

**Council for Trade-Related Aspects of
Intellectual Property Rights**

Original: English/
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**MAIN DEDICATED INTELLECTUAL PROPERTY
LAWS AND REGULATIONS NOTIFIED UNDER
ARTICLE 63.2 OF THE AGREEMENT**

NIGERIA

The present document reproduces the text¹ of the Copyright (Video Rental) Regulations 1999, as notified by Nigeria under Article 63.2 of the Agreement (see document IP/N/1/NGA/2).

**Conseil des aspects des droits de propriété
intellectuelle qui touchent au commerce**

**PRINCIPALES LOIS ET RÉGLEMENTATIONS CONSACRÉES À LA
PROPRIÉTÉ INTELLECTUELLE NOTIFIÉES AU TITRE
DE L'ARTICLE 63:2 DE L'ACCORD**

NIGÉRIA

Le présent document contient le texte¹ des Règlements relatifs au droit d'auteur (location de bandes vidéo) de 1999, notifié par le Nigéria au titre de l'article 63:2 de l'Accord (voir le document IP/N/1/NGA/2).

**Consejo de los Aspectos de los Derechos de Propiedad
Intellectual relacionados con el Comercio**

**PRINCIPALES LEYES Y REGLAMENTOS DEDICADOS A LA
PROPIEDAD INTELECTUAL NOTIFICADOS EN VIRTUD
DEL PÁRRAFO 2 DEL ARTÍCULO 63 DEL ACUERDO**

NIGERIA

En el presente documento se reproduce el texto¹ del Reglamento de Derecho de Autor (alquiler de vídeo), de 1999, que Nigeria notificó de conformidad con lo dispuesto en el párrafo 2 del artículo 63 del Acuerdo (véase el documento IP/N/1/NGA/2).

¹ In English only./En anglais seulement./En inglés solamente.

COPYRIGHT (VIDEO RENTAL) REGULATIONS 1999¹

Copyright Act

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

Commencement: 7th September, 1999

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:

1. Accreditation of Outlets

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;

2. Compliance with Relevant Laws

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.

3. Certificate of Accreditation

- (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.

4. Keeping of Books and Returns

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.

5. Rental Copies

- (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.

¹Published as Government Notice No. 144 in *Federal Republic of Nigeria Official Gazette* No. 63, vol. 86 of 10th September, 1999.

6. Undertaking against Infringement

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.

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.

8. Interpretation

“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
