

Legislation

In New Zealand, rights for copyright protection are provided for in the [Copyright Act 1994](#) and Copyright (New Technologies) Amendment Act 2008. The Copyright Act 1994 is accompanied by the [Copyright Regulations 1995](#).

International Copyright Law

New Zealand is party to various international agreements, including:

- The Agreement on the Trade-Related Aspects of Intellectual Property Rights (the [TRIPS Agreement](#) (Annex 1C to the Agreement Establishing the [World Trade Organisation](#) (WTO) 1994);
- [The Berne Convention for the Protection of Literary and Artistic Works 1928 \(Rome Act revision\)](#);
- [The Universal Copyright Convention 1952](#).

Whilst New Zealand is not a member of the [Rome Convention for the Protection of Performers, Producers of Phonograms and Broadcasting Organisations 1961](#), we are a de facto member of the [Geneva Convention for the Protection of Producers of Phonograms Against Unauthorized Duplication of Their Phonograms 1971](#) which went a little further than the Rome Convention to address the issue of "record piracy". Article 9 of the TRIPS Agreement (now the leading international convention in relation to performers, phonograms and broadcasters), incorporates Articles 1-21 of the 1971 revision.

For more information about International Copyright Protection please see the [World Intellectual Property Organisation](#).

Copyright tribunal

The Copyright Tribunal is a statutory body pursuant to section 205 of the Act. The Tribunal hears disputes relating to the provision of licences allowing the copying, performing and broadcasting of works. In addition, some proposed or operative schemes for licensing can be referred by interested parties.

Any person who believes that a copyright owner has unreasonably refused to grant a licence for the copying, performing or broadcasting of a copyright work may apply to the Tribunal. The Tribunal decides whether the applicant is entitled to a licence and on what terms. This only applies where the copyright owner has set up a scheme for licensing the use of copyright works.

For further information, please contact:

Address: Copyright Tribunal
Department for Courts
PO Box 5027
43-49 Balance Street
Wellington

Phone: 04-918 8330

Fax: 04-918 8303

Email: library@courts.govt.nz

Website: www.courts.govt.nz/tribunals/index.html

Copyright licensing

If a person wants to use a copyright work in a way that may infringe copyright of that work, he or she can ask the copyright owner for a licence to use that work. If granted, the licence will usually specify the ways in which the work can be used. Usually the licence holder will have to pay the copyright owner for the use of the copyright work. A copyright owner is under no obligation to grant a licence to use the work.

In New Zealand, there are a number of organisations representing copyright owners. These organisations are authorised to grant copyright licences for particular purposes and collect licence fees (or "royalties") on behalf of copyright owners.

For more information, please contact:

Address:

Copyright Council of New Zealand Inc.

PO Box 331488

Takapuna

Auckland 0740

New Zealand

Kathy Moore, Secretary, Copyright Council of New Zealand

Inc.

Email:

kmoore@copyright.co.nz

Website:

www.copyright.org.nz