

# The Second Survey of National Legislation on Voluntary Registration Systems for Copyright and Related Rights.

## II QUESTIONNAIRE

### A. COPYRIGHT REGISTRATION AND RECORDATION

1. *The Namibian Copyright and Neighbouring Protection Act, No: 6 Of 1994*, as amended, resulted the establishment of the two *Namibian Copyright Organization* *Namibian Society of Composers and Authors of Music (NASCAM)* in 1993 and 2007 March the *Namibia Reproduction Rights Organization (NAMRRO)*.

2. **The Ministry of Information & Communication Technology**

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4. The copyright registry is not interconnected to any copyright data.
5. (i) The Namibian Copyright and Neighbouring Protection Act, No: 6 Of 1994  
(ii) Industrial Property Act, 2008  
(iii) National Library and Information Service Act, Act 2 of 2000,
6. Computer program designs; Architect related designs, Business plan (profile), scripts and manuscript ect; No difference
7. The matter of related rights are registered by collective Management Organisation called **Namibian Society of Composers and Authors of Music (NASCAM)**.
8. The collective management organization needs to be informed about the transaction.
9. NO
10. The Legal effect of registration required all the document requested including the registration of the ideas Close Corporation, Sole Proprietor, Journals, Books and Script. Immediately after issuing of certificate of registration will take effect.
11. (a) Recordation mandatory  
(b) Recordation mandatory  
(c) Recordation mandatory  
(d) Recordation mandatory
12. Yes, is a local procedure that requires authenticating.
13. (a) It is mandatory that all question on the application should completed and the documents request affixed.  
(b) Yes, it can be submitted specifically requested by post inspection and electronically  
(c) The copy of a request must be kept in the office of registration but it can not be submitted digitally.  
(d) In the case of registration of **Magazine/Newspaper** there is a fee of **N\$ 10.00**. There is no payment for the registration of copyright testimonial legal.  
(e) The average time of to complete a the registration is five normal working days (from Monday)

14. Foreigners are allowed to register their work because Namibia is a member of the ***Bern Convention of 1886***, therefore foreign states Bern Convention Nationals are allowed to register.
15. Yes, the Ministry of Education via the National Archive is directly involved with the digitations of these files.
16. Database headings
17. Yes
18. Yes and No
19. Depends on the owner
20. No access!
21. Not at the moment, the bill is being amended.
22. No
23. No
24. Public domain works, there is no system
25. No private institutions / initiative exist which we are aware of.
26. Sorry, no time to do the statistics in a hurry!

## **B. LEGAL DEPOSIT**

27. Yes
28. Namibia Library and Information Service Act, Act 2 of 2000
29. Mandatory. In case of non-compliance, legal proceedings resulting in a fine or prison sentence can be followed.
30. Preservation of cultural heritage. Bibliographic control (Production of national bibliography)
31. No
32. Not under the Library Act.

33. All published material “stored in any medium”, therefore print material in all formats, including government publications, and any published audio and audiovisual material and internet publications, is covered by the Act. In practice, only print publications are extensively deposited. The wording of the Act does not include broadcast material.
34. After its distribution. The Act is not clear about material printed in the country but distributed abroad.
35. No general exemptions
36. No specific regulations for electronic material.
37. 5 copies for private publications, 20 copies for government publications. No specific conditions for limited editions, but producers can apply for exemptions/reduction of numbers to be decided by a committee.
38. The “producer”, being defined as “a person who, or a government office which (a) publishes the original of any document which is intended to be generally available, or (b) imports from outside Namibia a document made outside Namibia and which document is intended for Namibia, or to be generally available in Namibia”
39. Within 14 days after the document became generally available
40. No compensation. The producer has to carry the cost
41. The National Library as the first receiver, and 3 other libraries.
42. The general public has access to the material in the depository library. Legal deposit material is not available on loan.
43. The depositories provide catalogue access. The catalogue of the National Library is accessible online.
44. Legal deposit is not linked to a number or code. ISBN and ISSN are allocated by the National Library who is the main depository, and used as instruments in assisting to ensure deposit, but are not mandatory.
45. Sorry - No time to do the statistics in a hurry.

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