

## ANSWERS TO QUESTIONNAIRE

### (COPYRIGHT OFFICE, GHANA)

#### A. COPYRIGHT REGISTRATION AND RECORDATION

1. The Copyright Office of Ghana, statutorily established by Copyright Law, PNDC Law 110 of 1985 and saved under the current Copyright Act, 2005, Act 690.
2. **Address** – Copyright Office, Private Mailbag, Ministries Post Office, Accra – Ghana.  
**Location** – Adjacent to the Teacher’s Hall, University of Ghana Accra City Campus Area.  
**Open hours** – 8:30am to 5:00pm
3. Webpage is being created now but is not done yet. The email address is [www.copyright@ghana.com](mailto:www.copyright@ghana.com)
4. No
5. The Copyright Act 2005, (Act 690)
6. Works that can be registered are musical works, artistic works, literary works, logos, audiovisual works and computer software / programs. The registration process is the same for all even though there are different registration forms to be completed for different works.
7. Yes, when they are recorded.
8. Yes, when they are expressed through a written contract
9. Yes just as in paragraph 8.
10. The legal effect of registration is as follows
  - i) As means to maintain records of works.
  - ii) As means to publicize the rights of the owner
  - iii) It is used as evidence of ownership in cases of infringement and authentication of IP. The recognition is a reputable presumption.
  - iv) In all cases, registration / recordation is voluntary.
  - v) Yes, the courts do, and it is automatic.
  - vi) (a) The mandatory elements are the purchase and filling of registration forms and the deposit of two (2) copies of the particular work.  
(b)The request is to be submitted in person or by proxy but not by post or electronically.  
(c) Yes. The deposit requirement is that two copies of the work must be submitted with the request, and it can be done in digital form in the case of computer software.  
(d) This is the schedule of fees:

	GH¢	US\$
Musical works -	15.00	11.00
Literary works-	25.00	18.00
Audiovisuals -	30.00	21.00
Artistic works -	50.00	36.00
Computer software-	100.00	71.00

(e) An average time of 20 minutes is used to complete a registration form and then collection of certificate is done in a month's time.

14. Yes / Yes / No

15. No

16. Criteria for classification of works are as follows:

- Type of work
- Title of work
- Name of right owner
- Printed material- Literary
- Digitized material – Software
- Music -(on CDs and Cassettes)
- Logos and Artistic works
- Whether published or unpublished

17. Yes

18. No

19. Yes ( on request)

20. No

21. Yes. Section 14 of the Copyright Act (2005), Act 690 states that an orphan work enjoys copyright protection until the expiration of seventy years from the date on which the work was either made or made available to the public.

22. No

23. Yes

24. In all cases, the answer is no.

25. No

26. Yet to be completed \*\*\*

## **B. LEGAL DEPOSIT**

27. Yes. That is Act 535

28. The Public Records and Archives Administration Act(1997), Act 535

29. It is mandatory for government agencies alone

30. Preservation of governmental records, collection of statistical information and for research purposes.

31. Yes there is. This is provided for in Section 20 of the Public Records and Archives Administration Act which states that:

***(1) The supply of copies of records by the Director does not involve the transfer of any copyright in the records to the recipient, accordingly, the Director, in making available for inspection or providing copies of records in his custody shall not be liable for breach of any copyright law.***

***(2) No person shall make publication of facsimile copies, verbatim transcripts or literal translations of records in the custody of the Director in which copyright subsists in Ghana except with the consent of the author and the Director.***

32. Yes. Section 2.1 of Copyright Act 690 permits archives and libraries to make a copy for storage in the libraries or archives.
33. Categories of materials subject to legal deposit are: Administrative records, Legal documents, Newspapers and other relevant Cultural Materials.
34. It applies to printing of content after distribution. And yes, it applies to material printed in the country but distributed abroad and vice versa
35. Yes. These are documents or records that remain classified or secret on the grounds of national security, maintenance of public order, safeguarding of revenue or protection of personal privacy.
36. No
37. One copy with or in extreme cases photographs of the copyright works may be permitted.
38. Government institutions, individuals and the general public.
39. The requirement is 10 years after publishing, even though it is not mandatory.
40. No payment
41. The Public Records And Archives Administration Department (PRAAD), Public Libraries and National Museum
42. Yes. Members of the public who wish to have access to these deposited materials must first register as members of PRAAD and be issued with a membership card which will enable them to have access to materials for their research or otherwise.
43. Yes they do, but they are not accessible online.
44. Yes, it is linked to the International Council of Archives (ICA) and ISO 15489, ISBN and ISSN
45. The statistics are as follows:

<b>YEAR</b>	<b>AUDIOVISUAL</b>	<b>SOFTWARE</b>	<b>LOGO</b>	<b>ARTISTIC WORKS</b>	<b>MUSICAL WORKS</b>	<b>LITERARY WORKS</b>
2005	50	1	14	31	709	223
2006	19	2	5	21	634	172
2007	27	4	13	18	575	174
2008	53	2	10	13	499	233
2009	62	10	9	6	499	137

The statistics for Number 26 will be forwarded later.

