L.N. 120 of 1992

POLICE LICENCES ACT
(CAP. 128)

Police Licences (Protection of Copyright) Regulations, 1992

IN exercise of the powers conferred by section 3 of the Police Licences Act, the Minister for Home Affairs and Social Development has made the following regulations:—

Citation and commencement.

1. These regulations may be cited as the Police Licences (Protection of Copyright) Regulations, 1992, and shall come into force on the 1st January, 1993.

General condition of licences.

2. (1) Every licence —

(a) to open or keep any shop for the sale of any wares or merchandise, whether by wholesale or retail;

(b) to open or keep any shop for the exercise therein of any art or trade;

(c) to exercise the trade of hawker or pedlar;

(d) to keep in any premises any agency in connection with housing or travelling or in connection with any kind of trade, business or commerce; or

(e) to exercise in the street any craft, trade or calling,

shall be issued, renewed or transferred subject to the condition that the licensee shall not —

(i) for gain or by way of trade, print, manufacture, duplicate or otherwise reproduce or copy, or sell, distribute or otherwise offer for sale or distribution from or on the premises covered by the licence, or as part of the activity covered by such licence, any article or other thing in violation of the rights of copyright enjoyed by any other person and protected by or under Maltese law;

(ii) suffer or permit any person to do any act or thing, as is mentioned in subparagraph (i), from or on the premises covered by the licence, or as part of the activity covered by such licence; or

(iii) conspire or attempt, or aid, abet, counsel or procure any other person, to do any act or thing as is mentioned in subparagraphs (i) and (ii).

(2) Any licensee who contravenes or fails to comply with the condition set out in paragraph (1) shall, for the purposes of any law applicable in respect of any of the activities referred to in subparagraphs

(a) to (e) of the said paragraph (1), be deemed to be acting without the appropriate licence, and upon such contravention or failure the said licence shall moreover automatically expire:

Provided that the Police shall not take any administrative or other action on the basis of the automatic expiry as aforesaid before the fact constituting the contravention or failure shall have been established by or in any final decision of a court.

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