

eight hundred and ninety-seven exchanged between Her Majesty and the said foreign countries :

And whereas by an Order in Council dated the seventh day of March one thousand eight hundred and ninety-eight, and made under the authority aforesaid, Her Majesty was pleased to make provision for varying the hereinbefore recited Order in Council of the twenty-eighth day of November one thousand eight hundred and eighty-seven, and otherwise giving effect to the said additional Act throughout Her Majesty's dominions so far as regards the foreign countries hereinbefore named as parties to the said Additional Act, and an English translation of the said Additional Act is set forth in the schedule to the Order in Council now in recital :

And whereas it is provided by Article III. of the said Additional Act that countries of the Union not parties to the said Additional Act should at any time be allowed to accede thereto :

And whereas the Republic of Hayti has duly acceded to the said Additional Act :

And whereas Her Majesty in Council is satisfied that the Republic of Hayti has made such provisions as it appears to Her Majesty expedient to require for the protection of authors of works first produced in Her Majesty's dominions :

Now, therefore, Her Majesty, by and with the advice of Her Privy Council, and by virtue of the authority committed to Her by the International Copyright Acts, 1844 to 1886, doth order, and it is hereby ordered, as follows :—

1. From and after the commencement of this Order the hereinbefore recited Order in Council of the seventh day of March one thousand eight hundred and ninety-eight shall extend to the Republic of Hayti.

2. Nothing contained in this Order shall prejudicially affect any right acquired or accrued before the commencement of this Order, by virtue of the said Order in Council of the twenty-eighth day of November one thousand eight hundred and eighty-seven or otherwise, and any person entitled to such right shall continue entitled thereto and to the remedies for the same in like manner as if this Order had not been made.

3. The author of any literary or artistic work first produced before the commencement of this Order shall have the rights and remedies to which he is entitled under section six of "The International Copyright Act, 1886" :

4. This Order shall be construed as if it formed part of "The International Copyright Act, 1886" :

5. This Order shall come into operation on the date hereof, which day is in this Order referred to as the commencement of this Order.

And the Lords Commissioners of Her Majesty's Treasury are to give the necessary orders herein accordingly.

J. H. HARRISON.

SCHEDULE.

ADDITIONAL ACT.

The following is an English translation of the Additional Act with the omission of the formal beginning and end :—

ARTICLE I.

The International Convention of the ninth September one thousand eight hundred and eighty-six is modified as follows :—

1. ARTICLE II.—The first paragraph of Article II. shall run as follows :—

"Authors belonging to any one of the countries of the Union, or their lawful representatives

shall enjoy in the other countries for their works, whether unpublished or published for the first time in one of those countries, the rights which the respective laws do now or shall hereafter grant to nationals."

A fifth paragraph is added in these terms :—

"Posthumous works are included among those to be protected."

2. ARTICLE III.—Article III. shall run as follows :—

"Authors not belonging to one of the countries of the Union who shall have published or caused to be published for the first time their literary or artistic works in a country which is a party to the Union shall enjoy, in respect of such works, the protection accorded by the Berne Convention, and by the present Additional Act."

3. ARTICLE V.—The first paragraph of Article V. shall run as follows :—

"Authors belonging to any one of the countries of the Union, or their lawful representatives, shall enjoy in the other countries the exclusive right of making or authorising the translation of their works during the entire period of their right over the original work. Nevertheless, the exclusive right of translation shall cease to exist if the author shall not have availed himself of it, during a period of ten years from the date of the first publication of the original work, by publishing or causing to be published in one of the countries of the Union a translation in the language for which protection is to be claimed."

4. ARTICLE VII.—Article VII. shall run as follows :—

"Serial stories, including tales, published in the newspapers or periodicals of one of the countries of the Union, may not be reproduced in original or translation, in the other countries, without the sanction of the authors or of their lawful representatives.

"This stipulation shall apply equally to other articles in newspapers or periodicals, when the authors or editors shall have expressly declared in the newspaper or periodical itself in which they shall have been published that the right of reproduction is prohibited. In the case of periodicals it shall suffice if such prohibition be indicated in general terms at the beginning of each number.

"In the absence of prohibition such articles may be reproduced on condition that the source is acknowledged.

"In any case the prohibition shall not apply to articles on political questions, to the news of the day, or to miscellaneous information."

5. ARTICLE XII.—Article XII. shall run as follows :—

"Pirated works may be seized by the competent authorities of the countries of the Union where the original work is entitled to legal protection.

"The seizure shall take place conformably to the domestic law of each State."

6. ARTICLE XX.—The second paragraph of Article XX. shall run as follows :—

"Such denunciation shall be made to the Government of the Swiss Confederation. It shall only be effective as regards the country making it, the Convention remaining in full force and effect for the other countries of the Union."