

Zubinski, Grzegorz (known as George Zubinski); Poland; Tailor; 15 Lower Ainley, Moorbottom Road, Illingworth, Halifax, Yorkshire. 30th July 1959.

The foregoing list contains 492 cases, viz.: Austrian 7, Belgian 1, Czechoslovak 8, Dutch 6, Egyptian 1, Estonian 9, French 4, German 40, Greek 1, Hungarian 11, Iraqi 1, Italian 19, Latvian 41, Lithuanian 7, Palestinian 1, Polish 270, Roumanian 6, Russian 9, Swiss 1, Yugoslav 21, Uncertain nationality 21, Other nationality 7. Total 492.

## PERFORMING RIGHT TRIBUNAL

Somerles House,  
Regent's Park, London N.W.1.

### THE APPLICATION OF SOUTHERN TELEVISION LIMITED

#### *Short Particulars of the Decision*

Southern Television Limited is a programme contractor, and as such is concerned to obtain a licence for musical works in the repertoire of the Performing Right Society to be broadcast by the Independent Television Authority. Its case was not covered by a licence scheme.

The Performing Right Society was prepared to grant such a licence, but only on the condition that a clause should be inserted in effect prohibiting the reproduction on records or cinematograph films either by the programme contractor or by the Independent Television Authority without terms having first been agreed with the owner of the recording right.

It was the contention of Southern Television Limited that that clause imposed terms or conditions which were unreasonable; and it applied accordingly to the Tribunal to have it so determined.

The case for Southern Television Limited was supported by the British Broadcasting Corporation, and that for the Performing Right Society by three bodies (which combined to form one interested party), all being owners of copyright in the making of mechanical recordings.

The Performing Right Society maintained that if and so far as a licence to broadcast carried with it any right to make a mechanical reproduction, this would constitute an infringement of the last-mentioned copyright, and frankly admitted that the clause which the application sought to impeach was deliberately designed to defeat whatever statutory provisions might have that effect.

The Tribunal did not find it necessary to determine the question of law as to whether or not there were

statutory provisions which did have that effect. If there were no such provisions, then the insertion of the proposed clause was pointless. If, on the other hand, the legislature had thought fit so to provide, then it was unreasonable to compel Southern Television Limited against its will to contract out of any statutory rights which it might have. In either event, therefore, it was held to be unreasonable to include the proposed clause as a term or condition subject to which the Performing Right Society would grant the required licence to Southern Television Limited.

The Tribunal accordingly ordered that Southern Television Limited was entitled to be granted a licence in the form proffered by the Performing Right Society, but without the inclusion in its terms of the proposed clause or any clause to the same or a like effect.

The Performing Right Society was ordered to pay the costs of Southern Television Limited.

A copy of the Decision may be inspected at the offices of the Tribunal during office hours.

*J. Cowen, Secretary.*

## CHURCH COMMISSIONERS

1 Millbank, London S.W.1.

### PASTORAL REORGANISATION MEASURE, 1949

Pursuant to the Pastoral Reorganisation Measure, 1949, the Church Commissioners hereby give notice that the Right Reverend William, Bishop of Salisbury, has made, and deposited with them, an Order dated the 15th day of October 1959, authorising one incumbent to hold in plurality the benefices of Buckland Newton and Wootton Glanville with Holnest, both situate in the diocese of Salisbury, subject to the conditions specified in the said Order.

*Mortimer Warren, Secretary.*

Pursuant to the Pastoral Reorganisation Measure, 1949, the Church Commissioners hereby give notice that the Right Reverend Michael, Bishop of St. Albans, has made, and deposited with them, an Order dated the 19th day of October 1959, authorising one incumbent to hold in plurality the benefices of Milton Ernest and Thurleigh, both situate in the diocese of St. Albans, subject to the conditions specified in the said Order.

*Mortimer Warren, Secretary.*

## PUBLIC NOTICES

### H.M. LAND REGISTRY

The following land is about to be registered. Any objections should be addressed to "H.M. Land Registry, Lincoln's Inn Fields, London W.C.2" before 3rd November 1959.

#### FREEHOLD

- (1) "Lower Lawns," Angmering-on-Sea, East Preston, Sussex, by J. S. Shackle, 68 Clarence Gate Gardens, Regents Park, London N.W.1.
- (2) The Dicker Brickworks, Hellingly, Sussex, by B. & P. (Securities) Limited.
- (3) Land at corner of Manor Road and Milford Road, Milford-on-Sea, Hants, by James Miller & Partners Limited.
- (4) 87 Victoria Avenue, Shanklin, Isle of Wight, by A. Rutherford of that address.
- (5) "White Gates" and Orchard Cottage, Milford Road, New Milton, Hants, by H. Forrester, "Aberfeldy," Barrswood Road, New Milton.
- (6) 93 Hillcrest Road, Orpington, Kent, by A. E. Jordan, c/o Barclays Bank Limited, 37 King William Street, London E.C.4.
- (7) 37 Welling Way, Welling, Kent, by G. F. Hunter of that address, C. V. M. Heron, Cliff Road, Hornsea, Yorks and Y. M. Mander, 9 Victoria Crescent, Royston, Yorks.
- (8) "Lindisfarne," Bikesbourne Road, Bridge, Canterbury, Kent, by J. R. Forsaith of that address.
- (9) 2 Cornmarket Street, Oxford, by Royal Insurance Company Limited.
- (10) 12 Lynmouth Road, Reading, Berks, by G. C. M. Stacey of that address.
- (11) 44 Charlotte Street, Devonport, Plymouth, Devon, by J. S. & R. G. Trickey, trading as J. S. Trickey & Son of that address.
- (12) "Pond Barn" and "Ship Cottage," Shore Road, Bracklesham, East Wittering, Sussex, by J. Thompson, "Pond Barn" aforesaid.
- (13) Plot 64, Marine Drive, Worthing, Sussex, by E. M. Ferrell, 31 Hook Road, Surbiton, Surrey.
- (14) Land on W. side of Peartree Lane and adjoining land, Bexhill, Sussex, by B. L. Davis, 55 The Green, Winchmore Hill, London N.21, and R. I. Wallace, 24 Lightfoot Road, Hornsey, London N.8.
- (15) Land forming E. part of St. John's Nursery, Burgess Hill, Sussex, by Portland Nurseries (B.H.) Limited.
- (16) Land S. of Royal George Road and adjoining St. John's Nursery, Burgess Hill, Sussex and W. part of St. John's Nursery aforesaid, by Orchard Garden Properties Limited.
- (17) Land at Hillside Road, Weeke, Winchester, Hants, by W. J. Simms Sons & Cooke Limited.