

THE OPTICAL DISCS PLANTS REGULATIONS

The Nigerian Copyright Commission came up with the Copyright (Optical Discs Plants) Regulations as a regulatory initiative to enable it monitor the operations of all local optical discs manufacturers and replicating plants, as well as the imports of such products. Prior to now, the source of pirated works had largely been imports from foreign illegal channels. With the establishment of local optical discs manufacturing and replicating plants, it became obvious that domestic piracy is fast gaining grounds, and may become more damaging if not checked.

The regulations requires all persons involved in the manufacture of optical discs or the production parts; or importation and exportation of optical discs, production parts, raw material, or manufacturing equipment to obtain be registered by the Commission before engaging in such activities. A production licence is renewable annually, while a separate licence is required in respect of each exportation or importation of optical discs, production parts, raw material or equipment. Persons carrying on the business of commercial optical discs duplication, namely, the recording of copyrighted materials owned by others onto recordable optical discs are also required to register with the Commission.

The main plank of the regulation is the monitoring and enforcement of compliance. All licensees are expected to keep certain books and make periodic returns on their activities as maybe determined by the Commission. Non-compliance with the provisions of the regulations attracts sanctions which include administrative measures like revocation, suspension or refusal to renew a licence. There is also provision for judicial action.

The issuance of the Copyright (Optical Discs Plants) Regulations is one of the practical strategies adopted to actualize the new policy framework of the Commission under the Strategic Action against Piracy (STRAP). It is expected to function in tandem with other programmes of the Commission and general anti-piracy campaign. It is also expected that the regulations will be advantageous to operators of plants in terms of enabling them monitor the distribution of their products, and forestall incessant counterfeiting by underground operators.