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The Gazette of the Democratic Socialist Republic of Sri Lanka
EXTRA ORDINARY

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PART I : SECTION (I) — GENERAL

Government Notifications

INTELLECTUAL PROPERTY ACT, No. 36 OF 2003

REGULATION made by the Minister of Industry and Commerce under section 204 of the Intellectual Property Act, No. 36 of 2003 read with Sections 5, 9 and 17 of the said Act.

RISHAD BATHIUDEEN, M. P.,
Minister of Industry and Commerce.

Ministry of Industry and Commerce,
Colombo,
04th January, 2011.

Regulations

1. These regulations may be cited as "the Intellectual Property Regulation, No. 01 of 2011" and shall come into operation from 04th January, 2011.

2. Where a Broadcasting Organization (hereinafter referred to as the "organization") broadcasts a song or any substantial part thereof, such Organization shall make the following minimum payment to the lyricist, musician and singer of the song subject to the provisions of the Intellectual Property Act, No. 36 of 2003.

(I) (a) In respect of broadcasting of a song once on Radio:

	<i>Rs. cts.</i>
(i) for the lyrics or any substantial part thereof	3 00
(ii) for the musical work or any substantial part thereof	3 00
(iii) for the singing of the song or any substantial part thereof	3 00

	<i>Rs. cts.</i>
(b) In respect of broadcasting of a musical work once on Radio- for the musical work or any substantial part thereof without accompanying words	3 00
(II) (a) In respect of broadcasting of a song once on Television:	
(i) for the lyrics or any substantial part thereof	10 00
(ii) for the musical work or any substantial part thereof	10 00
(iii) for the singing of the song or any substantial part thereof	10 00
(b) In respect of broadcasting of a musical work once on Television for the musical work or any substantial part thereof without accompanying words	10 00
(III) (i) In respect of broadcasting of a pictorial composition of a song or a substantial part thereof on Television once, to the producer of such pictorial composition	10 00
(ii) In respect of broadcasting of a pictorial composition of a musical work or a substantial part thereof without accompanying words on Television once, to the producer of such pictorial composition	10 00

Provided however, the organization and the parties entitled to the payment shall not be precluded or prevented from entering into any Agreement to vary the fees to be more favourable to such parties.

03. (a) The payment specified in Clause No. 2 above, shall be made by the organization,

- (i) directly to the person who is entitled to the payment; or
- (ii) to the Collective Society in which such person is a member

(b) The person who is entitled to, or the Collective Society which is entitled to, the payment shall intimate to the organization in writing as to whom the payment should be made.

04. For the purpose of these Regulations, unless the context otherwise requires, the definitions "broadcasting organization," collective society" and "work" shall have the same meaning as in the Intellectual Property Act, No. 36 of 2003.