

## **COPYRIGHT (SECURITY DEVICES) REGULATIONS 1999<sup>1</sup>**

### **Copyright Act**

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

*Commencement: 7th September, 1999*

**In pursuance** of the powers vested in it under section 18A 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:

#### **1. Prescription of Hologram**

- (1) The Nigerian Copyright Commission hereby prescribes the use of hologram stamps in relation to sound recordings and cinematograph films intended or offered for sale, rental, hiring, lending or otherwise distributed to the public for commercial purposes in Nigeria.
- (2) The hologram shall be a tamper proof sticker to be designated by the Nigerian Copyright Commission.

#### **2. Affixation of Hologram**

- (1) The hologram stamps shall be affixed:
  - (a) in the case of works produced in Nigeria, at the point of production; and
  - (b) in the case of works imported into Nigeria, except where such works are for domestic use, before they are released into the channels of commerce.
- (2) The hologram shall be affixed to every cassette, disc, or other medium in which the sound recording or film is embodied, in such manner as to make the hologram visible to prospective purchasers.

#### **3. Accreditation of Producers**

- (1) All persons engaged in the reproduction of sound recordings and cinematograph films shall, for the purpose of applying the hologram stamps, apply in the prescribed form to the Nigerian Copyright Commission for accreditation.
- (2) Upon being accredited, the applicant shall be issued with a certificate of accreditation by the Nigerian Copyright Commission and such accreditation

<sup>1</sup>Published as Government Notice No. 145 in *Federal Republic of Nigeria Official Gazette* No. 63, vol. 86 of 10th September, 1999.

shall be renewable annually.

#### 4. Accreditation of Importers

- (1) Any person who imports into Nigeria any sound recording or cinematograph film for the purpose of sale, rental, hiring, lending or otherwise distributing to the public for commercial purposes shall apply to the Nigerian Copyright Commission for accreditation to use hologram stamps in connection with such works.
- (2) Accreditation under this section shall be granted upon the applicant showing valid licence from the copyright owner permitting the importation of such works into Nigeria.

#### 5. Keeping of Books and Returns

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

#### 6. Technical Implementation Committee

- (1) The Nigerian Copyright Commission shall create a committee to be known as the Technical Implementation Committee with responsibility to supervise the administration of the hologram and the committee shall have such additional powers as the Commission may from time to time delegate to it.
- (2) The composition of the committee shall be as follows:
  - (i) The Director-General, Nigerian Copyright Commission - Chairman
  - (ii) A representative of the Inspector-General of Police
  - (iii) A representative of the Comptroller General, Nigeria Customs Service
  - (iv) Two<sup>2</sup> representatives each from the music and film industries representing the interests of authors and producers.

#### 7. Fees

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.

DATED this 7th day of September, 1999

MR. MOSES F. EKPO  
*Director-General,*  
*Nigerian Copyright Commission*

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<sup>2</sup>This number has since been increased to three.