

Proposed Amendments in the Copyright Ordinance, 1962 (As amended in 2000)

S.No.	Existing Sections of Copyright Ordinance, 1962	Proposed Amendments	Feedback
1	Definitions: Section 2(a) Adaptation means: (iii) in relation to a literary or dramatic work, any abridgment of the work or any version of the work in which the story or action is conveyed wholly or mainly by means of pictures in a form suitable for reproduction in a book, or in a newspaper, magazine or similar periodical;	Definitions: Section 2(a) (iii) the following have been added at the end after word “periodical”: “or for the disabled persons”	
2	New Addition	Section 2(a) (v) “in relation to any work, any use of such work involving its re-arrangement or alteration”	
3	New Addition	Section 2(aa): Appellate Board; A Board constituted by the Policy Board under Section 45 of this Ordinance.	
4	<i>(ca)</i> “audio-visual work” means a work which consists of a series of related images which are intrinsically intended to be shown by the use of a machine or device, such as a projector, viewer or electronic equipment, together with accompanying sound, if any, regardless of the nature of the material object, such as film or tape, in which the work is embodied;	Section 2(ca): the following has been added after word “tape” and before the words “in which the work is embodied”; “DVD, CD or any other medium used for such purposes”	
5	New Addition	Section 2(cb) “musical work” means an instrumental piece of music created by means of musical composition and arranged in a specific manner, with the intention of being performed or recorded. A musical work may, in some cases, be accompanied by lyrical compositions.	

6	<p style="text-align: center;">New Addition</p>	<p>Section 2(cc) “sound recordings” means;</p> <ul style="list-style-type: none"> (i) a recording of sounds, from which the sounds may be reproduced, or (ii) a recording of the whole or any part of a literary, dramatic or musical work, from which sounds reproducing the work or part may be produced, regardless of the medium on which the recording is made or the method by which the sounds are reproduced or produced. (iii) Copyright does not subsist in a sound recording which is a copy of a previous sound recording. 	
7	<p style="text-align: center;">New Addition</p>	<p>Section 2 (cd): “Communication to the public” means making any work or performance available for being seen or heard or otherwise enjoyed by the public directly or by any means of display, broadcast or online digital transmission or diffusion whether wired or wireless other than by issuing copies of such work regardless of whether any member of the public actually sees, hears or otherwise enjoys the work so made available.</p>	
8	<p style="text-align: center;">New Addition</p>	<p>Section 2 (ce): “Computer Program means” a set of instructions expressed in words, codes, schemes, or any other form, including a machine readable medium , capable of causing a computer to perform particular task or achieve a particular result.</p>	
9	<p>Section 2(d) definition of “Author” (vi) in relation to a record the owner of the original plate from which the record is made, at the time of the making of the plate;</p>	<p>Sub-Section (vi) of Section 2(d) is amended as follows; A word “musical works contained on the” is added after the words “owner of the” and before words “original plate”</p> <p>Two new subsections in Section 2(d) are being added as follows;</p> <ul style="list-style-type: none"> (vii) in relation to any literary, dramatic, musical or artistic work which is computer generated, the person who causes the work to be created. (viii) in relation to theatrical performance, the producer. 	
10	<p>Section 2 (e) “Board” means the Copyright Board constituted under section 45 ;</p>	<p>“Board” means the IPO Policy Board constituted under section 4 of the IPO-Pakistan Act, 2012;</p>	
11	<p>Section 2 (f) “book” includes every volume, or division of a volume, and pamphlet, in any language, and every</p>	<p>The words “in hard copy or electronic form” are being added after words “includes every volume” and before “or division of a volume” in Section 2(f).</p>	

	sheet of music, map, chart or plan, separately printed or lithographed, but does not include a periodical or newspaper;		
12	New Addition	<p>Section 2(fa) “Broadcast” means communication to the public:</p> <ol style="list-style-type: none"> 1. of an electronic transmission of visual images, sounds or other information which— <ul style="list-style-type: none"> (a) is transmitted for simultaneous reception by members of the public and is capable of being lawfully received by them, or (b) is transmitted at a time determined solely by the person making the transmission for presentation to members of the public, by any means of wired or wireless diffusion 2. By means of wired connection or by rebroadcasting of the broadcast of the work; or 3. By means of an analogous or electronic instrument such as cable transmission, retransmission, satellite transmission etc. 	
13	<p><i>Section 2(n)</i> “infringing copy” means,—</p> <ol style="list-style-type: none"> (i) in relation to a literary, dramatic or artistic work, a reproduction thereof otherwise than in the form of a cinematographic work; (ii) in relation to a cinematographic work, a copy of the work or a record embodying the recording in any part of the sound track associated with the film; (iii) in relation to a record, any record, embodying the same recording; and 	<p>In Section 2(n), sub-sections (ii), (iii) and (iv) are being replaced as follows;</p> <ol style="list-style-type: none"> (i) Not amended (ii) A word in relation to cinematographic work, an unauthorized copy of the work made on any medium by any means whether currently in existence or which may come into existence subsequent to promulgation of this ordinance. (iii) in relation to a sound recording, any other recording embodying the same recording, made by any means; and (iv) in relation to a programme or performance in which – such a broadcast reproduction right or a performer’s right subsists under the provision of this Ordinance, the recording or cinematographic work of such program or performance, if such reproduction, copy or recording is made or imported in contravention of any of the provisions of this Ordinance. 	

	(iv) in relation to a programme in which a broadcast reproduction right subsists under section 24, a record recording the programme, if such reproduction, copy or record is made or imported in contravention of any of the provision of this Ordinance;	Two new sub-sections i.e. (v) & (vi) are being introduced as follows; (v) in relation to computer programmes any unauthorized copying of such work within the meaning of Section 2(p) (vi) to make or possess a plate that has been specifically designed or adapted for the purpose of making infringing copies of a work or other subject-matter.	
14	New Addition	Section 2(na) " IP Tribunal " means the Tribunal established under Section 16 of the Act;	
15	New Addition	Section 2(nb) " Act " means the Intellectual Property Organization of Pakistan Act 2012 (Act No. -XXII of 2012);	
16	New Addition	Section 2(sa): " Organization " means the Intellectual Property Organization of Pakistan established under section 3 of the Act;	
17	New Addition	Section 2(ua): "Performer" includes an actor, singer, musician, dancer, acrobat, a person delivering a lecture or any other person who makes a performance.	
18	Section 2 (v) "performing rights society" means a society, association or other body, whether incorporated or not, which carries on in Pakistan the business of issuing or granting licenses for the performance in Pakistan of any works in which copyright subsists;	Section 2(v) is replaced with the following; "performing rights society" means a society, association or collective management organization (CMO) incorporated for administering the rights of authors, creators, publishers, producers, performers or any other right owner in Pakistan in relation to any work in which copyright subsists, as constituted under Section 31 of this Ordinance.	
19	New Addition	Section 2 (vc): "royalty" means the share of the monetary compensation paid to a creator or publisher in respect of the exploitation or usage of his or her copyright works.	
20	Section 2(x) "plate" includes any stereotype or other plate, stone, block, mould, matrix, transfer, negative, tape, wire, optical film, or other device used or intended to be used for printing or reproducing copies of any work, and any matrix or other	In Section 2(x), a word "or" incorporated in between words "transfer" and "negative" whereas words "used or intended to be used for making or reproducing sound recordings, performer's performances or communication signals" are being added after the words "or other appliance" The words "by which records for the acoustic presentation of the work are or are intended to be made;" are being deleted.	

	appliances by which records for the acoustic presentation of the work are or are intended to be made;		
21	2(zb) “record” means any disc, tape, wire, perforated roll or other device in which sounds are embodied so as to be capable of being reproduced therefrom, other than a sound track associated with a cinematographic work;	Section 2(zb) is replaced as follows; “record” means a recording of sound, from which the sounds may be reproduced: or a recording of the whole or any part of a literary, dramatic or musical work, from which sounds reproducing the work or part may be reproduced, regardless of the medium on which the recording is made or the method by which the sounds are reproduced or produced	
22	Section 3. —(1) For the purposes of this Ordinance, “copyright” means the exclusive right, by virtue of, and subject to the provisions of, this Ordinance,— (a) in the case of a literary, dramatic or musical work, to do and authorize the doing of any of the following acts, namely: (ii) to publish the work; (v) to use the work in a cinematographic work or make a record in respect of the work; (vi) to broadcast the work, or to communicate the broadcast of the work to the public by a loudspeaker or any other similar instrument;	Section 3(1)(a)(ii), (v) and (vi) has been altered as follows: (ii) to publish, reproduce or distribute the work; (v) to authorize the rental of cinematographic work (vi) to broadcast the work, or to communicate the broadcast of the work to the public by any mean;	
23	Section 4(2) If any question arises under subsection (1) whether copies of any literary, dramatic, musical or artistic work, or records issued to the public are sufficient in quantities, it shall be referred to the Board whose decision thereon shall be final.	A word “Appellate” may be added before “Board”.	
24	Section 6(2) If any question arises under subsection (1) whether the term of copyright for any work is shorter in	A word “Appellate” may be added before “Board” and at the end the word “final” may be replaced with “appealable in High Court”	

	any other country than that provided in respect of that work under this Ordinance, it shall be referred to the Board whose decision thereon shall be final.		
25	Section 12(2) Copyright in any design which is capable of being registered under the Patents and Designs Act, 1911 (II of 1911), but which has not been so registered, shall cease as soon as any article to which the design has been applied has been reproduced more than fifty times by an industrial process by the owner of the copyright or, with his licence, by any other person.	The words “Patents and Designs Act, 1911 (II of 1911)” may be replaced with “Registered Design Ordinance, 2000”	
26	New Addition	Section 12. —(3) Copyright shall not subsist under this Ordinance in any artistic work which is registered under the Trade Mark Ordinance 2001. (4) Any copyright artistic work used or capable to be used or associated with goods or services as trademark will not be enforceable until and unless is registered under the Trademark Ordinance, 2001.	
27	Section 13(b) subject to the provisions of clause (a), in the case of a photograph taken, or a painting or portrait drawn, or an engraving or a cinematographic work made, for valuable consideration at the instance of any person, such person shall, in the absence of any agreement to the contrary, be the first owner of the copyright therein;	Section 13(b); the words “ <u>or sound recording made or theatrical live performance carried out,</u> ” are being added after the words “cinematographic work made” and before “for valuable consideration”	
28	Section 14(2A): If the owner of a copyright, or the publisher to whom such right has been assigned, considers any of the terms of the assignment to be likely to affect his interests adversely, he may within one	A word “Appellate” may be added before “Board” and the words “binding on both the parties” may be replaced with words “appealable in High Court”.	

	year of such assignment apply to the Board to consider such term and the Board may, after hearing both the parties, pass such order as it may deem fit; and the order of the Board shall be binding on both the parties.		
29	New Addition	Section 14(4) and (5); (4) The contract for assignment of copyright in any work shall inter alia specify the amount of royalty and any other consideration payable, to the author or his legal heirs during the currency of the assignment and the assignment shall be subject to revision, extension or termination on terms mutually agreed upon by the parties (5) The assignment of copyright in any work shall identify such work, and shall specify the rights assigned and the duration and territorial extent of such assignment.	
30	New Addition	Sections 15(2): No assignment of copyright in any work to make a cinematographic film shall affect the right of the author of the work to claim an equal share of royalties and consideration payable in case of utilisation of the work in any form other than for the communication to the public of the work, along with the cinematographic film in a cinema hall.	
31	Section 21(3): Explanation. For the purposes of this section, the identity of an author shall be deemed to have been disclosed, if either the identity of the author is disclosed publicly by both the author and the publisher or is otherwise established to the satisfaction of the Board by that author.	A word “Appellate” may be added before “Board” .	
32	24A. —(1) The performers shall have the right to do or to prevent fixation of their unfixed performance and reproduction of such fixation and broadcasting by wireless means and communication to	Section 24A (1) has been replaced as follows and a new subsection 2(A) has been added; 24 (A)(1) The performers shall have the exclusive right, subject to the provisions of this Act, to authorize or prevent any of the following acts in respect of the performance or any substantial part thereof, namely:- (a) to make a sound recording or a visual recording of the performance, including	

	the public of their live performance.	<p>(i) reproduction of it in any material form including the storing of it in any medium by electronic or any other means;</p> <p>(ii) issuance of copies of it to the public not being copies already in circulation;</p> <p>(iii) selling or giving it on commercial rental or offer for sale or for commercial rental any copy of the recording;</p> <p>(b) to broadcast or communicate the performance to the public except where the performance is already broadcast.</p> <p>(2A) Once a performer has, by written agreement, consented to the incorporation of his performance in a cinematograph film he shall not, in the absence of any contract to the contrary, object to the enjoyment by the producer of the film of the performer's right in the same film:</p> <p>Provided that, notwithstanding anything contained in this sub-section, the performer shall be entitled for royalties in case of making of the performances for commercial use</p>	
33	Section 33	A word "Appellate" may be added before "Board"	
34	New Addition	<p>The following new Sections have been added</p> <p>33A. (1) Every PRS/CMO shall administer the rights of the owners in such manner as prescribed—</p> <p>(a) obtain the approval of such owners of rights for its procedures of collection and distribution of fees;</p> <p>(b) obtain their approval for the utilization of any amounts collected as fees for any purpose other than distribution to the owner of rights; and</p> <p>(c) provide to such owners regular, full and detailed information concerning all its activities, in relation to the administration of their rights within 15 working days.</p> <p>(2) All fees distributed among the owners of rights shall, as far as may be, be distributed in proportion to the actual use of their works.</p> <p>33B. (1) Every PRS/CMO shall submit to the Registrar of Copyrights such returns as may be specified from time to time.</p> <p>(2) Any officer duly authorized by the Organization (IPO-Pakistan) in this behalf may call for any report and also call for any records of any PRS/CMO for the purpose of satisfying himself that the fees collected by</p>	

		the society in respect of rights administered by it are being utilized or distributed in accordance with the provisions of this Ordinance.	
35	Section 36(3) The Federal Government or the Board may, upon an application by any governmental or statutory institution, in the public interest, grant a licence to reprint, translate, adapt or publish any textbook on non-profit basis.	The following has been added at the end of Section 36(3): “subject to the payment of reasonable compensation as decided by the Board or Federal Government.	
36	New Addition	<p>37A. Compulsory License for benefit of disabled – (1) Any person working for the benefit of persons with disability on a non-profit basis or for business may apply to the Board, in such form and manner and accompanied by such fee as may be prescribed, for a compulsory license to publish or import or export any work in which copyright subsists for the benefit of such persons, in a case to which clause (y) of sub-section (2) of section 57 does not apply and the Board shall dispose of such application as expeditiously as possible and endeavor shall be made to dispose of such application within a period of two months from the date of receipt of the application.</p> <p>(3) For a compulsory license in respect of work administered by a Performing Rights Society/Collective Management Organization, the fee is to be specified in consultation with the executive committee of the society on case to case basis</p> <p>(4) The Board may, on receipt of an application under sub-section (1), inquire, or direct such inquiry as it considers necessary to establish the credentials of the applicant and satisfy itself that the application has been made in good faith.</p> <p>(5) If the Board is satisfied, after giving to the owners of rights in the work a reasonable opportunity of being heard and after bolding such inquiry as it may deem necessary, that a compulsory license needs to be issued to make the work available to the disabled, it may direct the Registrar of Copyrights to grant to the applicant such a license to publish the work.</p> <p>(6) Every compulsory license issued under this section shall specify the means and format of publication, the period during which the</p>	

		<p>compulsory license may be exercised and, in the case of issue of copies, the number of copies that may be issued including the rate or royalty:</p> <p>Provided that where the Board has issued such a compulsory license it may, on a further application and after giving reasonable opportunity to the owners of rights, extend the period of such compulsory license and allow the issue of more copies as it may deem fit.</p>	
37	<p>39(2) Provided that in the case of artistic works the Registrar shall not enter the particulars of the work in the Register of Copyrights and shall not issue a certificate of registration to the applicant unless within one month of the filing of the application, or within such extended time as the Registrar may determine, the applicant has advertised the work itself in a newspaper as may be prescribed, and send two copies thereof to the Registrar and unless within one month thereafter, or within such extended time as the Registrar may determine, not exceeding two months, the Registrar has not received any objections to the registration of particulars of the work in the Register of Copyrights.</p>	<p>Proviso in Section 39(2) is replaced as follows; Provided that in the case of artistic works, the Registrar shall not enter the particulars of the work in the Register of Copyrights and shall not issue a certificate of registration to the applicant unless within five working days of the filing of the application, the Registrar shall publish the artistic work on IPO-Pakistan's website in E-Copyright Journal and unless within fifteen (15) days after the publication in the E-Copyright Journal, or within such extended time as the Registrar may determine, not exceeding fifteen (15) days, the Registrar has not received any objections to the registration of particulars of the work in the Register of Copyrights.</p>	
38	<p>New Addition</p>	<p>Section 39(3): No certificate shall be granted for a work the registration of which would be contrary to the public order or morality or would likely to hurt the religious or ethnic susceptibilities of any class of citizens of Pakistan.</p>	
39	<p>Section 41(2) The Board, on application of the Registrar or of any person aggrieved, may order the rectification of the Register of Copyrights by-</p>	<p>A word "Appellate" may be added before "Board".</p>	

40	Section 43(A): There shall be established for the purpose of facilitating the registration of copyrights, a Branch of the Copyright Office at such place in Pakistan as the Registrar may. with the approval of the Federal Government, determine.	The word “Federal Government” may be replaced with the IPO Policy Board (as per section 3(3) of IPO Act 2012)	
41	Section 43(2) The Copyright Office shall be under the immediate control of the Registrar of Copyrights who shall act under the superintendence and direction of the Federal Government.	The word “Federal Government” may be replaced with the Organisation.	
42	Section 44(1): The Federal Government shall, for the purposes of this Ordinance, appoint a Registrar of Copyrights and may appoint one or more Deputy Registrars of Copyrights.	The word “Federal Government” may be replaced with the Organisation.	
43	Section 44(2): The Registrar shall,___ (iv) be the Secretary of the Copyright Board ; and	Section 44(iv) may be amended as follows; “report to Appellate Board in matters discharged under the Copyright Ordinance, 1962”	
44	Section 44(4): The Registrar may, with the approval of the Federal Government, assign any particular functions of the Registrar under this Ordinance to officers other than the Deputy Registrar of Copyrights.	The word “Federal Government” may be replaced with Director General	
45	Section 45. Copyright Board.(1) The Federal Government shall constitute a Board to be called the Copyright Board consisting of the following members namely : (i) a Chairman appointed by the Federal Government; (ii) not less than three and not more than five other members appointed by	Section 45 is replaced with the following; Appellate Board:- The organization, with the approval of Policy Board and by notification in the official gazette, shall constitute an Appellate Board, consisting of the following members:- 1) Chairman of the Appellate Board, shall be an officer of the organization, appointed by the organization; 2) A Member legal, shall be an officer of the organization, having a law degree, appointed by the organization and shall also act as the	

	<p>the Federal Government after consultation with the representative bodies of authors, publishers, cinematograph industry and any other interest relating to copyright: Provided that adequate representation on the Board shall, as far as possible, be given to the resident of each Province; and</p> <p>(iii) to Registrar, <i>ex officio</i>.</p> <p>(2) The members, including the Chairman of the Board, other than the <i>ex officio</i> member, shall hold office for such period and on such terms and conditions as may be prescribed.</p> <p>(3) The Chairman shall be a person who is, or has been a Judge of a High Court, or is qualified for appointment as such Judge.</p>	<p>secretary of Appellate Board;</p> <p>3) A Member technical shall be appointed by the organization with at least ten years of experience in the field.</p>	
<p>46</p>	<p>Section 46. Powers and Procedure of the Board:</p> <p>(1) The Board shall, subject to any rules that may be made under this Ordinance, have power to regulate its own procedure, including the fixing of places and times of its sittings.</p> <p>(2) If there is a difference of opinion among the members of the Board in respect of any matter coming before it for decision under this Ordinance, the opinion of the majority shall prevail; Provided that where there is no such majority the opinion of the Chairman shall prevail.</p> <p>(3) The Board may authorize any of its members to exercise any of its powers under section 78 and any</p>	<p>Section 46 is replaced as follows;</p> <p>The powers and procedures of the Appellate Board:-</p> <p>(1) The Appellate Board shall subject to any rules that may be made under this Ordinance, have power to regulate its own procedure including the fixing of places and times of its sittings.</p> <p>(2) The Appellate Board shall have full powers to hear, confirm or set aside the decisions of the Registrar, made under the authority vested by this ordinance.</p> <p>(3) If there is a difference of opinion among the members of the Appellate Board in respect of any matter coming before it for decision under this Ordinance, the opinion of the majority shall prevail.</p> <p>(4) The Appellate Board may authorize any of its members to exercise any of its powers and any order made or act done in exercise of any such power by the member so authorized shall be deemed to be the order or act, as the case may be, of the Appellate Board.</p> <p>(5) No act done or proceeding taken by the Appellate Board under this</p>	

	<p>order made or act done in exercise of any such power by the member so authorized shall be deemed to be the order or act, as the case may be, of the Board.</p> <p>(4) No act done or proceeding taken by the Board under this Ordinance shall be questioned on the ground merely of the existence of any vacancy in, or defect in the constitution of the Board.</p> <p>(5) The Board shall be deemed to be a civil court for the purposes of sections 480 and 482 of the Code of Criminal Procedure, 1898 (Act V of 1898), and all proceedings before the Board shall be deemed to be judicial proceedings within the meaning of sections 193 and 228 of the Pakistan Penal Code (Act XLV of 1860).</p> <p>(6) No member of the Board shall take part in any proceedings before the Board in respect of any matter in which he has a personal interest.</p>	<p>Ordinance shall be questioned on the ground merely of the existence of any vacancy in, or defect in the constitution of the Appellate Board.</p> <p>(6) The Appellate Board shall be deemed to be a civil court for the purposes of sections 480 and 482 of the Code of Criminal Procedure, 1898, and all proceedings before the Appellate Board shall be deemed to be judicial proceedings within the meaning of sections 193 and 228 of Pakistan Penal Code (Act XLV of 1860).</p> <p>(6) No member of the Appellate Board shall take part in any proceedings before the Appellate Board in respect of any matter in which he has a personal interest.</p>	
47	New Addition	<p>56A: Protection of Technological Measures. –</p> <p>(1) Any person/service provider who circumvents an effective technological measure applied for the purpose of protecting any of the rights conferred by this Act, with the intention of infringing such rights, shall be punishable with imprisonment and fine or both as described in Chapter XII and XIII of this Act.</p> <p>(2) Nothing in sub-section (1) shall prevent any person from:</p> <p>(a) doing anything referred to therein for a purpose not expressly prohibited by this Act:</p> <p>Provided that any person or service provider facilitating circumvention by another person of a technological measure for such a purpose shall maintain a complete record of such other person including his name, address and all relevant particulars necessary to identify him and the</p>	

		<p>purpose for which he has been facilitated; or</p> <p>(b) doing anything necessary to conduct encryption research using a lawfully obtained encrypted copy; or</p> <p>(c) conducting any lawful investigation;</p> <p>or</p> <p>(d) doing anything necessary for the purpose of testing the security of a computer system or a computer network with the authorization of its owner or operator; or</p> <p>(e) doing anything necessary to circumvent technological measures intended for identification or surveillance of a user; or</p> <p>(f) taking measures necessary in the interest of national security.</p>	
48	New Addition	<p>56B: Protection of Rights Management Information. –</p> <p>Any person or service provider, who knowingly</p> <p>(i) removes or alters any rights management information without authority, or</p> <p>(ii) distributes, imports for distribution, broadcasts or communicates to the public, without authority, copies of any work, or performance knowing that electronic rights management information has been removed or altered without authority, shall be punishable with imprisonment and fine as described in Chapter XII and XIII;</p> <p>Provided that if the rights management information has been tampered with in any work, the owner of copyright in such work may also avail of civil remedies provided under Chapter XIII of this Act against the persons indulging in such acts described above.</p>	
49	New Addition	<p>Section 57(y): the adaptation, reproduction, issue of copies or communication to the public of any work in any accessible format, by—</p> <p>(i) any person to facilitate persons with disability to access to works including sharing with any person with disability of such accessible format for private or personal use, educational purpose or research; or</p> <p>(ii) any organisation working for the benefit of the persons with disabilities in case the normal format prevents the enjoyment of such works by such persons:</p>	

		<p>Provided that the copies of the works in such accessible format are made available to the persons with disabilities on a non-profit basis but to recover only the cost of production:</p> <p>Provided further that the organisation shall ensure that the copies of works in such accessible format are used only by persons with disabilities and takes reasonable steps to prevent its entry into ordinary channels of business.</p> <p>Explanation – For the purposes of this sub-clause, "any organisation" includes an organisation registered with competent regulatory authority and working for the benefit of persons with disability or recognised as disabled under other state laws. Or receiving grants from the government for facilitating access to persons with disabilities or an educational institution or library or archives recognised by the Government.</p>	
50	<p>Section 59. Definition. For the purposes of this Chapter, unless the context otherwise requires, the expression "owner of copyright" shall include__</p> <p>(b) in the case of an anonymous or pseudonymous literary, dramatic, musical or artistic work, the publisher of the work, until the identity of the author or, in the case of an anonymous work of joint authorship or a work of joint authorship published under names all of which are pseudonyms, the identity of any of the authors, is disclosed publicly by the author and the publisher or is otherwise established to the satisfaction of the Board by that author or his legal representatives.</p>	<p>A word "Appellate" may be added before "Board".</p>	
51	<p>New Addition</p>	<p>The word "Court" in sections 60 to 61, 65 is replaced with "IP Tribunal"</p>	
52	<p>Court of Jurisdiction</p> <p>65.—(1) Every suit or other civil</p>	<p>Section 65(1): The words after "tried in the" may be replaced with "IP Tribunal which shall be decided with in a period of ninety days"</p>	

	proceeding regarding infringement of copyright shall be instituted and tried in the Court of the District Judge, which shall ordinarily be decided within a period of twelve months.	Sub-sections 2, 3,4 and 5 of Section 65 are being omitted.	
53	Section 66A to 66E No minimum punishment in these Sections	The punishment in Section 66A to 70A may be considered as follows; “with minimum imprisonment of three months which may extend to three years, or with minimum fine of Rupees three hundred thousand which may extend to one million rupees, or with both”.	
54	Section 70B. Enhanced fine in the case of subsequent offences. __ Where any person convicted for an offence punishable under section 66, 66A, 66B, 66C, 66D, 66E or 70A, is again convicted for the same offence, the said section shall have effect as if for the words “one hundred thousand” therein the words “two hundred thousand” were substituted.]	Section 70B: the following may be added after words “convicted for the same offence”: “he or she shall be punished with minimum imprisonment of three months which may extend to three years, or with minimum fine of Rupees five hundred thousand which may extend to one million rupees, or with both”.	
55	No jurisdiction of FIA and IP Tribunal	In section 72 to 77 and 79, the jurisdiction of IP Tribunal has been added. FIA can also take cognizance under these clauses if the complaint is referred by an authorized officer of IPO-Pakistan.	
56	Section 76. Appeals against orders of Registrar. Any person aggrieved by any final decision or order of the Registrar may, within three months from the date of the decision or order, appeal to the Board: Provided that the Registrar shall not sit as a member of the Board when the Board hears an appeal under this section.	A word “Appellate” may be added before “Board”. The Proviso may be deleted as well.	
57	Section 77. Appeals against orders of the Board. (1) Any person aggrieved by any final decision or order of the Board, <u>not</u>	A word “Appellate” may be added before “Board”. Delete the words “not being a decision or order made in an appeal under section 76 may” from Section 77(1) and also omit the preceding proviso. Also omit words “section 76 and” from subsection 2 of section 77.	

	<p>being a decision or order made in an appeal under section 76 may, within three months from the date of such decision or order, appeal to the High Court within whose jurisdiction the appellant actually and voluntarily resides or carries on business or personally works for gain:</p> <p>Provided that no such appeal shall lie against a decision of the Board under subsection (2) of section 4 and subsection (2) of section 6.</p> <p>(2) In calculating the period of three months provided for an appeal under section 76 and subsection (1), the time taken in granting a certified copy of the order or record of the decision appealed against shall be excluded.</p>		
58	<p>78. Registrar and Board to possess certain powers of civil court.</p> <p>The 1[Registrar] and the Board shall have the powers of a civil court when trying a suit under the Code of Civil Procedure, 1908 (Act V of 1908), in respect of the following, namely:</p>	A word “Appellate” may be added before “Board”.	
59	New Addition	Power to make regulations: The Organization may, with the prior approval of the Board and by notification in the official Gazette, make regulations not inconsistent with this Ordinance or the rules made thereunder to carry out the purposes of this Ordinance.	
60	Section 84(1) Savings and transitory provisions	In Section 84(1) the word Board may be replaced with “IP Tribunal”	
61	New Addition	<p>Section 85: Validity of Electronic Documents</p> <p>The submission and issuance of electronic forms of the following communications for official purpose shall be accepted and shall be considered as valid for legal references:</p> <p>1) submission of all the prescribed application forms and other related documents defined by the rules notified under this ordinance, by the</p>	

		<p>applicant excluding power of attorney;</p> <ol style="list-style-type: none">2) The Copyright Register maintained under section 38;3) All the notices in processing of copyright application and grant of registrations;4) All the publications by the office including copyright journals;5) All the certificates and licenses issued by the office including compulsory license and assignments;6) Miscellaneous official documents, orders, circulars, filing receipts and user registration requests for e-services offered by the organization.7) Sharing of any information with concerned individuals/organizations/Associations etc.8) All other notices issued while implementing the provisions of the Ordinance;	
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