

No. 7247. INTERNATIONAL CONVENTION FOR THE PROTECTION OF PERFORMERS, PRODUCERS OF PHONOGRAMS AND BROADCASTING ORGANISATIONS. DONE AT ROME, ON 26 OCTOBER 1961¹

EXTENSION to GIBRALTAR

In a notification received by the Secretary-General on 20 December 1966, to take effect on 20 March 1967, the Government of the United Kingdom has declared that the above-mentioned Convention shall extend to Gibraltar, subject to the following declarations :

(1) in respect of article 5 (1) (b) and in accordance with article 5 (3) of the Convention, Gibraltar will not apply, in respect of phonograms, the criterion of fixation;

(2) in respect of article 6 (1) and in accordance with article 6 (2) of the Convention, Gibraltar will protect broadcasts only if the headquarters of the broadcasting organisation is situated in another Contracting State and the broadcast was transmitted from a transmitter situated in the same Contracting State;

(3) in respect of article 12 and in accordance with article 16 of the Convention,
(a) Gibraltar will not apply the provisions of article 12 in respect of the following uses :

- (i) the causing of a phonogram to be heard in public at any premises where persons reside or sleep, as part of the amenities provided exclusively or mainly for residents or inmates therein except where a special charge is made for admission to the part of the premises where the phonogram is to be heard,
 - (ii) the causing of a phonogram to be heard in public as part of the activities of, or for the benefit of, a club, society or other organisation which is not established or conducted for profit and whose main objects are charitable or are otherwise concerned with the advancement of religion, education or social welfare, except where a charge is made for admission to the place where the phonogram is to be heard, and any of the proceeds of the charge are applied otherwise than for the purposes of the organisation.
- (b) as regards phonograms the producer of which is not a national of another Contracting State or as regards phonograms the producer of which is a national of a Contracting State which has made a declaration under article 16 (1) (a) (i) stating that it will not apply the provisions of article 12, Gibraltar will not grant the protection provided for by article 12, unless, in either event, the phonogram has been first published in a Contracting State which has made no such declaration.

¹ United Nations, *Treaty Series*, Vol. 496, p. 43; Vol. 540, p. 338, and Vol. 568, p. 362.