

COPYRIGHT INFRINGEMENT IS A SERIOUS OFFENCE IN THE WORLD IN THIS DIGITAL AGE: HOW THE COPYRIGHT ACT OF ZANZIBAR PROTECTS INTELLECTUAL CREATIONS AGAINST COPYRIGHT INFRINGEMENT?

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ABSTRACT

Copyright is one among the branches of intellectual property, each country has created its law to protect copyright against copyright infringement but Internationally the World Intellectual Property Organizations (WIPO), The Agreement on Trade Related Aspects of Intellectual Property Rights (TRIPS) and Bern Convention set standards for protection of the rights of the intellectual creators, authors and writers for their intellectual creations of copyrighted works around the world.

The main goals of protecting copyright are to encourage creations and innovation, encourage the development of science and culture and provide financial benefit to copyright intellectual creators, authors and writers. The main challenges of copyright protection are lack of knowledge of copyright law and lack of advancement of new technology that can make copyright to be infringed. Copyright infringement can be protected by establishing policy that can maintain the area of copyright as well as the government should amend or repeal its law for the purpose of having effective protection of copyright through this digital age.

INTRODUCTION

Copyright is the right of the authors, creators and other intellectual creators to be protected for their intellectual creations. These rights are granted by the law of the country by which the intellectual creators, authors and writers registered their works. Copyright includes literary and artistic works, such as novels, poems and plays, films, musical works, drawings, paintings, photographs and sculptures, computer software, databases and architectural designs¹. The protection of literary, artistic and scientific works shall apply to²:

- (a) works of authors who are citizens of the United Republic of Tanzania, or other nationals who have their habitual residence in Zanzibar;
 - (b) works first published in United Republic of Tanzania, and works first published in another country and also published in United Republic of Tanzania within thirty days, irrespective of the nationality or residence of their authors;
 - (c) audiovisual works, the producer of which has his headquarters or habitual residence in Zanzibar; and
 - (d) works of architecture erected in Zanzibar and other artistic works incorporated in a building or other structure located in Zanzibar.
- (2) The provisions of this Act shall also apply to:
- (a) works that are eligible for protection in United Republic of Tanzania by virtue of and in accordance with any international convention or other international agreement to which the United Republic of Tanzania is party;
 - (b) unpublished works first published in a foreign country of authors of foreign nationality and having their residence in a foreign country, provided that the country where their author has his or habitual residence or, in case of published works, the country of their first publication, grants similar protection to nationals or residents of United Republic of Tanzania for their unpublished works or to works first published in United Republic of Tanzania;
 - (c) expression of foreign folklore provided that the country or the community from which such expression have been derived, grants similar protection to

¹ Intellectual Property needs and Expectations of Traditional Knowledge, Geneva (2001), "WIPO Report on Fact-Finding Missions on Intellectual Property and Traditional Knowledge (1998-1999), P. 24

² Section 44(1) and (2) of the Zanzibar Copyright Act of 2003

expression of folklore developed and maintained in United Republic of Tanzania.

There are various works that are protected by laws depending where that works are created, in Zanzibar, Copyright works which are protected by The Copyright Act of 2003 are the following³:

- (a) Books, pamphlets, articles, computer programs, scientific or artistic writings and other writings;
- (b) Speeches, lectures, addresses, sermons and other oral works,
- (c) Dramatic, dramatic-musical works, pantomimes, choreographic works and other works created for stages productions;
- (d) Musical works, with or without accompanying words;
- (e) Audiovisual works;
- (f) Works of architecture;
- (g) Works of drawing, painting, sculpture, engraving, lithography, tapestry and other works of fine art,
- (h) Photographic works,
- (i) Works of applied art,
- (j) Illustrations, maps, plans, sketches and three-dimensional works relative to geography, topography, architecture or science.

Also The Copyright Act of Zanzibar protects the derivative works that are⁴:

- (a) Translations, adaptation, arrangements and other transformations of modifications of works; and
- (b) Collection of works, collection of mere data (databases), whether in machine readable or other form, and collections of expressions of folklore, provided that such collections are original by reason of the selection or arrangement of their contents.

The economic rights shall be protected during the life of the author and for fifty years after his death⁵. In the case of joint authorship, the economic rights shall be protected during the life of

³ Section 3(1)(a-j) and 3(2) of the Copyright Act no. 14 of 2003

⁴ Section 4(1)(a and b) of The Zanzibar Copyright Act No. 14 of 2003

⁵ Section 18(1) of the Zanzibar Copyright Act No. 14 of 2003

the last surviving author and for fifty years after his death⁶. In the case of a collective work, other than a work of applied art, and in the case of an audiovisual work, the economic rights shall be protected for fifty years from the date on which the work was either made, first made available to the public, or first published, whichever date is the latest⁷.

In the case of a work published anonymously or under a pseudonym, the economic rights shall be protected for fifty years from the date on which the work was either made, first made available to the public or first published, whichever date is the latest, provided that where the author's identity is revealed or is no longer in doubt before the expiration of the said period⁸. In the case of a work of applied art, the economic rights shall be protected for twenty five years from the making of the work⁹.

HISTORICAL INFORMATION OF COPYRIGHT LAW

Internationally copyright started to be protected since 1710 when the Statute of Anne was established in England with the aim of protecting the work of intellectual creators of copyrighted works. This Act introduced for the first time the concept of the author of a work being the owner of its copyright, and laid out fixed terms of protection. Following this Act, copyrighted works were required to be deposited at specific copyright libraries, and registered at Stationers' Hall, there was no automatic copyright protection for unpublished works¹⁰.

During that time those copyright laws was not coordinated at an international level until 19th century when Bern convention was recognized for the purpose of promoting international standards and develop copyright protection in 1886. Legislation based on the Statute of Anne gradually appeared in other countries, such as the Copyright Act of 1790 in the United States. In 1961 International Convention for the protection of Perfumers, Producers of phonograms and broadcasting Organizations adopted in Rome.

⁶ Section 18(2) of the Zanzibar Copyright of 2003

⁷ Section 18(3) of the Zanzibar Copyright Act No. 14 of 2003

⁸ Section 18(4) of the Zanzibar Copyright Act No. 14 of 2003

⁹ Section 18(5) of the Zanzibar Copyright Act No. 14 of 2003

¹⁰http://www.iprightsoffice.org/copyright_history/, accessed on 28th December, 2018

The Berne Convention does away with the need to register works separately in each individual country, and has been adopted by almost all the nations of the world (over 140 of the approximately 190 nation states of the world). Following the United States' adoption of the treaty in 1988 the Convention now covers almost all major countries. The Berne Convention remains in force to this day, and continues to provide the basis for international copyright law¹¹.

During 19th century different laws that protect copyright were established on different countries such as the Copyright Act of 1976 of the United States that codified the doctrine of 'fair use', on 27th September, 2011 the Directive 2006/116/EC of the European Parliament and of the Council was introduced. In 1998 the Copyright, Design and Patent Act of the United Kingdom was established and Directive 2014/26/EU of the European Parliament and of the Council on collective management of copyright and related rights and multi-territorial licensing of rights in musical works for online use in the internal market of 2014 was initiated.

In the national level the protection of copyright in Tanzania started in 1958, Tanzania as a union of Tanganyika and Zanzibar since 1964 uses different laws for protection of copyright against infringement. Tanzania used the Copyright Ordinance Cap. 394 of 1958 which was repealed by Act No. 12 of 1986, the Copyright and Neighboring Rights Act of 1999 was enacted for the purpose of protecting copyright and other related rights in literary and artistic works¹².

During colonialism Zanzibar used English Copyright Act of 1911 for Copyright by using Zanzibar Order of Council of 1924 and it was repealed in 1962 under the Zanzibar Order in Council. This Order and the Universal Copyright Convention and Bern Convention under legal notice no. 113 of 1963 were used together with Zanzibar Order in Council of 1962 up to 2003 when the Act no. 14 which is known as The Copyright Act of 2003 was established¹³

¹¹ Ibid 11

¹² Makame, M.S. (2013), "The Effectiveness of Intellectual Property Laws n Zanzibar", http://repository.out.ac.tz/1059/10Mwajuma_Makame.pdf, accessed on 28th December, 2018

¹³ Ibid 13

INTERNATIONAL COPYRIGHT TREATIES

International Copyright Treaties are treaties that are used to protect copyright and other related rights against infringement. The International Copyright Treaties that protect copyrights and other related rights against infringement are Bern Convention, TRIPS Agreements and World Intellectual Organization.

i. Bern Convention

Bern Convention is a Convention which was first accepted in Bern Switzerland in 1886 and ratified as an international agreement governing copyright on 5th September, 1887 by France, Belgium, United Kingdom, Spain, Italy, Tunisia, Liberia, Switzerland, Haiti and Germany. On February, 2018 there are 176 member states that are parties to the Bern Convention. Copyright includes literary and artistic works but member states are required to provide strong minimum standards for copyright law of each state. In order copyright to be protected under Bern Convention it should be original work.

One of the basic principles of the Berne Convention is that of “**automatic protection**”, which means that copyright protection exists automatically from the time a qualifying work is fixed in a tangible medium (such as paper, film or a silicon chip)¹⁴. A “**qualifying work**” is a literary work, a musical composition, a film, a software program, a painting, or any of many other expressions of creative ideas **but it is only the expression, and not the idea, that is protected by copyright law**¹⁵. Neither publication, registration, nor other action is required to secure a copyright, although in some countries use of a copyright notice is recommended, and in a few countries (including the United States) registration of domestic works is required in order to sue for infringement¹⁶.

ii. World Intellectual Property Organization (WIPO)

The World Intellectual Property Organization is a specialized agency which was originated in 1883 and 1886 with the adoption of the Paris Convention and the Bern Convention

¹⁴ <https://www.rightsdirect.com/international-copyright-basics/>, accessed on 4th February, 2019

¹⁵ Ibid 15

¹⁶ Ibid 15

respectively, this agency was signed in Stockholm in 1967 and entered into force in 1970. WIPO provides a global policy forum, where governments, intergovernmental organizations, industry groups and civil society come together to address evolving intellectual property (IP) issues¹⁷.

The WIPO Copyright Treaty (WCT) is among of 26 of WIPO administers treaties and is a special agreement under the Berne Convention which was adopted in 1996 and entered into force on 6th March, 2002. WCT deals with the protection of works and the rights of their authors in the digital environment, in addition to the rights recognized by the Berne Convention, they are granted certain economic rights¹⁸.

The Treaty also deals with two subject matters to be protected by copyright: (i) computer programs, whatever the mode or form of their expression; and (ii) compilations of data or other material ("databases")¹⁹. WIPO has principle which is known as national treatment which is used to protect works originating in one signatory country the same protection in the other signatory countries as each grant to works of its own nationals.

iii. The Agreement on Trade Related Aspects of Intellectual Property Rights (TRIPS)

TRIPS agreement is a comprehensive multilateral agreement on intellectual property which was negotiated at the end of Uruguay Round of the General Agreement on Tariffs and Trade (GATT) between 1989 and 1990 and administered by (WTO). This agreement were between member nations of the World Trade Organization (WTO) and requires members of WTO should provide strong protection for copyright rights and other related rights of intellectual property and specifies enforcement procedures, remedies and procedures of dispute resolution. The requirements of TRIPS are based on the Art. 12 and 14 whereby the duration of copyright is must extend at least 50 years, unless based on the life of the author, also under Art. 9 of Bern Convention copyright must be granted automatically and not based upon any formality and

¹⁷<https://www.wipo.int/policy/en/>, accessed on 6th February, 2019

¹⁸ Ibid 18

¹⁹ Ibid 18

under copyright law computer programs must be regarded as literary works and should have the same terms of protection.

The Zanzibar Copyright Act No. 14 of 2003

The Zanzibar Copyright Act No. 14 of 2003 is an act which was passed by the House of Representatives and assented by President of Zanzibar on 16th February, 2003. The act protects the Copyright and related rights and other matters connected therewith but it does not protect any idea, procedures, system, method of operation, concept, principle, discovery or mere data, even if expressed, described, explained, illustrated or embodied in a work²⁰, also the act does not protect any official text of a legislative, administrative or legal nature, as well as any official translation thereof²¹.

The Copyright Society of Zanzibar (COSOZA)

The Copyright Society of Zanzibar is established under section (38) of the Zanzibar Copyright Act of 2003 as a body corporate organization which have perpetual succession and by using its name capable of being suing and sued. The main functions of COSOZA are the following²²:

- (a) To promote and protect the interest of authors, performers, producers of sound recordings, broadcasters, publishers, and in particular, to collect and distribute any royalties or other remuneration accorded to them in respect of their rights provided for in this Act;
- (b) To maintain registers of works, productions and associations of authors, performers, producers of sound recordings broadcasters and publishers;
- (c) To publicize the rights of owners and give evidence of the ownership of these rights where there is a dispute or an infringement;
- (d) To print, publish, issue or circulate any information, report, periodical, books pamphlet, leaflet or any other material relating to copyright and rights or performers producers of recording and broadcasters.
- (e) To advise the Minister on all matters under this Act.

²⁰ Section 5(a) of the Zanzibar Copyright Act No. 14 of 2003

²¹ Section 5(b) of the Zanzibar Copyright Act No. 14 of 2003

²² Section 39 (a)-(e) of the Zanzibar Copyright Act No. 14 of 2003

COPYRIGHT INFRINGEMENT

Are the uses of economic rights also known as exclusive rights of intellectual creators, authors or writers without permission? The intellectual creators, authors or writers have exclusive right of authorizing to use or prohibiting others to use their works like to distribute, reproduce and even make copy or translate protected work from one language to another. Copyright infringement can be formed in the form of piracy, file sharing or even plagiarism. The author or owner of copyright shall have the exclusive right to carry out or to authorize the following acts in relation to the work²³.

- (a) Reproduction of the work;
- (b) Translation of the work;
- (c) Adaptation, arrangement or other transformation of the work,
- (d) Distribution to the public by sale, rental, public lending or otherwise of the original or a copy of the work that has not already been subject to a distribution authorized by the owner of copyright;
- (e) Rental or public lending of the original or a copy of an audiovisual work, a work embodied in a sound recording, a computer program, a database or a musical work in the form of notation, irrespective of the ownership of the original or copy concerned;
- (f) Importation of copies of the work;
- (g) Public display of the original or a copy of the work;
- (h) Public performance of the work;
- (i) Broadcasting of the work;
- (j) Other communication to the public of the work.

Copyright infringement cannot be formed whereby there is private reproduction for personal purposes, temporary reproduction, quotation and reproduction for teaching, reprographic reproduction by libraries and archives, reproduction, broadcasting and other communication to the public for informatory purposes, reproduction and adaptation of computer programs, importation for personal purposes and display of works.

²³ Section 6(1)(a-j) of the Zanzibar Copyright Act No. 14 of 2003

Private reproduction for personal purposes²⁴

In this case the private personal of a published work in a single copy shall be permitted without the authorization of the author or owner of copyright, where the reproduction is made by a physical person exclusively for his own personal purposes but that permission shall not extend to reproduction²⁵:

- (a) Of a work of architecture in the form of building or other construction;
- (b) In the form of reprography of the whole or a substantial part of a boot or of a musical work in the form of notation;
- (c) Of the whole or a substantial part of a database in digital form;
- (d) Of a computer program, except as provided in section (15); and
- (e) Of any work in cases where reproduction would conflict with a normal exploitation of the work or would otherwise unreasonably prejudice the legitimate interests of the author or other owner of the copyright.

Temporary reproduction²⁶

The temporary reproduction of a work shall be permitted if all the following conditions are met:

- (a) the reproduction is made in the process of a digital transmission of the work or an act of making a digitally stored work perceptible;
- (b) it is caused by a person or entity that, by way of authorization by the owner of copyright or of operation of law, is entitled to make that transmission or making perceptible of the work; and
- (c) It is an accessory to the transmission or making perceptible, that occurs during the normal operation of the equipment used and entails the automatic deletion of the copy without enabling the retrieval of the work for any other purpose than those, referred to in paragraphs (a) and (b) of this section.

²⁴ Section 9(1) of the Zanzibar Copyright Act No. 14 of 2003

²⁵ Section 9(1) and (2)(a)-(e) of the Zanzibar Copyright Act No. 14 of 2003

²⁶ Section 10(a, b and c) of the Zanzibar Copyright Act No. 14 of 2003

Quotation²⁷

- (1) The reproduction, in the form of quotation, of a short part of a published work shall be permitted without authorization of the author or other owner of copyright, provided that the reproduction is compatible with fair practice and does not exceed the extent justified by the purpose.
- (2) The quotation shall be accompanied by an indication of source and the name of the author, if his name appears in the work from which the quotation is taken.

Reproduction for teaching²⁸

- (1) The following acts shall be permitted without authorization of the author, or other owner of copyright:
 - (a) the reproduction of a short part of a published work for teaching purposes by way of illustration, in writings or sound or visual recordings, provided that such reproduction is compatible with fair practice and does not exceed the extent justified by the purpose;
 - (b) the reprographic reproduction, for face-to-face teaching in educational institutions the activities of which do not serve direct or indirect commercial gain, of published articles, other short works or short extracts of works, to the extent justified by the purpose, provided that
 - (i) the act of reproduction is an isolated one occurring, if repeated, on separate and unrelated occasions, and
 - (ii) there is no collective license available (that is, offered by a collective administration organization of which the educational institution is or should be aware) under which such reproduction can be made.
- (2) The source of the work reproduced and the name of the author shall be indicated as far as practicable on all copies made under subsection (1) of this section.

²⁷ Section 11(1) and (2) of the Zanzibar Copyright Act No. 14 of 2003

²⁸ Section 12 of the Zanzibar Copyright Act No. 14 of 2003

Reprographic reproduction by libraries and archives reproduction²⁹

Any library or archive whose activities do not serve direct or indirect gain may, without the authorization of the author or other owner of copyright, make a single copy of the work by reprographic reproduction.

- (a) where the work reproduced is a published article, other short work or short extract of a work, and where the purpose of the reproduction is to satisfy the request of a physical person, provided that :
 - (i) the library or archive is satisfied that the copy will be used solely for the purposes of study, scholarship or private research;
 - (ii) the act of reproduction is an isolated case occurring, if repeated, on separate and unrelated occasions; and
 - (iii) there is no collective license available (that is, offered by a collective administration organization of which the library or archive is or should be aware) under which such copies can be made; or
- (b) where the copy is made in order to preserve and, if necessary, replace a copy or to replace a copy which has been lost, destroyed or rendered usable in the permanent collection of another similar library or archive, provided that it is impossible to obtain such a copy under reasonable conditions, and provided further that the act of reprographic reproduction is an isolated case occurring, if repeated, on separate and unrelated occasions.

Reproduction, Broadcasting and other communication to the public for informatory purposes³⁰

The following acts shall be permitted in respect of a work without the authorization of the author or other owner of copyright, subject to the obligation to indicate the source and the name of the author as far as practicable:

- (a) the reproduction in a newspaper or periodical, the broadcasting or other communication to the public, of an article published in a newspaper or

²⁹ Section 13(a) and (b) of the Zanzibar Copyright Act No. 14 of 2003

³⁰ Section 14(a – c) of the Zanzibar Copyright Act No. 14 of 2003

periodical on current economic, political or religious topics or a broadcast work of the same character; this permission shall not apply where the right to authorize reproduction, broadcasting or other communication to the public is expressly reserved on the copies by the author or other owner of copyright, or in connection with broadcasting or other communication to the public of the work;

- (b) for the purpose of reporting current events, the reproduction and the broadcasting or other communication to the public of short excerpts of a work seen or heard in the course of such events, to the extent justified by the purpose;
- (c) the reproduction in a newspaper or periodical, the broadcasting or other communication to the public of a political speech, a lecture, address, sermon or other work of a similar nature delivered in public, or a speech delivered during legal proceedings to the extent justified by the purpose of providing current information.

Reproduction and adaptation of computer programs³¹

The reproduction, in a single copy or the adaptation of a computer program by the lawful owner of a copy of that computer program shall be permitted without the authorization of the author or the owner of copyright, provided that the copy or adaptation is necessary:

- (a) for use of the computer program with a computer for the purpose and extent for which the computer program has been obtained;
 - (b) for archival purposes and for the replacement of the lawfully owned copy of the computer program in the event that the said copy of the computer program is lost, destroyed or rendered unusable.
- (1) No copy or adaptation of a computer program shall be used for any purpose other than those specified in subsection (1) of this section, and any such copy or adaptation shall be destroyed in the event that continued possession of the copy of the computer program ceases to be lawful.

³¹ Section 15(1)(a and b) and 15(2) of the Zanzibar Copyright Act No. 14 of 2003

Importation for personal purposes³²

The importation of a copy of a work by a physical person for his own personal purposes shall be permitted without the authorization of the author or other owner of copyright.

Display of works³³

The public display of originals or copies of works shall be permitted without the authorization of the author, provided that the display is made other than by means of a film, slide, television image or otherwise on screen or by means of any other device or process, and provided further that the work has been published or the original or the copy displayed has been sold, given away or otherwise transferred to another person by the author or his successor in title.

HOW THE ZANZIBAR COPYRIGHT ACT OF 2003 PROTECTS THE INTELLECTUAL CREATORS, WRITERS AND AUTHORS FOR THEIR INTELLECTUAL CREATIONS?

The Zanzibar Copyright Act of 2003 protect the intellectual creators, writers and authors of the intellectual creations by giving the right which is known as civil remedy any person whose right are in imminent danger of being infringed or have been infringed to institute proceeding before the Court for³⁴:

- (a) an injunction to prevent the infringement or to prohibit the continuation of the infringement;
- (b) payment of any damages suffered in consequence of the infringement, including any profits enjoyed by the infringing person that are attributable to the infringement and if the infringement is found to have been prejudices the reputation of the person whose rights were infringed, the court may, at its discretion, award exemplary damage.

³² Section 16 of the Zanzibar Copyright Act No. 14 of 2003

³³ Section 17 of the Zanzibar Copyright Act No. 14 of 2003

³⁴ Section 34(1) and (2) of the Zanzibar Copyright Act No. 14 of 2003

(2) Any object which was made in violation of this Act and any receipts of the person violating it and resulting from such violations, shall be subject to seizure.

Also the intellectual creators, authors and writers have rights against any infringement which is known as criminal sanctions to the rights which is protected under the Copyright Act of 2003³⁵:

- (1) if committed willfully or by negligence and for profit-making purposes, shall be punished by imprisonment for a period of between six months and three years, or fine of between three hundred thousand and two million, or both
- (2) The court, taking into particular account the defendant's profits attributable to the infringement, shall impose the amount of the fine.
- (3) The court shall have the authority to increase up to double the maximum penalties specified in subsection (1) of this section, where the defendant has been convicted for a new act of infringement within five years of a previous conviction for infringement.
- (4) The court shall apply the measures and remedies referred to in section 34 of this Act also in criminal proceedings, provided that no decision has yet been taken on such remedies in a civil proceeding.

Moreover the Copyright Act of Zanzibar explains about measures, remedies and sanctions (against abuses in respect of technical means of protection and rights management information)³⁶.

- (1) The following acts shall be considered unlawful and, shall be assimilated to infringements of the rights protected under this Act:
 - (a) the manufacture or importation for sale or sale or rental of any device or means specifically designed or adapted to circumvent any device or means intended to prevent or restrict reproduction of a work, a sound recording or a broadcast, or to impair the quality of copies made;

³⁵ Section 35(1)-(4) of the Zanzibar Copyright Act No. 14 of 2003

³⁶Section 36(1) and (2) of the Zanzibar Copyright Act No. 14 of 2003

- (b) the manufacture or importation for sale or rental of any device or means that is susceptible to enable or assist the reception of an encrypted program, which is broadcast or otherwise communicated to the public, including by satellite, by those who are not entitled to receive the program;
 - (c) the removal or alteration of any electronic rights management information without authority;
 - (d) the distribution, import for distribution, broadcasting, communication to the public or making available to the public, without authority, of works, performances, sound recordings or broadcast, knowing or having reason to know that electronic rights management information has been removed or altered without authority.
- (2) Any illicit device and means mentioned in subsection (1) of this section and any copy from which rights management information has been removed, or in which such information has been altered, shall be assimilated to infringing copies of works, and any illicit act referred to in subsection (1) of this section shall be treated as an infringement of copyright or related rights to which the civil remedies and criminal sanctions provided for in sections 34 to 35 are applicable.

THE ZANZIBAR COPYRIGHT LAW AND DIGITAL AGE

The writers of³⁷ says that it is a widely held misconception that works on the Internet are not covered by copyright and thus can be used freely, this is not true, Copyright law applies to online material just as it does to offline material, assuming the prerequisites for copyright protection are met. Thus, if you use someone else's work, you could be liable for what is called "copyright infringement." Basically, copyright infringement exists if you exercise one or more of the exclusive rights held by a copyright owner.

Although The Copyright Act of Zanzibar of 2003 succeeded to protect the right of intellectual creations of the people, it does not explain infringement which can be raised through digital age that is online copyright infringement and how Court of law have jurisdiction to entertain in civil and criminal if there is digital or online copyright infringement as well as it does not

³⁷ <http://www.dmlp.org/legal-guide/copyright-infringement>, accessed on 12th February, 2018

explain how the Copyright Society of Zanzibar protect, promote and maintain the registers of works of the intellectual creators, authors and writers digitally.

CONCLUSION

The obligations of Copyright Society of Zanzibar as authority which can protect the rights of intellectual creators, writers and authors through their copyrighted work are to protect the intellectual creators, authors and writers effectively, but the Copyright Society of Zanzibar will not be managed to do its obligations if the present law will not be changed, so that the Government should either amended some of its provisions of The Copyright law of 2003 or repeal and reenact the Copyright law which can manage to go hand by hand with the present changes and advancement of digital technology for the purpose of managing and protecting online copyright infringement. Hence Government of Zanzibar should provide full support to its authority in order to achieve its goals.