

Copyright Act, 1957

Section 31D - Statutory licence for broadcasting of literary and musical works and sound recording.—

1) Any broadcasting organisation desirous of communicating to the public by way of broadcast or by way of performance of a literary or musical work and sound recording which has already been published may do so subject to the provisions of this section. (2) The broadcasting organisation shall give prior notice, in such manner as may be prescribed, of its intention to broadcast the work stating the duration and territorial coverage of the broadcast, and shall pay to the owner of rights in each work royalties in the manner and at the rate fixed by the 1[Appellate Board]. (3) The rates of royalties for radio broadcasting shall be different from television broadcasting and the 1 [Appellate Board] shall fix separate rates for radio broadcasting and television broadcasting. (4) In fixing the manner and the rate of royalty under sub-section (2), the 1[Appellate Board] may require the broadcasting organisation to pay an advance to the owners of rights. (5) The names of the authors of the principal performers of the work shall, except in case of the broadcasting organisation communicating such work by way of performance, be announced with the broadcast. (6) No fresh alteration to any literary or musical work, which is not technically necessary for the purpose of broadcasting, other than shortening the work for convenience of broadcast, shall be made without the consent of the owners of rights. (7) The broadcasting organisation shall (a) maintain such records and books of account, and render to the owners of rights such reports and accounts; and (b) allow the owner of rights or his duly authorised agent or representative to inspect all records and books of account relating to such broadcast, in such manner as may be prescribed. (8) Nothing in this section shall affect the operation of any licence issued or any agreement entered into before the commencement of the Copyright (Amendment) Act, 2012.]