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FRIDAY, 10 MARCH, 1944

Privy Council Office, 10th March, 1944.

UNIVERSITIES OF OXFORD AND CAMBRIDGE ACT, 1923.

A STATUTE made by the Governing Body of Oriel College, in the University of Oxford, on the 6th March, 1944, amending Statute III of the College Statutes, has been submitted for the approval of His Majesty in Council, and notice of its having been so submitted is published in accordance with the provisions of "The Universities of Oxford and Cambridge Act, 1923."

At the Court at Buckingham Palace, the 6th day of August, 1942.

PRESENT.

The KING's Most Excellent Majesty.
 Lord President.
 Lord Macmillan.
 Secretary Sir Archibald Sinclair.
 Mr. Williams.

WHEREAS by reason of conditions arising out of the war difficulties have been experienced by citizens of the United States of America in complying with the requirements of the Copyright Act, 1911, as to first publication within the parts of His Majesty's dominions to which the Act extends of their works first published in the United States of America during the war:

And whereas His Majesty is advised that the Government of the United States of America has undertaken to grant such extension of time as may be deemed appropriate for the fulfilment of the conditions and formalities prescribed by the laws of the United States with respect to the works of British subjects first produced or published outside the United States and subject to copyright or to renewal of copyright under the laws of the United States including works subject to ad interim copyright:

And whereas by reason of the said undertaking of the Government of the United States of America His Majesty is satisfied that the said Government has made, or has undertaken to make, such provision as it is expedient to require for the protection of works first made or published during the period commencing on the 3rd day of September, 1939, and ending one year after the termination of the present war within the parts of His Majesty's dominions to which this Order applies and entitled to copyright under Part I of the Copyright Act, 1911:

And whereas by the Copyright Act, 1911, authority is conferred upon His Majesty to extend, by Order in Council, the protection of the said Act to certain classes of foreign works within any part of His Majesty's dominions, other than the self-governing Dominions, to which the Act extends:

And whereas by reason of these premises it is desirable to provide protection within the parts of His Majesty's dominions to which this Order applies for literary or artistic works first published in the United States of America during the period commencing on the 3rd day of September, 1939, and ending one year after the termination of the present war which have failed to accomplish the formalities prescribed by the Copyright Act, 1911, by reason of conditions arising out of the war:

Now, therefore, His Majesty, by and with the advice of His Privy Council, and by virtue of the authority conferred upon Him by the Copyright Act, 1911, and of all other powers enabling Him in that behalf, is pleased to direct and doth hereby direct as follows:—

1. The Copyright Act, 1911, shall, subject to the provisions of the said Act and of this Order, apply to works first published in the United States of America during the period commencing on the 3rd day of September, 1939, and ending one year after the termination of the present war, which have not been republished in the parts of His Majesty's dominions to which this Order applies within fourteen days of the publication in the United States of America, in like manner as if they had been first published within the parts of His Majesty's dominions to which the said Act extends:

Provided that the enjoyment by any such work of the rights conferred by the Copyright Act, 1911, shall be conditional upon publication of the work within the parts of His Majesty's dominions to which this Order relates 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.

2. The provisions of Section 15 of the Copyright Act, 1911, as to the delivery of books to libraries, shall apply to works to which this Order relates upon their publication in the United Kingdom.

3. 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, 1911, or any Order in Council thereunder.

4. Where any person has, before the commencement of this Order, taken any action whereby he has incurred any expenditure or liability in connexion 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 connexion 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.