

GOVERNMENT NOTICE NO. published on.....

THE COPYRIGHT AND NEIGHBOURING RIGHTS ACT, 1999

(NO. 7 OF 1999)

REGULATIONS

Made under Section 45

THE COPYRIGHT AND NEIGHBOURING RIGHTS
(REGISTRATION OF MEMBERS AND THEIR WORKS)
REGULATIONS, 2005

Citation

1. These Regulations may be cited as the Copyright and Neighbouring Rights (Registration of Members and their Works) Regulations, 2005.

Interpretation

2. In these Regulations, unless the context otherwise requires -

No. 7
of 1999

“Act” means the Copyright and Neighboring Rights Act, 1999;

“author” means the natural person who creates the work;

“Board” means the Copyright Society of Tanzania Board established under section 51(1) of the Act;

“General Assembly” means the Copyright Society of Tanzania General Assembly;

“full member ” means a member under Article 5(2)(c) of the COSOTA charter;

“ owner” means any person who owns copyright under section 15 of the Act

“register” means the register established under section 47(b) of the Act;

“provisional member” means a member under Article 5(2)(a) of

the COSOTA charter;

“ successor” means owner of copyright by disposition, bequest or operation of law;

“Society” means the Copyright Society of Tanzania in its acronym COSOTA established under section 46 of the Act;

“work” means any artistic work in any form;

Membership registration

3. An author or other owner of copyright may apply for membership of COSOTA.

Membership certification

4. An applicant under regulation 3 may be admitted as a provisional, full or successor member and be issued with a certificate, in form CST/MEMBER/NO....

Fees

5. The fees to be paid in relation to application for membership and annual subscription shall be those fees as prescribed in the First Schedule to these Regulations and may be modified from time to time as directed by the General Assembly.

Declaration of works

6. Members of the Society shall declare their works to the Society for collective copyright protection and registration. Such registration of works shall be free of charge.

Forms

7.-(1) There shall be individual and group members applications.

(2) The applications referred to under regulation (1) shall use the forms in the Second Schedule and such forms shall be used in all cases to which they are applicable and may be modified by the Copyright Administrator.

Application under Reg. 6

8.-(1) An application to the Society for registration of works under section 47(b) of the Act shall be signed by the copyright owner or by an authorized person by him and the application shall be made on Form CST 8 titled Work Declaration Form.

(2) Each application form referred under regulation (1) shall be for registration of one work only.

Search to be made

9. Upon receipt of an application for registration of a work, the a Copyright Administrator shall cause a search to be made, amongst the registered works and pending applications, for the purpose of ascertaining whether there is a record or any dispute in respect of the same work.

Evidence to be furnished

10.-(1) After a search and consideration of an application under Regulation 9 and of any evidence of ownership tendered, or of any other matter of which the applications may or may be required to be furnished, the a Copyright Administrator may accept an application absolutely or he may refuse.

(2) Where the Copyright Administrator refuses an application under sub-regulation (1) he may give reasons for that refusal.

In case of the objection Administrator to inform the Applicant

11. Where the application is not accepted, the Copyright Administrator shall inform the applicant of his refusal in writing as soon as the decision is made and he shall return all the material received as evidence, and unless within thirty days the applicant applies for a hearing or makes a considered reply to that refusal, he shall be deemed to have withdrawn the application.

Administrator to notify the Applicant

12.-(1) Where the application is accepted the Copyright Administrator shall communicate such to the applicant in writing.

(2) Subject to subregulation (1), where the applicant objects to such conditions, he shall within thirty days from the date of the communication, apply for a hearing or communicate his objections in writing addressed to the Copyright Administrator.

(3) Subject to subregulations (1) and (2), where the applicant does not communicate within the specified period he shall be deemed to have withdrawn his application and where the applicant does not object to any conditions provided; he shall forthwith notify the Copyright Administrator in writing and alter his application accordingly.

Acknowledgement

13. Upon the registration of a work, the Copyright Administrator shall acknowledge receipt of the application and

material deposited if any.

Consequential
provision

14. Anything done by the Society under these Regulations in respect of collective administration of copyright and neighbouring rights, and which thing is capable of being done under these Regulations shall be deemed to have been validly done under or pursuant to these Regulations.

Repeal of G.N.
No. 214 A
of 2000

15. The Copyright and Neighbouring Rights Regulations, 2000 are hereby repealed.

FIRST SCHEDULE

Made under Regulation 5

FEEs

FORM	AMOUNT	MATTER
CST4	5,000	Individual Application for Membership
CST5	10,000	Group Application for Membership
CST6	10,000	Individual Member Annual Subscription
CST7	50,000	Group Member Annual Subscription
CST8	Nil	Work Declaration

SECOND SCHEDULE

FORMS

**THE COPYRIGHT SOCIETY OF TANZANIA, COSOTA
THE COPYRIGHT AND NEIGHBOURING RIGHTS ACT, 1999
(NO. 7 OF 1999)**

INDIVIDUAL MEMBERSHIP APPLICATION FORM

(Made under Regulation 7)

(Fee 5,000)

1. Surname
(Jina la Ukoo)
2. First name(s)
Majina mengine)
3. Pseudonym (if any).....
(Jina la Kisanii)
4. Date and Year of birth
(Tarehe na mwaka wa kuzaliwa)
5. Place of birth
(Mahali ulipozaliwa)
6. Home address: village(Ward..... District.....
(Anwani ya (kijiji) (mtaa) (wilaya)
nyumbani)
7. Contact address, P.O. Box
(Anwani ya (S.L.P.)
mawasiliano Telephone
kikazi) (Simu)
Fax.....
()
E-mail
(Simu pepe)

Name
(Jina)

Signature
(Sahihi)

Date:
(Tarehe)

**THE COPYRIGHT SOCIETY OF TANZANIA, COSOTA
THE COPYRIGHT AND NEIGHBOURING RIGHTS ACT, 1999**

(NO. 7 OF 1999)

GROUP MEMBERSHIP APPLICATION FORM

(Made under Regulation 7)

Fee 10,000

1. Name of Group
2. Different spellings
3. Date and Year of Foundation.....
4. Place of Foundation
5. Country
6. Registration Certificate No.....
7. Legal Form.....

8. Representatives
(Name)(Title).....
(Name)(Title).....
(Name)(Title).....
(Name)(Title).....

9. Other Group Members
(Name)(Title).....
(Name)(Title).....
(Name)(Title).....
(Name)(Title).....

We hereby declare and confirm that the above information is true and that any royalties collected by COSOTA in respect of the works whose author/composer is still a member of the group shall be paid to the respective group and the said group shall distribute to their members as per the work declaration forms issued by COSOTA.

Name.....Role.....Signature..... Date.....

CST/MEMBER/NO.

THE COPYRIGHT SOCIETY OF TANZANIA, COSOTA
THE COPYRIGHT AND NEIGHBOURING RIGHTS ACT, 1999
(NO. 7 OF 1999)

(Made under Regulation 4)

THE COPYRIGHT SOCIETY OF TANZANIA, COSOTA

A statutorily Established Corporate Body under Section 46 of the Copyright and Neighbouring Rights Act, 1999

This is to certify that on.....day
.....20.....

.....
has been admitted as a provisional full /successor member of COSOTA with effect from.....subject to the Charter of the Society and its liability in accordance with the Copyright and Neighbouring Rights Act, 1999 and Regulations made there under.

IPI Numbers:

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

*Given under my hand and seal of COSOTA thisday of
.....20.....*

.....
COPYRIGHT ADMINISTRATOR, COSOTA

THE COPYRIGHT SOCIETY OF TANZANIA, COSOTA
THE COPYRIGHT AND NEIGHBOURING RIGHTS ACT, 1999
(NO. 7 OF 1999)

INDIVIDUAL MEMBER ANNUAL SUBSCRIPTION FORM

(Made under Regulations 7)

Fee 10,000

PART I

Name of Artist/Copyright owner.....
Pseudonym (if any).....
COSOTA REG. Number.....
IPI number.....
Date and year of birth.....
Place of birth.....
Nationality.....
Contact address, P.O. Box
Tel.....
Fax.....
E mail

Last year's payment receipt number, dated.....
Signature date

PART II

For official use only

Checked by:

Name of officer.....
Designation.....
Signature

Date

FORM NO.CST. 7

THE COPYRIGHT SOCIETY OF TANZANIA, COSOTA

THE COPYRIGHT AND NEIGHBOURING RIGHTS ACT, 1999

(NO. 7 OF 1999)

GROUP MEMBER ANNUAL SUBSCRIPTION FORM

(Made under Regulation 7)

Fee 50.000

PART I

Name of Artist/Copyright owner.....
Pseudonym (if any).....
COSOTA REG. Number.....
IPI number.....
Date and year of foundation
Place of foundation
Country
Registration certificate No.....
Legal Form.....
Contact address, P.O. Box
Tel.....
Fax.....
E mail

Last year's payment receipt number, dated.....
Signature date

PART II

For official use only

Checked by:

Name of officer.....
Designation.....
Signature
Date

THE COPYRIGHT SOCIETY OF TANZANIA, COSOTA
THE COPYRIGHT AND NEIGHBOURING RIGHTS ACT, 1999
(NO. 7 OF 1999)

WORK DECLARATION FORM
WORK NUMBER

(Made under Regulation 6)

NIL

Title of Work.....

Title of Album (if applicable).....

Type of Artistic Work (sculpture/carving, illustration, logo, graphic, painting, cartoon,
drama, comedy, literary, poetry, music etc.)

.....
.....

Duration (minutes) (if applicable).....

Factor (for official use only)

Composer(s)/ Creator(s) Year.....

Author (s) of Words (if applicable)..... Year.....

Arranger(s) (if applicable) Year

Publisher(s) (if applicable) Year.....

Enclosure (tick): Lyrics/Cassette CD Video Tape Manuscript Book/ Picture Any other

I/We hereby assign to Copyright Society of Tanzania (COSOTA) the performing, broadcasting and mechanical rights in the works (s) declared above as indicated in the COSOTA membership contract. Further, I/We hereby certify that the information I/We have given above is true.

Name(s).....Signature(s).....Declared Date.....
.....
.....

Dar es Salaam,
.....August, 2005

JUMA A. NGASONGWA
Minister of Industry and Trade

JC/C.160/1/42

January 24, 2005

Permanent Secretary,
Ministry of Industry and Trade,
The Copyright Society of Tanzania (COSOTA)
P.O. Box 6388,
DAR ES SALAAM.

RE: DRAFT COPYRIGHT AND NEIGHBOURING RIGHTS (REGISTRATION
OF MEMBERS AND THEIR WORKS) REGULATIONS, AND (PRODUCTION
AND DISTRIBUTION OF SOUND AND AUDIOVISUAL RECORDING)
REGULATIONS, 2005

Please refer to the discussions we held in my office on 30th
December, 2004 and to your letter dated 7th December, 2004 with
reference No. CST/NR/PHONO/VOL.11/100.

Please forward the regulations to the Minister for his signature,
thereafter forward the same to us for publication purposes.

G. Mfinanga
for: **DEPUTY ATTORNEY GENERAL/ PERMANENT SECRETARY**

