



**Council for Trade-Related Aspects  
of Intellectual Property Rights**

Original: English

**NOTIFICATION OF LAWS AND REGULATIONS  
UNDER ARTICLE 63.2 OF THE TRIPS AGREEMENT**

SEYCHELLES: THE "COPYRIGHT ACT, 2014"

<b>Notifying Member</b>	SEYCHELLES
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**Details of the notified legal text**

<b>Title</b>	The "Copyright Act, 2014"
<b>Subject matter</b>	Copyright and related rights, Enforcement
<b>Nature of notification</b>	<input checked="" type="checkbox"/> Main dedicated intellectual property law or regulation <input type="checkbox"/> Other law or regulation
<b>Link to legal text</b>	<a href="http://members.wto.org/crnattachments/2016/IP/SYC/16_1752_00_e.pdf">http://members.wto.org/crnattachments/2016/IP/SYC/16_1752_00_e.pdf</a>
<b>Notification status</b>	<input checked="" type="checkbox"/> First notification <input type="checkbox"/> Amendment or revision to notified legal text <input type="checkbox"/> Replacement or consolidation of notified legal text(s)
<b>Previous notification(s) referred to</b>	Not applicable

**Brief description of the notified legal text**

The "Copyright Act 2014" was adopted following the repealed and replaced of "Copyright Act 1984".

The provisions of this Act shall apply to works, performances, phonograms and broadcasts created before or after the commencement of this Act, provided that the period of protection had not expired under the laws of Seychelles or the laws of the country of origin of such works, performances, phonograms or broadcasts that are to be protected under an international treaty to which the Republic of Seychelles is a party.

The "Copyright Act 2014" provides protection of an eligible work by an exclusive right conferred to the author or another person for the lifetime of the author plus 50 years in Seychelles or elsewhere, on all or any part of the copying, reproduction, communication to the public or broadcasting of the work.

Eligible work included: literary works: musical works: artistic works: performance of literary or musical works: films; sound recordings and broadcasts.

The "Copyright Act 2014" also provides for the protection of computer programs (whether in source or object code); and compilation of data (whether in machine readable or other forms and, which by reason of selection or/and management of their contents, constitute intellectual creation).

*Prevention of the abuse of intellectual property rights*

Relevant provisions had been incorporated into the "Copyright Act, 2014" Section 31, which governed the control of potential abuse of intellectual property rights (IPRs).

*Civil judicial procedures and remedies*

Provisions with respect to administrative procedures and remedies, provisional measures and special border measures, as required by the TRIPS Agreement, is incorporated into the Seychelles Intellectual Property Legislation, i.e. the "Copyright Act 2014" and the "Industrial Property Act 2014".

Under the Seychelles' Civil Code, the violation of the exclusive rights of the owners of copyright, trademark or patent resulted in civil liability by the offenders in the form of both compensation for the damages suffered by the proprietor, and the immediate prohibition of the illegal usage of the rights.

Prohibition, referred to in-land prohibitions only (i.e. in the territory of Seychelles).

Any infringement of intellectual property rights could result in: (I) a Supreme Court injunction to cease the infringement that the remedies stipulated in Seychelles' Civil Code were available to both Seychellois and foreign nationals.

*Provisional judicial measures*

The "Copyright Act 2014" and the "Industrial Property Act 2014" incorporated provisions of the TRIPS Agreement with respect to provisional measures.

*Special requirements related to border measures*

Relevant provisions in the "Copyright Act, 2014" and Chapter 13 of the consolidated "Customs Management Regulations 2014", i.e. the "Customs Management (Border Measures) Regulation 2014" make provisions in relation to border measures for the protection of intellectual property rights.

*Criminal procedures*

The Copyright Act, 2014 comprised provisions with respect to criminal sanctions for copyright infringements. Under the "Copyright Act 2014", the provisions foresaw a fine of up to SR 50,000 and/or imprisonment for up to 5 years.

*Any administrative procedures and remedies not covered above*

The "Copyright Act 2014" and the "Industrial Property Act 2014" contained specific provisions with respect to administrative procedures and remedies and are in full conformity with the TRIPS Agreement.

<b>Language(s) of notified text</b>	English
<b>Date of adoption</b>	21 April 2014
<b>Entry into force</b>	21 April 2014

**Notification details**

<b>Submission date of notification</b>	24 March 2016
<b>Other information</b>	<a href="http://www.seychellestradeportal.gov.sc/content/publications/copyright-act">http://www.seychellestradeportal.gov.sc/content/publications/copyright-act</a>

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