

বাংলাদেশ



গেজেট

অতিরিক্ত সংখ্যা

কর্তৃপক্ষ কর্তৃক প্রকাশিত

বৃহস্পতিবার, এপ্রিল ১৫, ২০১০

গণপ্রজাতন্ত্রী বাংলাদেশ সরকার

আইন, বিচার ও সংসদ বিষয়ক মন্ত্রণালয়

লেজিসলেটিভ ও সংসদ বিষয়ক বিভাগ

মুদ্রণ ও প্রকাশনা শাখা।

প্রজ্ঞাপন

তারিখ, ০৬ এপ্রিল ২০১০

নং ৪৮-(আঃমঃ) (লেঃসঃ) (মুঃপ্রঃ)/সবি/শাঃ৩/২-৫/৯৯অংশ/(ছাঃয়ানথি)—সরকার, কার্য-বিধিমালা, ১৯৯৬ এর প্রথম তফসিল (বিভিন্ন মন্ত্রণালয় এবং বিভাগের মধ্যে কার্যবন্টন) এর আইটেম ৩০ এর ক্রমিক ৭ ও ১০ এবং মন্ত্রিপরিষদের বিগত ৩-৭-২০০০ইং তারিখের সভায় গৃহীত সিদ্ধান্ত বাস্তবায়নের নিমিত্ত সংস্কৃতি বিষয়ক মন্ত্রণালয়ের নিম্নরূপ ইংরেজী অনুবাদ সর্বসাধারণের জ্ঞাতার্থে প্রকাশ করিল।

মোঃ আনোয়ার হোসেন

সহকারী সচিব।

( ২২৮৩ )

মূল্য : টাকা ৩০.০০

SL. No	Subject	Fees
12	For taking extracts from the indexes {section 55(3)}	300.00
13.	For a certified copy of an extract from the register or the indexes {section 55(3)}	300.00
14.	For a certified copy of any other public document in the custody of the Registrar or the Board {section 55(3)}	300.00
15.	For an application for prevention of importation of infringing copies (section 74).	1,600.00
16	For an application for registration of changes in particulars of copyright entered in the Register (sections 56-58).	300.00
17.	For license of unpublished Bangladeshi work (section 51).	800.00
18.	For an appeal to Copyright Board against an order/decision of Registrar (section 95).	2,000.00
19.	For a notice of Copyright relinquishment (section 22).	1,000.00
20.	For an application for shifting the date of hearing (section 99).	300.00
21	For an application for registration of Copyright Society (section 41).	5,000.00

By order of the President

**Md. Abdul Qayyum**  
Secretary.

## SECOND SCHEDULE

(See rule 33)

Fee payable under the copyright

Sl. No	Subject	Fees
1.	For a licence to reprint/publish a literary dramatic, computer software, musical or artistic work (sections 48-51)	15,00.00
2.	For a license to reprint/publish a cinematograph work (sections 50-51)	3,000.00
3.	For a license to republish a record (sections 50-51)	1,500.00
4.	For a license to perform a Bangladeshi work in public (to communicate the work to the public by broadcast) (sections 50-51)	800.00
5.	For an application for a license to produce and publish translation of a literary or dramatic work in another language (section 52).	1,500.00
6.	For an application for registration of copyright in a literary, dramatic, computer, software, musical or artistic works (section 56).	1,000.00
7.	For an application for registration of copyright in a cinematograph work (section 56).	1,000.00
8.	For an application of broadcast/telecast in radio/television/e-mail/website and other advanced electronic media (sections 33-38,50).	1,500.00
9.	For an application for registration of assignment/determination of copyright (section 57).	800.00
10.	For an application for recording the registration of copyright (section 56).	800.00
11.	For taking extracts from the register {section 55(3)}	300.00

**FORM-9**

[See rule 14(5)]

It is being certified that.....(name) has been registered by the government under section 14 of Copyright Act, 2000 and its registration no is .....

The society has been accorded permission to commence and conduct business in.....(name of the class/category of business the society shall conduct).

Terms and conditions of this registration along with permission to conduct business are as follows and the permission will be null and void if the applicants fail to comply with these terms and conditions:

1. Information and particulars given in the application form are true and bona fide and in no way false or misleading; and
2. The Copyright Society shall comply with all the obligations imposed by Copyright Act, 2000, Copyright (Amendment) Act, 2005 and Copyright Rules, 2006

Place :.....

Scal

Date :.....

Registrar of Copyright

**FORM-8****APPLICATION FOR REGISTRATION OF COPYRIGHT SOCIETY****[See rule 14 (1)]**

1. Names and addresses of the persons desiring to form a copyright society  
(hereinafter called applicants)  
.....(in clear capital letters)
2. Professions of the applicants
3. Statement of the works where their copyright or other related rights persist
4. Statement of conducting business of the class of categories or works or rights.
5. Sectors/areas where this business will be applicable.
6. Names and addresses of the persons of the governing committee of the applicants.
7. The name of the Copyright Society the applicants want to get registered.
8. Address of the registered/administrative office where records/files of the society will be preserved.
9. Name and addresses of the Chief Executive of the applicants.
10. Financial status of the applicants on the date they have applied for registration (Bank Balance or audited statement of accounts).
11. Names with signature of the members of executive committee.
12. Name and signature of Chief Executive Officer

**FORM-7**

[See rule 9 (4)]

**LICENCE UNDER SECTION 52 OF THE COPYRIGHT ACT, 2000  
(Act no.28 of 2000)**

The Copyright Board under the authority of the Copyright Act 2000 (Act no. 28 of 2000) and the Copyright Rules, 2006 made under the same Act, the Copyright Board hereby grants Mr/Mrs/Ms.....  
of .....(address)  
the sole right to print and publish in Bangladesh.....copies of an  
edition of the book entitled.....by  
.....of .....

The title of this work/book is .....and the name of  
its bona fide right holder is .....of.....  
address.....

The retail sale price of the said book under this license will  
be.....per copy.

The license holder shall pay a royalty on the retail sale price of every copy  
of such book printed under this license at the rate of.....to the  
copyright holder.

Dated.....of.....20

**Registrar of Copyright****ACCEPTANCE OF LICENCE**

I.....of.....address

hereby accept this license and undertake to fulfill in connection therewith all the  
terms prescribed by the Copyright Act, 2000 (Act no.28 of 2010) and the  
Copyright Rules, 2006 made under it.

Dated the.....day of.....2010

**Licensee**

**B. DETAILS OF IMPORT OF INFRINGING COPIES :**

- (1) country of origin of the infringing copies
- (2) name, address and nationality of the importer in Bangladesh
- (3) name, address and nationality of the maker of the infringing copies
- (4) expected time and place of import of the infringing copies in to Bangladesh
- (5) in case a consignment of the infringing copies is detected and detained, will the applicant be prepared to go himself or depute an authorized agent to identify the said copies to the satisfaction of the Registrar of Copyright.

**C. ANY OTHER RELEVANT INFORMATION NOT COVERED ABOVE :**

Place : .....

Name

Date : .....

Signature and seal

**FORM OF AFFIDAVIT**

I, \_\_\_\_\_ (Full name in block letters),  
 hereby solemnly affirm and state that,

- (1) the particulars in the statement below are true to best of my knowledge and belief.
- (2) If the copies are allowed for importation, it would infringe the copyright of the work as described in the statement below.
- (3) I am opposing the importation of the said infringing copies for the following reasons.

\_\_\_\_\_

(state reasons). and

- (4) The infringing copies have not been imported for the private and domestic use of the importer

**STATEMENT****A. PARTICULARS OF THE WORK AND RIGHTS HELD :**

1. full name, address and nationality of the applicant
2. Telephone, e-mail, telegraphic address of the applicant
3. If the applicant is not the owner of the copyright, full name, address and nationality of the owner of the copyright.
4. Description of the work :
  - (a) class of the work (literary, dramatic, computer software, musical, artistic, cinematograph film, record and broadcast)
  - (b) title of the work
  - (c) full name, address and nationality of the author, and the date of the author, if the author is dead
  - (d) language of the work
  - (e) name and address of the publisher
  - (f) country of first publication.
  - (g) if the copyright in the work is registered under the appropriate section, the registration number (If the work has appeared as a serial or otherwise in a journal or magazine, give the name of the journal or magazine, the volume number of the issue, the date and the pages of reference).



## FORM-6

## BAN ON IMPORTATION OF INFRINGING COPIES

*[see rule 28]*

To

The Registrar of Copyright,  
Copyright Office, Dhaka.

Sir,

In accordance with section 74 of the Copyright Act, 2000 (Act no. 28 of 2000), I hereby state that I am the owner of this copyright.

I am the authorized agent of.....(Full name), who is the right-holder of the copyright in the work specified in the enclosed affidavit; and I hereby apply for an order that copies of the said work as specified in the said affidavit shall not be imported into Bangladesh.

2. I am also enclosing a copy of the work/book, copyright of which is being infringed.
3. I am producing herewith the following additional evidence in proof of infringement of copyright of the works in respect of which the order is sought; (statement is given)
4. The prescribed fee has been paid as detailed below : (statement is given)
5. Address given below for any communication;

Yours faithfully

Name

Signature and seal

Place : .....

Date : .....

**FORM OF AFFIDAVIT**

I, \_\_\_\_\_

(Full name in block letters)

do hereby solemnly affirm and state that,

- (1) I am the author of the work described in the statement below.
- (2) I am the owner of the copyright in the said work to the extent specified in the said statement.
- (3) I do hereby relinquish my right in the said work to the extent specified in the statement below.

1. **Description of the work :**

- (a) class of the work (literary, dramatic, computer software, musical, artistic, cinematograph film, record and broadcast)
- (b) title of the work
- (c) full name, address and nationality of the author
- (d) language of the work
- (e) full name, address and nationality of the publisher
- (f) year of publication
- (g) country of first publication
- (h) if the copyright in the work is registered under section 56, the Registration number ..... (if the work has appeared as a serial or otherwise in a journal or magazine, give the name of the journal or magazine, the volume number of the issue, the date and the page of reference).

2. Right owned by the deponent on the date of signing the affidavit. (If the rights are owned jointly with others, state names, addresses and nationalities of joint owners).
3. Extent to which rights are relinquished.

FORM-5

**NOTICE OF RELINQUISHMENT OF COPYRIGHT**

*(see rule 27)*

To

The Registrar of Copyright,  
Copyright Office, Dhaka.

Sir,

In accordance with section 22 of the Copyright Act, 2000 (Act No. 28 of 2000), I hereby give notice that with effect from the date of this notice, I do relinquish, to the extent specified in the enclosed affidavit my right in the work described in the affidavit.

Yours faithfully

Name

Signature and seal

Place : .....

Date : .....

- (c) language of translation
  - (d) full name, address and nationality of the translator
  - (e) full name, address and nationality of the publisher of the translation
  - (f) year of publication
  - (g) price per copy of the translation
  - (h) if the earlier translation registered under section 56, the registration number
  - (i) rate and amount of royalty paid to the copyright owner, if known.
18. Remarks, if any.
19. List of enclosures:

Name  
Signature and seal

place : .....

Date : .....

14. (a) full name, address and nationality of the person competent to issue a license for translation.  
(b) whether the applicant was able to find the said person  
(c) whether the applicant had requested and been denied authorization by the said person to produce and publish the translation.  
(d) if the applicant was unable to find the owner, whether he had sent a copy of the request letter to the publisher; if so, the date on which the copy was sent (enclose true copies of the correspondence, if any)
15. Whether the author of the work has withdrawn from circulation all the copies of the work
16. (a) whether a translation in the same language was published earlier  
(b) whether the earlier translation published is out of print  
(c) full name, address and nationality of the earlier translator; and the date of the death, if the said translator is dead  
(d) title of the earlier translation  
(e) full name, address and nationality of the publisher of the earlier translation  
(f) year of publication  
(g) price per copy of the earlier translation  
(h) if the earlier translation registered under section 56, the registration number  
(i) rate and amount of royalty paid to the copyright owner in respect of the earlier translation, if known.
17. (a) whether translation has been made into any language other than the language stated in entry 5 above  
(b) title of translation

- (c) full name, address and nationality of the author; and the date of the death if the author is dead.
- (d) language of the work
- (e) name, address and nationality of the publisher
- (f) year of the publication
- (g) country of first publication
- (h) price of a copy in the work
- (i) if the copyright in the work is registered under section 56 (copyright Act, 2000), the Registration No .....

(If the work has appeared as a serial or otherwise in a journal or magazine, give the name of the journal or magazine, the volume number of the issue, the date and the page of reference).

5. Proposal of the language into which the work will be translated
6. Full name, qualification and address of the translator
7. Qualification of the applicant to produce and publish the translation
8. Number of copies of the translation proposed to be published
9. Estimated cost of production and publication of the translation.
10. Proposed retail price per copy of the translation
11. Rate of royalty which the applicant considers reasonable, to be paid to the copyright owner
12. Means of the applicant for payment of the royalty
13. Whether the prescribed fee has been paid, and, if so, particulars of payment (give bank draft/treasury Chalan No. etc.).

## FORM-4

## APPLICATION FOR LICENCE OF TRANSLATION WORKS

[See rule 8 (1)]

(To be submitted in triplicate)

To

The Registrar of Copyright,  
Copyright Office, Dhaka.

Sir,

In accordance with section 52 of Copyright Act, 2000 (Act no. 28 of 2000), I hereby apply to the Copyright Board for granting me a license to produce and publish the translation of the work, particulars of which are given in the enclosed statement.

I hereby undertake to abide by the terms and conditions of the license strictly, if it is granted to me.

Yours faithfully

Name

Signature and seal

Place : ..... Dtate : .....

## STATEMENT :

1. Full name of the applicant (in block letters)
2. Full address and nationality of the applicant
3. Telephone, e-mail, telegraphic address (if any)
4. Description of the work :
  - (a) class of the work (literary/Dramatic/Others)
  - (b) title of the work

## STATEMENT OF PARTICULARS

1. Registration Number in the Register of Copyrights
2. Changes sought in the particulars of copyright entered in the Register of copyrights

Concerned column in the Register of Copyrights	Existing entry in the Register of Copyrights	Proposed entry in place of the existing entry in the Register of copyrights	Reasons for the changes proposed
1	2	3	4

**Note :** If there is any effect on the license or assignment of copyright due to proposed changes, then certificate copies of assignment document or license shall be provided.

**List of enclosures :**

Place : .....

Date : .....

Name

Signature and seal

3. Remarks (if any)

Place : .....

Date : .....



STATEMENT OF PARTICULARS  
**FORM-3****APPLICATION FOR CHANGES IN PARTICULARS INCLUDED IN THE REGISTER OF COPYRIGHT***[See rule 4(1)]*

To	Proposed entry in place of	Existing entry in	Copyright
The Registrar of Copyright, Copyright Office, Dhaka.	the Registrar of Copyright	the Registrar of Copyright	in the Register of Copyright

Sir,

In accordance with rule 4 of the Copyright Rules 2006, I hereby apply for registration of changes in the particulars of copyright entered in the Register of Copyrights and request that changes in the existing entries may be made as specified in the enclosed statement of particulars.

I have sent by hand/registered post the copies of this letter and of the statement of particulars to the other parties concerned, as shown below:

3. The prescribed fee has been paid, as shown below.

4. Address for communication in related matters :

Place : .....

Date : .....

Yours faithfully

Name

Signature and seal

**STATEMENT OF OTHER PARTICULARS**

(For literary works, dramatic works, computer software, musical works and artistic works only)

(To be sent in triplicate)

1. Matters to be considered for registration of the work :—
  - (a) is it an original work?
  - (b) is it a translation of a work in the public domain?
  - (c) is it a translation of a work in which copyright subsists?
  - (d) is it an adaptation of a work in public domain?
  - (e) is it an adaptation of a work in which copyright subsists?
2. If the work is a translation or adaptation of a work in which copyright subsists, then :—
  - (a) title of the original work
  - (b) language of the original work
  - (c) name, address and nationality of the author of this original work; and the date of death, if the author is dead.
  - (d) name, address and nationality of the publisher, if any, of the work
  - (e) Particulars of the authorization for a translation or adaptation including the name, address and nationality of the party authorizing with detailed statement.

3. Remarks (if any)

Place : .....

Date : .....

Name  
Signature and seal

**STATEMENT OF PARTICULARS**

(To be sent in triplicate)

1. Registration number (to be filled by the Copyright Office)
2. Name, address and nationality of the applicant
3. Nature of the applicant's interest in the copyright of the work
4. Class and description of the work
5. Title of the work
6. Language of the work
7. Name, address and nationality of the author; and the date of the death, if the author is dead.
8. Whether the work is published or unpublished
9. Year and country of first publication and name, address and nationality of the publisher.
10. Names, addresses and nationalities of the publishers in case of more publications in future.
11. Names, addresses and nationalities of the owners of the various rights comprising the copyright in the work and the extent of rights held by each together with particulars of assignments and licenses, if any.
12. Names, addresses and nationalities of other persons, if any, authorized to assign or licence the rights comprising the copyright.
13. If the work is an artistic work, the location of the original work, including names, addresses and nationalities of the persons in possession of it (in case of an architectural work, the year of completion of the work have to be mentioned).
14. Remarks, if any

Place : .....

Date : .....

Name  
Signature and seal

## STATEMENT OF PARTICULARS

(To be sent in triplicate)

1. Registration number (to be filled by the Copyright Office)
2. Name, address and nationality of the applicant
3. Nature of the applicant's interest in the copyright of the work
4. Class and description of the work
5. Title of the work
6. Language of the work
7. Name, address and nationality of the author; and the date of the death, if the author is dead.
8. Whether the work is published or unpublished
9. Year and country of first publication and name, address and nationality of the publisher.
10. Names, addresses and nationalities of the publishers in case of more publications in future.
11. Names, addresses and nationalities of the owners of the various rights comprising the copyright in the work and the extent of rights held by each together with particulars of assignments and licenses, if any.
12. Names, addresses and nationalities of other persons, if any, authorized to assign or licence the rights comprising the copyright.
13. If the work is an artistic work, the location of the original work, including names, addresses and nationalities of the persons in possession of it (in case of an architectural work, the year of completion of the work have to be mentioned).
14. Remarks, if any

Place : .....

Date : .....

Name  
Signature and seal

**FORM-2****APPLICATION FOR REGISTRATION OF COPYRIGHT***[See rule 4(1)]*

To

The Registrar of Copyright,  
Copyright Office, Dhaka.

Sir,

In accordance with section 56 of the Copyright Act, 2000 (Act no. 28 of 2000), I hereby apply for registration of copyright and request that entries may be made in the Register of copyrights as in the enclosed statement of particulars sent herewith in triplicate.

1. I am also sending herewith duly completed the statement of other particulars relating to the work.
2. In accordance with sub-rule (3) of rule 4 of the Copyright Rules 2006, I have sent by hand/pre-paid registered post copies of this letter and of the enclosed statement(s) to the other parties concerned, as shown below:—

**Name and address of the parties****Date of sending/dispatch**

3. The prescribed fee has been paid (as per-details below)
4. Address of communication :

**List of enclosures :—**

- (a) .....
- (b) .....
- (c) .....

Place : .....

Date : .....

Statement of particulars (to be sent in triplicate)

Yours faithfully

Name

Signature and seal

# FIRST SCHEDULE

## FORM-1

### REGISTER OF COPYRIGHT

[ See rule 3(2) ]

1. Registration number
2. Name, address and nationality of the applicant
3. Nature of the applicant's interest in the copyright of the work
4. Class and description of the work
5. Title of the work
6. Language of the work
7. Name, address and nationality of the author; the date of the death if the author is dead.
8. Whether the work is published or unpublished
9. Year and country of first publication and name, address and nationality of the publisher.
10. Years and countries of subsequent publications, if any, and names, addresses and nationalities of the publisher.
11. Names, addresses and nationality of the owners of the various rights comprising the copyright in the work and the extent of rights held by each together with particulars of assignments and licenses, if any.
12. Names, addresses and nationalities of other persons, if any, authorized to assign or licence the rights comprising the copyright.
13. If the work is an artistic work, the location of the original work, including name, address and nationality of the person in possession of it (in the case of an architectural work the year of completion of the work should also be mentioned).
14. Remarks, if any

Place : .....

Date : .....

Name

**33. Fees.**—(1) The fees payable under the Act in respect of any matter shall be as specified in the Second Schedule :

(2) The fees shall be paid to the Registrar by a bank draft from any scheduled bank of Bangladesh or by deposit into a Government treasury or sub-treasury under the Head of Account no./Code no.

1	3	4	3	7	0	0	0	0	1	8	4	1
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(3) Bank drafts shall be crossed and drawable in favour of the Registrar by designation only.

(4) Where payment is made by deposit in a Government treasury or sub-treasury, the original copy of the Chalan evidencing the payment shall be sent to the Registrar by registered post or by hand.

**34. Right of audience.**—In any proceeding before the Board or the Registrar any party may appear and be heard either in person or by a pleader or other person duly authorized by such party.

**35. Expenses.**—The expenses of the proceeding before the Board or the Registrar shall be met up by the Board, or at the discretion of the Registrar, as the case may be.

**CHAPTER-8****THE COPYRIGHT BOARD**

**29. Terms and conditions of office of the Chairman and members of the Board.**—(1) The Chairman and other members of the Board shall be appointed for a period not exceeding 5 (five) years, as the Government may deem fit.

(2) The Chairman or any other members of the Board shall, on the expiry of the period of their appointment, be eligible for reappointment;

(3) The Chairman or any other member of the Board may resign his office by giving three months' notice.

(4) The Chairman and other members of the Board shall be paid such salary or honorarium or conveyance allowance as determined by the Government.

(5) The other conditions of service of the Chairman and other members of the Board shall be determined by the Government.

**30. Secretarial functions of the Board.**—The Registrar shall perform all secretarial functions relating to the Board under the direction and control of the Chairman of the Board.

**CHAPTER-9****MISCELLANEOUS**

**31. Mode of making applications, etc.**—Every applications, notice, statement or any other document to be made, given, or sent under the Act or under these rules shall, unless otherwise directed by the authority concerned, be sent by hand or registered post.

**32. Mode of communication by Board, etc.**—Every written intimation from the Board, the Copyright Office or the Registrar shall be deemed to have been duly communicated to any person if such intimation is sent to the known address of such person by the registered post.



- (b) after holding an inquiry by an officer providing an opportunity of being heard, Government is satisfied that the society is being managed in a manner detrimental to the interest of the owners of the rights concerned;
- (c) the society persistently fails to get its accounts audited;
- (d) the society utilizes its fund for purposes other than copyright business.

## CHAPTER-6

### RELINQUISHMENT OF COPYRIGHT

27. **Notice of relinquishment.**—The owner of the copyright in a work desiring to relinquish all or any of the rights comprised in the copyright shall give notice to the Registrar in Form-5.

## CHAPTER-7

### IMPORTATION OF INFRINGING COPIES

28. **Importation of infringing copies.**—(1) For the purpose of sub-section (1) of section 74, every application shall be made to the Registrar in Form-6 and shall be accompanied by the fee specified in the Second Schedule with money receipt.

(2) If any application is made under sub-rule (1), the Registrar or any person authorized by him in this behalf shall take action under sub-section (2) and (3) of section 74 and act in collaboration with customs authorities.

(2) Notice shall be given to each owner of such rights with at least 21 (twenty-one) days ahead of the meeting along with a copy of tariff and distribution scheme. The notice shall specify that any owner of rights who objects to the tariff scheme or distribution scheme shall be entitled to withdraw the authorization given to the Copyright Society to administer any right in his work.

(3) The Copyright Society shall keep a record of the owners of right who have given the approval and those who have objected about the matters recorded under sub-section (2).

(4) The approval of the owners of copyrights for the scheme shall be made with the consent of a majority of owners present in person.

(5) The quorum for the meeting shall be one-third of the members.

(6) The Copyright Society shall not be able to amend any approved tariff scheme or distribution scheme except with the consent of the owners obtained at a subsequent general meeting called for the purpose.

**24. Procedure of inquiry.**—(1) If the Government, on a complaint by the Registrar of Copyrights or any owner of copyright, has reason to believe that a Copyright Society is being managed detrimental to the interests of the owners of rights concerned, it may make inquiry to cancel or suspend the registration of the society under the rules, namely—

(a) the Government shall provide a copy of the complaints to the society and require the society to submit within such time as may be specified by the Government a written statement of its defence and to state whether it desires to be heard;

(b) if the Government, after considering the statement under clause (a), feels that a prima facie case is established, it shall order an inquiry into the allegations and appoint an Inquiry Officer not below the rank of Deputy Secretary to the Government;

(2) Notice shall be given to each owner of such rights with at least 21 (twenty-one) days ahead of the meeting along with a copy of tariff and distribution scheme. The notice shall specify that any owner of rights who objects to the tariff scheme or distribution scheme shall be entitled to withdraw the authorization given to the Copyright Society to administer any right in his work.

(3) The Copyright Society shall keep a record of the owners of right who have given the approval and those who have objected about the matters recorded under sub-section (2).

(4) The approval of the owners of copyrights for the scheme shall be made with the consent of a majority of owners present in person.

(5) The quorum for the meeting shall be one-third of the members.

(6) The Copyright Society shall not be able to amend any approved tariff scheme or distribution scheme except with the consent of the owners obtained at a subsequent general meeting called for the purpose.

**24. Procedure of inquiry.**—(1) If the Government, on a complaint by the Registrar of Copyrights or any owner of copyright, has reason to believe that a Copyright Society is being managed detrimental to the interests of the owners of rights concerned, it may make inquiry to cancel or suspend the registration of the society under the rules, namely—

(a) the Government shall provide a copy of the complaints to the society and require the society to submit within such time as may be specified by the Government a written statement of its defence and to state whether it desires to be heard;

(b) if the Government, after considering the statement under clause (a), feels that a prima facie case is established, it shall order an inquiry into the allegations and appoint an Inquiry Officer not below the rank of Deputy Secretary to the Government;

(2) Notice shall be given to each owner of such rights with at least 21 (twenty-one) days ahead of the meeting along with a copy of tariff and distribution scheme. The notice shall specify that any owner of rights who objects to the tariff scheme or distribution scheme shall be entitled to withdraw the authorization given to the Copyright Society to administer any right in his work.

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(b) if the Government, after considering the statement under clause (a), feels that a prima facie case is established, it shall order an inquiry into the allegations and appoint an Inquiry Officer not below the rank of Deputy Secretary to the Government;

- (e) a statement approved by the Government containing a full description of activities of the previous years; and
- (f) a detailed budget estimate for the next year.

**21. Return to be filed by the Society with the Registrar.**—Every Copyright Society shall file a Return called the Annual Return with the Registrar of Copyrights within 3 (three) months from the conclusion of each general meeting setting out the details, namely :

- (a) the date of the annual general meeting of the owners who attended the meeting in person or by proxy and the minutes of such meeting;
- (b) the up-to-date list of owners of rights, their names and addresses;
- (c) the audited accounts of the society;
- (d) the tariff scheme;
- (e) the distribution scheme; and
- (f) a statement approved by the Government on all activities done during the year in relation to rights of owners.

**22. Tariff and distribution schemes.**—After 3 (three) months from the date on which a society has become entitled to commence business of copyright, it shall frame a scheme of tariff to be called Tariff Scheme setting out the nature and quantum of fees or royalties which it proposes to collect in respect of such copyrights or other rights administered by it and also setting out the procedure for collection and distribution of fees or royalties specified in the Tariff schemes among the owners.

**23. Meeting of Copyright Society.**—(1) After the Tariff Scheme and Distribution Scheme have been prepared, the Copyright Society of the owners of rights shall call a general meeting to approve the same.

- (b) a "Register of Agreement" wherein it will contain a copy of every agreement between the owner and the society;
- (c) a "Register of Fees" wherein it will contain particulars of fees mentioning the names of the persons or organizations from whom the fees have been realized, the amount so realized and the date of realization;
- (d) a "Money Disbursement Register" wherein it will contain details of disbursement mentioning the names of the owners, nature of his copyright and the date and the amount of disbursements made to him.

**19. Accounts and audits.**—(1) Every Copyright Society shall maintain proper accounts of the fees and royalties collected in the financial year, payment made out of such collection to the owners of rights and other expenditure incurred for meeting administrative expenses and related matters with the approval of the owners of the rights.

(2) Every Copyright Society shall get its accounts audited by a Chartered Accountant.

**20. Annual general meeting.**—(1) Every Copyright Society shall in each year at its registered or administrative office, through a meeting in accordance with the rules, hold a general meeting of the owners of rights to be called the Annual General meeting.

(2) The documents to be placed before the AGM are:

- (a) an up-to-date list of owner of rights and addresses recorded in the register of copyrights;
- (b) the tariff scheme;
- (c) the distribution scheme;
- (d) the audited accounts of the previous years;

- (b) a "Register of Agreement" wherein it will contain a copy of every agreement between the owner and the society;
- (c) a "Register of Fees" wherein it will contain particulars of fees mentioning the names of the persons or organizations from whom the fees have been realized, the amount so realized and the date of realization;
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(2) The documents to be placed before the AGM are:

- (a) an up-to-date list of owner of rights and addresses recorded in the register of copyrights;
- (b) the tariff scheme;
- (c) the distribution scheme;
- (d) the audited accounts of the previous years;

(5) After the permission accorded by the Government under sub-section (4), the Registrar of Copyright shall issue a Certificate of Registration in Form-9 under his own hand and seal and then the society will be entitled to commence and carry on business in the name by which it has been registered.

**15. Authorization of rights.**—A Copyright Society shall accept from an owner of rights or right or his duly authorized agent, exclusive authorization to administer any right, if such owner or such agent enters into an agreement in writing with the copyright society, specifying the right to be administered, duration of such right and quantum of fees agreed and the frequency at which fees shall be paid by the the Copyright Society in accordance with its Schedule to Tariff and Distribution.

**16. Withdrawal of authorization of rights.**—The owner of copyright shall, without prejudice to the right under the agreement and subject to the conditions of prior notice of one year, be free to withdraw such authorization in case the Copyright Society fails to fulfil its commitments laid down in the agreement.

**17. Conditions for issuing licence, collecting fees and distribution of such fees.**—(1) A Copyright Society may issue licences and collect fees in accordance with its scheme of tariff in relation to only such works as it has been authorized to administer and for the period for which its has been so authorized.

(2) The distribution of fees collected shall be subject to a deduction not exceeding 20% of the collection on account of administrative expenses incurred by the copyright society.

**18. Records to be maintained by a Copyright Society.**—Every Copyright Society shall maintain the following Registers at its registered office or administrative officer:

- (a) a "Register of Owners" wherein it will contain the names of owners of rights, their addresses, the nature of right authorized to the society, date of publication of the work on which the Copyright Society became entitled to and the duration of the such rights;



## CHAPTER-5

### COPYRIGHT SOCIETIES

**14. Registration of Copyright Societies.**—(1) To form a copyright Society carrying on business of issuing or granting licence for any class of works protected by copyright under section 41 of the Copyright Act, 2000, an association of persons comprising three or more copyright owners may file with the Registrar of Copyright an application in Form-8, signed by all members of the Governing Body.

(2) The following necessary documents have to be annexed with the application:—

- (a) a copy of the Memorandum and Articles of Association;
- (b) the consent in writing of the individuals named in the application to act as members of the Governing Body; and
- (c) a declaration containing the objective of the applicant.

(3) The necessary conditions for registration are as follows—

- (a) an applicant should have professional competence to carry on the business with sufficient funds to manage its affairs;
- (b) the applicants should be bona fide copyright owners and they have to sign willingly on the application;
- (c) there exists no other society in the country registered under the Act for administering the same class of the work;
- (d) the application should be complete in all respects;

(4) The Registrar of Copyrights, after receiving the application, shall submit the same to Government and the Government may within 3 (three) months from the date of receipt by the Registrar either register or reject the same in the light of the conditions under sub-section (3).

**12. Cancellation of licence.**—The Board may, after giving the licensee an opportunity of being heard, cancel the licence, on any of the following grounds, namely:—

- (a) the licensee failed to produce and publish the translation within the time specified in the licence or within the time extended on the application of the licensee;
- (b) the licensee obtained the licence by fraud or misrepresentation of any essential fact;
- (c) the licensee contravened any of the terms and conditions of the licence.

#### CHAPTER-4

#### MAKING OF RECORDS

**13. Making of records.**—(1) Any person intending to make records shall give notice of such intention to the owner of the copyright and to the Board not less than 60 (sixty) days before making of such records and shall pay to the owner of the copyright, the amount of the royalties due in respect of all such records to be made at the rate fixed by the Board in this behalf.

(2) The notice under sub-section (1) shall contain the following information, namely:—

- (a) the particulars of the work, in respect of which records are to be made;
- (b) alterations and omissions, if any, which are proposed in the process of adaptation of the work during its recording;
- (c) the name, address and nationality of the owner of the copyright in the work; and
- (d) other particulars of the work, in respect of which records are to be made;
- (e) the number of records to be made.

(5) Every such licence shall be given subject to the condition provided in the section 52(6)(a) of the Act relating to the payment of royalties and shall specify,—

- (a) the period within which the translation shall be produced and published;
- (b) the language in which the translation shall be produced and published;
- (c) the rate at which royalties in respect of the copies of the translation of the work sold to the public shall be paid to the owner of the copyright in the work; and
- (d) the name of the person or persons to whom such royalties shall be payable.

(6) The grant of every such licence shall, as soon as possible, be notified in the official Gazette and in the newspapers, if any, which the notice under sub-rule (4) was published and other parties shall be informed about the grant of the licence.

**10. Manner of determining royalties.**—The Board shall determine the royalties payable to the owner of the copyright under sub-section (6)(a) of section 52 after considering the following matters:—

- (a) the retail price of every copy of the translation of the work;
- (b) the prevailing standards of royalties in regard to translation of work; and
- (c) such other matters as may be considered relevant by the Board.

**11. Extension of the period of licence.**—The Board may, on the application of the licensee, and after issuing appropriate notice to the owner of the copyright, if it is satisfied that the licensee was, for sufficient reasons, unable to produce and publish the translation within the time specified in the licence, extend such period.

(3) The Board shall, as soon as possible, cause a notice to be published in the official Gazette and also, if it thinks fit, in one or two newspapers for information of the concerned persons and shall send a copy of the notice to the owner of the copyright.

(4) Every such notice issued under sub-section (3) shall contain the following particulars, nemely:—

- (a) the date of the application;
- (b) the name, address and nationality of the applicant;
- (c) the particulars of the work which is to be translated;
- (d) the date and country of the first publication of the work;
- (e) the name, address and nationality of the owner of the copyright;
- (f) the language in which the work is to be translated; and
- (g) the registration number of the work in the Register, if any.

**9. Consideration of the application.**—(1) The Board shall consider the application after the expiry of not less than 120 (one hundred and twenty) days from the date of the publication of the notice in the official Gazette under section 8(3).

(2) The Board shall give an opportunity to the applicant and also, wherever practicable, to any person claiming any interest in the copyright of the work, to be heard and may take such evidence in respect of the application as it thinks fit.

(3) If more than one application for translation of the work in the same language is pending before the Board at the expiry of 120 (one hundred and twenty) days after publication of the notice in the official Gazette, all such applications shall be considered together.

(4) If the Board is satisfied that the licence for a translation of the work in the language applied for may be granted to the application, or, if there are more application than one, to such one of the applicants as in the opinion of the Board, would best serve the interest of the general public, it may direct the Registrar to grant a licence in Form-7.

(6) The Registrar shall, as soon as may be, send wherever practicable, a copy of the entries made in the Register to the parties concerned.

**5. Correction of entries in the Register.**—The Registrar may, on his own motion or on application made by any interested person amend or alter the Register for the purposes specified in section 58 after giving, wherever practicable, to the person affected by such amendment or alteration an opportunity of being heard against such amendment or alteration and communicate it to such person the amendment or alteration so made.

**6. Index.**—(1) There shall be kept at the copyright Office the following indexes for each part of the Register, namely :—

- (a) a General Author Index;
- (b) a General Title Index;
- (c) an Author Index of works in each language;
- (d) a Title Index of the works in each language.

(2) Every Index shall be arranged alphabetically in the form of cards.

**7. Inspection of the Register and indexes.**—(1) Any person shall be entitled to take copies of, or make extracts from the Register or Indexes on Payment of the fee specified in the Second Schedule.

(2) The Registrar, shall, on an application made in that behalf and on payment of the fee specified in the Second Schedule, furnish a certified copy of any entries made in the Register and indexes.

### CHAPTER-3

#### LICENCES FOR TRANSLATIONS

**8. Application for licence.**—(1) An application for a licence under section 52 in order to produce and publish a translation of a literary or dramatic work in any language in Bangladesh or a language ordinarily used in Bangladesh shall be made to the Board in triplicate in Form-4 and shall be accompanied by the fee prescribed in the Second Schedule.

(2) Every such application shall be made in respect of one work only for translation of that work into one language only.

## CHAPTER-2

### REGISTRATION OF COPYRIGHT

**3. Register.**—(1) The Register shall be kept in seven parts as follows:—

- (a) Part 1-literary, computer, software, dramatic and musical works;
- (b) Part 2-artistic works;
- (c) Part 3- cinematograph works;
- (d) Part 4-records;
- (e) Part 5-broadcasts;
- (f) Part 6- telecasts;
- (g) Part 7-e-mails, websites and other modes of communications including electronic device.

(2) The Register shall contain the particulars specified in Form-1.

**4. Application for registration of copyright.**—(1) Every application for registration of copyright shall be made in triplicate in Form-2 and every application for registration of changes in the particulars of the copyright entered in the Register shall be made in triplicate in Form-3.

(2) Every application for registration may be made in respect of one work only and shall be accompanied by a copy of the work and the fee specified in the Second Schedule.

(3) The person applying for registration shall simultaneously send a copy of the application to every other person interested in the copyright of the work.

(4) If no objection to such registration is received by the Registrar within thirty days of the receipt of the application by him, he shall, if satisfied about the correctness of the particulars given in the application, enter such particulars in the Register.

(5) If the Registrar receives any objection for such registration within the time specified in sub-rule (4) or if he is not satisfied about the correctness of the particulars given in the application, he may, after holding such inquiry enter such particulars of the work in the Register as he deems fit.

**Government of the People's Republic of Bangladesh**  
**Ministry of Cultural Affairs**

**Notification**

Dated : 27 Bhadra 1413 11 September 2006

**S.R.O No 219-Law/2006.**—In exercise of the powers conferred by section 103 of the Copyright Act, 2000 (Act no.28 of 2000), the Government is pleased to make the following rules, namely : —

**CHAPTER-1**

**PRELIMINARY MATTERS**

1. **Short title and commencement.**—These rules may be called the Copyright Rules, 2006.

2. **Definitions.**—In these rules, unless there is any thing repugnant in the subject or context,—

- (a) “**Act**” means the Copyright Act, 2000 (Act no. 28 of 2000);
- (b) “**Copyright Society**”, or “**Society**” means Copyright Society registered under section 14;
- (c) “**Schedule**” means Schedule of these rules;
- (d) “**Register**” means the registration book mentioned in rule 3;
- (e) “**Form**” means a Form mentioned in the first Schedule;
- (f) “**record**” means exact copy or reproduction or imitation or identical remaking of a work;
- (g) “**Registrar**” means Registrar of Copyright;
- (h) “**Society**” means the Copyright Society.