

Copyright (Video Rental) Regulations 1999

Copyright Act

(As amended by the Copyright (Amendment) Decree 1999)

Commencement: 7th September, 1999

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In pursuance of the powers vested in it under section 37(4) of the Copyright Act as amended by the Copyright (Amendment) Decree 1999, the Nigerian Copyright Commission, with the prior consent of the Honourable Minister of Culture and Tourism hereby makes the following Regulations:

Accreditation of Outlets

1. All persons engaged in the business of rental, leasing, hiring, loaning or otherwise distributing cinematograph works, to the public for commercial purposes shall apply, in the prescribed forms, to the Nigerian Copyright Commission for accreditation to carry on such business;

Compliance with Relevant Laws

2. Notwithstanding anything in these regulations to the contrary, no person shall be so accredited unless he has complied with the National Film and Video Censors Board Decree and all other requirements as may be prescribed by law.

Certificate of Accreditation

3.—(1) Upon being accredited, a rental outlet shall be given a certificate of accreditation by the Nigerian Copyright Commission and such accreditation shall be renewable annually.

(2) The Commission shall maintain a register of all outlets approved and accredited under these regulations to carry on the business of video rental.

Keeping of Books and Returns

4. Every accredited rental outlet shall keep such books and make periodic returns as may be required and in the manner prescribed by the Nigerian Copyright Commission.

Rental Copies

5.—(1) Each copyright owner shall make available to the accredited rental outlets specially packaged copies of his cinematograph film in library jackets or any other format as may be prescribed by the Commission to be designated as rental copies for the purpose of licensing the rental outlets to commercially distribute same to the public.

(2) No work shall be offered or used for rental except it is in the specially packaged library jacket or any other prescribed format.

(3) The Nigerian Copyright Commission may, as it deems necessary, require the use of anti-piracy device in or on copies of works that are intended for rental.

Undertaking against Infringement

6. Every accredited rental outlet shall give an undertaking not to produce or otherwise engage in any form of copyright infringement or abuses. Failure to honour any undertaking so given may lead to forfeiture of licence.

Fees

7. The fees to be paid in relation to any transaction under these Regulations shall be as prescribed from time to time by the Nigerian Copyright Commission.

Interpretation

8. "Cinematograph film" in these regulations shall have the same meaning as used in the Copyright Act and includes works in video, electronic or other format.

Dated this 7th day of September, 1999

Mr. MOSES F. EKPO

Director-General,

Nigerian Copyright Commission