

JAMAICA

No. – 2023

I assent,

[L.S.]

Governor-General.

AN ACT to Amend the Copyright Act and
for connected matters.

[]

BE IT ENACTED by The King's Most Excellent Majesty, by and with the advice and consent of the Senate and House of Representatives of Jamaica, and by the authority of the same, as follows:—

1.—(1) This Act may be cited as the Copyright (Amendment) (No. 2) Act, 2023, and shall be read and construed as one with the Copyright Act (hereinafter referred to as the principal Act) and all amendments thereto.

Short title,
construction
and
commence-
ment.

(2) This Act shall be deemed to have come into operation on the 30th day of July, 2015.

Repeal and replacement of section 154 of principal Act.

2. The principal Act is amended by repealing section 154 (hereinafter referred to as the repealed section 154) and substituting therefor the following section—

“ Further transitional provisions.

154.—(1) Notwithstanding section 87A, and subject to subsection (2), an unregistered organization carrying on the activity of negotiating or granting licences, on behalf of owners of copyright, immediately before the 30th day of July, 2015, may continue to do so, without holding a certificate of registration, during the transitional period.

(2) Where, during the transitional period, an unregistered organization mentioned in subsection (1) applies for a certificate of registration under this Act, if the Executive Director refuses to grant a certificate of registration to that unregistered organization, that unregistered organization shall immediately cease to negotiate or grant licences on behalf of owners of copyright.

(3) The transitional period shall end on a date specified by the Minister, by notice published in the *Gazette*.

(4) In this section—

“transitional period” means the period commencing on the 30th day of July, 2015, and ending on the date specified under subsection (3);

“unregistered organization” means the—

- (a) Jamaica Copyright Licensing Agency;
- (b) Jamaica Association of Composers, Authors and Publishers; or
- (c) Jamaica Music Society.”.

3. For the avoidance of doubt, no proceedings shall be brought against any person for any act done pursuant to the repealed section 154 during the period commencing on the 30th day of July, 2015, and ending on the date of publication of this Act in the *Gazette*. Protection from liability.

Passed in the Senate this 3rd day of November, 2023.

THOMAS TAVARES-FINSON, OJ, CD, KC, JP
President.

Passed in the Honourable House of Representatives this 5th day of December, 2023.

JULIET HOLNESS,
Speaker.

This printed impression has been carefully compared by me with the Bill which has passed the House of Representatives and Senate, and has been found by me to be a true and correct printed copy of the said Bill.

Clerk to the Houses of Parliament.

3. For the avoidance of doubt, no proceedings shall be brought against any person for any act done pursuant to the repealed section 154 during the period commencing on the 30th day of July, 2015, and ending on the date of publication of this Act in the *Gazette*. Protection
from liability.

Passed in the Senate this 3rd day of November, 2023.

THOMAS TAVARES-FINSON, OJ, CD, KC, JP
President.

Passed in the Honourable House of Representatives this 5th day of December, 2023.

JULIET HOLNESS,
Speaker.

This printed impression has been carefully compared by me with the authenticated impression of the foregoing Act, and has been found by me to be a true and correct printed copy of the said Act.

Clerk to the Houses of Parliament.