forms.
4. Fees.

PART II - ADMINISTRATION

5. Training, competitions and awards.
6. Office hours of the Centre (Copyright Office).
7. Appointment of advisors.
8. The Copyright Register.
9. Change of ownership.

PART III - LEVY ON DEVICES USED FOR REPRODUCTION OF COPYRIGHT MATERIALS

10. IMPOSITION OF LEVY

PART IV - ANTI-PIRACY DEVICE OF COPYRIGHT WORKS UNDER SECTION 36 OF THE ACT

11. Anti-piracy device of copyright.

PART V - FINES PAYABLE TO THE CENTRE
13. Fines payable to the Centre.

PART VI - INSPECTION
PART VII - REGISTRATION OF COLLECTING SOCIETIES UNDER SECTION 46 OF THE ACT

15. An application for registration of a collecting society.

PART VIII - FILING OF ANNUAL REPORTS AND AUDITED ACCOUNTS BY COLLECTING SOCIETIES UNDER SECTION 47 OF THE ACT

16. Annual reports and audited accounts.

PART IX - PROCEEDINGS BEFORE THE COMPETENT CENTRE

17. Application for compensation or payment of royalties.
18. Application or appeal to the Centre.

PART X - EXTENSION OF APPLICATION OF THE ACT


PART XI - USE OF FOLKLORE
20. Application to use folklore.

PART XII - GENERAL AND MISCELLANEOUS PROVISIONS

22. Copy of lost or destroyed certificate.
23. Extension of time.
24. Signing of forms on behalf of certain bodies.
25. Statutory declarations and Affidavits.
26. Documents to be in English or translated.
27. Repeal of former Regulations.
THE COPYRIGHT ACT, 2004

COPYRIGHT REGULATIONS, 2015

IN EXERCISE of the powers conferred on the Minister responsible for Arts and Culture by sections 89A, B, C & D of the Copyright Act, 2004 these Regulations are made this 25th day of April, 2015:

PART I – PRELIMINARY

1. Citation and commencement.

These Regulations may be cited as the Copyright Regulations, 2015.

2. Interpretation. In these Regulations, unless the context otherwise requires –

“Centre” means the National Centre for Arts and Culture established under the National Centre for Arts and Culture Act, 2003.

“Copyright Administrator” means the Centre as mandated by Sections 56, 57 and 58 of the Act.

“Copyright Inspectors” means the Copyright Inspector established under Section 58 of the Act;
“exclusive licence” means a licence in writing signed by or on behalf of an owner or prospective owner of copyright or related rights, authorizing the licensee to the exclusion of all other persons, including the person granting the licence, to exercise a right which by virtue of the Act would (apart from the licence) be exercisable exclusively by the owner of copyright or related rights and “exclusive licensee” shall be construed accordingly.

“Public display” means the showing of original or a copy of a work –
(a) Directly;
(b) By means of a film, slide, television image or otherwise on screen;
(c) By means of any other device or process; or
(d) in the case of an audio-visual work, the showing of individual images consequentially at a place or places where persons outside the normal circle of a family and its closest social acquaintances are or can be present, irrespective of
whether they are or can be present at the same place and time or at different places or times, and where the work can be displayed without communication to the public;

“Public performance” means –
(a) in the case of a work other than an audio-visual work, the recitation, playing, dancing, acting or otherwise performing the work, either directly or by means of any device or process;

(b) In the case of an audio-visual work, the showing of images in sequence and the making of accompanying sounds audible; and

(c) in the case of a sound recording, making the recorded sounds audible at a place or at places where persons outside the normal circle of the family and its closest acquaintances are or can be present, irrespective of whether they are or can be present at the same place and time, or at different places or times, and where the performance can be perceived without the need for communication to the public.

“Related rights” mean rights neighbouring on copyright, including those subsisting under sections 27 (2), 28, 29, 30 of the Act;

3. Forms. The forms referred to in these Regulations are the forms set out in the First Schedule.

4. Fees. (1) The fees set out in the Second Schedule shall be the prescribed fees for the purposes of these Regulations.
(2) If, for a fee, a corresponding form is referred to in the Second Schedule, the fee is payable when the form is used.
(3) Any fees paid in error shall be refunded upon proof of the error to the satisfaction of the Director General.

PART II - ADMINISTRATION

5. Training, competitions and awards. In carrying out its functions under paragraph (c) and (e) of section 5 of the Act, the Centre shall –

(a) organize and conduct training relating to copyright matters at all levels, in collaboration or association with other relevant institutions, if necessary; and
(b) Among other activities, organize competitions and contests and give prizes and awards.

6. **Office hours of the Centre (Copyright Office).** The offices of the Centre shall be open to the public each day, other than on a Saturday, Sunday or public holiday, from 9.00 am to 1.00 p.m. and from 2.00 p.m. to 4.00 p.m.

7. **Appointment of advisors.** (1) The Director General may, in consultation with the Centre, appoint such experts, advisors or consultants in relation to any matter before the Centre or to perform any other function or functions specified by the Director General. (2) In exercise of his powers under paragraph (1), the Director General shall not make an appointment that the Centre is authorized to make under section 12 of the Act.

8. **The Copyright Register.**
   (1) Pursuant to the provisions of Section 4 of the Act, the Director General shall open and maintain a register known as the “Copyright Register” wherein the following particulars shall be recorded in respect of any copyright work that the owner elects to register –

   (a) The number and title of the copyright work;
   (b) The name, address and nationality of the copyright holder;
   (c) The date of the application for registration of a copyright work;
   (d) Address for service of the copyright holder;
   (e) A licence granted by the copyright holder;
   (f) A notice of every document affecting a change in address or ownership of the work or purporting to give interest in it as security;
   (g) If the copyright holder dies, a notice to that affect accompanied by a copy of the death certificate; and
   (h) Any other information required under the Act and these Regulations or any other information that the Director General may consider appropriate to be recorded in the Copyright Register.

   (2) The purpose of entering the particulars set out in Section 4 in the Copyright Register is to –
   (a) Maintain a record of copyright works;
(b) Enable the Centre to establish and maintain an effective data bank on authors and their works; and
(c) Publicize the rights of the owners of works.

(3) The subsistence, enjoyment and enforceability of copyright shall be independent of whether or not it is registered under these Regulations.

(4) The following shall apply with respect to names of persons entered in the Copyright Register –

(a) If the person is a natural person, the person’s surname shall be set out first followed by the given names; and
(b) If the person is a juristic person, the full name of the legal entity shall be set out.

(5) The following provisions shall apply to the addresses of the persons set out in the Copyright Register –

(a) The address shall be sufficient to allow prompt delivery by post, fax, e-mail and hand;
(b) Only one set of address shall be set out for each person; and
(c) Address under this regulation includes electronic mail, postal and physical addresses.

(6) Where the owner of a work wishes to have it registered in accordance with paragraph (5), he shall submit two copies of such work to the Director General.

(7) An application for registration of a work under this regulation shall be made on Form No. CR 1 and shall be accompanied by the prescribed fees set out in the Second Schedule.

(8) On receipt of an application in respect of any copyright work under paragraph (6), the Director General may, after making such enquiries as he may deem fit enter the particulars referred to in paragraph (1) in the Copyright Register.
(9) A certificate of registration in Form No. CR 2 shall be issued by the Director General in respect of an application for registration of a Copyright work made pursuant to paragraph (7).

(10) (a) The Director General shall also keep and maintain such indexes of the Copyright Register as he may deem fit.
(b) The Copyright Register and indexes kept under this paragraph shall at all reasonable times be open for inspection, and any person interested shall be entitled to take copies of or make extracts from such Register or indexes on payment of the prescribed fees.

(11) The Copyright Register shall be *prima facie* evidence of the particulars entered therein and documents purporting to be copies of any entry therein, or extracts therefrom certified by the Director General or any other officer authorized by the Centre and sealed with the seal of the Centre shall be admissible in evidence in all courts without further proof or production of the original.

(12) The Director General may, for good cause or upon an application by any interested party, on such conditions as he may deem fit, amend the register by –
(a) Correcting any error in the name, address or other particulars of the applicant; or
(b) Correcting any other error, which may have arisen in the register by accidental slip or omission.

(13) The Centre may, on an application of the Director General or of any person aggrieved, and upon hearing the parties concerned, order the rectification of the Copyright Register by –

(a) Making any entry wrongly omitted to be in the Copyright Register;
(b) Expunging any entry wrongly made in, or remaining on the Copyright Register; or
(c) Correcting any error or defect in the Copyright Register.

(14) Every entry made in the Copyright Register or the particulars of any work entered therein under paragraph (8), and the correction of every entry made in the Copyright Register under paragraph (13), shall be published by the Director General in the Gazette or in such other manner as the Centre may deem fit.
9. Change of ownership.
(1) An application for change of name or address of copyright holders shall be made on Form No. CR 3.

(2) An application for approval of a licence or sub-licence shall be made on Form No. CR 4 and shall be supported by a certified copy of the licence contract.

(3) Where there is a change of ownership in respect of any copyright work pursuant to these Regulations an application for change of ownership shall be made on Form No. CR 5 supported by a certified copy of the relevant instrument effecting the change.

PART III - Levy on devices used for Reproduction of Copyright Materials

Imposition of levy

10. There is imposed on the devices specified in regulation 15, capable of being used to copy copyright works, a levy of twenty percent of the cost, insurance and freight value of the devices.

Devices to be levied

11. For the purpose of regulation 10, the devices to be levied include

   a. video and audio cassettes with integral storage like
      (i) MP3,
      (ii) CD R/RWs (data disc),
      (iii) DVD-R/RWs set top boxes;

   b. pen drives and other data disks including SMART or SIM cards;
   c. ipods;
   d. diskettes;
   e. CD copiers; and
   f. Any other devices that the Minister may by legislative instrument prescribe.

Liability to pay levy

12. (1) A person who
    i. Manufactures; or
ii. Imports any of the devices specified in regulations 10 for the purpose of trade, shall pay the levy imposed in these Regulations

iii. In the case of a local manufacturer of the device to an authorised officer of the Gambia Revenue Authority at the point of manufacture,

iv. In the case of an importer of the device to an authorised officer of the GRA at the point of entry.

(2) A manufacturer or importer of any of the specified devices shall keep statements of account of the manufacturer's or importer's activities connected to the manufacture or importation of the specified devices in furtherance of sub-regulation (1).

(3) A manufacturer or importer of any of the specified devices shall at three months intervals beginning from the thirty-first of March in each year send a copy of the statement of account kept in furtherance of subregulation 2 to an authorised officer of the Gambia Revenue Authority.

**Exemption from payment of levy**

13. (1) The levy imposed in Regulations 10 and 11 do not apply to

   (a) Devices manufactured in the country for purpose of export,

   (b) Institutions that represent persons with disability and which are specified in an enactment,

   (c) Devices which are used to duplicate locally produced works or foreign works licensed for duplication in the country, and

   (d) Other materials which the Minister may exempt by legislative instrument.

**Fee on reprographic reproduction**

14. (1) A reprographic rights collecting society shall determine a fee in respect of photocopying of works protected by copyright and related rights by educational institutions and any other outlets where reprography is carried out commercially.

   (2) In furtherance of subregulation (1), the reprographic rights collecting society shall collect the fee on behalf of stakeholders and beneficiaries.

   (3) Where there is a dispute over a fee imposed on photocopying of copyright works by a collecting society, the Centre shall levy a flat rate fee as the Centre considers fit.
Distribution of levies paid

15. (1) The Minister shall distribute the levies collected in furtherance of regulation 14 as follows:

   a) ten percent for cultural activities to be collectively administered by the collective administration societies;
   b) ten percent for the administrative purposes of collective societies;
   c) four percent to the Gambia Revenue Authority, and
   d) Six percent to the Copyright Office.

(2) The Minister shall distribute the remaining seventy percent equally among the various rights groups to be shared as follows:

   a) for holders of audio works rights,
   b) twenty-eight percent to composers or publishers;
   c) twenty-one percent to producers; and
   d) twenty-one percent to performers;
   e) for holders of audiovisual works rights;
   f) thirty-five percent to producers;
   g) twenty-one percent to performers, and
   h) fourteen percent to authors of audio visual works,
   i) for holders of literary works rights,
   j) forty-two percent to authors including visual authors, and
   k) Twenty-eight percent to publishers.

(3) Each society shall set out rules to distribute the allocation made to the society to its members.

PART IV - ANTI-PIRACY OF COPYRIGHT WORKS UNDER SECTION 5 (b) OF THE ACT


   (1) Every sound recording and audio-visual work imported into The Gambia, intended for sale or offered for sale, rental, hiring, lending or otherwise distributed or intended for distribution to the public for commercial purposes in The Gambia shall have affixed to it an anti-piracy device:

   Provided that this regulation shall not apply to computer programs embodied in a sound recording or an audio-visual work.
(2) The anti-piracy device shall –
   (a) Be a tamper proof sticker to be issued by the Centre;
   (b) Be serially numbered; and
   (c) Be stuck on the sound recording or audio-visual work that is displayed for sale or distribution.

17. Affixation of anti-piracy device.

(1) The anti-piracy device shall be affixed –

(a) in the case of sound recordings and audio-visual works produced in The Gambia, at the point of production or at such other point as the Centre may, from time to time, designate; and

(b) In the case of sound recordings and audio-visual works imported into The Gambia, except where such works are exclusively for personal use, before they are released into the channels of commerce in The Gambia.

(2) The anti-piracy device shall be affixed to every medium, except a computer program, in which a sound recording or audio-visual work is embodied except computer programs.

(3) An application for anti-piracy device of copyright works under Section 59 (1) shall be made on Form No.CR 8.

(4) An application under paragraph (3) shall be accompanied by the relevant documentary evidence as proof that the author of the works or any other copyright holder of such works has authorized the manufacture or production of such sound recording or audio-visual works in The Gambia.

(5) A certificate of approval issued by the Centre to an applicant to purchase an anti-piracy device from the Gambia Revenue Centre shall be in Form No. CR 9.

(6) The anti-piracy device referred to in this regulation shall be used for –
   (a) Securing the right and interests of the holder of copyright and related rights;
   (b) Anti-piracy activities; and
   (c) Administering the anti-piracy security device.
(7) A manufacturer or producer of sound and audio-visual works or recordings shall apply to the Board for the anti-piracy of copyright works.

(8) The Board shall authenticate copyright works according to all required documents furnished to it by the applicant for that purpose and shall issue an approval certificate in the prescribed form to the applicant for Centre to purchase an anti-piracy device from the Gambia Revenue Centre.

(9) A manufacturer or producer of sound recordings or audio-visual works shall purchase such anti-piracy device from the Gambia Revenue Centre as may be required to cover the number of copyright works he intends to sell or distribute.

(10) The anti-piracy device shall be affixed to each copy of the copyright work made or published by the applicant.

18. No person shall sell or exhibit for sale any copyright works that require an anti-piracy device in any form without an anti-piracy device affixed thereto pursuant to subsections (1&2) of these regulations.

19. Any person who sells or offers for sale any copyright work that requires an anti-piracy device without an anti-piracy device affixed thereto is guilty of an offence and is liable to a fine not exceeding five hundred thousand Dalasis.

20. ROYALTIES PAYMENT

(1) Where the owner of the copyright in any literary, musical or artistic work authorizes a person to incorporate the work in audio-visual works and a broadcasting authority broadcasts such works, it shall, in the absence of any express agreement to the contrary, be deemed that the owner of the copyright authorized the broadcast.

(2) Notwithstanding subsection (1), where a broadcasting authority broadcasts audio-visual works in which a musical work is incorporated, the owner of the right to broadcast the musical work shall, subject to the provisions of the Act, be entitled to receive fair compensation from the broadcasting authority, and in the absence of an agreement the amount of compensation shall be determined by the Centre.
(1) Subject to subsections (2) and (3), copyright in sound recordings shall be the exclusive right to control the doing in The Gambia of any of the following acts in respect of the sound recording, namely-

(a) The direct or indirect reproduction in any manner or form; or

(b) The distribution to the public of copies by way of sale, rental, lease, hire, loan or any similar arrangements; or

(c) The importation into The Gambia; or

(d) The communication to the public or the broadcasting of the sound recording in whole or in part either in its original form or in any form recognizably derived from the original.

(2) Subject to subsections (3) and (4), the rights of an owner of a copyright in a sound recording are not infringed by the making of a single copy of the recording for the personal and private use of the person making the copy; and in respect of such use the owner of copyright in the sound recording shall have the right to receive fair compensation consisting of a royalty levied on audio recording equipment or audio blank tape suitable for recording and other media intended for recording, payable at the point of first sale in The Gambia by the manufacturer or importer for commercial purposes of such equipment or media.

(3) The level of the royalty payable under subsection (2) shall be agreed between organizations representative of producers of sound recordings and of manufacturers and importers of audio recording equipment, audio blank tape and media intended for recording or failing such agreement by the competent authority appointed under section.

(5) All claims for compensation under this section shall be made through an organization representative of producers of sound recordings.

(6) Any person who, for commercial purposes, makes available any audio recording equipment for the purposes of enabling any other person to make single copies of any sound recording for his personal or private use, without payment of the royalty levied under subsection (3) shall be guilty of an offence and shall be liable to a fine not exceeding two hundred thousand Dalasis or to imprisonment for a term not exceeding four years or to both.

FINES PAYABLE TO THE CENTRE
21. Fines payable to the Centre. All fines payable to the Centre under section 12. (B) of the Act shall be remitted to the Centre by the Court on Form No. CR 10.

INSPECTION
22. Appointment of inspectors.
(1) Inspectors appointed under section 58 (1) of the Act shall carry certificates of Centre while executing their duties under the Act or these Regulations.
(2) The names of all copyright inspectors appointed under section 58 (1) shall be published in the Gazette.
(3) A certificate of Centre issued by the Centre under section 58 (1) of the Act shall be in Form No. CR 11.

DISPUTE SETTLEMENT BEFORE THE CENTRE
23. Application for compensation or payment of royalties. An application for compensation or for payment of royalties under section) of the Act shall be made on Form No. CR 17 and the provisions of regulation 18 shall apply mutatis mutandis to the application for compensation or payment of royalties.

24. Application or appeal to the Centre.
(1) This regulation applies with respect to an application under the Act.

(2) An application or appeal under section 88 (4) of the Act shall be in Form No. CR 18 and shall be filed with the Centre.

(3) The application or the appeal shall set out the relief sought and shall be accompanied by a statement of facts being relied upon and supporting evidence.

(4) The Centre shall consider the application or the appeal and, if the Centre is of the view that a prima facie case has not been made out for the relief sought, the following shall apply –

(a) the Centre shall notify the applicant or the appellant that the Centre is of the view that a prima facie case has not been made out and that the applicant or the appellant may, within twenty one days after the notification, request for an opportunity to be heard;
(b) if the applicant or appellant requests for an opportunity to be heard within the time period prescribed in sub-paragraph (a), the Centre shall give the applicant or appellant such an opportunity and, if the Centre is still of the view that a prima facie case has not been made out, the Centre shall dismiss the application or the appeal; and

(c) If the applicant or the appellant does not request an opportunity to be heard within the time period prescribed in subparagraph (a), the Centre shall dismiss the application or the appeal.

(5) Unless the Centre dismisses an application or appeal under sub-paragraph (4) (b) or (c), the Centre shall serve a copy of the application or the appeal and the accompanying statement of facts and supporting evidence required under sub-paragraph (3), upon the Centre or the collecting society within a period of 21 days.

(6) The Centre or the Collecting Society of the Gambia may oppose the application or the appeal by filing with the Centre a reply in Form No. CR 19 setting out fully the grounds of its opposition.

(7) The reply shall be accompanied by a statement of the facts being relied upon and the supporting evidence.

(8) The reply shall be filed within 21 days after the date of service of the application or the appeal.

(9) The Centre shall serve a copy of the reply and the accompanying statement of facts and supporting evidence required under sub-paragraph (7) upon the applicant or appellant who made the application or the appeal within a period of 21 days of the filing of the reply.

(10) The applicant or appellant who made the application or the appeal may, within 21 days after being served under sub-paragraph (9) file with the Centre further evidence confined to matters strictly in reply.

(11) The Centre shall serve a copy of the evidence filed under sub-paragraph (10) upon the Centre or the collecting society.

(12) No further evidence shall be filed except by leave or direction of the Centre.
(13) After completion of the filing of the pleadings and the evidence, the Centre shall set down the application or the appeal for hearing within thirty (30) days.

(14) Upon hearing the application or the appeal, the Appeal, the Centre shall deliver its ruling in writing within sixty (60) days.

EXTENSION OF THE APPLICATION OF THE ACT

25. Extension of the application of the Act.

Pursuant to the provisions of section 49 (b) of the Act, the application of the Act is extended –

(a) in respect of literary works, musical works and artistic works to –

(i) individuals or bodies corporate who are citizens of, domiciled or resident in or incorporated under the laws of a country which is a party to a treaty to which The Gambia is also a party and which provides for protection of copyright and related rights; and
(ii) Those works and audio-visual works first published in a country which is a party to a treaty to which The Gambia is also a party which provides for protection of copyright and related rights;

(iii) a country which is a party to a treaty to which The Gambia is also a party and which provides for protection of copyright and related rights; and

(iv) individuals or bodies corporate who are citizens of, domiciled in those audio-visual works and photographs, first made available to the public or first published in a country which is a party to a treaty to which The Gambia is also a party and which provides for protection of copyright and related rights.

PART XI - USE OF FOLKLORE

26. Application to use folklore.

(1) This regulation applies with respect to use of folklore under the Act.
(2) Any person who wishes to use any folklore for commercial purposes shall submit his application to the Centre on Form No. CR 20, accompanied with the fees set out in the Second Schedule.

(3) Any person who uses folklore for commercial purposes in The Gambia without the permission of the Centre commits an offence.

4) Any person who – (a) willfully misrepresents the source of an expression of folklore; or

(b) Willfully distorts any expression of folklore in a manner prejudicial to the honour, dignity or cultural interests of the community in which it originates; commits an offence.

(5) Any person who commits an offence under this regulation is liable on conviction, to a fine not exceeding six thousand Dalasis or for a term of imprisonment not exceeding six months or to both.

PART XII - GENERAL AND MISCELLANEOUS PROVISIONS

27. Copies of documents. A person who wishes to obtain a copy of a document kept by the Centre shall make a request in Form No. CR 21 for a certified copy or in Form No. CR 22 for uncertified copy upon payment of the prescribed fees.

28. Copy of lost or destroyed certificate.  
(1) The Centre may issue a copy of a lost or destroyed certificate.  
(2) A request for a copy of a lost or destroyed certificate shall be in Form No. CR 23.  
(3) A request for a copy of a lost or destroyed certificate shall be accompanied by a statutory declaration or an affidavit supporting the assertion that the certificate has been lost or destroyed.

29. Extension of time. (1) The Centre or the Centre may extend the time for doing an act or taking proceedings, other than a time expressly provided for in the Act , on such conditions as it may specify. (2) A request for extension of time shall be made on Form No. CR 24.

30. Signing of forms on behalf of certain bodies.
(1) A form that is required to be signed on behalf of a corporation shall, unless an agent signs it, be signed by a director or the secretary of the corporation.

(2) The following provisions shall apply if a form is required to be signed on behalf of a partnership –
(a) Unless the form is signed by an agent, the form shall be signed by a partner or by a person who satisfies the Centre or the Centre that the person is authorized by the partnership to sign on its behalf; and
(b) The form shall set out the names and addresses of the partners in full.

31. Statutory Declarations and Affidavits.

The following provisions shall apply with respect to a statutory declaration or an affidavit under the Act or these Regulations-
(a) A statutory declaration or affidavit shall have a heading indicating the matter or matters to which it relates;

(b) A statutory declaration or affidavit shall be divided into consecutively numbered paragraphs, each of which shall, if possible, be confined to a single subject-matter;

(c) A statutory declaration or affidavit shall fully identify the person making it and shall set out where the person resides; and

(d) A person signing a statutory declaration or an affidavit shall disclose his competence and Centre to swear the statutory declaration or the affidavit.

32. Documents to be in English or translated.

(1) Documents provided to the Centre shall be in English.

(2) If a copy of a document that is not in English is required to be provided to the Centre or the Centre, the following shall apply –
a) An English translation of the document shall be provided along with the copy of the document;
(b) The translation shall be certified to be an accurate translation;
(c) If more than one copy of the document is required, one copy of the translation shall be provided for every copy of the document required;

(d) If the Centre or the Centre believes the translation is not accurate, the Centre or the Centre may refuse it and require an accurate translation; and

(e) The copy of the document shall be deemed not to have been provided until the required translation and copies are provided.

FIRST SCHEDULE

FORM NO. CR 1
THE COPYRIGHT ACT, 2004

APPLICATION FOR REGISTRATION OF A COPYRIGHT WORK

<table>
<thead>
<tr>
<th>Name and address of the applicant(s)</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Physical address of the applicant(s)</td>
<td></td>
</tr>
<tr>
<td>Name and address of an agent (if any)</td>
<td></td>
</tr>
<tr>
<td>Category of copyright work</td>
<td></td>
</tr>
<tr>
<td>Date of fixation/reduction into material form</td>
<td></td>
</tr>
<tr>
<td>Title of the copyright work</td>
<td></td>
</tr>
</tbody>
</table>

I/We, the applicant(s) identified above apply for registration of the above copyright work as

I/We attach hereto two copies of the copyright work (where applicable). We hereby declare that the copyright work, the subject of this application, is an original work.

BEFORE ME

COMMISSIONER FOR OATHS

Dated at ...................... this ............... day of ............, 20 ....

Signature(s) ..............................

Applicant(s)  

THE COPYRIGHT ACT, 2004
FORM NO. CR 2

CERTIFICATE OF REGISTRATION OF A COPYRIGHT WORK

It is hereby certified that a copyright work in the ............... category entitled ....... and numbered .................................................................
...................................................................................................................... has been registered in the name of
..........................................................................................................................
........................................................................ of .................................................................
in respect of an application for registration of a copyright work No. ........... Dated at
Banjul this .......... day of ................., 20 ...........

Seal of the Centre
................................................................................
The National Centre

FORM NO. CR 3
THE COPYRIGHT ACT, 2004

APPLICATION TO AMEND NAME OR ADDRESS OF THE COPYRIGHT HOLDER

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Name and address of the copyright holder(s)/applicant(s)</td>
<td></td>
</tr>
<tr>
<td>Physical address of the copyright holder(s)/applicant(s)</td>
<td></td>
</tr>
<tr>
<td>Name and address of agent (if any)</td>
<td></td>
</tr>
<tr>
<td>Application number</td>
<td></td>
</tr>
<tr>
<td>Category of copyright work</td>
<td></td>
</tr>
<tr>
<td>Copyright registration number (if any)</td>
<td></td>
</tr>
</tbody>
</table>

I/We, the applicant(s) identified above apply to amend the following in the Copyright Register-

The details of the requested amendment(s) are attached:

Dated at ....................... this ................ day of ................., 20 ....

Signature(s) ........................

Applicant(s)

FORM NO. CR4
APPLICATION FOR RECORDAL OF A LICENCE IN THE COPYRIGHT REGISTER

<table>
<thead>
<tr>
<th>Name and address of the applicant(s)</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Physical address of the applicant(s)</td>
<td></td>
</tr>
<tr>
<td>Name and address of agent (if any)</td>
<td></td>
</tr>
<tr>
<td>Name and address of the parties to the licence contract</td>
<td></td>
</tr>
<tr>
<td>Category of copyright work</td>
<td></td>
</tr>
<tr>
<td>Title of copyright work</td>
<td></td>
</tr>
<tr>
<td>Title of the licence</td>
<td></td>
</tr>
<tr>
<td>Date of the licence</td>
<td></td>
</tr>
<tr>
<td>Copyright registration number</td>
<td></td>
</tr>
</tbody>
</table>

The list of documents required by regulation 9 (2) is attached hereto in a separate sheet of paper.

Dated at ....................... this ........ day of .................., 20 ....

Signature(s) ..........................

Applicant(s)

FORM NO. CR 5

THE COPYRIGHT ACT, 2004
APPLICATION TO HAVE A CHANGE OF OWNERSHIP OF A COPYRIGHT WORK RECORDED IN THE COPYRIGHT REGISTER

<table>
<thead>
<tr>
<th>Name and address of the applicant(s)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Physical address of the applicant(s)</td>
</tr>
<tr>
<td>Name and address of an agent (if any)</td>
</tr>
<tr>
<td>Application number</td>
</tr>
<tr>
<td>Category of copyright work</td>
</tr>
<tr>
<td>Name and address of registered owner(s)</td>
</tr>
<tr>
<td>Name and address of new owner(s)</td>
</tr>
<tr>
<td>Copyright registration number</td>
</tr>
</tbody>
</table>

I/We, the applicant(s) identified above, hereby apply to have a change of ownership of the copyright work indicated above recorded in the Copyright Register for the above copyright work.

The change of ownership was effected by:
A deed of assignment
Any other instrument (specify).
I/We attach the documents required under Regulation 9 (3):

Dated at ......................... this ................. day of ................., 20 ..... 

Signature(s) ..........................

Applicant(s)

FORM NO. CR 6
THE COPYRIGHT ACT, 2004
APPLICATION FOR VERIFICATION OF THE ASSIGNMENT OF A COPYRIGHT WORK UNDER SECTION 33 (3) OF THE ACT

<table>
<thead>
<tr>
<th>Name and address of the applicant(s)</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Physical address of the applicant(s)</td>
<td></td>
</tr>
<tr>
<td>Name and address of agent (if any)</td>
<td></td>
</tr>
<tr>
<td>Category of copyright work</td>
<td></td>
</tr>
<tr>
<td>Copyright registration number, applicable</td>
<td></td>
</tr>
<tr>
<td>Application number</td>
<td></td>
</tr>
<tr>
<td>Name and address of former owner(s)</td>
<td></td>
</tr>
<tr>
<td>Name and address of new owner(s)</td>
<td></td>
</tr>
</tbody>
</table>

I/We, the applicant(s) identified above, hereby apply for verification of the above copyright work under section 33 (3) of the Act.

The change of ownership was effected by:

A deed of assigning the copyright work

Any other instrument (specified in the attached sheet of paper).

I/We attach copies of the documents required under Regulation 9 (3).

Dated at ......................... this ........... day of .................., 20 ....

Signature(s) .........................

Applicant(s)

FORM NO. CR 7
THE COPYRIGHT ACT, 2004

LETTER OF VERIFICATION OF ASSIGNMENT OF A COPYRIGHT WORK UNDER SECTION 33 (3) OF THE ACT

It is hereby certified that upon an application filed on the ..................... day of .................... 20 ................ by .......................... of .......................................................... for verification of the assignment of a copyright work in the .................. category entitled .......................................................between .......................................................... of .......................................................... and .......................................................... of .......................................................... and given registration number .............................................. has been verified by the Centre.

Dated at Banjul this ........ day of .................. 20 ............

Seal of the Centre

Signature ........................................
Director General,
The Centre.

FORM NO. CR 8
THE COPYRIGHT ACT, 2004

APPLICATION FOR ANTI-PIRACY OF A COPYRIGHT WORK UNDER SECTION 36 (1) OF THE ACT

<table>
<thead>
<tr>
<th>Name and address of the manufacturer/producer or sound recording or audio-visual work</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Physical address</td>
<td></td>
</tr>
<tr>
<td>Name and address of agent (if any)</td>
<td></td>
</tr>
<tr>
<td>Category of copyright work for which anti-piracy is being sought</td>
<td></td>
</tr>
<tr>
<td>Copyright application/registration number (if any)</td>
<td></td>
</tr>
<tr>
<td>Number of copies to which this application relates</td>
<td></td>
</tr>
</tbody>
</table>

I/We, the applicant(s) identified above, hereby apply for anti-piracy of the above copyright work under section 36 (1) of the Act and I/we attach a certified copy of the contract allowing me/us to sell or distribute the said works.

I/We declare that the information given above is true to the best of my/our information, knowledge or belief.

BEFORE ME

COMMISSIONER FOR OATHS

NOTE: Anti-piracy devices are not transferable.

Dated at ...................... this .......... day of ............... , 20 ....

Signature(s) ..........................

Applicant(s)
FORM NO CR 9
THE COPYRIGHT ACT, 2004

CERTIFICATE OF APPROVAL TO PURCHASE AN ANTI-PIRACY DEVICE UNDER REGULATION 12 (5)

It is hereby certified that upon an application filed on the .................day of ............................................, 20 ............by .....................................................of .................................................................under Regulation 12 (5), the Centre has granted its approval to .....................................................of .................................................................to purchase the requisite anti-piracy device(s) numbering .................................................................in respect of the sound recording or audio-visual work(s) entitled .................................................................from The Gambia Revenue Authority.

Dated at Banjul this ............. day of ............................................, 20 ............

Seal of the Centre

Signature .............................................

Director General,
The Centre.
THE COPYRIGHT ACT, 2004

CERTIFICATE OF CENTRE TO ACT AS A COPYRIGHT INSPECTOR UNDER SECTION 39 (1)

It is hereby confirmed that ........................................ was appointed by the Centre as a Copyright Inspector on the ............... day .................. 20 .............. and is authorized to discharge duties of a Copyright Inspector in The Gambia assigned to him by the Centre under the provisions of the Act and these Regulations. Dated at Banjul this ............ day of .................., 20 ......

................................................

Director General,
The Centre.

................................................

Signature and Personal Number of Copyright Inspector

Seal of the Centre

FORM NO. CR 12
THE COPYRIGHT ACT, 2004
APPLICATION FOR REGISTRATION AS A COLLECTING SOCIETY UNDER SECTION 46 (2) OF THE ACT

<table>
<thead>
<tr>
<th>Name and address of the society</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Physical address of society</td>
<td></td>
</tr>
<tr>
<td>Name and address of agent (if any)</td>
<td></td>
</tr>
<tr>
<td>Date and number of registration of the society under the Companies Act</td>
<td></td>
</tr>
<tr>
<td>Number of members of the society</td>
<td></td>
</tr>
<tr>
<td>Class of copyright owners represented</td>
<td></td>
</tr>
</tbody>
</table>

Our reasons for making the request for registration as a collecting society are as follows:
We attach herewith all the documents referred to in regulation 15 (1) in support of our application.

Dated at .................... this ............ day of ................., 20 .....  
Signature(s) .................................  
Seal of the Society
The Secretary, Competent Centre.

AN APPLICATION FOR COMPENSATION OR FOR PAYMENT OF ROYALTIES TO THE CENTRE
This is an application to the Centre

<table>
<thead>
<tr>
<th>Name and address of applicant(s)</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Physical address of applicant(s)</td>
<td></td>
</tr>
<tr>
<td>Grounds upon which the application is based</td>
<td></td>
</tr>
<tr>
<td>Order, other relief sought or amount of compensation sought</td>
<td></td>
</tr>
<tr>
<td>Names and address of the other party or parties to the application</td>
<td></td>
</tr>
</tbody>
</table>

Dated at ...................... this .............. day of ..................

Signature(s) of applicant(s) or agent .................................
THE COPYRIGHT ACT, 2004

The Secretary, Competent Centre.

APPLICATION OR APPEAL TO THE CENTRE UNDER THE ACT

This is an application under section 48 (2) or an appeal under section 21 (1) of the Act to the Centre. (Delete whichever is not applicable)

| Name and address of applicant(s)/appellant(s) |   |
| Application or decision appealed against to the Centre |   |
| If only part of the decision is appealed against, description of that part of the decision (use of paper if necessary) |   |
| Grounds on which the application or the appeal is based: |   |
| Order or other relief sought: |   |
| Names and address of the other parties to the application or the appeal. |   |

Dated at ..................... this ........ day of .................... 20......

Signature(s) of applicant(s), appellant(s) or agent(s) .........................

FORM NO. CR 19
THE COPYRIGHT ACT, 2004

REPLY TO APPLICATION OR APPEAL TO THE CENTRE UNDER SECTION 48 (2) OR 21 (1) OF THE ACT

In the matter of Kerewan sounds etc.

This is a reply to the application or appeal described above.

Name and address for service of the person filing the reply (Centre or collecting society):
.................................................................................................................................
.................................................................................................................................
.................................................................................................................................

Physical address:
.................................................................................................................................
.................................................................................................................................
.................................................................................................................................

Grounds of opposition:
.................................................................................................................................
.................................................................................................................................
.................................................................................................................................
.................................................................................................................................
.................................................................................................................................

A statement of the facts relied upon and supporting evidence by way of a statutory declaration or an affidavit is attached.

Dated at ...................... this ............ day of .......... 20 ........

Signature ..............................

Director General
The Centre.

FORM NO. CR 20
THE COPYRIGHT ACT, 2004

The Director General,

APPLICATION TO USE FOLKLORE UNDER SECTION 49 (d) OF THE ACT

<table>
<thead>
<tr>
<th>Name and address of the applicant(s)</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Physical address of the applicant(s)</td>
<td></td>
</tr>
<tr>
<td>Name and address of the agent (if any)</td>
<td></td>
</tr>
<tr>
<td>Details/description of folklore to which this application relates</td>
<td></td>
</tr>
</tbody>
</table>

I/We, the applicant(s) identified above, hereby apply to use the folklore specified above.
My/Our purpose for which folklore is to be used is:
The actual intended use of folklore is:

I/We declare that the folklore the use of which I/We have applied for shall not be used for any other purpose.

BEFORE ME

COMMISSIONER FOR OATHS

Dated at ....................... this .......... day of ............... 20 ........

Signature(s) ............................

Applicant(s)
REQUEST FOR A CERTIFIED COPY

Name and address of person making request

Physical address of the person making the request

Name and address of the agent (if any)

Description of the document requested

Reasons for the request

Dated at ....................... this .......... day of ................ 20 ........

Signature(s) ...........................................

Applicant(s)

NOTES:

1. Please use a separate form for each document requested.

2. This form may be used to obtain certified copies of documents or extracts.

3. Please describe any special requirements. If the space provided is not sufficient,

4. please use a separate sheet of paper.
THE COPYRIGHT ACT, 2004

REQUEST FOR UNCERTIFIED COPY

<table>
<thead>
<tr>
<th>Name and address of person making request</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Physical address of applicant</td>
<td></td>
</tr>
<tr>
<td>Name and address of the agent (if any)</td>
<td></td>
</tr>
<tr>
<td>Description of the document a copy of which is requested</td>
<td></td>
</tr>
<tr>
<td>Reasons for the request</td>
<td></td>
</tr>
</tbody>
</table>

Dated at .................. this ........... day of ............ 20 .......

Signature(s) ........................

Applicant(s)

NOTES:

1. Please use a separate form for each document requested.

2. This form may be used to obtain certified copies of documents or extracts.

3. Please describe any special requirements. If the space provided is not sufficient, please use a separate sheet of paper.
REQUEST FOR A COPY OF A LOST OR DESTROYED CERTIFICATE

Applicant’s/agent’s reference

Name and address of applicant

Physical address of applicant

Name and address of the agent (if any)

The registration number of the certificate

Title of the certificate a copy of which is required

Description of the certificate

I/We, the above identified applicant(s), hereby apply for a copy of the above quoted certificate that has been lost or destroyed.

The statutory declaration or affidavit required under Regulation 22 (3) is attached.

Dated at ................. this ............ day of ............... , 20 ..........

Signature(s) ....................

Applicant(s)
<table>
<thead>
<tr>
<th>Description of fee</th>
<th>Amount of fee (GMD)</th>
<th>Corresponding CR Form</th>
</tr>
</thead>
<tbody>
<tr>
<td>Fee for application for registration of a copyright work under regulation 8 (7)</td>
<td>600</td>
<td>1</td>
</tr>
<tr>
<td>Fee for change of name or address under regulation 9 (1)</td>
<td>100</td>
<td>3</td>
</tr>
<tr>
<td>Fee for approval of a licence in the Copyright Register under regulation 9 (2)</td>
<td>5,000</td>
<td>4</td>
</tr>
<tr>
<td>Fee for approval of change of ownership of a work under regulation (3)</td>
<td>5,000</td>
<td>5</td>
</tr>
<tr>
<td>Fee for verification of an assignment of a copyright work under section 33 (3) of the Act</td>
<td>1,000</td>
<td>6</td>
</tr>
<tr>
<td>Fee for anti-piracy device of copyright under section 36 (1) of the Act</td>
<td>500</td>
<td>8</td>
</tr>
<tr>
<td>Fee for anti-piracy device for each copyright work</td>
<td>10</td>
<td>8</td>
</tr>
<tr>
<td>Fee for an application for registration of a collecting society under section 46 (2) of the Act</td>
<td>10,000</td>
<td>12</td>
</tr>
<tr>
<td>Fee for an application for renewal of registration of a collecting society under regulation 15 (3)</td>
<td>10,000</td>
<td>14</td>
</tr>
<tr>
<td>Fee for filing annual report and audited accounts under regulation 16 (2)</td>
<td>500</td>
<td>16</td>
</tr>
<tr>
<td>Fee for an application for a fair compensation or royalties under the Act</td>
<td>5,000</td>
<td>17</td>
</tr>
<tr>
<td>Fee for application or appeal to the Centre</td>
<td>10,000</td>
<td>18</td>
</tr>
<tr>
<td>Fee for reply under regulation 18 (6)</td>
<td>2,000</td>
<td>19</td>
</tr>
<tr>
<td>Fee for application to use folklore under regulation 20 (2)</td>
<td>10,000</td>
<td>20</td>
</tr>
<tr>
<td>(a) Films;</td>
<td>10,000</td>
<td></td>
</tr>
<tr>
<td>(b) Broadcasting;</td>
<td>10,000</td>
<td></td>
</tr>
<tr>
<td>(c) Theatre;</td>
<td>10,000</td>
<td></td>
</tr>
<tr>
<td>(d) Publishing for educational property;</td>
<td>100</td>
<td></td>
</tr>
<tr>
<td>(e) Research per piece;</td>
<td>1,000</td>
<td></td>
</tr>
<tr>
<td>(f) Other Public interests per event per piece; and</td>
<td>100</td>
<td></td>
</tr>
<tr>
<td>(g) Feature film on a cultural event per piece.</td>
<td>1,000</td>
<td></td>
</tr>
<tr>
<td>Fee for a certified copy of a document or extract under regulation 21</td>
<td>500</td>
<td>21</td>
</tr>
<tr>
<td></td>
<td>Fee for uncertified copy of a document or extract under regulation 21</td>
<td>200</td>
</tr>
<tr>
<td>---</td>
<td>-----------------------------------------------------------------</td>
<td>-----</td>
</tr>
<tr>
<td>16.</td>
<td>Fee for a copy of a lost or destroyed certificate under regulation 22 (2)</td>
<td>500</td>
</tr>
<tr>
<td>17.</td>
<td>Fee for an application for extension of time under regulation 23 (2)</td>
<td>500</td>
</tr>
</tbody>
</table>