

upon Form T.P. (Copyright) No. 2. Such application shall be accompanied by a copy of the instrument or other document under which the applicant claims title.

APPLICATION FOR LICENCE UNDER RESTORED COPYRIGHT OTHER THAN RULE 6.

8. An application for the grant of a licence under a restored copyright shall be made upon Form T.P. (Copyright) No. 3. Such application shall be accompanied by an unstamped copy, a copy of the work in respect of which a licence is desired, and a statement in duplicate setting out fully the reason for making the application, the facts upon which the applicant bases his case, and the terms of the licence which he is prepared to accept. A copy of the application and of the statement will be transmitted to the owner of the copyright.

Upon such application being made and copy thereof transmitted to the owner of the copyright, the latter, if desirous of contesting the application, shall within one month of the date of transmission of such copy, or such further time as the Comptroller may allow, leave at the Department a counter-statement fully setting out the grounds upon which the application is contested, and on so leaving shall deliver to the applicant a copy thereof.

Upon receipt of such counter-statement and/or any further evidence the Comptroller may require, the Comptroller shall proceed to determine the application.

APPLICATION FOR REVISION OF LICENCE.

9. An application for the revision of a licence, whether granted by the Custodian, or under these Rules, under a restored copyright shall be made upon Form T.P. (Copyright) No. 4. Such application shall be accompanied by an unstamped copy and a statement in duplicate setting out fully the facts upon which the applicant bases his case and the terms of such licence as he is prepared to accept or grant. A copy of the application and of the statement will be transmitted by the Comptroller to the owner of the copyright or the Licensee concerned as the case may be.

Upon such application being made and copy thereof transmitted the owner of the copyright or licensee, as the case may be, if desirous of contesting the application, shall, within one month of the date of transmission of such copy, or such further time as the Comptroller may allow, leave at the Department a counter-statement fully setting out the grounds upon which the application is contested, and on so leaving shall deliver to the applicant a copy thereof.

Upon receipt of such counter-statement and/or any further evidence the Comptroller may require, the Comptroller shall proceed to determine the application.

APPLICATION FOR THE EXPROPRIATION, TAKING OVER OR SALE OF A RESTORED COPYRIGHT.

10. An application for the expropriation, taking over or sale of any restored copyright shall be made on Form T.P. (Copyright) No. 5. Such application shall be accompanied by an unstamped copy, a copy of the work in question, and a statement in duplicate setting out fully the reason for making the application and the facts upon which the applicant bases his case. A copy of the application and of the statement will be transmitted by the Comptroller to the owner of the copyright.

Upon such application being made and copy thereof transmitted to the owner of the copyright, the latter, if desirous of contesting the

application, shall, within one month of the date of transmission of such copy, or such further time as the Comptroller may allow, leave at the Department a counter-statement fully setting out the grounds upon which the application is contested, and on so leaving, shall deliver to the applicant a copy thereof.

Upon receipt of such counter-statement and/or any further evidence the Comptroller may require, the Comptroller shall proceed to determine whether the application shall be granted and be referred to a special tribunal for the settlement of terms.

Where it is decided to grant the application and refer it to a special tribunal for the settlement of terms, application to be heard by special tribunal shall be made upon Form T.P. (Copyright) No. 6.

HEARINGS.

11. Before deciding any issue raised under Rules 8, 9 and 10 of these Rules or before exercising any discretionary power given to the Comptroller under the Order of the Board of Trade, dated the 9th day of November, 1920, or these Rules, adversely to any party the Comptroller shall give ten days' notice, or such longer notice as he may think fit, to the party or parties as the case may be of the time when he is prepared to hear such party or parties or their representatives.

EVIDENCE.

12. In lieu of or in addition to any oral evidence that may be given at a hearing the Comptroller may require any party to file evidence by way of statutory declaration and allow any declarant to be cross-examined on his declaration.

TRANSLATIONS.

13. If any instrument or document (other than a work the subject of an application) furnished in accordance with these Rules is in a foreign language, an English translation thereof shall be annexed thereto. The Comptroller may if he thinks fit require such translation to be verified by statutory declaration or otherwise to his satisfaction.

COSTS.

14. The Comptroller may award costs in any proceedings under these Rules and direct how and by what parties they are to be paid. Further, in any case in which he thinks fit the Comptroller may require any person initiating proceedings to give security for costs, and in the event of such security not being forthcoming, may dismiss the application in question.

GENERAL.

15. Where, under these Rules, any person is required to do any act or thing, or to sign any document, or to make any declaration on behalf of himself or of any body corporate, or any document or evidence is required to be produced or left with the Comptroller, or at the Department, and it is shown to the satisfaction of the Comptroller that from any reasonable cause such person is unable to do such act or thing, or to sign such document or to make such declaration, or that such document or evidence cannot be produced or left as aforesaid, it shall be lawful for the Comptroller, upon the production of such other evidence and subject to such terms as he may think fit, to dispense with any such act or thing, document, declaration or evidence.

Dated this 29th day of November, 1920.

R. S. Horne,
President of the Board of Trade.