

BROADCASTING AND COPYRIGHT.

The New Zealand legislation on the subject of copyright is mainly embodied in the New Zealand Copyright Act, 1913. Under this Act the holder of copyright has the sole right of communicating his work for publication.

Before the advent of broadcasting, copyright legislation was principally concerned with the protection against piracy of literary and artistic work as expressed in print, musical sheets, engravings, photographs, &c., and public performances of musical, dramatic, and similar classes of works by performers in the actual presence of their audiences. The service of broadcasting had not long been in vogue, however, before broadcasting bodies found themselves in conflict with the Performing Right Association, which claimed to control the public performance of practically all copyright matter suitable for that purpose. A provisional settlement upon a percentage basis of the revenue received from receiving licenses was made in 1926 between the Radio Broadcasting Co. of New Zealand, Ltd., and the Performing Right Association.

It has, however, become increasingly obvious that broadcasting is reaching the point of being regarded as a public utility, and should be as free as possible from harassing restrictions upon the matter broadcast. It may safely be said that the service is merely on the threshold of its full development, and the enjoyment by any one of absolute rights without regulation over the matter transmitted is fraught with the possibility of abuse, with a consequent hindrance to the full and useful operation of the service of broadcasting.

Uniformity of copyright laws as between nations is largely assured by an International Convention. Prior to 1928 New Zealand was not a member of the International Copyright Union, but in view of the peculiar problems which have arisen in recent years it was deemed advisable that New Zealand should be represented at the International Copyright Conference held at Rome in 1928 and be associated with any decisions reached.

At the Rome Conference the following article, having special relation to broadcasting, was adopted as part of the Convention:—

“(1) Authors of literary and artistic works shall enjoy the exclusive right to authorize the communication of their works to the public by radio communication.

“(2) The national legislation of the countries of the Union may regulate the conditions under which the right mentioned in the preceding paragraph shall be exercised, but the effect of those conditions will be strictly limited to the countries which have put them in force. Such conditions shall not in any case prejudice the moral rights (*droit moral*) of the author, nor the right which belongs to the author to obtain an equitable remuneration, which shall be fixed, failing agreement, by the competent authority.”

Pursuant to this international agreement, the position in New Zealand has been met by the enactment of the Copyright (Temporary) Amendment Act, 1928. This measure empowers the Minister of Telegraphs to fix by agreement the proportion of listeners' fees (not, however, to exceed $7\frac{1}{2}$ per cent.) to be paid to any authenticated association or body of persons representing the holders of copyright, or, if such agreement cannot be reached, or if the Minister is unable to satisfy himself regarding the existence of any representative body, then such percentage (not, however, exceeding $7\frac{1}{2}$ per cent.) as is deemed to be just.

There is no desire to abrogate the sacred rights of property, but it is necessary to guard against the new utility of broadcasting being made the target of unreasonable demands by bodies or associations purporting to control copyright.

RADIO-DEALERS' LICENSES: AMENDED FEES.

Following upon the legal establishment of the claim of Amalgamated Wireless (Australasia), Ltd., in respect of patent rights in radio broadcasting-apparatus in New Zealand, and the consequent payment to the company of 3s. in respect of each radio receiving license, it has become necessary to amend the fees for radio-dealers' licenses, for the purpose of recouping the Department in some degree for the payments to be made to the holders of patent rights. The amended fees, which take effect from the 1st April, 1929, are as follows:—

	£	s.	d.
For a Class I license, being—			
(a) Licenses of dealers carrying on business in any of the four main cities—viz., Auckland, Christchurch, Dunedin, Wellington—and within ten miles by the nearest practicable route of the chief post-office at those cities	15	0	0
(b) (Portable) licenses of dealers without any fixed place of business who are not representatives of Class I (a) or Class II licensees	15	0	0
For a Class II license, being the licenses of dealers carrying on business in all other areas	7	10	0
For a Class III license, being (portable) licenses of dealers without any fixed place of business who are the representatives of Class I (a) or Class II licensees	2	0	0

AMATEUR RADIO RECEIVING-STATION LICENSE: SPECIAL LICENSE FEE FOR SETS
INSTALLED IN PUBLIC PLACES.

The Radio Regulations have been amended to provide that the special receiving license fee of £5 shall apply only in cases in which a radio receiver is installed in a hall or other place which is licensed to charge for admission.