

Partner

Stewart Lloyd Germann
B.Com, LLB, FCIS, ANZIM, Notary Public

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Clive Frederick Neifeld
B.Com, LLB

Ground Floor, Princes Court
2 Princes Street, PO Box 1542
Auckland, New Zealand
DX CP20531, Auckland

Telephone 0-9-308 9925
Facsimile 0-9-308 9922
email stewart@germann.co.nz

COPYRIGHT

1. The law relating to Copyright in New Zealand is governed by statute, namely the Copyright Act 1994, which came into effect on 1 January 1995.
2. There is no registration system for Copyright in New Zealand although, as a signatory to the International Convention (Berne Convention), it is possible to register copyright works internationally.
3. In essence, copyright is inherent but it is not the ideas which are copyright but the tangible evidence of skill, labour, and judgment that has resulted in the Copyright work.
4. Duration of Copyright:
 - (a) Copyright in literary, dramatic, musical or artistic work expires at the end of the period of 50 years from the end of the calendar year in which the author dies;
 - (b) Copyright in a broadcast or a cable programme expires at the end of the period of 50 years from the end of the calendar year in which the broadcast is made.
5. The owner of copyright in a work has the exclusive right:
 - (a) to copy the work;
 - (b) issue copies of the work to the public;
 - (c) to perform the work in public;
 - (d) to play the work in public;
 - (e) to show the work in public;
 - (f) to broadcast the work;
 - (g) to make an adaptation of the work (Section 16).
6. A new concept introduced into New Zealand law with the Copyright Act 1994 was the European doctrine of moral rights.
7. This is the concept that the author of a copyright work:
 - (a) has the right to be identified as the author;
 - (b) has the right to object to derogatory treatment of the work;
 - (c) has the right to bring a claim for false attribution or false representation;
 - (d) moral rights are not assignable but can be transmitted by Will;
 - (e) has both economic and moral rights under New Zealand's copyright law.
8. Copyright may be licensed or transmitted by Will.
9. Fair dealing is a defence to copyright infringement in that material may be copied for the purposes of review or criticism.

For further information please contact:

Stewart Germann

at the above address