

Provided that the enjoyment by any such work of the rights conferred by the Copyright Act, 1913, shall be conditional upon publication of the work within New Zealand not later than one year after the termination of the present war, and shall commence from and after such publication, which shall not be colourable only, but shall be intended to satisfy the reasonable requirements of the public.

4. The provisions of section 52 of the Copyright Act, 1913, as to the delivery of books to the General Assembly Library, shall apply to works to which this Order relates upon their publication in New Zealand.

5. Nothing in this Order shall be construed as depriving any work of any rights which have been lawfully acquired under the provisions of the Copyright Act, 1913, or any Order in Council thereunder.

6. Where any person has, before the commencement of this Order, taken any action whereby he has incurred any expenditure or liability in connection with the reproduction or performance of any work which at the time was lawful, or for the purpose of or with a view to the reproduction or performance of a work at a time when such reproduction or performance would, but for the making of this Order, have been lawful, nothing in this Order shall diminish or prejudice any rights or interest arising from or in connection with such action which were subsisting and valuable at the said date, unless the person who by virtue of this Order becomes entitled to restrain such reproduction or performance agrees to pay such compensation as, failing agreement, may be determined by arbitration.

W. O. HARVEY,
Acting Clerk of the Executive Council.

ANNEX B

COPYRIGHT EXTENSION: NEW ZEALAND

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

WHEREAS by the Act of Congress approved September 25, 1941 (55 Stat. 732), the President is authorized, on the conditions prescribed in that act, to grant an extension of time for the fulfilment of the conditions and formalities prescribed by the copyright laws of the United States of America with respect to works first produced or published outside the United States of America and subject to copyright or to renewal of copyright under the laws of the United States of America, including works subject to *ad interim* copyright, by nationals of countries which accord substantially equal treatment to citizens of the United States of America; and

WHEREAS the Governor-General of New Zealand has issued an Order in Council, effective from this day, by the terms of which treatment substantially equal to that authorized by the aforesaid act of September 25, 1941, is accorded in New Zealand to literary and artistic works first produced or published in the United States of America; and

WHEREAS the aforesaid Order in Council is annexed to and is part of an agreement embodied in notes exchanged this day between the Government of the United States of America and the Government of New Zealand; and

WHEREAS by virtue of a proclamation by the President of the United States of America dated April 9, 1910 (36 Stat. 2685), citizens of New Zealand are, and since July 1, 1909, have been, entitled to the benefits of the Act of Congress approved March 4, 1909 (35 Stat. 1075), relating to copyright, other than the benefits of section 1 (e) of that act; and