

Standing Committee on Copyright and Related Rights

Thirty-second Session
Geneva, May 9 to 13, 2016

**DRAFT STUDY ON COPYRIGHT LIMITATIONS AND EXCEPTIONS FOR
EDUCATIONAL ACTIVITIES**

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Copyright Limitations and Exceptions for Educational Activities

Executive Summary

The importance of education in any society is axiomatic. Even where copyright legislation and international treaties seek to protect the rights of authors in their works and intellectual creations, the special status of the use of works to promote and facilitate education has been preserved.

It is in this context that this study undertakes a review of the limitations and exceptions of national legislation that deal with educational activities, to better understand how national legislatures have balanced the public interest in advancing education against the interests of authors and artistes in their intellectual creations. The copyright legislation of all 188 member states of WIPO that pertain to educational activities are the focus of this review. However, because of access issues with regards to accurate and current translations of member states' legislation, this draft study will present its analysis and findings only with regards to the copyright legislation of 136 member states. (When completed, this study will review the legislation of all 188 member states.)

This study focuses on eight categories of limitations and exceptions that pertain to educational activities. These are provisions that relate to private or personal use (to reflect the individual and self-edification aspect of personal education and research), quotations (since learning and instruction involve illustration, argumentation, referral, comments and criticisms), the use of reproductions for educational purposes (including both single and multiple copies, by both reprographic and by non-reprographic means, with or without collective licensing), educational publications (as instructional material for use by educational institutions), school performances (to enable performances as part of educational curricula), educational communications (which encompass broadcasts, cable transmissions, the making of recordings of such communications and performances and online distance learning via the "making available" right), compulsory licences for reproduction and translation of works for educational purposes (which are special provisions for developing countries that are based on Articles II and III of the Appendix to the Berne Convention), and exceptions to the implementation of technological protection measures and rights management information (where digital rights management have to be circumvented in the interests of conducting educational activities).

Of the 1,120 provisions extracted from the 2,844 copyright legislation of 136 member states, 1,070 of them are limitations and exceptions that fall into the first six categories outlined above. Only 52 provisions pertain to compulsory licences for reproduction and translation, and 30 provisions pertain to the circumvention of digital rights management for educational purposes. Of the 1,070 provisions, 227 provisions from 130 member states relate to private and personal use, 188 provisions from 132 member states relate to quotations, 220 provisions from 111 member states relate to educational reproductions and 226 provisions from 96 member states relate to educational broadcasts, communications and recordings. The significant number of provisions that relate to private and personal use confirms their relevance as they sanction the self-edification and personal instruction perspective of education. Likewise, the breadth of different formulations for the 220 educational reproduction and 226 educational communication provisions reflects the diversity of educational activities that could be characterized as reproductions and communications. However, to the extent that the activities involve the reproduction of multiple copies of works, which could have an unreasonably prejudicial effect on the legitimate interests of the authors of such works, many of such reproduction provisions only permit such reproductions on the unavailability of any collective licences granted to educational

institutions, or are subject to the requirement that equitable remuneration be made to the copyright owners.

Also significant are the provisions that permit the use of quotations, since teaching is often conducted through illustration, argumentation, referral, comments and criticisms. The provisions excepting educational publications and school performances are no less significant.

What are less used are the provisions for compulsory licenses for translations and reproductions (52 provisions from 29 member states), which are used by developing countries to make works available and accessible for educational purposes. There are also only a few provisions (30 provisions from 23 member states) to exempt the circumvention of digital rights management where it relates to educational activities, perhaps in the absence of guidance from international treaties for this purpose.

At this stage of this study, since the study is not yet complete, it would be inappropriate to make definitive conclusions based on the partial results of this study. But this draft would be remiss if some tentative conclusions are not drawn from the partial results thus far. Subject to the final outcome of the study, what this study has demonstrated is that the 136 member states whose legislation have been reviewed have demonstrated a good understanding and application of the permissible limitations and exceptions for educational activities in international treaties to their national legislation. In particular, the national limitations and exceptions both acknowledge and accept the multifaceted nature of education in its various manifestations, be it personal instruction, reprographic reproduction, educational publication, distance learning or school performance. Notwithstanding the fact that the education-related provisions in international treaties have been drafted well before the advent of modern communications technologies and the dramatic changes in online education, these provisions seem to have held their own and still afford useful guidance to national legislatures.

The provisions for compulsory licenses remain relevant to a not insignificant number of WIPO member states, and their detailed implementation in national legislation highlights the benefits of a detailed set of rules for their adoption. In comparison, however, the education-related exceptions for TPM and RMI are much less widely accepted and uniform in implementation. This could perhaps be something that WIPO member states may wish to consider, in the absence of guidance at the international level.

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May 2016

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Introduction

This study, also entitled Updated Study on Copyright Limitations and Exceptions for Educational Activities, is a study that updates and consolidates the five 2009 regional studies on the same subject, namely, WIPO Study on the Copyright Exceptions for the Benefit of Educational Activities for Asia and Australia,¹ Study on Limitations and Exceptions for Copyright and Related Rights for Teaching in Africa,² Study on Copyright Limitations and Exceptions for Educational Activities in North America, Europe, Caucasus, Central Asia and Israel,³ Study on Limitations and Exceptions for Copyright for Educational Purposes in the Arab Countries,⁴ and Study on the Limitations and Exceptions to Copyright and Related Rights for the Purposes of Educational and Research Activities in Latin America and the Caribbean.⁵

The axiomatic importance of education in any society needs no further elaboration. Article 26(1) of the 1948 UN Universal Declaration of Human Rights asserts that “everyone has the right to education”.⁶ The very first modern copyright legislation, the Statute of Anne 1709, was entitled “An Act for the Encouragement of Learning”. While it is more commonly remembered for the fact that it replaced the monopoly in printed books granted to printers with rights granted to authors, it should not be forgotten that it also placed emphasis on the continued accessibility of books in public libraries and their affordability to university staff and students.⁷ Even where the focus of the first draft of the Berne Convention was “to constitute a general Union for the protection of the rights of authors in their literary works and manuscripts”,⁸ a philosophy subsequently embodied in Article 1 of the Berne Convention,⁹ the drafters were careful not to encroach on the special status of educational usage of copyright material.

Thus, the “liberty of extracting portions from literary or artistic works for use in publications designed for educational or scientific purposes” was expressly reserved for countries of the Berne Union.¹⁰ Article 10(2) of the Berne Convention is relied on as the primary provision that enables Berne Union members to permit, either through national legislation or bilateral agreements between the member states, the utilization of works by way of illustration for “teaching”. At the Stockholm Conference, the conference delegates explained the meaning of the word “teaching” in the Committee’s reports as follows:

The wish was expressed that it should be made clear in this Report that the word “teaching” was to include teaching at all levels – in educational institutions and universities, municipal and State schools, and private schools.¹¹

¹ Daniel Seng, WIPO STUDY ON THE COPYRIGHT EXCEPTIONS FOR THE BENEFIT OF EDUCATIONAL ACTIVITIES FOR ASIA AND AUSTRALIA (SCCR/19/7), Oct. 26, 2009, at http://www.wipo.int/meetings/en/doc_details.jsp?doc_id=130249.

² Joseph Fometeu, WIPO Study on Limitations and Exceptions for Copyright and Related Rights for Teaching in Africa (SCCR/19/5), Oct. 26, 2009, at http://www.wipo.int/meetings/en/doc_details.jsp?doc_id=130241.

³ Raquel Xalabarder, WIPO STUDY ON COPYRIGHT LIMITATIONS AND EXCEPTIONS FOR EDUCATIONAL ACTIVITIES IN NORTH AMERICA, EUROPE, CAUCASUS, CENTRAL ASIA AND ISRAEL (SCCR/19/8), Nov. 5, 2009, at http://www.wipo.int/meetings/en/doc_details.jsp?doc_id=130393.

⁴ Victor Nabhan, WIPO STUDY ON LIMITATIONS AND EXCEPTIONS FOR COPYRIGHT FOR EDUCATIONAL PURPOSES IN THE ARAB COUNTRIES (SCCR/19/6), Oct. 7, 2009, at http://www.wipo.int/meetings/en/doc_details.jsp?doc_id=130302.

⁵ Juan Carlos Monroy Rodríguez, WIPO STUDY ON THE LIMITATIONS AND EXCEPTIONS TO COPYRIGHT AND RELATED RIGHTS FOR THE PURPOSES OF EDUCATIONAL AND RESEARCH ACTIVITIES IN LATIN AMERICA AND THE CARIBBEAN (SCCR/19/4), Nov. 30, 2009, at http://www.wipo.int/meetings/en/doc_details.jsp?doc_id=130303.

⁶ Universal Declaration of Human Rights, General Assembly of the United Nations, Resolution 217A(III) of 10 December 1948, <http://www.un.org/en/documents/udhr/> (accessed 12 May 2009) [hereinafter *UN UDHR*].

⁷ U.K. Copyright Act 1709, 8 Anne c.19, ss. 4 and 5.

⁸ *HISTOIRE* (1889), 161.

⁹ Art. 1, Paris Act of July 24, 1971 of the Berne Convention for the Protection of Literary and Artistic Works [hereinafter the “Berne Convention”].

¹⁰ Berne Act, Article 8 (specifically stating that the Act would not to affect national legislation for this purpose).

¹¹ *RECORDS OF THE INTELLECTUAL PROPERTY CONFERENCE OF STOCKHOLM, JUNE 11 TO JULY 14, 1967* at 1148. The quote goes on to state, “Education outside these institutions, for instance general teaching available to the general public but not included in the above categories, should be excluded.” This has been interpreted by some commentators to equate to formal education at elementary, intermediate and tertiary institutions of learning, which would lead to the award of an “official” degree. Sam Ricketson and Jane C Ginsburg, *THE BERNE CONVENTION FOR THE PROTECTION OF LITERARY AND ARTISTIC WORKS: 1886-1986* at § 13.45 (2nd ed. 2006) [hereinafter *RICKETSON AND GINSBURG - THE BERNE CONVENTION*]. However, there is an alternative view that educational institutions offering adult education programmes such as language proficiency courses, literacy programmes and vocational training will come within its ambit, but not

Article 10(2) possesses several key features. These are the fact the limitation on the scope of use of the work (“by way of illustration”) does *not* preclude the use of the whole work in appropriate circumstances (“for teaching”),¹² and that the source works that could be used for teaching purposes encompasses “publications,¹³ broadcasts¹⁴ [and] sound [and] visual recordings¹⁵”. In fact, it has been persuasively argued that Article 10(2) is the an “open, flexible and technology-neutral exception”¹⁶ which lends itself to not just reproductions and face-to-face instruction but also communications to the public, to enable and facilitate distance learning, correspondence courses, and teaching on demand. In this regard, it is instructive to see how member states to the Berne Convention have interpreted and applied this provision in their own national legislation to address the multi-faceted nature of public education.

However, Article 10(2) is not the only provision that engages education and education-related activities. The preparatory work for the Stockholm Conference and the discussions at the Stockholm Main Committee confirm that quotations for “scientific, critical, informative or educational purposes” are within the scope of Article 10(1).¹⁷ For scholarship purposes, works which may be quoted pursuant to Article 10(1) include not just books, articles, visual works and other printed matters, but also lectures, performances or broadcasts.¹⁸ The purpose of the scholastic exposition or the robustness of the scholarship will determine if a length quotation is necessary and thus “compatible with fair practice”.¹⁹

Both free uses for quotations in Article 10(1) and for teaching purposes in Article 10(2) are subject to the requirement set out in Article 10(3), which provides that mention should be made of the source and the name of the author if it appears thereon. After all, to the extent that it is feasible and practical, attribution of the source and authorship is consistent with good scholarship and sound academic practice.

As a general exception to the reproduction right in Article 9(1), Article 9(2) is also broadly worded to encompass various education-related activities. The Report of the Main Committee I at the Stockholm Conference referred to the making of a small number of photocopies of published works without payment for individual, private, personal, family or domestic use, for internal use of libraries, and use by scientific institutes.²⁰ It subsumed all these uses by adopting what is now known as the three-step test in an attempt to encapsulate and generalize all these

continuing education or refresher programmes generally. Cf. *RICKETSON AND GINSBURG - THE BERNE CONVENTION*, at § 13.45; See Sam Ricketson, *WIPO STUDY ON LIMITATIONS AND EXCEPTIONS OF COPYRIGHT AND RELATED RIGHTS IN THE DIGITAL ENVIRONMENT* (SCCR/9/7) at 15, (WIPO, 2003) [hereinafter *RICKETSON – STUDY ON LIMITATIONS AND EXCEPTIONS*].

¹² *RICKETSON AND GINSBURG - THE BERNE CONVENTION*, at § 13.45. See also *RICKETSON – STUDY ON LIMITATIONS AND EXCEPTIONS*, *supra* note **Error! Bookmark not defined.**, at 14.

¹³ The term “publications” is drawn from the expression “published works” as defined in Article 3(3) to mean copies of works published with their authors’ consent to satisfy the reasonable requirements of the public. This encompasses all permanent forms of fixation of a work, “whatever may be the means of manufacture of the copies”. *RICKETSON AND GINSBURG - THE BERNE CONVENTION*, §§ 6.29-6.30 at 260-262.

¹⁴ “Broadcasts” would be the wireless transmission for public reception of sounds or images and sounds of the representations. Rome Convention, Art. 2(f). Though this term is not defined in the Berne Convention, from the records of the Brussels Conference, it was clear that the delegates felt no need to define the term as they accepted that it was one means of wireless communication to the public. See also *RICKETSON AND GINSBURG - THE BERNE CONVENTION*, § 12.34 at 732.

¹⁵ “Sound and visual recordings” would include tapes, videograms, phonograph records and cinematographic films. *RICKETSON AND GINSBURG - THE BERNE CONVENTION*, § 13.45 at 793.

¹⁶ *COPYRIGHT LAW HANDBOOK*, at 379.

¹⁷ *RECORDS OF THE INTELLECTUAL PROPERTY CONFERENCE OF STOCKHOLM, JUNE 11 TO JULY 14, 1967* at 116-17 (Document S/1), 860-1 (minutes).

¹⁸ *RICKETSON AND GINSBURG - THE BERNE CONVENTION*, § 13.41 at 786.

¹⁹ *Id.*, at 788.

²⁰ *RECORDS OF THE INTELLECTUAL PROPERTY CONFERENCE OF STOCKHOLM, JUNE 11 TO JULY 14, 1967* at 857-58 (Document S/1).

specific exceptions.²¹ The discussion of the Main Committee I at the Stockholm Conference showed that the committee members were fully cognisant that teaching not only took place in schools, but also in private and at all levels.²² As such, Article 9(2) was subsequently formulated to be consistent with the other provisions in the Convention and with the limitations and exceptions enacted by the member states in their public and cultural interests, many of which are education-related.²³

The Stockholm Revision Conference was also notable for its introduction of the Appendix to the Paris Act as a special concession to the needs of developing countries. By providing member states²⁴ with the facilities for awarding compulsory licences for translations (Article II) and for reproductions (Article III), the Berne Convention epitomizes the consensus between the developed countries as net exporters of intellectual works and developing countries as net consumers of such works, that it is in the common interests of all member states to promote and further the education of their populace.

Likewise, the limitations and exceptions allowable under the Rome Convention,²⁵ which deals with the rights of performers, phonogram producers and broadcasting organizations, are compendiously set out in Article 15 of the Convention. Its provisions regarding private use (Article 15(1)(a)) and teaching and scientific research (Article 15(1)(d)) mirror equivalent limitations and exceptions in the Berne Convention. In addition, Article 15(2) provides member states with an alternative set of allowable “limitations”, to be of the “same kind” as that provided for copyright works, with regards to the protection of performers, producers and broadcasting organizations.

For completeness, it should be noted that permissible limitations and exceptions pertaining to educational activities as set out in the Agreement on Trade-related Aspects of Intellectual Property Rights (TRIPS) are also pegged to the Berne Convention and the Rome Convention.²⁶ Likewise, in “recognizing the need to maintain a balance between the rights of authors and the larger public interest, particularly education”,²⁷ the WIPO Copyright Treaty and the Performers and Phonograms Treaty also leverage off, and do not detract from, the limitations and exceptions inscribed in the Berne Convention and the Rome Convention.²⁸

²¹ *United States – Section 110(5) of the US Copyright Act*, para. 6.109, Report of the Panel, 15 June 2000, document WT/DS/160/R [hereinafter *WTO Panel*].

²² *RECORDS OF THE INTELLECTUAL PROPERTY CONFERENCE OF STOCKHOLM, JUNE 11 TO JULY 14, 1967* at 886-87.

²³ Out of the 14 existing exceptions identified, 5 of them relate to educational activities. These were noted to be quotations school books and chrestomathies, private use, reproduction by photocopying in libraries, and reproduction in special characters for the use of the blind, sound recordings of literary works for the use of the blind. *Id.*, at *RECORDS OF THE INTELLECTUAL PROPERTY CONFERENCE OF STOCKHOLM, JUNE 11 TO JULY 14, 1967* at 42 (Document S/1).

²⁴ Berne Convention, Appendix, Article I(1) (“Any country regarded as a developing country in conformity with the established practice of the General Assembly of the United Nations which ratifies or accedes to this Act, of which this Appendix forms an integral part, and which, having regard to its economic situation and its social or cultural needs, does not consider itself immediately in a position to make provision for the protection of all the rights as provided for in this Act...”).

²⁵ International Convention for the Protection of Performers, Producers of Phonograms and Broadcasting Organizations done in Rome, October 26, 1961 [hereinafter the “Rome Convention”].

²⁶ Arts. 9(1), 14(6), Agreement on Trade-related Aspects of Intellectual Property Rights (1994).

²⁷ Preamble, WIPO Copyright Treaty (1996) [hereinafter WCT], Preamble, WIPO Performances and Phonograms Treaty (1996) [hereinafter WPPT].

²⁸ Art. 1(2), WCT provides that “nothing in this Treaty shall derogate from existing obligations that Contracting Parties have to each other under the Berne Convention for the Protection of Literary and Artistic Works”. A similar proviso is found in Art. 1(1), WPPT.

The Study

This very brief overview of the provisions in international copyright conventions and instruments in relation to educational activities shows that the copyright limitations and exceptions for the benefit of educational activities have always received the full attention of law and policy makers. While limitations and exceptions have been implemented in national legislation pursuant to the treaty obligations of member states, the overview above also shows how the drafting of education-related provisions in the Berne Convention have been shaped by national implementations of education-related limitations and exceptions. In reviewing the limitations and exceptions of national legislation that deal with educational activities, this study also seeks to demonstrate this relationship between national legislation and international treaties. But the sheer breadth and scope of educational activities means that any useful analysis has to adopt an expansive interpretation of what constitutes “education” that is both retrospective and forward looking.

For all these reasons, this study undertakes a general review of national copyright legislation for limitations and exceptions for the benefit of educational activities by dividing them into eight categories.

The first category pertains to the private or fair use exceptions for copyright works and entrepreneurial works. It is a stand-alone category, and both recognizes and acknowledges the private and self-actualization aspect of education and research as an individually-driven and self-edification process. For instance, the national legislation of many member states have enumerated various categories of permissible uses of works for “research or private study”. The private or personal use may even encompass private or family performances, in conjunction with preparations for various aspects of schooling curriculum, especially in the arts and humanities. However, as such private or personal uses may “conflict with the normal exploitation of the work”, the review also briefly examines the mechanisms in which equitable remuneration is provided to the authors and owners of various related rights. However, limitations and exceptions as to the importation of works or their material embodiment for personal reasons are considered outside the ambit of this study since these are not necessarily or directly relatable to educational activities.

The second category deals with the use of quotations or “excerpts” as an integral part of education and study, which largely involve learning and instruction through illustration, argumentation, referral, comments, and criticisms. Among the issues evaluated are the condition and extent of the quotation, and its preclusions, in addition the attribution requirement.

The third category deals with the many ways in which reproductions, both single and multiple, either by reprographic or by non-reprographic means, for various educational purposes and activities, with or without remuneration or licensing, collective licensing and statutory licensing schemes, are permitted under the various limitations and exceptions.

The fourth category recognizes the existence of specific limitations and exceptions existing in national copyright legislation to provide for the development and publication of anthologies, compilations, and other composite works for use in educational activities. This is separate from the third category, because the entity exercising this limitation and exception is not usually an educational institution, but a publishing body providing instructional material for use by educational institutions. Also included under this category are various limitations and exceptions which spell out the students’ free use of instructional material.

The fifth category deals with the limitations and exceptions that permit school performances, and the sixth category deals with the limitations and exceptions that permit broadcasts of educational programmes as part of school instruction, recordings by educational establishments and distance learning. Under the fifth category are examined limitations and exceptions that permit “semi-public” showings in clubs or societies, particularly prevalent as part of the extra-curricular activities of public and private schools.

For historical and teleological reasons, a distinction is drawn between the playing of sound recordings to an audience on site (considered a performance), and the playing of sound recordings to an audience off-site (considered a communication). Art. 11 of the Berne Convention provides that authors of dramatic, dramatico-musical and musical works shall enjoy the exclusive right to authorize “the performance of their works, including such public performance by any means or process”²⁹ and “any communication to the public of the performance of their works”.³⁰ This suggests that performance and communication to the public are two separate and distinct exclusive rights. However, technological advancements have served to narrow that distinction. “As a rule, performing a work means to represent it by sight or sound, or both.”³¹ But as a performance can be conveyed “by any means or process”, some jurisdictions give this term a very expansive interpretation. For instance, s 101 of the U.S. Copyright Act defines the term “perform” to mean “to recite, render, play, dance, or act it, either directly or by means of any device or process or, in the case of a motion picture or other audiovisual work, to show its images in any sequence or to make the sounds accompanying it audible”. It further defines the term “publicly” in the expression “to perform or display a work publicly” to mean “(1) to perform or display it at a place open to the public or at any place where a substantial number of persons outside of a normal circle of a family and its social acquaintances is gathered; or (2) to transmit or otherwise communicate a performance or display of the work to a place specified by clause (1) or to the public, by means of any device or process, whether the members of the public capable of receiving the performance or display receive it in the same place or in separate places and at the same time or at different times.” This has the effect of fusing the exclusive rights of performance and communication to the public under one exclusive right.

This notwithstanding, in an attempt to reflect the bifurcated nature (and origins) of these two exclusive rights, this study adopts the above-mentioned distinction that a “performance” concerns “on-site” performances, and a “communication” concerns “off-site” ‘performances’. This is the approach adopted in the E.C. Copyright in the Information Society Directive.³² For the purposes of this study, this means that a limitation or exception solely about an “acting” or a “school performance” will be interpreted to refer to an on-site performance by students or staff of an educational establishment and be brought under the sixth category of school performances. However, where the limitation or exception refers to a “performance, cinematographic projection and communication” of the same performance, it will be classified as two separate limitations or exceptions as to “performance” (under the sixth category as a school performance) and “public communication” (under the seventh category as a school broadcast).

Because the making of aural and visual recordings are closely connected to the use of broadcasts and communications, limitations and exceptions that deal with such recordings are also brought under the sixth category.

²⁹ Art. 11(1)(i).

³⁰ Art. 11(1)(ii).

³¹ Goldstein and Hugenholtz, *INTERNATIONAL COPYRIGHT: PRINCIPLES, LAW, AND PRACTICE* (3rd ed., 2013), 327.

³² E.C. Copyright in the Information Society Directive, Recital 23.

The seventh category examines the various provisions in national copyright legislation that provide for compulsory licences for reproduction and/or translation for educational purposes, based on Articles II and III of the Berne Convention.

The eighth category examines the interplay between the existing limitations and exceptions and the provisions on technological protection measures (“TPM”) and rights management information (“RMI”). It analyses the various exceptions to provisions that prohibit the circumvention of TPM and RMI, where the exceptions are necessitated by educational activities.

Even though they are peripherally related to education, this study will not review the free access and right to access provisions because while these could arguably be part of the social education process, they are more related to the public citizen's right to information. So not included in this study are the provisions relating to the reporting of current events, press reviews, public reading/recitation, public broadcasts, publication or broadcast of articles on current economic, political, scientific (including academic gatherings), social or religious topics which are the focus of public opinion.

Likewise, even though the limitations and exceptions pertaining to libraries and library-related activities are closely related to educational activities, as these are part of a separate and comprehensive WIPO Study on Copyright Limitations and Exceptions for Libraries and Archives by Kenneth Crews,³³ these limitations and exceptions will not be considered in this study. Similarly, to the extent that the national legislation contains limitations and exceptions that address the usage of copyright works for the benefit of educational activities of institutions that assist persons with intellectual disabilities, to avoid any overlap with the WIPO Study on Copyright Limitations and Exceptions for the Visually Impaired by Judith Sullivan,³⁴ this study will not discuss these provisions.

The Methodology

This study is built on the five preceding 2009 studies on limitations and exceptions for educational activities. This author acknowledges the tremendous work done by these authors and is grateful for the foundation which these five studies have provided for this study. However, given the lapse of time that has passed since the 2009 studies, and coupled with the fact that numerous countries have passed new or substantially revised copyright legislation in the ensuing period, this study is in effect a *de novo* review of the copyright and related rights legislation of all the member states of WIPO.³⁵

The key to a successful review of the copyright legislation is access to the statutes, regulations and other legislative instruments of each country. For this study, the first source of such legislation will be the official resource for each country. In its absence, the study relies on WIPOLex, the publicly accessible database of national laws and treaties on intellectual property of WIPO, WTO and UN members maintained by WIPO.³⁶ The tremendous efforts of colleagues and experts at WIPOLex must never be under-emphasized. Not only is access to the current

³³ Kenneth Crews, WIPO STUDY ON COPYRIGHT LIMITATIONS AND EXCEPTIONS FOR LIBRARIES AND ARCHIVES (SCCR/29/3), Nov. 5, 2014, at http://www.wipo.int/edocs/mdocs/copyright/en/sccr_29/sccr_29_3.pdf.

³⁴ Judith Sullivan, WIPO STUDY ON COPYRIGHT LIMITATIONS AND EXCEPTIONS FOR THE VISUALLY IMPAIRED (SCCR/15/7), Feb. 20, 2007, at http://www.wipo.int/edocs/mdocs/copyright/en/sccr_15/sccr_15_7.pdf.

³⁵ The WIPO Convention provides that membership is open to any state that is: a member of the Paris Union for the Protection of Industrial Property, or member of the Berne Union for the Protection of Literary and Artistic Works; or a member of the United Nations, or of any of the United Nations' Specialized Agencies, or of the International Atomic Energy Agency, or that is a party to the Statute of the International Court of Justice; or invited by the WIPO General Assembly to become a member state of the Organization.

³⁶ WIPO Lex, at <http://www.wipo.int/wipolex/en/> (last visited May 7, 2016).

original English legislation, or in the case of legislation that is not in English, to accurate and English translations of such legislation, critical to the success of this study, particularly for any comparative review and analysis, it is totally vital to promoting the transparency of intellectual property laws and optimizing the use of intellectual property in the global IP system.

As of May 2016, WIPO membership comprises 188 member states. This means that this study necessarily involves the review of the copyright legislation and regulations of all these member states. However, any such study will have to contend with the dynamic nature of developments in intellectual property legislation, as member states work to revise and update their laws to keep pace with developments in technology. At the time of the preparation of this draft, accurate and current translations of copyright legislation of some of these member states were not available, either from the national legislative or regulatory body itself or from WIPOLex. For this reason, for this version of the study, the copyright legislation of 52 WIPO member states will not be reviewed.³⁷ This gap will be filled when the final version of this study is published.

The following table sets out the current state of review of the copyright legislation of the following 188 WIPO member states in this study.³⁸ The member states whose legislation are yet to be reviewed are marked with an asterisk(*). This means that the current version of this study reviews the copyright legislation of 136 member states of WIPO.

Afghanistan	Albania	Algeria	Andorra	Angola
Antigua and Barbuda	Argentina	*Armenia	Australia	*Austria
Azerbaijan	Bahamas	Bahrain	*Bangladesh	Barbados
*Belarus	*Belgium	Belize	Benin	Bhutan
Bolivia (Plurinational State of)	Bosnia and Herzegovina	Botswana	Brazil	Brunei Darussalam
Bulgaria	Burkina Faso	Burundi	Cabo Verde	Cambodia
Cameroon	*Canada	*Central African Republic	Chad	Chile
China	Colombia	*Comoros	*Democratic People's Republic of Korea	Democratic Republic of the Congo
*Costa Rica	Côte d'Ivoire	Croatia	*Cuba	Cyprus
Czech Republic	Congo	Denmark	Djibouti	Dominica
Dominican Republic	Ecuador	Egypt	El Salvador	*Equatorial Guinea
Eritrea	*Estonia	Ethiopia	Fiji	Finland
*France	Gabon	Gambia	Georgia	*Germany
Ghana	Greece	Grenada	*Guatemala	Guinea

³⁷ The copyright legislation of Canada is very usefully set out in official translations of both English and French. Because many of the copyright legislation of the member states whose legislation has not yet been translated into English is in French, the analysis of Canadian copyright legislation has not been undertaken in this version of the study because it will be useful to review the legislation of these other member states in conjunction with the analysis of the Canadian copyright legislation.

³⁸ United Nations, United Nations Group of Experts on Geographical Names, Working Paper No. 54: UNGEN list of country names, May 2011, available at http://unstats.un.org/unsd/geoinfo/UNGEGN/docs/26th-gegn-docs/WP/WP54_UNGEGN%20WG%20Country%20Names%20Document%202011.pdf.

Guinea-Bissau	Guyana	Haiti	*Holy See	*Honduras
Hungary	Iceland	India	*Indonesia	Iran (Islamic Republic of)
*Iraq	Ireland	Israel	*Italy	Jamaica
*Japan	Jordan	*Kazakhstan	Kenya	Kiribati
Kuwait	*Kyrgyzstan	Lao People's Democratic Republic	*Latvia	Lebanon
Lesotho	Liberia	Libya	*Liechtenstein	Lithuania
*Luxembourg	Madagascar	Malawi	Malaysia	Maldives
*Mali	Malta	*Mauritania	Mauritius	*Mexico
*Monaco	Mongolia	Montenegro	Morocco	Mozambique
Myanmar	Namibia	Nepal	*Netherlands	New Zealand
*Nicaragua	Niger	Nigeria	*Niue	*Norway
Oman	Pakistan	*Panama	Papua New Guinea	Paraguay
Peru	Philippines	Poland	*Portugal	Qatar
* Republic of Korea	* Republic of Moldova	Romania	*Russian Federation	Rwanda
Saint Kitts and Nevis	*Saint Lucia	Saint Vincent and the Grenadines	Samoa	*San Marino
*Sao Tome and Principe	Saudi Arabia	Senegal	Serbia	Seychelles
Sierra Leone	Singapore	Slovakia	Slovenia	*Somalia
South Africa	*Spain	Sri Lanka	Sudan	*Suriname
Swaziland	Sweden	Switzerland	Syrian Arab Republic	*Tajikistan
*Thailand	The former Yugoslav Republic of Macedonia	Togo	Tonga	Trinidad and Tobago
Tunisia	Turkey	*Turkmenistan	Tuvalu	Uganda
*Ukraine	United Arab Emirates	United Kingdom	United Republic of Tanzania	United States of America
*Uruguay	Uzbekistan	*Vanuatu	Venezuela (Bolivarian Republic of)	Viet Nam
Yemen	Zambia	Zimbabwe		

In brief, the methodology of this study is divided into four distinct phases. The study starts off by locating and identifying all the international instruments pertaining to copyright for the WIPO member states, particularly those instruments, legislation and regulations that are in the WIPOlex repository. All in, the study identified 2844 such instruments, legislation and regulations. These instruments are then sorted for their relevance to copyright in general and educational activities in particular. In particular, the dates of these instruments are checked

against public records of the latest available copyright instruments from the respective member states. The languages of these instruments are also checked, especially since some instruments come in multiple language versions or are misidentified as being in a language that is not English or vice versa. Translations of the relevant legislation that is not in English are sought.

Phase two of this study involves a first pass or review through all the English language versions of legislation identified as being relevant. This involves a review of each provision to develop the eight categories of provisions used in this study. At the same time, the review of each provision involves the identification of the common issues and considerations for each of the categories. This is an iterative process, as it involves a dynamic process of reviewing and revising the templates devised for each of the categories. At the same time, to enable a systematic comparative review, the study attempts to preserve many of the issues and considerations common to all the categories of limitations and exceptions.

Phase three involves a detailed legislative review of each and every element in each provision in legislation that has been identified as being relevant to educational activities and categorized into one of the eight categories for this study. (For this purpose, a purely literal interpretation is adopted of all the provisions reviewed.) All the elements identified are placed into one of the respective fields that represent the issues and considerations relevant to each category of limitations and exceptions. A legislative provision may sometimes engage more than one category of educational activity e.g. an exception that permits for school performances and broadcasting of these performances will be classified as being both for educational performances and for educational broadcasting. A fully categorized provision will be prescribed in a completed table under one of the respective categories.

This phase is particularly labour intensive as it involves effectively understanding the framework for copyright protection in the legislation of the member state under review, after perusing the whole of the copyright legislation. For instance, a provision may exist which provides for the private and personal use of a copyright work “for free”. But a subsequent provision may provide for remuneration of authors for the “free use” of a copyright work in specific circumstances, such as the use of recording media or photocopying services. And yet another provision may provide that equitable remuneration be afforded to owners of neighbouring rights such as performers and phonogram producers whose rights have been affected by the “free use” of the aforesaid work.

Phase four consolidates these reviews and standardizes these tables. The standardization is required to ensure consistency in the categorization of provisions and in the characterization of the elements of each provision. To minimize subjectivity in the categorization and characterization, this study has been undertaken by the author alone. To further ensure consistency in this process, in the current draft of this study, a first pass has been done to review this exercise for consistency, but this study will undoubtedly benefit from another such pass and from the open and transparent review of the ongoing results of this study by delegates of the WIPO Standing Committee on Copyright and Related Rights.

The Analysis

In the current draft of this study, there are 1,120 tables of provisions from 136 member states. The eight categories of provisions can be further grouped into three main groups: the first group deals with the limitations and exceptions for educational activities (first to sixth categories), the second group deals with the compulsory licences for educational activities under the Annex to

the Berne Convention (seventh category) and the last group addresses the exceptions to the provisions that protect the circumvention of TPM and RMI (eighth category).

1. Summary

	Provisions					Member States in Study (136)	
	Total	Max	Min	Avg	SD	States	%
Limitations and Exceptions	1070	22	1	7.9	3.6	136	100.0%
Private/Personal Use	227	6	1	1.7	0.9	130	95.6%
Quotations	188	4	1	1.4	0.7	132	97.1%
Reproduction	220	7	1	2.0	1.2	111	81.6%
Publications	94	2	1	1.1	0.3	85	62.5%
Performances	115	4	1	1.4	0.8	80	58.8%
Broadcasts/Communications/Recordings	226	9	1	2.4	1.4	96	70.6%
Compulsory Licences	52	3	1	1.8	0.8	29	21.3%
TPM/RMI Exceptions	30	2	1	1.3	0.5	23	16.9%

An analysis of these tables demonstrates that each of the member states whose copyright legislation has been reviewed has at least *one* provision that is a limitation or exception as regards the use of copyright works and subject-matter for educational activities. This demonstrates the significance of such limitations and exceptions in the national legislation of member states. In fact, one member state (New Zealand) had 22 such limitations and exceptions for educational activities, with the United Kingdom and Malaysia following closely behind with 17 such limitations and exceptions each. On average, each member state has around 7.8 such limitations and exceptions in its copyright legislation.

The number of such limitations and exceptions could be a reflection of the legal heritage and the legal system of the member state. Of the top 10 member states (by total number of provisions for limitations and exceptions), 8 of them (Australia, Brunei Darussalam, Fiji, Ireland, Malaysia, New Zealand, United Kingdom, United States of America) are common law member states, with Montenegro and Hungary being the two representatives from the civil law system. Member states such as Australia, Brunei Darussalam, Malaysia, New Zealand, and United Kingdom have numerous limitations and exceptions to deal with very specific situations where works and subject matter may be used for particular education-related activities.

In contrast, while the United States of America only has, in substance, two statutory provisions that address the issue of limitations and exceptions for educational activities, one of these provisions is very broad (the fair use exception) such that it can encompass potentially every

educational activity in the 6 categories in question (in the first group). The generality of the fair use statutory exception has engendered numerous U.S. Congress-approved agreements and guidelines that attempt to particularize the instances of “fair use” of literary and musical works for educational purposes, which further add to the numbers of provisions in this group of limitations and exceptions. On the other hand, the other provision (s 110 from the TEACH Act) is of much narrower application, which is more characteristic of the provisions enacted by the other common law member states.

2. Private/Personal Use

There are 227 provisions from 130 member states that deal with private or personal use. These limitations and exceptions are variously characterised. 38 of such provisions use the “fair use” or “fair dealing” formulation, and 42 of such provisions describe the purpose of the limitation or exception as being for “study” and 56 of such provisions describe the purpose as for “research”. More than a majority (133 provisions) subject this private or personal use to conditions such as the making of a single copy or the requirement that there be no profit-making purpose or revenue from the copying. In contrast, there are few provisions (23 provisions) that require this private or personal use to be attributed. On the other hand, quite a small but significant number (59 provisions) require some form of remuneration to the author or related rights holder, perhaps in the form of a levy on the recording media or reproduction equipment, for the private or personal use.

3. Quotations

There are 188 provisions from 132 member states that deal with quotations. Like the private and personal use provisions, 38 of these limitations and exceptions use the “fair use” or “fair dealing” formulation to describe the use of quotations. 142 of these provisions circumscribe the use of quotations, with almost all the provisions requiring the use of quotes to observe “fair practice” or “good practice”, or “not to exceed the extent justified by the purpose”. 143 of these provisions also require attribution to the quotations, as required by Article 10(1) of the Berne Convention. Member states do not seem to require remuneration for the use of quotations, and where remuneration is required (6 provisions), they are limited to those instances where the quotations constitute the main or significant part of the new work. Examples of these can be found in Art. 10 of the Argentinian Law No. 11.723 of September 28, 1933, on Legal Intellectual Property Regime (Copyright Law, as last amended by Law No. 26.570 of November 25, 2009) and Art. 31 of the Columbia Law No. 23 of 1982 (January 28) - On Copyright.

4. Educational Reproduction

A significant number of limitations and exceptions to reproduction rights are enacted by member states to address the use of works for educational activities. The 220 provisions from 111 member states identified here relate primarily to the reproduction of works by educational institutions (provisions that relate to the reproduction of subject-matter are set out under the category of educational recordings, and provisions that relate to the publication of educational writings are set out under the category of educational publications).

Of these, only 15 are “fair use” or “fair dealing” provisions for “research or study” or extended versions of “research or private study”.³⁹ For instance, the copyright legislation of Belize,⁴⁰

³⁹ See, e.g., Australia, Copyright Act 1968 (consolidated as of June 27, 2015), ss 40, 103C, 248A (fair dealing for “research or study”), Bahamas, Copyright Act, 1998 (CH.323) (as amended by the Copyright (Amendment) Act, Act No. 2 of 2004), s 58 (applying to “research, private study, scholarship or teaching or instruction at an “educational establishment”), Israel, Copyright Act, 2007 (as amended on July 28, 2011), s 19 (applying to “private study,

Brunei Darussalam,⁴¹ Ireland,⁴² and Saint Vincent and the Grenadines⁴³ all preclude from being considered as “fair dealing” for “research or private study”, copying by a person who is *not* a researcher or student who knows or has reason to know that the copying will result in copies of substantially the same material being provided to more than one person at substantially the same time and for substantially the same purpose. They lead to the corollary that copying by a researcher or student involving multiple copies for educational purposes may be considered “fair dealing” for “research or private study”. Otherwise, provisions that simply provide for “research or private study” will not be considered as a limitation or exception that applies to educational reproduction.

The educational reproduction provisions are formulated very broadly as generally permissive of educational activities (“anything done ... for educational purposes” – 18 provisions), or, more narrowly and with reference to the dealing in question, “copying/reproduction/use ... in the course of instruction, or of preparation for instruction” – 170 provisions). Many of the “copying/reproduction/use” provisions further discriminate between single/non-reprographic copies (16 provision) and multiple or reprographic copies (58 provisions). The provisions enabling multiple copies are often conditioned on the unavailability of any collective licence granted to the educational institution, or the requirement to make equitable remuneration to the copyright owners through a collective management organisation. On the other hand, the provisions enabling single/non-reprographic copies are conditioned on the requirement that the copies made cannot be dealt with on penalty of infringement if this condition were not observed. Perhaps it is a reflection of the public interest element in educational reproduction that this study only found 14 provisions where equitable remuneration is expressly stated as a condition for enabling the reproduction in the limitation or exception. The member states with provisions that expressly acknowledge the equitable remuneration for educational reproduction are Australia, Denmark, Finland, Guinea-Bissau, Montenegro, Nigeria, Singapore, Slovenia, Switzerland, Switzerland, The former Yugoslav Republic of Macedonia, Tunisia, and Uganda.

5. Educational Publications/Anthologies/Compilations/Composite Works

Educational anthology limitations and exceptions are found in 94 provisions from 85 member states. They sanction the inclusion of “a short/minor part/passage/extract/quotation” of a published work, for inclusion in a collection or incorporation into a new composite work for publication. The new work is to be for use in education or for educational activities. A very typical condition for the educational anthology limitation or exception is to limit the new work to no more than 2 extracts from works by the same author within a 5 year period. Almost all these limitations and exceptions require proper attribution to be made for such use of the source works, and a small number of provisions (12 provisions) require the author of the new composite work to make equitable remuneration to the authors of the source works.

6. School Performances

A total of 115 provisions from 80 member states are found in this study. 100 provisions are for limitations and exceptions that enable the stage or musical performance or recital of students,

research, instruction and examination by an educational institution”), Liberia, Copyright Law of the Republic of Liberia, s 2.7 (extending “fair use” to teaching (including multiple copies for classroom use), scholarship and research), Singapore, Copyright Act (Cap. 63, 2006 Rev. Ed.) (consolidated as of 31 March 2015) ss 35, 109 (fair dealing for “research or study”), and Uganda, The Copyright and Neighbouring Rights Act, 2006, s 15(1)(j) (applying “fair use” to a scientific institution or an educational institution).

⁴⁰ Belize Copyright Act (Cap. 252, Revised Edition 2000), s 56.

⁴¹ Brunei Darussalam, Emergency (Copyright) Order, 1999, s 33(1), (2).

⁴² Ireland, Copyright and Related Rights Act, 2000 (No. 28 of 2000), s 50(1), (2).

⁴³ Saint Vincent and the Grenadines, Copyright Act 2003 (Act No. 21 of 2003), s 50(1).

teachers and instructors for educational purposes, and for the showing and cinematographic projection of audio- and audiovisual works to students, teachers and instructors, as part of educational instruction. In addition, 14 provisions sanction the playing or public showing of recordings by, inter alia, educational clubs and societies, which would characterize many of the quasi-formal interest group associations formed by students in schools to advance their extra-curricular activities. The main conditions prescribed by the limitations and exceptions are that the audience for the performances be limited to students, teachers and instructors, and that the performance or display be either free of charge, or that the proceeds be applied solely for the organization of the performance.

7. Educational Broadcasts/Communications/Recordings

A large variety of educational activities are encompassed within this category of limitations and exceptions (226 provisions from 96 member states), but it is possible to group them as follows. There are 77 provisions that enable the broadcasting or communication of works and performances for educational, teaching and scientific research purposes: these would be the provisions that enable distance learning through broadcasts and cable programmes. There are 101 provisions that enable the copying or making of a recording of audiovisual works, performances, broadcasts, and cable programs, for teaching or scientific research purposes. A substantial number of these (44 provisions) further limit such uses of these works to be “by way of illustration”, perhaps with reference to Article 10(2) of the Berne Convention.⁴⁴ And yet others have created a very specific limitation or exception to enable the making of audiovisual works as part of a course of instruction in the making of cinematograph films or sound tracks (7 provisions). All these would be pursuant to the “*utilization ... of ... works ... for teaching*” (emphasis added) as set out in Article 10(2) of the Berne Convention.

While a significant number of provisions use the technology-neutral term “communication”, which would encompass the “making available right” for interactive digital transmission,⁴⁵ 3 member states have gone further and introduced very specific provisions to deal specifically with online distance learning. These may be found in the copyright legislation of New Zealand, Seychelles, and the U.S.

8. Compulsory Licences for Educational Reproductions and Translations

In contrast to the larger number of limitations and exceptions provisions, only 52 provisions from 29 member states (or 21.3% of all member states) have provisions that provide for compulsory licences for educational purposes. Of these, 43 are licences for translations, corresponding to Article II of the Appendix, and 9 are for reproductions, corresponding to Article III of the Appendix. Most of these provisions prescribe application and licensing conditions that are provided in Articles II and III of the Appendix, including the requirements that the source publication be out of print or be unavailable in the prescribed language for a prescribed period of time since its first publication, at a price similar to those of similar works in the member state, and that good faith attempts be made to contact the right owner be made before the compulsory licence will be granted, subject to the licensee’s obligation to make equitable remuneration.

9. TPM/RMI Exceptions for Educational Purposes

23 member states (16.9%) have enacted 30 provisions that provide for exceptions to TPM and RMI protection. 29 of these provisions are exceptions to permit the circumvention of TPM. Only

⁴⁴ Berne Convention, Art. 10(2) (“by way of illustration ... in broadcasts or sound or visual recordings for teaching”).

⁴⁵ See WCT, Art. 8; WPPT, Arts. 10, 14.

2 of these provisions permit the removal or alteration of RMI.⁴⁶ In conjunction with education-related activities, these exceptions are permitted to enable educational institutions to make acquisition decisions in relation to the work or subject-matter to which has been applied TPM or TMI (5 provisions), for encryption research or studies (9 provisions), for teaching purposes (4 provisions). The remaining 12 provisions are drafted to provide for exceptions to TPM and RMI to the extent necessary to enable the beneficiary of these exceptions to exercise its access to the work or subject-matter pursuant to a copyright limitation or exception in copyright legislation. However, there is little uniformity in the way these exceptions are to be implemented. Some member states simply enable the educational institution or researcher to circumvent TPM and RMI protection, while others require the rightholder to alter his TPM- or RMI-protected work or make available means for circumventing the TPM or TMI to the beneficiary.

⁴⁶ Malaysia, Copyright Act 1987, s 36B(2)(b) (Act 332, as at 1 January 2006), revised pursuant to the Copyright (Amendment) Act 2012 (Act A1420); Morocco, Law No. 2-00 on Copyright and Related Rights (promulgated by Dahir No. 1-00-20 of 9 Kaada 1420 (15 February 2000), Art. 65.1.

Acknowledgments

Although this study is still yet to be completed, it will be remiss of me to release this draft without thanking all the people who have allowed me to reach this milestone of this massive project.

Many thanks are due to my colleagues at Stanford University Law School and the National University of Singapore, Faculty of Law and the School of Computing, who have provided me with the support and encouragement for this very large undertaking. My Dean, Simon Chesterman, has shown tremendous forbearance, in giving me both the space and time to manage this project, in between my teaching and administrative obligations. My research work at the Centre for Legal Informatics (CodeX) at Stanford University, which focuses on the use of computational techniques to analyse legal problems, has really helped me develop the systems necessary to collate and analyse an undertaking of this magnitude.

Colleagues at WIPO have also provided me with their invaluable support. I have to thank Ms Michele Woods and Ms Miyuki Monroig whose patience and understanding have steadied the course of my research. I have to thank Ms Geidy Lung for explaining the importance of this project to me. And I also have to thank colleagues at WIPOLex for their vitally critical work in steadfastly collating and translating national IP legislation and making them available and accessible, for the better advancement of research and understanding of the IP issues worldwide.

Finally I wish to thank my family for their unceasing encouragement and boundless support throughout this project.

The study of this scale and magnitude is of course not without its flaws, for which I remain fully responsible. I welcome all corrections, comments and suggestions from everyone, especially those from WIPO member states whose copyright limitations and exceptions I have reviewed in this study.

Daniel Seng
Singapore
May 2016

Afghanistan

1. Legislation Reviewed

Law Supporting the Rights of Authors, Composers, Artists and Researchers (Copyright Law)

2. Private/Personal Use

Provision	Article 39
Scope of private/personal use	reproduction
Type(s) of source work(s)	published work
Entity exercising private/personal use	natural person
Purpose of private/personal use	exclusively for personal use
Condition of private/personal use	
Preclusions (not part of private/personal use)	architecture, reprography or photography of all or important part of book [or] musical work, and all or part of database
Subject to Attribution	
Subject to Remuneration	

3. Quotations

4. Educational Reproduction

Provision	Article 40
Nature of educational reproduction	reproduction
Type(s) of source work(s)	short works or extracts of works
Entity exercising reproduction	anyone
Purpose of educational reproduction	teaching purposes in educational institutions
Qualification(s)	activities of which do not serve direct or indirect commercial gain no collective licence available by competent authority in the collective management of rights of which educational institution is or should be aware
Frequency/Multiple copies and Limits	isolated one; if repeated, each occurrence should be on separate and unrelated occasions
Collective Licence/remuneration	
Attribution	name of author and title of work indicated on all copies

5. Educational Publications/Anthologies/Compilations/Composite Works

6. School Performances

7. Educational Broadcasts/Communications/Recordings

8. Compulsory Licences for Educational Reproductions and Translations

9. TPM/RMI Exceptions for Educational Purposes

Albania

1. Legislation Reviewed

Law No. 9380 of April 28, 2005, on Copyright and Related Rights

2. Private/Personal Use

Provision	Article 26(d)
Scope of private/personal use	Usage of work (reproduction of the entire work or parts of works) “a single copy, one reproduction, one translation, one adaptation or transformation of the work of others, only for personal use, for study necessity [sic] or for its [sic] personal satisfaction” ⁴⁷
Type(s) of source work(s)	
Entity exercising private/personal use	
Purpose of private/personal use	for private use
Condition of private/personal use	usage does not prejudice the copyright or the right holders rights on the work (reproduction does not prejudice the commercial exploitation of the work)
Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	

Note also Art. 26(f), which provides for photocopying of works in public libraries, made for individual usage within the library.

3. Quotations

Provision	Article 27(1)
Scope of quotation	briefing, citation or reproduction of excerpts or parts of a work
Type(s) of source work(s)	
Entity exercising quotation	
Purpose of quotation	for critical studies, or for discussions or theoretical purposes
Condition of quotation	acts do not prejudice the commercial exploitation of the work
Preclusions (not part of quotation)	
Subject to Attribution	title of work, name of author, publisher, name of translator (if translation)
Subject to Remuneration	

4. Educational Reproduction

5. Educational Publications/Anthologies/Compilations/Composite Works

Provision	Article 27(2)
Scope of anthologies/compilations limitation/exception	anthologies [as including] reproduction of work or parts of it
Type(s) of source work(s)	
Entity exercising anthologies/compilations limitation/exception	

⁴⁷ Art. 4.23 (definition of “personal use”).

Purpose of anthologies/compilations limitation/exception	for educational purposes
Condition of anthologies/compilations limitation/exception	must not exceed extent defined by legal provisions and bylaws in force
Preclusions (not part of anthologies/compilations limitation/exception)	
Subject to Attribution	title of work, name of author, publisher, name of translator (if translation) ⁴⁸
Subject to Remuneration	

6. School Performances
7. Educational Broadcasts/Communications/Recordings
8. Compulsory Licences for Educational Reproductions and Translations
9. TPM/RMI Exceptions for Educational Purposes

⁴⁸ Reading Art. 27(3) as applying to anthologies for being “reproduction of the work or parts of it”, as referred to in Art. 27(2).

Algeria

1. Legislation Reviewed

Order (Act) No. 03-05 dated 19 Jumada I, 1424 corresponding to July 19, 2003 related to Copyrights and Neighboring Rights

2. Private/Personal Use

Provision	Article 41
Scope of private/personal use	reproduce, translate, quote, convert one copy of work
Type(s) of source work(s)	
Entity exercising private/personal use	
Purpose of private/personal use	for personal or family use
Condition of private/personal use	only ONE copy
Preclusions (not part of private/personal use)	reproduction of architectural works embodied in buildings or similar forms, written reproduction of a whole book, reproduction of a musical work in written form, reproduction of a database in digital form, reproduction of computer software (other than permitted by Art. 52) ⁴⁹
Subject to Attribution	
Subject to Remuneration	

3. Quotations

Provision	Article 43
Scope of quotation	Use of decorative or illustrative drawing of [source work] in a publication, in an audio or audio video recording or in audio or audio video programs
Type(s) of source work(s)	literary or artistic work
Entity exercising quotation	
Purpose of quotation	for teaching or professional training, if intended to achieve the targeted purpose
Condition of quotation	
Preclusions (not part of quotation)	
Subject to Attribution	author and source of original work (in accordance with ethics and practices of the profession)
Subject to Remuneration	

4. Educational Reproduction

Note Art 45., which permits a library to reproduce a work in article form, a summarized work, an excerpt from a written work if published in a collection, in a newspaper volume or periodical, for educational, academic research or personal purposes, the reproduction process shall be an isolated and non-recurring act, and the National Bureau for Copyrights and Neighboring Rights has not granted a collective licence authorising such reproduction.

⁴⁹ These are for backing up a copy of the software or emulating a single copy of the software, where necessary for using the software for the purpose it has been acquired, or in the event of loss, damage or invalidity of the software. Art. 52.

5. Educational Publications/Anthologies/Compilations/Composite Works
6. School Performances

Provision	Article 44
Scope of school performance	acting or performing of a work
Type(s) of source work(s)	
Entity exercising school performance	
Purpose of school performance	for educational and training purposes to meet pure pedagogical needs
Condition of school performance	
Preclusions (not part of school performance)	
Subject to Attribution	
Subject to Remuneration	

7. Educational Broadcasts/Communications/Recordings
8. Compulsory Licences for Educational Reproductions and Translations

Provision	Art. 33
Nature of compulsory licence for translation for educational purposes	non-exclusive compulsory licence, for translation for publication or broadcasting in Algeria
Type(s) of source work(s)	written publication or audio/audio-visual radio broadcast
Licence applicant/entity	
Purpose of licence	produce literary or artistic work in printed, audio, audio-visual or other form, prepared for school or university education
Qualification(s)	written publication or broadcast has not been previously translated into national language and offered or conveyed to public in Algeria within 1 year from first publication no licence granted if right owner or representative offers the translation of work in question for public in Algeria in accordance with same conditions, price and form submitted by licence applicant ⁵⁰ subject to licensee's sale of existing copies, licence nullified if right owner is publishing or has permitted the publishing of translated work under the same conditions, display, form and content or for a price similar to licensee's edition ⁵¹
Compulsory licence fee(s)	beneficiary of compulsory licence to pay a fair reward to the right owner ⁵²
Price of publication	

⁵⁰ Art. 37.

⁵¹ Art. 40.

⁵² Art. 39.

Distribution conditions	licence shall be limited to the national territory of Algeria but national bodies providing a public service may send and distribute copies of the work produced under such a compulsory licence to citizens domiciled abroad subject to the international obligations of Algeria ⁵³
Grantor of Collective Licence	National Bureau of Copyrights & Neighboring Rights

Provision	Article 33
Nature of compulsory licence for reproduction for educational purposes	non-exclusive compulsory licence, for reproduction and publication in Algeria ⁵⁴
Type(s) of source work(s)	scientific, fictional or any other work
Licence applicant/entity	
Purpose of licence	produce literary or artistic work in printed, audio, audio-visual or other form, prepared for school or university education
Qualification(s)	for scientific work, no previous publication in Algeria within 3 years from first publication for fictional work, no previous publication in Algeria within 7 years from first publication for any other work, no previous publication in Algeria within 5 years from first publication no licence granted if right owner or representative offers the reproduction of work in question for public in Algeria in accordance with same conditions, price and form submitted by licence applicant ⁵⁵ subject to licensee's sale of existing copies, licence nullified if right owner is publishing or has permitted the publishing of work under the same conditions, display, form and content or for a price similar to licensee's edition ⁵⁶
Compulsory licence fee(s)	beneficiary of compulsory licence to pay a fair reward to the right owner ⁵⁷
Price of publication	price equivalent to price applicable by national publishers
Distribution conditions	licence shall be limited to the national territory of Algeria but national bodies providing a public service may send and distribute copies of the work produced under such a compulsory licence to

⁵³ Art. 38.

⁵⁴ However, national bodies providing a public service may send and distribute copies of the work produced under such a compulsory licence to citizens domiciled abroad subject to the international obligations of Algeria. Art. 38.

⁵⁵ Art. 37.

⁵⁶ Art. 40.

⁵⁷ Art. 39.

	citizens domiciled abroad subject to the international obligations of Algeria ⁵⁸
Grantor of Collective Licence	National Bureau of Copyrights & Neighboring Rights

Procedures for grant of the compulsory licence and the additional terms and conditions of the licence are further spelt out in Arts. 34-40.

9. TPM/RMI Exceptions for Educational Purposes

⁵⁸ Art. 38.

Andorra

1. Legislation Reviewed

Law on Copyright and Neighboring Rights

2. Private/Personal Use

Provision	Article 7
Scope of private/personal use	private reproduction in a single copy of
Type(s) of source work(s)	a published work
Entity exercising private/personal use	
Purpose of private/personal use	private and personal use, including such use within the normal circle of his family and its social acquaintances
Condition of private/personal use	usage does not prejudice the copyright or the right holders rights on the work (reproduction does not prejudice the commercial exploitation of the work)
Preclusions (not part of private/personal use)	reproduction of architectural works embodied in buildings or other construction, reprographic reproduction of a whole book or a substantial part thereof, or a musical work in graphic form, reproduction of an electronic database (except as provided in Art. 14) ⁵⁹ , reproduction of computer software (except as provided by Art. 12, 13) ⁶⁰ , reproduction of any work where reproduction would conflict with a normal exploitation of the work or would otherwise unreasonably prejudice the legitimate interests of the author of, or other copyright owner in, the work ⁶¹
Subject to Attribution	
Subject to Remuneration	work is an audiovisual work or work embodied in phonogram ⁶²

Provision	Article 32(1)(a)
Scope of private/personal use	use of
Type(s) of source work(s)	performance, phonograms and broadcasts
Entity exercising private/personal use	physical person
Purpose of private/personal use	exclusively for own personal purposes
Condition of private/personal use	
Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	performers and phonogram producers entitled to equitable remuneration ⁶³

⁵⁹ These are for acts done by the lawful user of a database that are necessary for access to the contents of the database and for normal use by the lawful user.

⁶⁰ These are for, inter alia, use of the computer program, for backing up a copy of the software, for observation, study or testing, and for decompilation for interoperability purposes.

⁶¹ Art. 7(2)(e). This is not a standalone condition to all private reproductions for personal purposes but one of the exceptions to the private and personal use exception.

⁶² Art. 7(4) to (6) goes on to prescribe the equitable remuneration as a levy imposed on manufacturers and importers of equipment or material normally used for private reproduction of audiovisual works or works embodied in phonograms.

⁶³ Art. 32(2).

3. Quotations

Provision	Article 8
Scope of quotation	reproduction, in the form of quotation, in another work, of
Type(s) of source work(s)	a short part of a published work
Entity exercising quotation	
Purpose of quotation	
Condition of quotation	such a reproduction is compatible with fair practice and its extent does not exceed the extent justified by the purpose
Preclusions (not part of quotation)	
Subject to Attribution	source, name of author (if on source)
Subject to Remuneration	

Provision	Article 9(1)(a)
Scope of quotation	reproduction of a short part of a published work, by way of illustration, in writings or sound or visual recordings
Type(s) of source work(s)	
Entity exercising quotation	
Purpose of quotation	for teaching
Condition of quotation	such a reproduction is compatible with fair practice and its extent does not exceed the extent justified by the purpose
Preclusions (not part of quotation)	
Subject to Attribution	source, name of author, as far as practicable ⁶⁴
Subject to Remuneration	

4. Educational Reproduction

Provision	Article 9(1)(b)
Nature of educational reproduction	Reprographic reproduction
Type(s) of source work(s)	published article or other short work or short extract of a writing, with or without illustrations
Entity exercising reproduction	
Purpose of educational reproduction	face-to-face teaching in educational institutions whose activities do not serve direct or indirect commercial gain
Qualification(s)	to the extent justified by the purpose
Frequency/Multiple copies and Limits	act of reproduction is an isolated one occurring, if repeated, on separate and unrelated occasions
Collective Licence/remuneration	
Attribution	source, name of author, as far as practicable ⁶⁵

⁶⁴ Art. 9(2).

⁶⁵ Art. 9(2).

Art. 10 also enables free reprographic reproduction by libraries and archives for study, scholarship or private research.

5. Educational Publications/Anthologies/Compilations/Composite Works
6. School Performances
7. Educational Broadcasts/Communications/Recordings
8. Compulsory Licences for Educational Reproductions and Translations
9. TPM/RMI Exceptions for Educational Purposes

Angola

1. Legislation Reviewed

Law No. 4/90 of March 10, 1990, on Author's Rights

2. Private/Personal Use

Provision	Art. 29(a)
Scope of private/personal use	performance, cinematographic projection and communication
Type(s) of source work(s)	recorded or broadcast works already disclosed lawfully
Entity exercising private/personal use	
Purpose of private/personal use	in private premises
Condition of private/personal use	without payment of entrance charges
Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	

Provision	Art. 29(d)
Scope of private/personal use	reproduction, translation, adaptation, arrangement or any other transformation of
Type(s) of source work(s)	works already disclosed lawfully
Entity exercising private/personal use	
Purpose of private/personal use	exclusively individual and private purposes
Condition of private/personal use	work is respected
Preclusions (not part of private/personal use)	
Subject to Attribution	title and name of author are stated
Subject to Remuneration	

3. Quotations

4. Educational Reproduction

Provision	Art. 29(b)
Nature of educational reproduction	reproduction by photographic processes or processes analogous to photography of works already disclosed lawfully
Type(s) of source work(s)	short works or extracts of works
Entity exercising reproduction	[inter alia] scientific institutions, teaching establishments
Purpose of educational reproduction	
Qualification(s)	
Frequency/Multiple copies and Limits	number of copies made does not exceed the requirements to be met by those copies
Collective Licence/remuneration	
Attribution	title and name of author are stated

5. Educational Publications/Anthologies/Compilations/Composite Works6. School Performances

Provision	Art. 29(a)
Scope of school performance	performance, cinematographic projection
Type(s) of source work(s)	recorded or broadcast works already disclosed lawfully
Entity exercising school performance	
Purpose of school performance	for purely didactic purposes in teaching establishments
Condition of school performance	where taking place, without payment of entrance charges and without a lucrative purpose
Preclusions (not part of school performance)	
Subject to Attribution	title and name of author are stated
Subject to Remuneration	

7. Educational Broadcasts/Communications/Recordings

Provision	Art. 29(a)
Scope of broadcast/communication/recording	communication of
Type(s) of source work(s)	recorded or broadcast works already disclosed lawfully
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	for purely didactic purposes in teaching establishments
Condition of broadcast/communication/recording	where taking place, without payment of entrance charges and without a lucrative purpose
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	title and name of author are stated
Subject to Remuneration	

8. Compulsory Licences for Educational Reproductions and Translations

Provision	Article 30
Nature of compulsory licence for translation for educational purposes	non-exclusive compulsory licence, for translation and publication in Portuguese or in one of the national languages in Angola ⁶⁶
Type(s) of source work(s)	work already lawfully disclosed and which author has not withdrawn from publication
Licence applicant/entity	
Purpose of licence	for teaching or scientific research exclusively
Qualification(s)	publication has not been previously translated and published within 3 years from first publication

⁶⁶ Licence may also be granted, for the sole purpose referred to in Art. 30, to a sound or visual broadcasting organization having its headquarters in Angola on condition that the translation and reproduction is effected from lawfully made copies. See Art. 30(2).

	licensee had not been able to obtain authorization from owner for rights to translation and publication
Compulsory licence fee(s)	fair and equitable remuneration, transferred in convertible currency, paid to owner of rights of translation, publication, in accordance with international usage
Price of publication	
Distribution conditions	copies of translated work may be distributed on Angolan territory exclusively, except for copies that may be exported, within strictly necessary limits and with the express prohibition of marketing them, for Angolan nationals, or of organizations of Angolan nationals, residing abroad
Grantor of Collective Licence	State Secretariat for Culture

Provision	Article 30
Nature of compulsory licence for reproduction for educational purposes	Non-exclusive compulsory licence, for reproduce a work ⁶⁷
Type(s) of source work(s)	work already lawfully disclosed and which author has not withdrawn from publication
Licence applicant/entity	
Purpose of licence	produce literary or artistic work in printed, audio, audio-visual or other form, prepared for school or university education
Qualification(s)	copies of reproduction have been exhausted within 3 years from first publication licensee had not been able to obtain authorization from owner for rights to reproduce work
Compulsory licence fee(s)	fair and equitable remuneration, transferred in convertible currency, paid to owner of rights of translation, publication, in accordance with international usage
Price of publication	
Distribution conditions	copies may be distributed on Angolan territory exclusively, except for copies that may be exported, within strictly necessary limits and with the express prohibition of marketing them, for Angolan nationals, or of organizations of Angolan nationals, residing abroad
Grantor of Collective Licence	National Bureau of Copyrights & Neighboring Rights

9. TPM/RMI Exceptions for Educational Purposes

⁶⁷ Licence may also be granted, for the sole purpose referred to in Art. 30, to a sound or visual broadcasting organization having its headquarters in Angola on condition that the translation and reproduction is effected from lawfully made copies. See Art. 30(2).

Antigua and Barbuda

1. Legislation Reviewed

Copyright Act 2003

2. Private/Personal Use

Provision	ss 52, 54
Scope of private/personal use	fair dealing with
Type(s) of source work(s)	a literary, dramatic, musical or artistic work
Entity exercising private/personal use	
Purpose of private/personal use	for purposes of research or private study
Condition of private/personal use	court to take into account all factors to determine if act done in relation to a work constitutes fair dealing, including: (a) the nature of the work in question; (b) the extent and substantiality of that part of the work affected by the act in relation to the whole of the work; (c) the purpose and character of the use; and (d) the effect of the act upon the potential market for, or the commercial value of, the work.
Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	

3. Quotations

Provision	ss 53, 54
Scope of quotation	fair dealing with
Type(s) of source work(s)	a protected work
Entity exercising quotation	
Purpose of quotation	for purposes of criticism or review of that work or of performance of a work
Condition of quotation	court to take into account all factors to determine if act done in relation to a work constitutes fair dealing, including: (a) the nature of the work in question; (b) the amount and substantiality of that part of the work affected by the act in relation to the whole of the work; (c) the purpose and character of the use, including whether such use is of a commercial nature or is for non-profit educational purposes; and (d) the effect of the act upon the potential market for, or the commercial value of, the work. ⁶⁸
Preclusions (not part of quotation)	
Subject to Attribution	title of work (or other description), name of author (unless anonymous or author agreed

⁶⁸ S 60.

	that no acknowledgement be made, or not possible to ascertain identity for unpublished work) ⁶⁹
Subject to Remuneration	

4. Educational Reproduction

Provision	s 56(1)
Nature of educational reproduction	reproduction (not by means of a reprographic process)
Type(s) of source work(s)	literary, dramatic, musical or artistic work
Entity exercising reproduction	a person giving or receiving instruction
Purpose of educational reproduction	in the course of instruction or of preparation for instruction
Qualification(s)	copies made cannot be dealt with (i.e. sold, let for hire or offered or exposed for sale or hire) ⁷⁰
Frequency/Multiple copies and Limits	
Collective Licence/remuneration	
Attribution	

Provision	s 56(2)
Nature of educational reproduction	anything done
Type(s) of source work(s)	
Entity exercising reproduction	
Purpose of educational reproduction	an examination by way of setting the questions, communicating the questions to candidates or answering the questions
Qualification(s)	copies made cannot be dealt with (i.e. sold, let for hire or offered or exposed for sale or hire) ⁷¹
Frequency/Multiple copies and Limits	
Collective Licence/remuneration	
Attribution	

Provision	s 59
Nature of educational reproduction	reprographic copies ⁷²
Type(s) of source work(s)	passages from published literary, dramatic or musical works
Entity exercising reproduction	by or on behalf of an educational establishment
Purpose of educational reproduction	instruction
Qualification(s)	no copying if, or to extent that, licences are available authorizing copying and person making copies knows or ought to have been aware of licences

⁶⁹ S 51 (defining "sufficient acknowledgment").

⁷⁰ S 60.

⁷¹ S 60.

⁷² S 2(1) (defining "reprographic process" as a process (a) for making facsimile copies, or (b) involving the use of an appliance for making multiple copies, and, in relation to a work held in electronic form, includes any copying by electronic means, but does not include the making of a film or sound recording).

	reprographic copies made cannot be dealt with (i.e. sold, let for hire or offered or exposed for sale or hire) ⁷³
Frequency/Multiple copies and Limits	not more than 5% of any work in any quarter of the year
Collective Licence/remuneration	any collective licence granted not to derogate from this provision
Attribution	

5. Educational Publications/Anthologies/Compilations/Composite Works

Provision	s 57
Scope of anthologies/compilations limitation/exception	inclusion in collection of a short passage from
Type(s) of source work(s)	a published literary or dramatic work
Entity exercising anthologies/compilations limitation/exception	
Purpose of anthologies/compilations limitation/exception	for use in educational establishments
Purpose of anthologies/compilations limitation/exception	collection to be described and advised as being for use in educational establishments work was not itself published for use of educational establishments collection consists mainly of material in which no copyright subsists
Preclusions (not part of anthologies/compilations limitation/exception)	more than 2 extracts from works by same author ⁷⁴ are contained in collections by same publisher within 5 year period ⁷⁵
Subject to Attribution	inclusion accompanied by sufficient acknowledgment
Subject to Remuneration	

6. School Performances

Provision	ss 79, 123 ⁷⁶
Scope of school performance	playing
Type(s) of source work(s)	a sound recording
Entity exercising school performance	a club, society or other organization not established or conducted for profit and its objects are charitable or are otherwise concerned with the advancement of religion, education or social welfare
Purpose of school performance	as part of the activities of, or for the benefit of
Condition of school performance	proceeds of any charge for admission to the place where the recording is to be heard are applied solely for the purposes of the organization

⁷³ S 60.

⁷⁴ S 57(3) (explaining that author includes works of joint authorship, and works by any of the authors will count towards the preclusion).

⁷⁵ S 44(2).

⁷⁶ S 79 exempts from infringement the copyright in the sound recording; s 123 exempts from infringement the rights of performance and recording.

Preclusions (not part of school performance)	
Subject to Attribution	
Subject to Remuneration	

7. Educational Broadcasts/Communications/Recordings

Provision	ss 58, 119 ⁷⁷
Scope of broadcast/communication/recording	recording of
Type(s) of source work(s)	broadcast or cable programme or copy of such a recording
Entity exercising broadcast/communication/recording	by or on behalf of educational establishment
Purpose of broadcast/communication/recording	for educational purposes of educational establishment
Condition of broadcast/communication/recording	recording of broadcast or cable programme cannot be dealt with (i.e. sold, let for hire or offered or exposed for sale or hire) ⁷⁸
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	
Subject to Remuneration	

Provision	s 56(2)
Scope of broadcast/communication/recording	making a film or film sound-track
Type(s) of source work(s)	sound recording, film, broadcast or cable programme
Entity exercising broadcast/communication/recording	a person giving or receiving instruction
Purpose of broadcast/communication/recording	in the course of instruction or of preparation for instruction, in the making of films or film sound-tracks
Condition of broadcast/communication/recording	copies made cannot be dealt with (i.e. sold, let for hire or offered or exposed for sale or hire) ⁷⁹
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	
Subject to Remuneration	

8. Compulsory Licences for Educational Reproductions and Translations

9. TPM/RMI Exceptions for Educational Purposes

⁷⁷ S 58 exempts from infringement the copyright in the broadcast or cable programme and any work included in it; s 119 exempts from infringement the rights of performance and recording.

⁷⁸ S 119(2) read with s 118(4).

⁷⁹ S 60.

Argentina

1. Legislation Reviewed

Law No. 11.723 of September 28, 1933, on Legal Intellectual Property Regime (Copyright Law, as last amended by Law No. 26.570 of November 25, 2009)

2. Private/Personal Use

3. Quotations

Provision	Art. 10
Scope of quotation	comments, criticisms or notes referring to
Type(s) of source work(s)	intellectual works
Entity exercising quotation	
Purpose of quotation	for didactic or scientific purposes
Condition of quotation	including up to 1,000 words for literary or scientific works, or eight bars in musical works and, in all cases, only the parts of the text essential for that purpose
Preclusions (not part of quotation)	
Subject to Attribution	
Subject to Remuneration	only where “inclusions from works by other people are the main part of the new work”

4. Educational Reproduction

5. Educational Publications/Anthologies/Compilations/Composite Works

Provision	Art. 10
Scope of anthologies/compilations limitation/exception	educational and teaching works, collections, anthologies and other similar works
Type(s) of source work(s)	intellectual works
Entity exercising anthologies/compilations limitation/exception	
Purpose of anthologies/compilations limitation/exception	for didactic or scientific purposes
Condition of anthologies/compilations limitation/exception	including up to 1,000 words for literary or scientific works, or eight bars in musical works and, in all cases, only the parts of the text essential for that purpose where “inclusions from works by other people are the main part of the new work”
Preclusions (not part of anthologies/compilations limitation/exception)	
Subject to Attribution	
Subject to Remuneration	

6. School Performances

Provision	Article 36
Scope of school performance	recital and public performance of
Type(s) of source work(s)	literary or artistic works that are already published, in public acts

Entity exercising school performance	organized by educational institutions
Purpose of school performance	for educational and training purposes to meet pure pedagogical needs, or linked with the fulfillment of their educational purposes
Condition of school performance	event in question is not broadcast outside the place where it occurs and performers gather and perform free of charge
Preclusions (not part of school performance)	
Subject to Attribution	
Subject to Remuneration	

7. Educational Broadcasts/Communications/Recordings

Provision	Article 36
Scope of broadcast/communication/recording	public broadcasting by any means of the recital and performance of
Type(s) of source work(s)	literary or artistic works that are already published, in public acts
Entity exercising broadcast/communication/recording	organized by educational institutions
Purpose of broadcast/communication/recording	for educational and training purposes to meet pure pedagogical needs, or linked with the fulfillment of their educational purposes
Condition of broadcast/communication/recording	event in question is not broadcast outside the place where it occurs and performers gather and perform free of charge
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	
Subject to Remuneration	

8. Compulsory Licences for Educational Reproductions and Translations

9. TPM/RMI Exceptions for Educational Purposes

***Armenia**

1. Legislation Reviewed

Law on 4 July 2006 No. 3R-142 on Copyright and Related Rights (as amended up to 30.09.2013)

Australia

1. Legislation Reviewed

Copyright Act 1968 (consolidated as of June 27, 2015)

2. Private/Personal Use

Provision	ss 40, 103C, 248A
Scope of private/personal use	fair dealing with
Type(s) of source work(s)	a literary, dramatic, musical or artistic work, or adaptation of a literary, dramatic or musical work, or “audio-visual item” ⁸⁰ a direct or indirect recording of a performance ⁸¹ as an “exempt recording” ⁸² (exemption from performance rights)
Entity exercising private/personal use	
Purpose of private/personal use	(literary, dramatic, musical or artistic work) for purposes of research or study ⁸³ (audio-visual item) for purposes of research or study ⁸⁴ (exempt recording) - indirect sound recording of a performance, for purpose of research or study ⁸⁵ - direct or indirect sound recording of a performance for, inter alia, criticism or review ⁸⁶
Condition of private/personal use	in determining whether a dealing is fair dealing, the matters to have regard shall include: (a) the purpose and character of the dealing/recording, including whether such dealing/recording is of a commercial nature or is for non-profit educational purposes; (b) the nature of the work/adaptation/audio-visual item/performance in question; (c) the amount and substantiality of the part copied/recorded taken in relation to the whole work/adaptation/audio-visual item/performance; (d) the effect of the dealing upon the potential market for, or value of, the work/adaptation/audio-visual item/recording; (e) the possibility of obtaining the work/adaptation/audio-visual item/recording

⁸⁰ S 100A (defining an “audio visual item” as a sound recording, a cinematograph film, a sound broadcast or a television broadcast).

⁸¹ “Performance” excludes performance and communication of works or other subject-matter in the course of educational instruction under s 28. See s 248A(2)(a).

⁸² S 248A (defining a “recording” of a performance as excluding an “exempt recording”).

⁸³ S 40.

⁸⁴ S 103C.

⁸⁵ S 248A (defining, in definition (aa), an “exempt recording” as one for purpose of research or study, and in (b), as one for use in scientific research).

⁸⁶ S 248A (defining, in definition (fa), as one for criticism or review).

	within a reasonable time at an ordinary commercial price ⁸⁷
Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	

Provision	s 40(3)
Scope of private/personal use	fair dealing by way of reproduction of
Type(s) of source work(s)	all or part of a literary, dramatic or musical work, or of an adaptation of such a work, contained in an article in a periodical publication
Entity exercising private/personal use	
Purpose of private/personal use	for the purpose of research or study
Condition of private/personal use	"fair dealing" despite fair dealing factors ⁸⁸
Preclusions (not part of private/personal use)	another article in publication is also reproduced for purpose of different research or a different course of study ⁸⁹
Subject to Attribution	
Subject to Remuneration	

Provision	s 40(5)
Scope of private/personal use	reproduction as fair dealing of
Type(s) of source work(s)	not more than a "reasonable portion" of - a literary, dramatic or musical work (except a computer program), or an adaptation of such a work, in a published edition of at least 10 pages - a published literary work in electronic form (except a computer program or an electronic compilation), a published dramatic work in electronic form or an adaptation in electronic form of such a literary or dramatic work such a work not contained in an article in a periodical publication
Entity exercising private/personal use	
Purpose of private/personal use	for the purpose of research or study
Condition of private/personal use	"reasonable portion" ⁹⁰ means: - literary, dramatic or musical work (except a computer program), or an adaptation – 10% of number of pages in edition, or a single chapter if work/adaptation is divided into chapters - published literary/dramatic/adaptation in electronic form ⁹¹ – 10% of number of words, or

⁸⁷ Ss 40, 103C, 248(1A).

⁸⁸ S 40(3) (starting with the expression "despite subsection (2)", which sets out the fair dealing factors).

⁸⁹ S 40(4).

⁹⁰ S 40(5) uses the expression "despite subsection (2)", which is intended to make clear that a reproduction of more than a "reasonable portion" of the works referred to in s 40(5) may still be considered a fair dealing for research or study under ss 40(1) and (2). See Copyright Amendment Bill 2006, Supplementary Explanatory Memorandum, para. 66, at http://www.austlii.edu.au/au/legis/cth/bill_em/cab2006223/memo_1.html.

	a single chapter if work/adaptation is divided into chapters
Preclusions (not part of private/personal use)	any subsequent reproduction made by same person of any other part of same work/adaptation ⁹²
Subject to Attribution	
Subject to Remuneration	

3. Quotations

Provision	ss 41, 103A
Scope of quotation	fair dealing with
Type(s) of source work(s)	a literary, dramatic, musical or artistic work, or with an adaptation of a literary, dramatic or musical work, or with an audio-visual item
Entity exercising quotation	
Purpose of quotation	for the purpose of criticism or review, whether of that work/audio-visual item or of another work/audio-visual item
Condition of quotation	
Preclusions (not part of quotation)	
Subject to Attribution	sufficient acknowledgment: title of work/ audio-visual item (or other description), name of author (unless work is anonymous, pseudonymous or author has previously agreed or directed that an acknowledgment is not to be made) ⁹³
Subject to Remuneration	

4. Educational Reproduction

Provision	ss 40, 103C, 248A
Nature of educational reproduction	fair dealing with
Type(s) of source work(s)	a literary, dramatic, musical or artistic work, or adaptation of a literary, dramatic or musical work, or "audio-visual item" ⁹⁴ a direct or indirect recording of a performance ⁹⁵ as an "exempt recording" ⁹⁶ (exemption from performance rights)
Entity exercising reproduction	
Purpose of educational reproduction	(literary, dramatic, musical or artistic work) for

⁹¹ S 40(6) provides that if work exists in both electronic and non-electronic form, a fair dealing is a "reasonable portion" as long as the reproduction of it is a "reasonable portion" in either form. See Copyright Amendment Bill 2006, Supplementary Explanatory Memorandum, para. 67, at http://www.austlii.edu.au/au/legis/cth/bill_em/cab2006223/memo_1.html.

⁹² S 40(7).

⁹³ S 10(1) (defining "sufficient acknowledgment").

⁹⁴ S 100A (defining an "audio visual item" as a sound recording, a cinematograph film, a sound broadcast or a television broadcast).

⁹⁵ "Performance" excludes performance and communication of works or other subject-matter in the course of educational instruction under s 28. See s 248A(2)(a).

⁹⁶ S 248A (defining a "recording" of a performance as excluding an "exempt recording").

	<p>purposes of research or study⁹⁷ (audio-visual item) for purposes of research or study⁹⁸ (exempt recording) - indirect sound recording of a performance, for purpose of research or study⁹⁹ - direct or indirect sound recording of a performance for, inter alia, criticism or review¹⁰⁰</p>
Qualification(s)	<p>in determining whether a dealing is fair dealing, the matters to have regard shall include: (a) the purpose and character of the dealing/recording, including whether such dealing/recording is of a commercial nature or is for non-profit educational purposes; (b) the nature of the work/adaptation/audio-visual item/performance in question; (c) the amount and substantiality of the part copied/recorded taken in relation to the whole work/adaptation/audio-visual item/performance; (d) the effect of the dealing upon the potential market for, or value of, the work/adaptation/audio-visual item/recording; (e) the possibility of obtaining the work/adaptation/audio-visual item/recording within a reasonable time at an ordinary commercial price¹⁰¹</p>
Frequency/Multiple copies and Limits	
Collective Licence/remuneration	
Attribution	
Provision	s 40(1A)
Nature of educational reproduction	fair dealing with
Type(s) of source work(s)	a literary work (other than lecture notes)
Entity exercising reproduction	an enrolled external student of an "educational institution" ¹⁰²
Purpose of educational reproduction	for the purpose of, or associated with, an approved course of study or research
Qualification(s)	in determining whether a dealing is fair dealing, the matters to have regard shall

⁹⁷ S 40.

⁹⁸ S 103C.

⁹⁹ S 248A (defining, in definition (aa), an "exempt recording" as one for purpose of research or study, and in (b), as one for use in scientific research).

¹⁰⁰ S 248A (defining, in definition (fa), as one for criticism or review).

¹⁰¹ Ss 40, 103C, 248(1A).

¹⁰² S 10(1) (defining an "educational institution" as pre-school, kindergarten, full-time primary school, full-time secondary school, university, college of advanced education or technical and further educational institution, institution that conducts primary, secondary or tertiary education by correspondence or on an external study basis, school of nursing, undertaking within a hospital, a teacher education centre, a general education institution, an occupation or professional preparation or continuing education institution, an institution for teaching English to people whose first language is not English, a teacher training undertaking for instructors for the previous educational institutions, and an institution that is providing teaching material to the previous educational institutions).

	include: (a) the purpose and character of the dealing; (b) the nature of the work in question; (c) the possibility of obtaining the work or adaptation within a reasonable time at an ordinary commercial price; (d) the effect of the dealing upon the potential market for, or the commercial value of, the work or adaptation; (e) where part only of the work or adaptation is reproduced--the amount and substantiality of the part copied taken in relation to the whole work or adaptation.
Frequency/Multiple copies and Limits	
Collective Licence/remuneration	
Attribution	
Provision	s 40(5)
Nature of educational reproduction	reproduction as fair dealing of
Type(s) of source work(s)	not more than a "reasonable portion" of - a literary, dramatic or musical work (except a computer program), or an adaptation of such a work, in a published edition of at least 10 pages - a published literary work in electronic form (except a computer program or an electronic compilation), a published dramatic work in electronic form or an adaptation in electronic form of such a literary or dramatic work such a work not contained in an article in a periodical publication
Entity exercising reproduction	
Purpose of educational reproduction	for the purpose of research or study
Qualification(s)	"reasonable portion" ¹⁰³ means: - literary, dramatic or musical work (except a computer program), or an adaptation – 10% of number of pages in edition, or a single chapter if work/adaptation is divided into chapters - published literary/dramatic/adaptation in electronic form ¹⁰⁴ – 10% of number of words, or a single chapter if work/adaptation is divided into chapters
Frequency/Multiple copies and Limits	any subsequent reproduction made by same person of any other part of same work/adaptation ¹⁰⁵
Collective Licence/remuneration	

¹⁰³ S 40(5) uses the expression "despite subsection (2)", which is intended to make clear that a reproduction of more than a "reasonable portion" of the works referred to in s 40(5) may still be considered a fair dealing for research or study under ss 40(1) and (2). See Copyright Amendment Bill 2006, Supplementary Explanatory Memorandum, para. 66, at http://www.austlii.edu.au/au/legis/cth/bill_em/cab2006223/memo_1.html.

¹⁰⁴ S 40(6) provides that if work exists in both electronic and non-electronic form, a fair dealing is a "reasonable portion" as long as the reproduction of it is a "reasonable portion" in either form. See Copyright Amendment Bill 2006, Supplementary Explanatory Memorandum, para. 67, at http://www.austlii.edu.au/au/legis/cth/bill_em/cab2006223/memo_1.html.

¹⁰⁵ S 40(7).

Attribution	
Provision	Part VB, Division 2, s 135ZG
Nature of educational reproduction	multiple reproductions of a page or pages of “insubstantial parts” of works
Type(s) of source work(s)	literary or dramatic work in a document (hardcopy form) ¹⁰⁶
Entity exercising reproduction	
Purpose of educational reproduction	for the purposes of a course of education provided by an educational institution
Qualification(s)	reproduction is carried out on the premises of an educational institution ¹⁰⁷
Frequency/Multiple copies and Limits	exception not applicable to reproduction of whole work ¹⁰⁸ “insubstantial part” means not more than 2 pages of work in edition (if edition has not more than 200 pages), or not more than 1% of total number of pages in edition (if edition has more than 200 pages) ¹⁰⁹ no reproduction under this exception of any other part of same work within 14 days of previous reproduction ¹¹⁰
Collective Licence/remuneration	
Attribution	

Provision	Part VB, Division 2, ss 135ZJ, 135ZK, 135ZL
Nature of educational reproduction	multiple reproductions of the whole or part of
Type(s) of source work(s)	- an article in a printed periodical publication ¹¹¹ - a literary or dramatic work, being a work contained in a printed published anthology of works and comprising not more than 15 pages in that anthology ¹¹² - a literary, dramatic, musical or artistic work (other than an article contained in a periodical publication) ¹¹³ (including artistic works included for purposes of explaining or illustrating the article or other work ¹¹⁴)
Entity exercising reproduction	by, or on behalf of, a body administering an educational institution
Purpose of educational reproduction	solely for the educational purposes of the institution or of another educational institution
Qualification(s)	remuneration notice is given by or on behalf of

¹⁰⁶ S 135ZGA(1).

¹⁰⁷ S 135ZG(1).

¹⁰⁸ S 135ZG(2).

¹⁰⁹ S 135ZG(3).

¹¹⁰ S 135ZG(4).

¹¹¹ S 135ZJ(1).

¹¹² S 135ZK.

¹¹³ S 135ZL.

¹¹⁴ S 135ZM.

	body administering an educational institution to relevant collecting society body complies with marking and record keeping requirements for each reproduction ¹¹⁵
Frequency/Multiple copies and Limits	provision does not apply to reproductions of, or parts of, 2 or more articles contained in same periodical publication unless they relate to same subject-matter ¹¹⁶ provision does not apply to reproductions of whole or of more than a reasonable portion of a work that has been separately published unless person making the reproductions or causes them to be made, is satisfied, after reasonable investigations, that reproductions (other than second-hand reproductions) of the work cannot be obtained within a reasonable time at an ordinary commercial price ¹¹⁷
Collective Licence/remuneration	remuneration notice as undertaking to pay equitable remuneration to collecting society for copies made pursuant to provision, to be assessed on the basis of a records system, a sampling system or an electronic use system ¹¹⁸ remuneration apportioned between copyright owners of work/article and of artistic works ¹¹⁹
Attribution	

Provision	Part VB, Division 2A, s 135ZMB
Nature of educational reproduction	multiple reproductions and communication of not “substantial parts” of
Type(s) of source work(s)	electronic ¹²⁰ literary or dramatic work ¹²¹
Entity exercising reproduction	
Purpose of educational reproduction	for the purposes of a course of education provided by an educational institution
Qualification(s)	reproduction or communication is carried out on the premises of an educational institution for the purposes of a course of study provided by it ¹²²
Frequency/Multiple copies and Limits	“substantial part” means more than 2 pages (without altering any content) of work (which contains pages), work has more than 200 pages, <i>and</i> number of pages

¹¹⁵ Ss 135ZX and 135ZXA.

¹¹⁶ S 135ZJ(2).

¹¹⁷ S 135ZL(2).

¹¹⁸ S 135ZU.

¹¹⁹ S 135ZM(2).

¹²⁰ S 135ZMA (limiting Division 2A to electronic forms of works).

¹²¹ S 135ZMB(1).

¹²² S 135ZMB(1).

	<p>reproduced/communicated exceeds 1% of number of pages¹²³</p> <p>“substantial part” means number of words reproduced/communicated exceeds 1% of number of words in work (which does not contain pages)¹²⁴</p> <p>no reproduction/communication under this exception of any other part of same work within 14 days of previous reproduction/communication¹²⁵</p> <p>no communication under this exception while previous part made available online is still available¹²⁶</p>
Collective Licence/remuneration	
Attribution	

Provision	Part VB, Division 2A, ss 135ZMC, 135ZMD, 135ZMDA
Nature of educational reproduction	multiple reproductions and communication of the whole or part of
Type(s) of source work(s)	<ul style="list-style-type: none"> an article in an electronic¹²⁷ periodical publication¹²⁸ an electronic¹²⁹ literary, dramatic, musical or artistic work (other than an article contained in a periodical publication)¹³⁰ a literary or dramatic work in an electronic¹³¹ anthology¹³² (work occupies no more than 15 “pages”¹³³ of published anthology) <p>including artistic works in electronic form included for purposes of explaining or illustrating the article or other work¹³⁴</p>
Entity exercising reproduction	by, or on behalf of, a body administering an educational institution
Purpose of educational reproduction	solely for the educational purposes of the institution or of another educational institution
Qualification(s)	remuneration notice is given by or on behalf of

¹²³ S 135ZMB(1A).

¹²⁴ S 135ZMB(2).

¹²⁵ S 135ZMB(3).

¹²⁶ S 135ZMB(4).

¹²⁷ S 135ZMA (limiting Division 2A to electronic forms of works).

¹²⁸ S 135ZMC(1).

¹²⁹ S 135ZMA (limiting Division 2A to electronic forms of works).

¹³⁰ S 135ZMD.

¹³¹ S 135ZMA (limiting Division 2A to electronic forms of works).

¹³² S 135ZMDA.

¹³³ The concept of a “page” in electronic form refers to “pages whose content is unlikely to change regardless of the system used to view, reproduce or communicate them”. See e.g., s 135ZMDA(b).

¹³⁴ S 135ZME.

	<p>body administering an educational institution to relevant collecting society</p> <p>body complies with marking and record keeping requirements for each reproduction¹³⁵</p>
Frequency/Multiple copies and Limits	<p>provision does not apply to reproductions/communication of, or parts of, 2 or more articles contained in same periodical publication unless they relate to same subject-matter¹³⁶</p> <p>provision does not apply to reproductions of whole or of more than a reasonable portion of a literary or dramatic work, or the whole or more than 10% of a musical work, that has been separately published unless person making the reproductions or causes them to be made, is satisfied, after reasonable investigations, that work is not available in electronic form within a reasonable time at an ordinary commercial price¹³⁷</p> <p>no communication under this provision while previous part made available online is still available¹³⁸</p>
Collective Licence/remuneration	<p>remuneration notice as undertaking to pay equitable remuneration to collecting society for copies made pursuant to provision, to be assessed on the basis of a records system, a sampling system or an electronic use system¹³⁹</p> <p>remuneration apportioned between copyright owners of work/article and of artistic works¹⁴⁰</p>
Attribution	

Notes: Part VB also contain provisions for the educational reproduction of works for the “print disabled” and the “intellectually disabled”. These will not be discussed in this study.

5. Educational Publications/Anthologies/Compilations/Composite Works

Provision	s 44
Scope of anthologies/compilations limitation/exception	inclusion of
Type(s) of source work(s)	a short extract from a published work or adaptation in a collection of literary, dramatic, musical or artistic works contained in a book,

¹³⁵ Ss 135ZX and 135ZXA.

¹³⁶ S 135ZMC(2).

¹³⁷ S 135ZMD(2).

¹³⁸ S 135ZMD(3).

¹³⁹ S 135ZU.

¹⁴⁰ S 135ZME(2).

	sound recording or cinematograph film
Entity exercising anthologies/compilations limitation/exception	
Purpose of anthologies/compilations limitation/exception	for use by places of education
Condition of anthologies/compilations limitation/exception	collection is described as being intended for use by places of education in an appropriate place/label in book, record, film work or adaptation was not published for the purpose of being used by places of education collection consists principally of matter in which copyright does not subsist
Preclusions (not part of anthologies/compilations limitation/exception)	2 or more extracts from works/adaptations by same author ¹⁴¹ are contained in collection or similar collection by same publisher within 5 year period ¹⁴²
Subject to Attribution	sufficient acknowledgment: title of work (or other description), name of author (unless work is anonymous, pseudonymous or author has previously agreed or directed that an acknowledgment is not to be made) ¹⁴³
Subject to Remuneration	

6. School Performances

Provision	s 28(1)
Scope of school performance	performance of
Type(s) of source work(s)	literary, dramatic or musical work causing sounds of sound recordings and visual images of cinematograph films to be heard and seen
Entity exercising school performance	performed by a teacher or by a student
Purpose of school performance	for giving or receiving educational instruction, not being instruction given "for profit" ¹⁴⁴
Condition of school performance	performed in class, or otherwise in the presence of an audience audience is limited to persons who are taking

¹⁴¹ S 83 (explaining that author includes works of joint authorship, so that works by any one or more of the authors of the extract concerned will count towards the preclusion).

¹⁴² S 44(2).

¹⁴³ S 10(1) (defining "sufficient acknowledgment").

¹⁴⁴ S 28(2) ("For the purposes of this section, educational instruction given by a teacher at a place of education that is not conducted for profit shall not be taken to be given for profit by reason only that the teacher receives remuneration for giving the instruction.")

	part in the instruction or are otherwise “directly connected” ¹⁴⁵ with the place where the instruction is given
Preclusions (not part of school performance)	
Subject to Attribution	
Subject to Remuneration	

7. Educational Broadcasts/Communications/Recordings

Provision	s 200
Scope of broadcast/communication/recording	reproduction or adaptation ¹⁴⁶ of, or making of a record of
Type(s) of source work(s)	a literary, dramatic, musical or artistic work (reproduction or adaptation), or a sound broadcast (making a record)
Entity exercising broadcast/communication/recording	teacher or student (reproduction or adaptation) person or authority in charge of place of education not conducted for profit (making a record)
Purpose of broadcast/communication/recording	in the course of educational instruction (reproduction, adaptation, making a record), or as part of the questions to be answered in an examination, or in an answer to such a question (reproduction or adaptation)
Condition of broadcast/communication/recording	reproduction cannot be by appliance adapted for production of multiple copies or by reprographic device sound broadcast was intended to be used for educational purposes
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	
Subject to Remuneration	
Provision	s 248A
Scope of broadcast/communication/recording	direct or indirect recording of
Type(s) of source work(s)	a performance ¹⁴⁷ as an “exempt recording” ¹⁴⁸ (exemption from performance rights)
Entity exercising broadcast/communication/recording	- indirect cinematograph film of a performance, solely for purpose of private and domestic use of person who made recording ¹⁴⁹ - indirect cinematograph film or sound recording of a performance (from a communication that is a broadcast of the performance, made in domestic premises),

¹⁴⁵ S 28(5) (“For the purposes of this section, a person shall not be taken to be directly connected with a place where instruction is given by reason only that he or she is a parent or guardian of a student who receives instruction at that place”).

¹⁴⁶ The Australian Copyright Act does not recognize a right of adaptation of artistic works.

¹⁴⁷ “Performance” excludes performance and communication of works or other subject-matter in the course of educational instruction under s 28. See s 248A(2)(a).

¹⁴⁸ S 248A (defining a “recording” of a performance as excluding an “exempt recording”).

¹⁴⁹ S 248A (definition (a) for “exempt recording”).

	<p>solely for purpose of private and domestic use by watching or listening to performance at a more convenient time¹⁵⁰</p> <ul style="list-style-type: none"> - indirect cinematograph film of a performance, solely for the purpose of use in scientific research¹⁵¹ - indirect cinematograph film of a performance, solely for educational purposes of that institution or of another educational institution¹⁵² - indirect cinematograph film of a performance, for, inter alia, criticism or review¹⁵³
Purpose of broadcast/communication/recording	<p>in determining whether a dealing is fair dealing, the matters to have regard shall include:</p> <ul style="list-style-type: none"> (a) the purpose and character of the dealing/recording, including whether such dealing/recording is of a commercial nature or is for non-profit educational purposes; (b) the nature of the work/adaptation/audio-visual item/performance in question; (c) the amount and substantiality of the part copied/recorded taken in relation to the whole work/adaptation/audio-visual item/performance; (d) the effect of the dealing upon the potential market for, or value of, the work/adaptation/audio-visual item/recording; (e) the possibility of obtaining the work/adaptation/audio-visual item/recording within a reasonable time at an ordinary commercial price¹⁵⁴
Condition of broadcast/communication/recording	
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	
Subject to Remuneration	

Provision	s 28(5)
Scope of broadcast/communication/recording	communication of
Type(s) of source work(s)	a literary, dramatic or musical work, a sound recording or a cinematograph film
Entity exercising broadcast/communication/recording	
Purpose of	communication made merely to facilitate a

¹⁵⁰ S 248A (definition (aaa) for “exempt recording”).

¹⁵¹ S 248A (definition (b) for “exempt recording”).

¹⁵² S 248A (definition (c) for “exempt recording”). S 248B (defining a cinematograph film of a performance as being made for the educational purposes of an educational institution if it is made for use in connection with a particular course of instruction provided by the institution, or for inclusion in the collection of a library of the institution).

¹⁵³ S 248A (defining, in definition (fa)).

¹⁵⁴ Ss 40, 103C, 248(1A).

broadcast/communication/recording	performance, or to cause sounds or images of a sound recording/film to be heard or seen in public under s 28
Condition of broadcast/communication/recording	where taking place, without payment of entrance charges and without a lucrative purpose
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	title and name of author are stated
Subject to Remuneration	

Provision	s 28
Scope of broadcast/communication/recording	communication of
Type(s) of source work(s)	a television broadcast or sound broadcast or an artistic work (not to be a communication of the broadcast or of work or other subject-matter included in the broadcast, to the public)
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	(distance learning) communication made merely to facilitate broadcast/sound broadcast/work being seen/heard, in class or otherwise in the presence of an audience, in the course of educational instruction that is given by a teacher; and is not given for profit
Condition of broadcast/communication/recording	audience is limited to persons who are taking part in the instruction or are otherwise directly connected with the place where the instruction is given
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	
Subject to Remuneration	

Provision	Part VA (ss 135A to 135ZA)
Scope of broadcast/communication/recording	making or communication of
Type(s) of source work(s)	a copy of a broadcast ¹⁵⁵ or any work, sound recording or cinematograph film included in a broadcast ¹⁵⁶
Entity exercising broadcast/communication/recording	“administering body” ¹⁵⁷ – a body administering an educational institution
Purpose of broadcast/communication/recording	solely for the educational purposes of the institution or of another educational institution ¹⁵⁸
Condition of	remuneration notice given by administering

¹⁵⁵ S 135C (extending the definition of “broadcast” to include free-to-air broadcast and broadcasts made available online).

¹⁵⁶ S 135E(1).

¹⁵⁷ S 135A (defining “administering body” as a body administering an “institution”, which is in turn defined to mean an educational institution or an institution assisting persons with an intellectual disability).

¹⁵⁸ S 135E(1)(b).

broadcast/communication/recording	body to collecting body administering body complies with prescribed requirements ¹⁵⁹
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	
Subject to Remuneration	“remuneration notice” – notice in writing to collecting society, undertaking to pay equitable remuneration to society for copies of broadcasts and communications of such copies of broadcasts made by administering body or on its behalf, while notice is in force ¹⁶⁰

8. Compulsory Licences for Educational Reproductions and Translations

9. TPM/RMI Exceptions for Educational Purposes

Provision	s 116AN(4)
Scope of TPM/RMI limitation/exception	exception for circumventing access control technological protection measure
Type(s) of source work(s)	
Beneficiary exercising limitation/exception	person (individual or body corporate) or employee is engaged in a course of study at an educational institution, or employed or trained, in the field of encryption technology ¹⁶¹
Purpose of limitation/exception	encryption research - for the sole purpose of identifying and analysing flaws and vulnerabilities of encryption technology ¹⁶²
Condition of limitation/exception	circumvention relates to lawfully obtained copy of work/subject-matter ¹⁶³ circumvention act will not infringe copyright in the work/subject-matter ¹⁶⁴ person or employee has obtained permission from owner/exclusive licensee, or has made/will make good faith effort to obtain such permission ¹⁶⁵

Provision	s 116AN(8)
Scope of TPM/RMI limitation/exception	exception for circumventing access control technological protection measure
Type(s) of source work(s)	
Beneficiary exercising limitation/exception	educational institution

¹⁵⁹ S 135E(1)(a).

¹⁶⁰ S 135G. The notice shall specify whether the amount of equitable remuneration is to be assessed on the basis of a records system, a sampling system or an agreed system.

¹⁶¹ S 116AN(4)(c).

¹⁶² S 116AN(4)(b)(iii)

¹⁶³ S 116AN(4)(b)(i).

¹⁶⁴ S 116AN(4)(b)(ii).

¹⁶⁵ S 116AN(4)(d).

Purpose of limitation/exception	sole purpose of making an acquisition decision in relation to the work or other subject-matter ¹⁶⁶
Condition of limitation/exception	work/subject-matter will not be otherwise available to the educational institution for making its acquisition decision if the circumvention is not done ¹⁶⁷

¹⁶⁶ S 116AN(8)(c).
¹⁶⁷ S 116AN(8)(d).

***Austria**

1. Legislation Reviewed

Federal Law on Copyrights on Literary and Artistic Works and Related Rights (Copyright Act)
(as last amended by Federal Law Gazette (BGBl) I No. 58/2010)

Azerbaijan

1. Legislation Reviewed

Law of the Republic of Azerbaijan on Copyright and Related Rights (as amended up to Law No. 636-IVQD of April 30, 2013)

2. Private/Personal Use

Provision	Article 17
Scope of private/personal use	reproduce
Type(s) of source work(s)	one copy of works previously published lawfully “performances, phonograms and programs of broadcasting organizations and fixations” ¹⁶⁸
Entity exercising private/personal use	
Purpose of private/personal use	for personal purposes
Condition of private/personal use	(works) non-profit basis (performances, phonograms and programs) limitation does not conflict with a normal exploitation of performances, phonograms, programs and their fixations, as well as scientific, literary and artistic works included therein, and do not unjustifiably limit the legitimate interests of performer, phonogram producer, broadcasting organization and authors of indicated works ¹⁶⁹
Preclusions (not part of private/personal use)	works of architecture, databases, computer programs, reprographic reproduction of whole books, sheet music, original works of fine art, “work without the consent which communicated to the public interactively [sic]”, “any reproduction of work prejudicing normal use or unreasonably limiting author’s interests communicated to the public interactively [sic]” ¹⁷⁰
Subject to Attribution	
Subject to Remuneration	authors, performers and audiovisual work/phonogram producers for audiovisual works/phonograms entitled to remuneration by manufacturer/importer of “equipment” ¹⁷¹ used for reproduction and “material media”, ¹⁷² collection of remuneration carried out by rights management organization ¹⁷³

3. Quotations

¹⁶⁸ Art. 36.2(4) (importing the Art. 36 limitations of the rights of performers, phonogram producers and broadcasting organizations into limitations of economic rights of authors of scientific, literary and artistic works)

¹⁶⁹ Art. 36.1.

¹⁷⁰ Art. 17(2).

¹⁷¹ Art. 17(5) (providing that exported, professional equipment or material media not designed for use for recording in home conditions are exempt from remuneration).

¹⁷² Art. 17(3).

¹⁷³ Art. 17(4).

Provision	Article 19
Scope of quotation	use of
Type(s) of source work(s)	short excerpts in original or in translation as quotations from lawfully published works press reviews from newspapers and magazines
Entity exercising quotation	
Purpose of quotation	for scientific, research, polemical, critical and informational purposes
Condition of quotation	“to the extent [sic] justified by the intended purpose”
Preclusions (not part of quotation)	
Subject to Attribution	mandatory indication of the author's name and of the source of borrowing
Subject to Remuneration	

Provision	Article 19
Scope of quotation	use of
Type(s) of source work(s)	short excerpts from lawfully published works for publications, radio and broadcastings, sound and video recordings
Entity exercising quotation	
Purpose of quotation	of an educational nature
Condition of quotation	to the extent justified by the intended purpose
Preclusions (not part of quotation)	
Subject to Attribution	mandatory indication of the author's name and of the source of borrowing
Subject to Remuneration	

Provision	Article 36
Scope of quotation	use, as quotations,
Type(s) of source work(s)	short excerpts from performances, phonograms and programs of broadcasting organizations ¹⁷⁴
Entity exercising quotation	
Purpose of quotation	for scientific, research, polemical, critical and informational purposes
Condition of quotation	to the extent justified by intended purpose limitations do not conflict with a normal exploitation of performances, phonograms, programs of broadcasting organizations and their fixations, as well as scientific, literary and artistic works included therein and do not unjustifiably limit legitimate interests of performer, phonogram producer, broadcasting organization and authors of indicated works ¹⁷⁵
Preclusions (not part of quotation)	

¹⁷⁴ Art. 36.2(1).

¹⁷⁵ Art. 36.1.

Subject to Attribution	
Subject to Remuneration	

Provision	Article 36
Scope of quotation	use of
Type(s) of source work(s)	short excerpts of performances, phonograms and programs of broadcasting organizations and fixations ¹⁷⁶
Entity exercising quotation	
Purpose of quotation	for training or scientific-research purposes in illustration character
Condition of quotation	to the extent justified by intended purpose limitations do not conflict with a normal exploitation of performances, phonograms, programs of broadcasting organizations and their fixations, as well as scientific, literary and artistic works included therein and do not unjustifiably limit legitimate interests of performer, phonogram producer, broadcasting organization and authors of indicated works ¹⁷⁷
Preclusions (not part of quotation)	
Subject to Attribution	
Subject to Remuneration	

4. Educational Reproduction

Provision	Article 18.1(c)
Nature of educational reproduction	reprographic reproduction ¹⁷⁸
Type(s) of source work(s)	lawfully published separate articles and other small works or short excerpts from written works
Entity exercising reproduction	
Purpose of educational reproduction	for training at educational institutions
Qualification(s)	without commercial purpose
Frequency/Multiple copies and Limits	to extent justified by intended purpose
Collective Licence/remuneration	
Attribution	“without paying author’s name and of source of borrowing [sic]”

¹⁷⁶ Art. 36.2(2).

¹⁷⁷ Art. 36.1.

¹⁷⁸ Art. 18.1(c) may be read with Art. 36.2(4) (which has the effect of importing the limitations in Section II into this section of the law), to enable the reprographic reproduction of performances, phonograms and programs of broadcasting organizations and fixations thereof, without authorization, and without paying remuneration, subject to the three-step test set out in Art. 36.1.

5. Educational Publications/Anthologies/Compilations/Composite Works
6. School Performances
7. Educational Broadcasts/Communications/Recordings
8. Compulsory Licences for Educational Reproductions and Translations
9. TPM/RMI Exceptions for Educational Purposes

Bahamas

1. Legislation Reviewed

Copyright Act, 1998 (CH.323) (as amended by the Copyright (Amendment) Act, Act No. 2 of 2004)

2. Private/Personal Use

Provision	s 58
Scope of private/personal use	fair dealing with
Type(s) of source work(s)	a copyright work, including such use by reproduction in copies or phonorecords
Entity exercising private/personal use	
Purpose of private/personal use	for purposes such as research, private study, scholarship or teaching (instruction at an “educational establishment” ¹⁷⁹)
Condition of private/personal use	
Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	

3. Quotations

Provision	s 59(1)(a)
Scope of quotation	fair dealing with
Type(s) of source work(s)	a protected work
Entity exercising quotation	
Purpose of quotation	for purposes of criticism, comment, parody or review
Condition of quotation	court to take into account all factors to determine if act done in relation to a work constitutes fair dealing, including: (a) the nature of the work in question; (b) the amount and substantiality of that part of the work affected by the act in relation to the whole of the work; (c) the purpose and character of the use, including whether such use is of a commercial nature or is for non-profit educational purposes; and (d) the effect of the act upon the potential market for, or the commercial value of, the work. ¹⁸⁰
Preclusions (not part of quotation)	
Subject to Attribution	title of work (or other description), name of author, unless anonymous or author agreed that no acknowledgement be made, or not possible to ascertain identity for unpublished work ¹⁸¹
Subject to Remuneration	

¹⁷⁹ S 2(1) (defining an “educational establishment” as any school, college or other educational body designated by the Minister by order).

¹⁸⁰ S 60.

¹⁸¹ S 57 (defining “sufficient acknowledgment”).

4. Educational Reproduction

Provision	s 58
Nature of educational reproduction	fair dealing with
Type(s) of source work(s)	a copyright work, including such use by reproduction in copies or phonorecords
Entity exercising reproduction	
Purpose of educational reproduction	for purposes such as research, private study, scholarship or teaching (instruction at an “educational establishment” ¹⁸²)
Qualification(s)	
Frequency/Multiple copies and Limits	
Collective Licence/remuneration	
Attribution	
Provision	s 62(1)
Nature of educational reproduction	reproduction (not by means of a reprographic process)
Type(s) of source work(s)	literary, dramatic, musical, choreographic or artistic work
Entity exercising reproduction	a person giving or receiving instruction
Purpose of educational reproduction	in the course of instruction or of preparation for instruction
Qualification(s)	reproduction copies made cannot be dealt with (i.e. sold, let for hire or offered or exposed for sale or hire) ¹⁸³
Frequency/Multiple copies and Limits	
Collective Licence/remuneration	
Attribution	

Provision	s 62(3)
Nature of educational reproduction	anything done
Type(s) of source work(s)	
Entity exercising reproduction	
Purpose of educational reproduction	an examination by way of setting the questions, communicating the questions to candidates or answering the questions
Qualification(s)	reproduction copies made cannot be dealt with (i.e. sold, let for hire or offered or exposed for sale or hire) ¹⁸⁴
Frequency/Multiple copies and Limits	
Collective Licence/remuneration	
Attribution	

Provision	s 65
Nature of educational reproduction	reproduction of copies ¹⁸⁵

¹⁸² S 2(1) (defining an “educational establishment” as any school, college or other educational body designated by the Minister by order).

¹⁸³ S 66.

¹⁸⁴ S 66.

Type(s) of source work(s)	published literary, dramatic or musical works
Entity exercising reproduction	by or on behalf of an educational establishment
Purpose of educational reproduction	instruction
Qualification(s)	reproduction copies made cannot be dealt with (i.e. sold, let for hire or offered or exposed for sale or hire) ¹⁸⁶
Frequency/Multiple copies and Limits	not more than 5% in any quarter of the year
Collective Licence/remuneration	
Attribution	

5. Educational Publications/Anthologies/Compilations/Composite Works

Provision	s 63
Scope of anthologies/compilations limitation/exception	inclusion in collection of a short passage from
Type(s) of source work(s)	a published literary, musical or dramatic work published in copies
Entity exercising anthologies/compilations limitation/exception	
Purpose of anthologies/compilations limitation/exception	for use in educational establishments
Condition of anthologies/compilations limitation/exception	collection to be described and advertised as being for use in educational establishments work was not itself published for use of educational establishments collection consists mainly of public domain works
Preclusions (not part of anthologies/compilations limitation/exception)	more than 2 extracts from works by same author ¹⁸⁷ are contained in collections by same publisher within 5 year period ¹⁸⁸
Subject to Attribution	inclusion accompanied by "sufficient acknowledgment"
Subject to Remuneration	

6. School Performances

7. Educational Broadcasts/Communications/Recordings

Provision	s 62(2)
Scope of broadcast/communication/recording	reproduction in a single copy or phonorecord
Type(s) of source work(s)	sound recording, motion pictures, audiovisual works
Entity exercising broadcast/communication/recording	a person giving copy retained by department of educational establishment in which instruction is being

¹⁸⁵ S 2(1) (defining "reprographic process" as a process (a) for making facsimile copies, or (b) involving the use of an appliance for making multiple copies, and, in relation to a work held in electronic form, includes any copying by electronic means, but does not include the making of a film or sound recording).

¹⁸⁶ S 66.

¹⁸⁷ S 63(3) (explaining that author includes works of joint authorship, and works by any of the authors will count towards the preclusion).

¹⁸⁸ S 44(2).

	given
Purpose of broadcast/communication/recording	in the course of instruction or of preparation for instruction, in the making of motion pictures or motion picture sound-tracks
Condition of broadcast/communication/recording	educational establishment to have accredited degree programme in motion pictures reproduction copies made cannot be dealt with (i.e. sold, let for hire or offered or exposed for sale or hire) ¹⁸⁹
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	
Subject to Remuneration	
Provision	s 64, 108
Scope of broadcast/communication/recording	reproduction in single copy or phonorecord of
Type(s) of source work(s)	transmission of a performance or display or a live performance
Entity exercising broadcast/communication/recording	(performance or display) by educational establishment (live performance) by or on behalf of educational establishment
Purpose of broadcast/communication/recording	(performance or display) for educational purposes of educational establishment
Condition of broadcast/communication/recording	performance or display is directly related to the course content reproduction copies made cannot be dealt with (i.e. sold, let for hire or offered or exposed for sale or hire) ¹⁹⁰
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	
Subject to Remuneration	

8. Compulsory Licences for Educational Reproductions and Translations9. TPM/RMI Exceptions for Educational Purposes

¹⁸⁹ S 66.¹⁹⁰ Ss 66, 108(2).

Bahrain

1. Legislation Reviewed

Law No. 22 of the Year 2006 relating to the Protection of Copyright and Neighbouring Rights

2. Private/Personal Use

Provision	Art. 19
Scope of private/personal use	a single copy of
Type(s) of source work(s)	a legally published original work, or of a legal copy thereof
Entity exercising private/personal use	
Purpose of private/personal use	for purely personal use
Condition of private/personal use	
Preclusions (not part of private/personal use)	reproduction of architectural works embodied in buildings or any other construction, photocopied reproduction of written work, in whole or part, photocopied reproduction of a work of sheet music, in whole or part, reproduction of a database in digital form, in whole or part, reproduction of computer program (other than permitted by Art. 26) ¹⁹¹
Subject to Attribution	
Subject to Remuneration	

3. Quotations

Provision	Art. 21(a)
Scope of quotation	reproducing a short segment of
Type(s) of source work(s)	a legally published work
Entity exercising quotation	
Purpose of quotation	to cite it in another work
Condition of quotation	citation is used for a legal purpose citation is in the degree necessary to achieve that purpose
Preclusions (not part of quotation)	
Subject to Attribution	source, and of the name of the author if it appears in the source
Subject to Remuneration	

Provision	Article 21(b)
Scope of quotation	using in publications, radio or television programmes or audiovisual recordings
Type(s) of source work(s)	a legally published literary or artistic work
Entity exercising quotation	non-profit educational institutions
Purpose of quotation	as a means of clarification for purposes of education
Condition of quotation	
Preclusions (not part of quotation)	
Subject to Attribution	source, and of the name of the author if it appears in the source
Subject to Remuneration	

¹⁹¹ These are for backing up a copy of the software or for interoperability purposes. Art. 26.

4. Educational Reproduction

Provision	Article 21(c)
Nature of educational reproduction	photographic reproduction
Type(s) of source work(s)	an article, brief extracts of a work, or a short work, all of which have been legally published
Entity exercising reproduction	within nonprofit educational institutions
Purpose of educational reproduction	for educational purposes
Qualification(s)	in the degree necessary to achieve those purposes
Frequency/Multiple copies and Limits	only a single copy, or separate occasions
Collective Licence/remuneration	
Attribution	source, and of the name of the author if it appears in the source

5. Educational Publications/Anthologies/Compilations/Composite Works6. School Performances

Provision	Article 27
Scope of school performance	public performance of
Type(s) of source work(s)	a dramatic, musical or dramatic-musical work, a work of dance or a work of mime, or any other work created to be so performed
Entity exercising school performance	
Purpose of school performance	face-to-face educational activities
Condition of school performance	within recognised nonprofit educational institutions in classrooms or other similar places allocated for teaching no direct or indirect financial recompense
Preclusions (not part of school performance)	
Subject to Attribution	
Subject to Remuneration	

7. Educational Broadcasts/Communications/Recordings8. Compulsory Licences for Educational Reproductions and Translations9. TPM/RMI Exceptions for Educational Purposes

***Bangladesh**

1. Legislation Reviewed

Copyright Act, 2000 (Act No. 28 of 2000, as amended up to 2005)

Barbados

1. Legislation Reviewed

Copyright Act, 1998 (Cap. 300)(as revised up to 2006)

2. Private/Personal Use

Provision	ss 51, 53
Scope of private/personal use	fair dealing with
Type(s) of source work(s)	a literary, dramatic, musical or artistic work
Entity exercising private/personal use	
Purpose of private/personal use	for purposes of research or private study
Condition of private/personal use	court to take into account all factors to determine if act done in relation to a work constitutes fair dealing, including: (a) the nature of the work in question; (b) the extent and portion of that part of the work affected by the act in relation to the whole of the work; (c) the purpose and character of the use; and (d) the effect of the act upon the potential market for, or the commercial value of, the work. ¹⁹²
Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	

3. Quotations

Provision	ss 52(1)(a), 53
Scope of quotation	fair dealing with
Type(s) of source work(s)	a protected work
Entity exercising quotation	
Purpose of quotation	for purposes of criticism or review of that work or of performance of a work
Condition of quotation	court to take into account all factors to determine if act done in relation to a work constitutes fair dealing, including: (a) the nature of the work in question; (b) the extent and portion of that part of the work affected by the act in relation to the whole of the work; (c) the purpose and character of the use; and (d) the effect of the act upon the potential market for, or the commercial value of, the work. ¹⁹³
Preclusions (not part of quotation)	
Subject to Attribution	title of work (or other description), name of author, unless anonymous or author agreed

¹⁹² S 53.

¹⁹³ S 53.

	that no acknowledgement be made, or not possible to ascertain identity for unpublished work ¹⁹⁴
Subject to Remuneration	

4. Educational Reproduction

Provision	s 55(1)
Nature of educational reproduction	reproduction (not by means of a reprographic process)
Type(s) of source work(s)	literary, dramatic, musical or artistic work
Entity exercising reproduction	a person giving or receiving instruction
Purpose of educational reproduction	in the course of instruction or of preparation for instruction
Qualification(s)	
Frequency/Multiple copies and Limits	
Collective Licence/remuneration	
Attribution	
Provision	s 55(3)
Nature of educational reproduction	anything done
Type(s) of source work(s)	
Entity exercising reproduction	
Purpose of educational reproduction	an examination by way of setting the questions, communicating the questions to candidates or answering the questions
Qualification(s)	
Frequency/Multiple copies and Limits	
Collective Licence/remuneration	
Attribution	

Provision	s 58
Nature of educational reproduction	reprographic copies ¹⁹⁵
Type(s) of source work(s)	passages from published literary, dramatic or musical works
Entity exercising reproduction	by or on behalf of an educational establishment
Purpose of educational reproduction	instruction
Qualification(s)	no copying if, or to extent that, licences are available authorizing copying and person making copies knows or ought to have been aware of licences reprographic copies made cannot be dealt with (i.e. sold, let for hire or offered or exposed for sale or hire) ¹⁹⁶
Frequency/Multiple copies and Limits	not more than 5% in any quarter of the year
Collective Licence/remuneration	any collective licence granted not to derogate

¹⁹⁴ S 51 (defining "sufficient acknowledgment").¹⁹⁵ S 2(1) (defining "reprographic process" as a process (a) for making facsimile copies, or (b) involving the use of an appliance for making multiple copies, and, in relation to a work held in electronic form, includes any copying by electronic means, but does not include the making of a film or sound recording).¹⁹⁶ S 60.

	from this provision
Attribution	

5. Educational Publications/Anthologies/Compilations/Composite Works

Provision	s 56
Scope of anthologies/compilations limitation/exception	inclusion in collection of a short passage from
Type(s) of source work(s)	a published literary or dramatic work
Entity exercising anthologies/compilations limitation/exception	
Purpose of anthologies/compilations limitation/exception	for use in educational establishments
Condition of anthologies/compilations limitation/exception	collection to be described and advised as being for use in educational establishments work was not itself published for use of educational establishments collection consists mainly of material in which no copyright subsists
Preclusions (not part of anthologies/compilations limitation/exception)	more than 2 extracts from works by same author ¹⁹⁷ are contained in collections by same publisher within 5 year period ¹⁹⁸
Subject to Attribution	inclusion accompanied by sufficient acknowledgment
Subject to Remuneration	

6. School Performances

Provision	ss 78
Scope of school performance	playing
Type(s) of source work(s)	a sound recording
Entity exercising school performance	a club, society or other organization not established or conducted for profit and its main objects are charitable or are otherwise concerned with the advancement of religion, education or social welfare
Purpose of school performance	as part of the activities of, or for the benefit of
Condition of school performance	proceeds of any charge for admission to the place where the recording is to be heard are applied solely for the purposes of the organization
Preclusions (not part of school performance)	
Subject to Attribution	
Subject to Remuneration	

7. Educational Broadcasts/Communications/Recordings

Provision	s 55(2)
Scope of broadcast/communication/recording	making a film or film sound-track
Type(s) of source work(s)	sound recording, film, broadcast or cable programme

¹⁹⁷ S 56(3) (explaining that author includes works of joint authorship, and works by any of the authors will count towards the preclusion).

¹⁹⁸ S 44(2).

Entity exercising broadcast/communication/recording	a person giving or receiving instruction
Purpose of broadcast/communication/recording	in the course of instruction or of preparation for instruction, in the making of films or film sound-tracks
Condition of broadcast/communication/recording	
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	
Subject to Remuneration	
Provision	ss 58, 118 ¹⁹⁹
Scope of broadcast/communication/recording	recording of
Type(s) of source work(s)	broadcast or cable programme or copy of such a recording
Entity exercising broadcast/communication/recording	by or on behalf of educational establishment
Purpose of broadcast/communication/recording	for educational purposes of educational establishment
Condition of broadcast/communication/recording	recording of broadcast or cable programme cannot be dealt with (i.e. sold, let for hire or offered or exposed for sale or hire) ²⁰⁰
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	
Subject to Remuneration	

8. Compulsory Licences for Educational Reproductions and Translations
9. TPM/RMI Exceptions for Educational Purposes

¹⁹⁹ S 58 exempts from infringement the copyright in the broadcast or cable programme and any work included in it; s 118 exempts from infringement the rights of performance and recording.

²⁰⁰ S 59, s 117(2) read with s 118.

***Belarus**

1. Legislation Reviewed

Law of the Republic of Belarus No. 262-3 of May 17, 2011, on Copyright and Related Rights

***Belgium**

1. Legislation Reviewed

Law of April 19, 2014, inserting Book XI 'Intellectual Property' into Code of Economic Law

Belize

1. Legislation Reviewed

Copyright Act (Cap. 252, Revised Edition 2000)

2. Private/Personal Use

Provision	s 56
Scope of private/personal use	fair dealing with
Type(s) of source work(s)	a “protected work” ²⁰¹
Entity exercising private/personal use	
Purpose of private/personal use	research or private study
Condition of private/personal use	court to take into account all factors to determine if act done in relation to a work constitutes fair dealing, including: (a) the nature of the work in question; (b) the extent and substantiality of that part of the work affected by the act in relation to the whole of the work; (c) the purpose and character of the use; and (d) the effect of the act upon the potential market for, or the commercial value of, the work. ²⁰²
Preclusions (not part of private/personal use)	person (not researcher or student) ²⁰³ doing the copying knows or has reason to believe that it will result in copies of substantially the same material being provided to more than one person at substantially the same time and for substantially the same purpose ²⁰⁴
Subject to Attribution	
Subject to Remuneration	

3. Quotations

Provision	ss 57, 124
Scope of quotation	fair dealing with
Type(s) of source work(s)	a work, (a performance or recording) ²⁰⁵
Entity exercising quotation	
Purpose of quotation	for purposes of criticism or review of that work or another work/performance/recording or of performance of a work
Condition of quotation	court to take into account all factors to determine if act done in relation to a work constitutes fair dealing, including: (a) the nature of the work in question; (b) the extent and substantiality of that part of the work affected by the act in relation to the whole of the work; (c) the purpose and character of the use; and

²⁰¹ S 3(1) (defining “protected work” as a literary, dramatic, musical or artistic work, a sound recording, film, broadcast or cable programme, and the typographical arrangement of a published edition).

²⁰² S 58.

²⁰³ Copying by a person other than the researcher or student under s 56 will trigger the preclusion from the exception.

²⁰⁴ S 56(2)(b).

²⁰⁵ S 124.

	(d) the effect of the act upon the potential market for, or the commercial value of, the work. ²⁰⁶
Preclusions (not part of quotation)	
Subject to Attribution	work: title of work (or other description), name of author, unless anonymous or author agreed or required that no acknowledgement be made ²⁰⁷
Subject to Remuneration	

4. Educational Reproduction

Provision	s 56
Nature of educational reproduction	fair dealing with
Type(s) of source work(s)	a "protected work" ²⁰⁸
Entity exercising reproduction	
Purpose of educational reproduction	research or private study
Qualification(s)	court to take into account all factors to determine if act done in relation to a work constitutes fair dealing, including: (a) the nature of the work in question; (b) the extent and substantiality of that part of the work affected by the act in relation to the whole of the work; (c) the purpose and character of the use; and (d) the effect of the act upon the potential market for, or the commercial value of, the work. ²⁰⁹
Frequency/Multiple copies and Limits	person (not researcher or student) ²¹⁰ doing the copying knows or has reason to believe that it will result in copies of substantially the same material being provided to more than one person at substantially the same time and for substantially the same purpose ²¹¹
Collective Licence/remuneration	
Attribution	
Provision	s 60(1)
Nature of educational reproduction	copying (not by means of a reprographic process)
Type(s) of source work(s)	a literary, dramatic, musical or artistic work
Entity exercising reproduction	a person giving or receiving instruction
Purpose of educational reproduction	in the course of instruction or of preparation for instruction
Qualification(s)	copies made cannot be dealt with (i.e. sold, let for hire or offered or exposed for sale or hire) ²¹²

²⁰⁶ S 58.

²⁰⁷ S 55 (defining "sufficient acknowledgment").

²⁰⁸ S 3(1) (defining "protected work" as a literary, dramatic, musical or artistic work, a sound recording, film, broadcast or cable programme, and the typographical arrangement of a published edition).

²⁰⁹ S 58.

²¹⁰ Copying by a person other than the researcher or student under s 56 will trigger the preclusion from the exception.

²¹¹ S 56(2)(b).

²¹² S 65.

Frequency/Multiple copies and Limits	
Collective Licence/remuneration	
Attribution	

Provision	s 60(3)
Nature of educational reproduction	anything done
Type(s) of source work(s)	
Entity exercising reproduction	
Purpose of educational reproduction	an examination by way of setting the questions, communicating the questions to candidates or answering the questions
Qualification(s)	copies made cannot be dealt with (i.e. sold, let for hire or offered or exposed for sale or hire) ²¹³
Frequency/Multiple copies and Limits	
Collective Licence/remuneration	
Attribution	

Provision	s 126(2)
Nature of educational reproduction	copying of, or anything done
Type(s) of source work(s)	a recording of a performance
Entity exercising reproduction	
Purpose of educational reproduction	an examination by way of setting the questions, communicating the questions to candidates or answering the questions
Qualification(s)	copies made cannot be dealt with (i.e. sold, let for hire or offered or exposed for sale or hire) ²¹⁴
Frequency/Multiple copies and Limits	
Collective Licence/remuneration	
Attribution	

Provision	s 64
Nature of educational reproduction	reprographic copies ²¹⁵
Type(s) of source work(s)	passages from published literary, dramatic or musical works
Entity exercising reproduction	by or on behalf of an educational establishment
Purpose of educational reproduction	instruction
Qualification(s)	no copying if, or to extent that, licences under licensing scheme are available authorizing copying and person making copies knows or ought to have been aware of licences reprographic copies made cannot be dealt with

²¹³ S 65.

²¹⁴ S 126(3).

²¹⁵ S 2(1) (defining "reprographic process" as a process (a) for making facsimile copies, or (b) involving the use of an appliance for making multiple copies, and, in relation to a work held in electronic form, includes any copying by electronic means, but does not include the making of a film or sound recording).

	(i.e. sold, let for hire or offered or exposed for sale or hire) ²¹⁶
Frequency/Multiple copies and Limits	not more than 5% in any quarter of the year
Collective Licence/remuneration	any collective licence granted not to derogate from this provision
Attribution	

5. Educational Publications/Anthologies/Compilations/Composite Works

Provision	s 61
Scope of anthologies/compilations limitation/exception	inclusion in collection of
Type(s) of source work(s)	a short passage from a published literary or dramatic work
Entity exercising anthologies/compilations limitation/exception	
Purpose of anthologies/compilations limitation/exception	for use in educational establishments
Condition of anthologies/compilations limitation/exception	collection to be described and advised as being for use in educational establishments work was not itself published for use of educational establishments collection consists mainly of material in which no copyright subsists not more than 1 other such passage/part from works by same author is published by same publisher within 5 year period ²¹⁷
Preclusions (not part of anthologies/compilations limitation/exception)	more than 2 extracts from works by same author ²¹⁸ are contained in collections by same publisher within 5 year period ²¹⁹
Subject to Attribution	title, name of author (unless anonymous or author has previously agreed/required no acknowledgement) ²²⁰
Subject to Remuneration	

6. School Performances

Provision	s 62(1)
Scope of school performance	performance of
Type(s) of source work(s)	a literary, dramatic or musical work
Entity exercising school performance	by a teacher or pupil, or at the establishment by any person for the purposes of instruction
Purpose of school performance	in the course of the activities of the establishment or for the purposes of instruction

²¹⁶ S 65.

²¹⁷ S 61(1)(d).

²¹⁸ S 61(3) (explaining that author includes works of joint authorship, and works by any of the authors will count towards the preclusion).

²¹⁹ S 61(2).

²²⁰ S 55 (defining "sufficient acknowledgement").

Condition of school performance	audience consisting of teachers and pupils at an educational establishment and other “persons directly connected” ²²¹ with the activities of the establishment
Preclusions (not part of school performance)	
Subject to Attribution	
Subject to Remuneration	

Provision	s 62(2)
Scope of school performance	playing or showing of
Type(s) of source work(s)	a sound recording, film, broadcast or cable program
Entity exercising school performance	
Purpose of school performance	for the purposes of instruction
Condition of school performance	audience consisting of teachers and pupils at an educational establishment and other “persons directly connected” ²²² with the activities of the establishment
Preclusions (not part of school performance)	
Subject to Attribution	
Subject to Remuneration	

7. Educational Broadcasts/Communications/Recordings

Provision	ss 63, 127 ²²³
Scope of broadcast/communication/recording	recording of
Type(s) of source work(s)	broadcast or cable programme or copy of such a recording
Entity exercising broadcast/communication/recording	by or on behalf of educational establishment
Purpose of broadcast/communication/recording	for educational purposes of educational establishment
Condition of broadcast/communication/recording	recording of broadcast or cable programme cannot be dealt with (i.e. sold, let for hire or offered or exposed for sale or hire) ²²⁴
Preclusions (not part of broadcast/communication/recording)	no recording if, or to extent that, licensing scheme under which licences are available authorising making of such recordings or copies, and person making recordings knows or ought to have been aware ²²⁵ special considerations by Supreme Court regarding the licence charges payable by educational establishments ²²⁶

²²¹ S 62(3) (excluding parents of pupils per se from “persons directly connected with the activities of the educational establishment”).

²²² S 62(3) (excluding parents of pupils per se from “persons directly connected with the activities of the educational establishment”).

²²³ S 58 exempts from infringement the copyright in the broadcast or cable programme and any work included in it; s 119 exempts from infringement the rights of performance and recording.

²²⁴ Ss 65, 127(2).

²²⁵ S 63(2).

²²⁶ S 103.

Subject to Attribution	
Subject to Remuneration	

- 8. Compulsory Licences for Educational Reproductions and Translations
- 9. TPM/RMI Exceptions for Educational Purposes

Benin

1. Legislation Reviewed

Law No. 2005-30 of April 5, 2006, relating to Copyright and Related Rights of the Republic of Benin

2. Private/Personal Use

Provision	Article 13
Scope of private/personal use	private performances of
Type(s) of source work(s)	a work lawfully made accessible to the public private performances of performances, phonograms, broadcasts ²²⁷
Entity exercising private/personal use	
Purpose of private/personal use	exclusively within the family circle
Condition of private/personal use	no form of revenue generated
Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	
Provision	Article 13
Scope of private/personal use	copies of
Type(s) of source work(s)	a work lawfully made accessible to the public performances, phonograms, broadcasts ²²⁸
Entity exercising private/personal use	
Purpose of private/personal use	for strictly educational or academic purposes
Condition of private/personal use	given free of charge in a teaching establishment for the benefit of staff, students and their families
Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	
Provision	Article 14
Scope of private/personal use	reproductions, translations or adaptations of
Type(s) of source work(s)	lawfully published work, and performances, phonograms, broadcasts ²²⁹
Entity exercising private/personal use	
Purpose of private/personal use	for strictly personal and private use
Condition of private/personal use	
Preclusions (not part of private/personal use)	architecture, reprographic reproduction of entire book or musical score, all or significant parts of digital databases, computer programs, ²³⁰ any other reproduction that would prejudice the normal exploitation of the work or would cause any prejudice to legitimate interests of author

²²⁷ Art. 69 (providing that all other uses that constitute exceptions with respect to works shall apply to performances, phonograms and broadcasts).

²²⁸ Art. 69 (providing that all other uses that constitute exceptions with respect to works shall apply to performances, phonograms and broadcasts).

²²⁹ Art. 69 (providing that all other uses that constitute exceptions with respect to works shall apply to performances, phonograms and broadcasts).

²³⁰ Art. 20 (providing that computer programs may be reproduced or adapted for their intended usage, or for backup purposes).

Subject to Attribution	
Subject to Remuneration	equitable remuneration in the form of levies on physical media used for such reproduction ²³¹ where reproduction is by photocopying via apparatus available to the public in schools, teaching establishments, research institutions, public libraries or establishments that make such apparatuses available against payment, author entitled to remuneration (paid to CMO) from user ²³²
Provision	Article 69
Scope of private/personal use	use of
Type(s) of source work(s)	performances, phonograms, broadcasts
Entity exercising private/personal use	
Purpose of private/personal use	for private use
Condition of private/personal use	
Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	equitable remuneration in the form of levies on physical media used for such reproduction ²³³ where reproduction is by photocopying via apparatus available to the public in schools, teaching establishments, research institutions, public libraries or establishments that make such apparatuses available against payment, author entitled to remuneration (paid to CMO) from user ²³⁴

Provision	Article 69
Scope of private/personal use	use of
Type(s) of source work(s)	performances, phonograms, broadcasts
Entity exercising private/personal use	
Purpose of private/personal use	solely for purposes of teaching or scientific research
Condition of private/personal use	
Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	

3. Quotations

Provision	Article 15
Scope of quotation	analyses and short quotations from
Type(s) of source work(s)	a work already lawfully made accessible to the public, and their translations

²³¹ Arts. 74, 75 (providing that authors, performers, phonogram producers shall be entitled to remuneration for such reproductions intended for strictly personal and private use, in the form of levies on manufacturers and importers of physical media used for such reproduction).

²³² Art. 79.

²³³ Arts. 74, 75 (providing that authors, performers, phonogram producers shall be entitled to remuneration for such reproductions intended for strictly personal and private use, in the form of levies on manufacturers and importers of physical media used for such reproduction).

²³⁴ Art. 79.

Entity exercising quotation	
Purpose of quotation	intended scientific, critical, polemic, educational or informative purpose
Condition of quotation	compatible with fair practice
Preclusions (not part of quotation)	
Subject to Attribution	title of work, name of author
Subject to Remuneration	
Provision	Article 69
Scope of quotation	use of
Type(s) of source work(s)	performances, phonograms, broadcasts
Entity exercising quotation	
Purpose of quotation	quotation, in the form of short fragments
Condition of quotation	quotations are compatible with fair practice and justified by their informative purpose
Preclusions (not part of quotation)	
Subject to Attribution	
Subject to Remuneration	

4. Educational Reproduction

Provision	Art. 21
Nature of educational reproduction	reprographic reproduction
Type(s) of source work(s)	individual articles lawfully published in a newspaper or periodical, and short extracts from a lawfully published work or a lawfully published short work, and performances, phonograms, broadcasts ²³⁵
Entity exercising reproduction	
Purpose of educational reproduction	for teaching or for examinations within teaching establishments whose activities are not directly or indirectly profitmaking,
Qualification(s)	to the extent justified by intended purpose
Frequency/Multiple copies and Limits	
Collective Licence/remuneration	
Attribution	source and name of author if such name is given in source

5. Educational Publications/Anthologies/Compilations/Composite Works

Provision	Art. 21
Scope of anthologies/compilations limitation/exception	use as an illustration in publications, broadcasts or sound or visual recordings
Type(s) of source work(s)	a lawfully published work, and performances, phonograms, broadcasts ²³⁶
Entity exercising anthologies/compilations limitation/exception	by or on behalf of an educational establishment
Purpose of anthologies/compilations limitation/exception	intended for teaching

²³⁵ Art. 69 (providing that all other uses that constitute exceptions with respect to works shall apply to performances, phonograms and broadcasts).

²³⁶ Art. 69 (providing that all other uses that constitute exceptions with respect to works shall apply to performances, phonograms and broadcasts).

Condition of anthologies/compilations limitation/exception	
Preclusions (not part of anthologies/compilations limitation/exception)	
Subject to Attribution	source and name of author if such name is given in source
Subject to Remuneration	

6. School Performances7. Educational Broadcasts/Communications/Recordings

Provision	Art. 21
Scope of broadcast/communication/recording	use as an illustration in publications, broadcasts or sound or visual recordings
Type(s) of source work(s)	a lawfully published work, and performances, phonograms, broadcasts ²³⁷
Entity exercising broadcast/communication/recording	by or on behalf of an educational establishment
Purpose of broadcast/communication/recording	intended for teaching
Condition of broadcast/communication/recording	
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	source and name of author if such name is given in source
Subject to Remuneration	

8. Compulsory Licences for Educational Reproductions and Translations9. TPM/RMI Exceptions for Educational Purposes

²³⁷ Art. 69 (providing that all other uses that constitute exceptions with respect to works shall apply to performances, phonograms and broadcasts).

Bhutan

1. Legislation Reviewed

Copyright Act of the Kingdom of Bhutan, 2001

2. Private/Personal Use

Provision	s 10
Scope of private/personal use	reproduction of
Type(s) of source work(s)	a published work
Entity exercising private/personal use	a physical person
Purpose of private/personal use	exclusively for his own personal purposes
Condition of private/personal use	
Preclusions (not part of private/personal use)	architecture, reprographic reproduction of whole book or substantial part of musical work in graphic form, database, a computer program, any work where reproduction would conflict with a normal exploitation of the work or would otherwise unreasonably prejudice the legitimate interests of the author of, or other owner of the copyright in, the work
Subject to Attribution	
Subject to Remuneration	

Provision	s 27a
Scope of private/personal use	use of
Type(s) of source work(s)	fixation of performance, sound recording or broadcast
Entity exercising private/personal use	a physical person
Purpose of private/personal use	exclusively for his own personal purposes
Condition of private/personal use	
Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	

Note: s 13 permits the reprographic reproduction by library or archive to make a single copy of a published article or short work or short extract by reprographic reproduction, on the request of a physical person, for his study, scholarship or private research.

3. Quotations

Provision	ss 11, 27d
Scope of quotation	reproduction of
Type(s) of source work(s)	a short part of a published work, in the form of quotation, in another work reproduction of a short part of a fixation of a performance, sound recording or broadcast ²³⁸
Entity exercising quotation	
Purpose of quotation	
Condition of quotation	reproduction is compatible with fair practice

²³⁸ S 27d (extending the exceptions in Part II to fixations of performances, sound recordings and broadcasts).

	reproduction extent does not exceed extent justified by the purpose
Preclusions (not part of quotation)	
Subject to Attribution	source, name of author (if on source)
Subject to Remuneration	

4. Educational Reproduction

Provision	s 12(1)a
Nature of educational reproduction	reproduction
Type(s) of source work(s)	short part of a published work
Entity exercising reproduction	
Purpose of educational reproduction	by way of illustration, in writings or sound or visual recordings, for teaching
Qualification(s)	reproduction is compatible with fair practice
Frequency/Multiple copies and Limits	extent does not exceed extent justified by purpose
Collective Licence/remuneration	
Attribution	source and name of author indicated on any copy, as far as practicable

Provision	s 12(1)b
Nature of educational reproduction	reprographic reproduction
Type(s) of source work(s)	of a published article or other short work or short extract of a writing, with or without illustrations
Entity exercising reproduction	
Purpose of educational reproduction	for face-to-face teaching in educational institutions whose activities do not serve direct or indirect commercial gain
Qualification(s)	
Frequency/Multiple copies and Limits	act of reproduction is an isolated one occurring, if repeated, on separate and unrelated occasions
Collective Licence/remuneration	no collective licence available for making reproduction (i.e. offered by CMO where educational institution is aware or should be aware of its availability)
Attribution	source and name of author indicated on any copy, as far as practicable

Provision	s 27c
Nature of educational reproduction	use
Type(s) of source work(s)	fixation of performance, sound recording or broadcast
Entity exercising reproduction	
Purpose of educational reproduction	solely for face-to-face teaching or for scientific research
Qualification(s)	
Frequency/Multiple copies and Limits	
Collective Licence/remuneration	

Attribution	
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5. Educational Publications/Anthologies/Compilations/Composite Works
6. School Performances
7. Educational Broadcasts/Communications/Recordings
8. Compulsory Licences for Educational Reproductions and Translations
9. TPM/RMI Exceptions for Educational Purposes

Bolivia (Plurinational State of)

1. Legislation Reviewed

Law No.1322 of April 13, 1992, on Copyright

2. Private/Personal Use

3. Quotations

Provision	Article 24
Scope of quotation	inclusion within one's own work of
Type(s) of source work(s)	short excerpts from disclosed works by others
Entity exercising quotation	
Purpose of quotation	for quotation or for analysis, comment or critical assessment, for educational or research purposes
Condition of quotation	in accordance with proper practice and to the extent justified by the purpose being pursued no infringement of law occurs
Preclusions (not part of quotation)	
Subject to Attribution	source and name of author
Subject to Remuneration	

4. Educational Reproduction

5. Educational Publications/Anthologies/Compilations/Composite Works

6. School Performances

7. Educational Broadcasts/Communications/Recordings

8. Compulsory Licences for Educational Reproductions and Translations

9. TPM/RMI Exceptions for Educational Purposes

Bosnia and Herzegovina

1. Legislation Reviewed

Copyright and Related Rights Law

2. Private/Personal Use

Provision	Art 46
Scope of private/personal use	reproduction of
Type(s) of source work(s)	a disclosed work
Entity exercising private/personal use	
Purpose of private/personal use	for purposes of research or private study
Condition of private/personal use	only one copy made (on paper or similar medium) copy made by photocopying or similar technique (on any other media) copy for private use copies are not intended for or accessible by public no direct or indirect economic advantage gained
Preclusions (not part of private/personal use)	whole of written works – unless book is out of print for at least 2 years sheet music – except by means of handwritten transcription electronic databases and computer programs works of architecture any work if such reproduction would be contrary to the ordinary exploitation of a work and detrimental to the legitimate interests of the author or copyright holder to an unreasonable extent
Subject to Attribution	
Subject to Remuneration	remuneration for photocopying, sound and visual recording (and similar reproduction techniques), by levy on first sale or importation of new technical device, blank recording media, photocopying devices and on made photocopies intended for sale ²³⁹

Provision	Art 145
Scope of private/personal use	use substantial parts of
Type(s) of source work(s)	disclosed database
Entity exercising private/personal use	lawful user of database
Purpose of private/personal use	private or another internal use of a non-electronic database for purposes of research or private study ²⁴⁰
Condition of private/personal use	only one copy made (on paper or similar medium) copy made by photocopying or similar technique (on any other media) copy for private use

²³⁹ Art. 36. Art. 37 also explains that the manufacturer and/or importer is liable for the levy, except for paid photocopies, where the remuneration is payable by the party rendering photocopying services.

²⁴⁰ Art. 145(1)(a) (importing conditions of Art. 46 to private or internal use)

	copies are not intended for or accessible by public no direct or indirect economic advantage gained
Preclusions (not part of private/personal use)	whole of written works – unless book is out of print for at least 2 years sheet music – except by means of handwritten transcription works of architecture any work if such reproduction would be contrary to the ordinary exploitation of a work and detrimental to the legitimate interests of the author or copyright holder to an unreasonable extent
Subject to Attribution	
Subject to Remuneration	remuneration for photocopying, sound and visual recording (and similar reproduction techniques), by levy on first sale or importation of new technical device, blank recording media, photocopying devices and on made photocopies intended for sale ²⁴¹

3. Quotations

Provision	Article 47
Scope of quotation	quote passages and quotations from
Type(s) of source work(s)	a disclosed work or individual disclosed works of photography, fine art, architecture, applied art and industrial and graphic design
Entity exercising quotation	
Purpose of quotation	scientific research, critique, polemic, review, teaching and other reference
Condition of quotation	to the extent justified by need for the intended illustration, confrontation or referral, in accordance with good practices
Preclusions (not part of quotation)	
Subject to Attribution	source and authorship (if indicated on work used)
Subject to Remuneration	

4. Educational Reproduction

Provision	Article 145(1)(b) ²⁴²
Nature of educational reproduction	use substantial parts
Type(s) of source work(s)	disclosed database
Entity exercising reproduction	
Purpose of educational reproduction	teaching (face-to-face)
Qualification(s)	
Frequency/Multiple copies and Limits	

²⁴¹ Art. 36. Art. 37 also explains that the manufacturer and/or importer is liable for the levy, except for paid photocopies, where the remuneration is payable by the party rendering photocopying services.

²⁴² Art. 145(1)(b) (importing Art. 45 exception regarding teaching to databases).

Collective Licence/remuneration	
Attribution	source and authorship (if indicated on work used)

Provision	Article 41
Nature of educational reproduction	reproduce in/public communication of reading books, textbooks, workbooks and examination material
Type(s) of source work(s)	excerpts from works and individual works of photography, fine art, architecture, applied art, industrial and graphic design and cartography as disclosed works
Entity exercising reproduction	
Purpose of educational reproduction	[teaching material and periodicals]
Qualification(s)	
Frequency/Multiple copies and Limits	
Collective Licence/remuneration	
Attribution	source and authorship (if indicated on work used)

5. Educational Publications/Anthologies/Compilations/Composite Works6. School Performances

Provision	Article 45(1)(a)
Scope of school performance	publicly perform
Type(s) of source work(s)	disclosed works
Entity exercising school performance	
Purpose of school performance	face-to-face teaching
Condition of school performance	
Preclusions (not part of school performance)	
Subject to Remuneration	
Subject to Attribution	source and authorship (if indicated on work used)

Provision	Article 45(1)(b)
Scope of school performance	publicly perform
Type(s) of source work(s)	disclosed works
Entity exercising school performance	
Purpose of school performance	school events
Condition of school performance	free entrance to events performers receive no remuneration for their performance
Preclusions (not part of school performance)	
Subject to Remuneration	
Subject to Attribution	source and authorship (if indicated on work used)

7. Educational Broadcasts/Communications/Recordings

Provision	Article 45(1)(c)
Scope of broadcast/communication/recording	publicly communicate
Type(s) of source work(s)	broadcast school programs by means of loudspeakers, screens or similar technical devices
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	
Condition of broadcast/communication/recording	loudspeakers, screens or similar technical devices to be located within educational institution
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	source and authorship (if indicated on work used)
Subject to Remuneration	

8. Compulsory Licences for Educational Reproductions and Translations9. TPM/RMI Exceptions for Educational Purposes

Provision	Art 155
Scope of TPM/RMI limitation/exception	exercise substantive limitations to the rights of rightholders (by requiring right holder who uses technological measures to alter or remove the technological measure or in some other way)
Type(s) of source work(s)	
Beneficiary exercising limitation/exception	persons having lawful access to work or subject-matter
Purpose of limitation/exception	[inter alia] use for purpose of teaching ²⁴³
Condition of limitation/exception	

²⁴³ Art. 155(3)(b).

Botswana

1. Legislation Reviewed

Copyright & Neighboring Rights Act, 2000 (Act No. 6 of 2006)

2. Private/Personal Use

Provision	s 13
Scope of private/personal use	private reproduction of
Type(s) of source work(s)	a published work a fixation of a performance, sound recording or broadcast ²⁴⁴
Entity exercising private/personal use	any person
Purpose of private/personal use	exclusively for his own personal purposes
Condition of private/personal use	in a single copy
Preclusions (not part of private/personal use)	works of architecture, reprographic reproduction of whole or substantial part of book or musical notation, whole or substantial part of a database, computer [sic] program ²⁴⁵ , any work where “reproduction would conflict with a normal exploitation of work or unreasonably prejudice legitimate interests of author or other copyright owner”
Subject to Attribution	
Subject to Remuneration	

3. Quotations

Provision	s 14
Scope of quotation	reproduction of
Type(s) of source work(s)	a short part of a published work
Entity exercising quotation	
Purpose of quotation	in the form of quotation
Condition of quotation	reproduction is compatible with fair practice reproduction does not exceed extent justified by the purpose
Preclusions (not part of quotation)	
Subject to Attribution	source, name of author (if on source)
Subject to Remuneration	

4. Educational Reproduction

Provision	s 15(1)(a)
Nature of educational reproduction	reproduction
Type(s) of source work(s)	short part of a published work
Entity exercising reproduction	
Purpose of educational reproduction	for teaching purposes by way of illustration, in writings or sound or visual recordings
Qualification(s)	reproduction is compatible with fair practice

²⁴⁴ S 28(a) (applying limitations on protection for authorship rights to neighbouring rights).

²⁴⁵ S 17 (excepting use of the computer program and for backup/archival purposes).

	reproduction does not exceed the extent justified
Frequency/Multiple copies and Limits	
Collective Licence/remuneration	
Attribution	source, name of author, as far as practicable on all copies

Provision	s 15(1)(b)
Nature of educational reproduction	reprographic reproduction
Type(s) of source work(s)	published articles, other short works or short extracts of works fixation of a performance, sound recording or broadcast ²⁴⁶
Entity exercising reproduction	
Purpose of educational reproduction	for face-to-face teaching in education institutions the activities of which do not serve direct or indirect commercial gain for "scientific research" ²⁴⁷
Qualification(s)	act of reproduction is an isolated one occurring, if repeated, on separate and unrelated occasions; and no collective licence available, offered by a collective administration organization of which educational institution is or should be aware, under which such reproduction can be made
Frequency/Multiple copies and Limits	
Collective Licence/remuneration	
Attribution	source, name of author, as far as practicable on all copies

5. Educational Publications/Anthologies/Compilations/Composite Works
6. School Performances
7. Educational Broadcasts/Communications/Recordings
8. Compulsory Licences for Educational Reproductions and Translations
9. TPM/RMI Exceptions for Educational Purposes

²⁴⁶ S 28(c) (applying limitations on protection for authorship rights to neighbouring rights).

²⁴⁷ S 28(c) and (d) (applying limitations on protection for authorship rights to neighbouring rights).

Brazil

1. Legislation Reviewed

Law No. 9.610 of February 19, 1998 (Law on Copyright and Neighboring Rights) (all references are by default to this law)

Law No. 9.609 of February 19, 1998 (Law on Protection of Intellectual Property of Software, its Commercialization in the Country, and Other Provisions)

2. Private/Personal Use

Provision	Art. 46.II
Scope of private/personal use	reproduction of
Type(s) of source work(s)	short extracts from a work
Entity exercising private/personal use	
Purpose of private/personal use	for the private use of the copier
Condition of private/personal use	one copy
Preclusions (not part of private/personal use)	copy done by him copy done without gainful intent
Subject to Attribution	
Subject to Remuneration	

3. Quotations

Provision	Art. 46.III
Scope of quotation	quotation in books, newspapers, magazines or any other medium of
Type(s) of source work(s)	communication of passages from a work
Entity exercising quotation	
Purpose of quotation	for the purposes of study, criticism or debate
Condition of quotation	to extent justified by purpose
Preclusions (not part of quotation)	
Subject to Attribution	source, name of author
Subject to Remuneration	

Provision	Art. 6.II, Law No. 9.609 of February 19, 1998 (Law on Protection of Intellectual Property of Software, its Commercialization in the Country, and Other Provisions)
Scope of quotation	partial quotes of
Type(s) of source work(s)	a computer program
Entity exercising quotation	
Purpose of quotation	for teaching purposes
Condition of quotation	
Preclusions (not part of quotation)	
Subject to Attribution	program and title-holder of respective rights
Subject to Remuneration	

4. Educational Reproduction

Provision	Art. 46.IV
Nature of educational reproduction	notes taken in the course of lessons given in

	teaching establishments
Type(s) of source work(s)	[course of lessons]
Entity exercising reproduction	[students] persons for whom lessons are intended
Purpose of educational reproduction	
Qualification(s)	complete or partial publication is prohibited without the express prior authorization of person who gave lessons
Frequency/Multiple copies and Limits	
Collective Licence/remuneration	
Attribution	

5. Educational Publications/Anthologies/Compilations/Composite Works6. School Performances

Provision	Art. 46.VI
Scope of school performance	stage and musical performance
Type(s) of source work(s)	
Purpose of school performance	for exclusively teaching purposes in educational establishments
Condition of school performance	devoid of any profitmaking purpose
Entity exercising school performance	
Preclusions (not part of school performance)	
Subject to Attribution	
Subject to Remuneration	

7. Educational Broadcasts/Communications/Recordings8. Compulsory Licences for Educational Reproductions and Translations9. TPM/RMI Exceptions for Educational Purposes

Brunei Darussalam

1. Legislation Reviewed

Emergency (Copyright) Order, 1999

2. Private/Personal Use

Provision	s 33(1), (2)
Scope of private/personal use	fair dealing with
Type(s) of source work(s)	a literary, dramatic, musical or artistic work, typographical arrangement of a published edition
Entity exercising private/personal use	
Purpose of private/personal use	research or private study
Condition of private/personal use	
Preclusions (not part of private/personal use)	copying by a person other than researcher or student is not fair dealing if “person doing the copying knows or has reason to believe that it will result in copies of substantially the same material being provided to more than one person at substantially the same time and for substantially the same purpose” ²⁴⁸
Subject to Attribution	
Subject to Remuneration	

3. Quotations

Provision	s 34
Scope of quotation	fair dealing with
Type(s) of source work(s)	a work ²⁴⁹
Entity exercising quotation	
Purpose of quotation	criticism or review, of that or another work or of a performance of a work
Condition of quotation	reproduction is compatible with fair practice reproduction does not exceed extent justified by the purpose
Preclusions (not part of quotation)	
Subject to Attribution	title of work, author (unless anonymous published work, or author identity cannot be ascertained by reasonable inquiry for unpublished work) ²⁵⁰
Subject to Remuneration	

Provision	Para. 2(a), Second Schedule
Scope of quotation	fair dealing with
Type(s) of source work(s)	a performance or recording ²⁵¹
Entity exercising quotation	
Purpose of quotation	criticism or review, of that or another work or of a performance of a work

²⁴⁸ S 33(3)(b).

²⁴⁹ S 3(1) (defining “work” as an original literary, dramatic, musical or artistic work, a sound recording, a film, a broadcast, a cable programme, and the typographical arrangement of published editions).

²⁵⁰ S 2(1) (defining “sufficient acknowledgement”).

²⁵¹ S 180(b) (defining “recording” as the recording of the performance of a performer).

Condition of quotation	
Preclusions (not part of quotation)	
Subject to Attribution	
Subject to Remuneration	

4. Educational Reproduction

Provision	s 33(1), (2)
Nature of educational reproduction	fair dealing with
Type(s) of source work(s)	a literary, dramatic, musical or artistic work, typographical arrangement of a published edition
Entity exercising reproduction	
Purpose of educational reproduction	research or private study
Qualification(s)	
Frequency/Multiple copies and Limits	copying by a person other than researcher or student is not fair dealing if “person doing the copying knows or has reason to believe that it will result in copies of substantially the same material being provided to more than one person at substantially the same time and for substantially the same purpose” ²⁵²
Collective Licence/remuneration	
Attribution	
Provision	s 36(1)
Nature of educational reproduction	copying
Type(s) of source work(s)	literary, dramatic, musical or artistic work
Entity exercising reproduction	a person giving or receiving the instruction
Purpose of educational reproduction	in the course of instruction, or of preparation for instruction
Qualification(s)	not by means of a reprographic process copies made cannot be dealt with (i.e. sold, let for hire or offered or exposed for sale or hire) ²⁵³
Frequency/Multiple copies and Limits	
Collective Licence/remuneration	
Attribution	

Provision	s 36(3), Para 4(2), Second Schedule
Nature of educational reproduction	anything done [including the copying of a recording of a performance] ²⁵⁴ by way of setting the questions, communicating the questions to the candidates, or answering the questions
Type(s) of source work(s)	
Entity exercising reproduction	
Purpose of educational reproduction	purpose of an examination
Qualification(s)	does not apply to making of a reprographic

²⁵² S 33(3)(b).

²⁵³ S 36(5).

²⁵⁴ Para 4(2), Second Schedule.

	copy of a musical work for use by an examination candidate in performing the work ²⁵⁵ copies made cannot be dealt with (i.e. sold, let for hire or offered or exposed for sale or hire) ²⁵⁶
Frequency/Multiple copies and Limits	
Collective Licence/remuneration	
Attribution	

Provision	s 40
Nature of educational reproduction	reprographic copies ²⁵⁷
Type(s) of source work(s)	passages from published literary, dramatic or musical works
Entity exercising reproduction	by or on behalf of an “educational establishment” ²⁵⁸
Purpose of educational reproduction	instruction
Qualification(s)	no copying if, or to extent that, licences are available authorizing copying and person making copies knows or ought to have been aware of licences ²⁵⁹ reprographic copies made cannot be dealt with (i.e. sold, let for hire or offered or exposed for sale or hire) ²⁶⁰
Frequency/Multiple copies and Limits	not more than 1% in any quarter of the year
Collective Licence/remuneration	any collective licence granted not to derogate from this provision ²⁶¹
Attribution	

5. Educational Publications/Anthologies/Compilations/Composite Works

Provision	s 37
Scope of anthologies/compilations limitation/exception	inclusion, in a collection, of a short passage from
Type(s) of source work(s)	a published literary or dramatic work
Entity exercising anthologies/compilations limitation/exception	
Purpose of anthologies/compilations limitation/exception	for use [for the educational purposes] ²⁶² in an educational establishment

²⁵⁵ S 36(4).

²⁵⁶ S 36(5), Para 4(3), Second Schedule.

²⁵⁷ S 2(1) (defining “reprographic copying” as copying by means of a reprographic process, and a “reprographic process” as a process for making facsimile copies or involving the use of an appliance for making multiple copies, and includes any copying by electronic means, but does not include the making of a film or sound recording).

²⁵⁸ S 177 (defining an “educational establishment” as any school or description of educational establishment as prescribed by Ministerial order).

²⁵⁹ S 40(3). Statutory licensing scheme for educational institutions is set out in ss 148-152.

²⁶⁰ S 40(5).

²⁶¹ S 40(4).

Condition of anthologies/compilations limitation/exception	collection is so described in its title and in any publisher's advertisement collection consists mainly of material in which no copyright subsists work itself is not intended for use in educational establishment
Preclusions (not part of anthologies/compilations limitation/exception)	more than 2 excerpts from works by same author ²⁶³ are contained in collections by same publisher within 5 year period ²⁶⁴
Subject to Attribution	title of work, author (unless anonymous published work, or author identity cannot be ascertained by reasonable inquiry for unpublished work) ²⁶⁵
Subject to Remuneration	

6. School Performances

Provision	s 38(1)
Scope of school performance	performance of
Type(s) of source work(s)	a literary, dramatic or musical work
Entity exercising school performance	a teacher or student in the course of the activities of the establishment, or any person at the educational establishment for purpose of instruction
Purpose of school performance	
Condition of school performance	audience consisting of teachers and students at an educational establishment and other persons "directly connected" ²⁶⁶ with its activities
Preclusions (not part of school performance)	
Subject to Attribution	
Subject to Remuneration	

Provision	s 38(2), Para 5(1), Second Schedule
Scope of school performance	playing or showing of
Type(s) of source work(s)	a sound recording, film, broadcast or cable programme
Entity exercising school performance	
Purpose of school performance	purpose of instruction
Condition of school performance	audience consisting of teachers and students

²⁶² S 37(4).

²⁶³ S 37(3) (explaining that author includes works of joint authorship, and works by any of the authors will count towards the preclusion).

²⁶⁴ S 44(2).

²⁶⁵ S 2(1) (defining "sufficient acknowledgement").

²⁶⁶ S 38(3) ("A person is not for this purpose directly connected with the activities of the educational establishment only because he is the parent of a student at the establishment.")

	at an educational establishment and other persons "directly connected" ²⁶⁷ with its activities
Preclusions (not part of school performance)	
Subject to Attribution	
Subject to Remuneration	

Provision	s 70, Para 15, Second Schedule
Scope of school performance	playing
Type(s) of source work(s)	a sound recording
Entity exercising school performance	
Purpose of school performance	as part of the activities of, or for the benefit of, a club, society or other similar organisation
Condition of school performance	organisation is not established or conducted for profit and its main objects are charitable or are otherwise concerned with the advancement of religion, education or social welfare proceeds of any charge for admission to the place where the recording is to be heard are applied solely for the purposes of the organisation
Preclusions (not part of school performance)	
Subject to Attribution	
Subject to Remuneration	

7. Educational Broadcasts/Communications/Recordings

Provision	s 36(2), Para 4(1), Second Schedule
Scope of broadcast/communication/recording	copying by making a film or film sound-track, (or a recording of,) ²⁶⁸
Type(s) of source work(s)	sound recording, film, broadcast or cable programme, (performance) ²⁶⁹
Entity exercising broadcast/communication/recording	a person giving or receiving the instruction
Purpose of broadcast/communication/recording	in the course of instruction, or of preparation for instruction, in the making of films or film sound-tracks
Condition of broadcast/communication/recording	copies made cannot be dealt with (i.e. sold, let for hire or offered or exposed for sale or hire) ²⁷⁰
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	
Subject to Remuneration	
Provision	s 39, Para 6(1), Second Schedule

²⁶⁷ S 38(3) ("A person is not for this purpose directly connected with the activities of the educational establishment only because he is the parent of a student at the establishment."), Para 5(2), Second Schedule.

²⁶⁸ Para 4(1), Second Schedule.

²⁶⁹ *Id.*

²⁷⁰ S 36(5).

Scope of broadcast/communication/recording	recording, or copy of a recording, of
Type(s) of source work(s)	a broadcast or cable programme
Entity exercising broadcast/communication/recording	by or on behalf of an educational establishment
Purpose of broadcast/communication/recording	for its educational purposes
Condition of broadcast/communication/recording	reprographic copies made cannot be dealt with (i.e. sold, let for hire or offered or exposed for sale or hire) ²⁷¹
Preclusions (not part of broadcast/communication/recording)	no recording if certified licensing scheme under s 135 providing for grant of licences special considerations by Copyright Tribunal regarding the licence charges payable by educational establishments under a s 135 licensing scheme ²⁷²
Subject to Attribution	
Subject to Remuneration	
Provision	s 36(3), Para 4(2), Second Schedule
Scope of broadcast/communication/recording	anything done [including the copying of a recording of a performance] ²⁷³ by way of setting the questions, communicating the questions to the candidates, or answering the questions
Type(s) of source work(s)	
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	purpose of an examination
Condition of broadcast/communication/recording	does not apply to making of a reprographic copy of a musical work for use by an examination candidate in performing the work ²⁷⁴ copies made cannot be dealt with (i.e. sold, let for hire or offered or exposed for sale or hire) ²⁷⁵
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	
Subject to Remuneration	

8. Compulsory Licences for Educational Reproductions and Translations9. TPM/RMI Exceptions for Educational Purposes²⁷¹ S 39(3), Para 6(2), Second Schedule.²⁷² S 135(2) ("The Copyright Tribunal shall, in considering what charges (if any) should be paid for a licence, have regard to the extent to which the owners of copyright in the works included in the broadcast or cable programme have already received, or are entitled to receive, payment in respect of their inclusion.")²⁷³ Para 4(2), Second Schedule.²⁷⁴ S 36(4).²⁷⁵ S 36(5), Para 4(3), Second Schedule.

Bulgaria

1. Legislation Reviewed

Law on Copyright and Neighboring Rights (as amended in 2011)

2. Private/Personal Use

Provision	Art. 25(1).2
Scope of private/personal use	reproduction of
Type(s) of source work(s)	works, regardless of the carrier reproduction of performances, ²⁷⁶ phonograms, ²⁷⁷ films ²⁷⁸
Entity exercising private/personal use	natural person
Purpose of private/personal use	for his own personal purposes
Condition of private/personal use	
Preclusions (not part of private/personal use)	done with commercial purposes works of architecture, computer software ²⁷⁹ where normal use of the work is hampered or legitimate interests of owner of copyright are impaired ²⁸⁰
Subject to Attribution	
Subject to Remuneration	payment of fair compensation

Provision	Art. 25(1).1
Scope of private/personal use	reproduction, on paper or other similar carrier by reprography or other technique, of
Type(s) of source work(s)	printed works, except note materials
Entity exercising private/personal use	
Purpose of private/personal use	non-commercial purposes
Condition of private/personal use	
Preclusions (not part of private/personal use)	where normal use of the work is hampered or legitimate interests of owner of copyright are impaired ²⁸¹
Subject to Attribution	
Subject to Remuneration	payment of fair compensation

Provision	Art. 93g(1)
Scope of private/personal use	extraction and reutilization of
Type(s) of source work(s)	a substantial part of contents of non-electronic database
Entity exercising private/personal use	lawful user of database
Purpose of private/personal use	personal use
Condition of private/personal use	

²⁷⁶ Art. 84 (applying exceptions by analogy to performances).

²⁷⁷ Art. 90 (applying exceptions by analogy to phonograms).

²⁷⁸ Art. 90c (applying exceptions by analogy to films).

²⁷⁹ Art. 25(2).

²⁸⁰ Art. 23 ("The free use of works shall be permissible only in the cases, pointed out in the law, under the condition, that the normal use of the work is not hampered and the legitimate interests of the owner of the copyright are not impaired.").

²⁸¹ Art. 23 ("The free use of works shall be permissible only in the cases, pointed out in the law, under the condition, that the normal use of the work is not hampered and the legitimate interests of the owner of the copyright are not impaired.").

Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	

3. Quotations

Provision	Art. 24(1).2
Scope of quotation	use of quotations from
Type(s) of source work(s)	works of other persons already made available to the public films, ²⁸² broadcasts ²⁸³
Entity exercising quotation	
Purpose of quotation	criticism or overview
Condition of quotation	quotation must comply with the usual practice quotation to be in amount, justified by purpose
Preclusions (not part of quotation)	computer software ²⁸⁴ excludes cases where normal use of work is hampered or legitimate interests of owner of copyright are impaired ²⁸⁵
Subject to Attribution	source, name of author, unless impossible
Subject to Remuneration	

4. Educational Reproduction

Provision	Art. 24(1).3
Nature of educational reproduction	use of parts of published works or of “not big number” of other works
Type(s) of source work(s)	published works and other works published phonograms, ²⁸⁶ films, ²⁸⁷ broadcasts ²⁸⁸
Entity exercising reproduction	
Purpose of educational reproduction	for scientific and educational purposes
Qualification(s)	does not include computer software ²⁸⁹ excludes cases where normal use of work is hampered or legitimate interests of owner of copyright are impaired ²⁹⁰

²⁸² Art. 90c (applying exceptions by analogy to films).

²⁸³ Art. 93 (applying exceptions by analogy to broadcasts).

²⁸⁴ Art. 24(2) (providing that provisions of Art. 24(1) shall not include computer software; instead, Arts. 70 and 71 apply).

²⁸⁵ Art. 23 (“The free use of works shall be permissible only in the cases, pointed out in the law, under the condition, that the normal use of the work is not hampered and the legitimate interests of the owner of the copyright are not impaired.”).

²⁸⁶ Art. 90 (applying exceptions by analogy to phonograms).

²⁸⁷ Art. 90c (applying exceptions by analogy to films).

²⁸⁸ Art. 93 (applying exceptions by analogy to broadcasts).

²⁸⁹ Art. 24(2) (providing that provisions of Art. 24(1) shall not include computer software; instead, Arts. 70 and 71 apply).

²⁹⁰ Art. 23 (“The free use of works shall be permissible only in the cases, pointed out in the law, under the condition, that the normal use of the work is not hampered and the legitimate interests of the owner of the copyright are not impaired.”).

Frequency/Multiple copies and Limits	“not big number” of unpublished works ²⁹¹ in necessary amount for analysis, commentary or other kind of scientific research
Collective Licence/remuneration	
Attribution	source, name of author, unless impossible

Provision	Art. 24(1).9
Nature of educational reproduction	reproduction
Type(s) of source work(s)	already published works
Entity exercising reproduction	publicly accessible libraries, educational or other learning establishments, museums and archive institutions
Purpose of educational reproduction	educational purposes or with purpose of preservation of the works
Qualification(s)	does not include for commercial purposes does not include computer software ²⁹² excludes cases where normal use of work is hampered or legitimate interests of owner of copyright are impaired ²⁹³
Frequency/Multiple copies and Limits	
Collective Licence/remuneration	
Attribution	

Provision	Art. 93g.2
Nature of educational reproduction	extraction and reutilization of a substantial part of contents of
Type(s) of source work(s)	publicly available database
Entity exercising reproduction	lawful user of database
Purpose of educational reproduction	for illustration for teaching and scientific research
Qualification(s)	to extent justified by the purpose
Frequency/Multiple copies and Limits	
Collective Licence/remuneration	
Attribution	source

5. Educational Publications/Anthologies/Compilations/Composite Works

6. School Performances

Provision	Art. 24(1).8
Scope of school performance	public presentation and public performance of
Type(s) of source work(s)	published works, performances, ²⁹⁴ phonograms, ²⁹⁵ films, ²⁹⁶ broadcasts ²⁹⁷

²⁹¹ Art. 24(1).3 (limiting free use to “published works or of *not big number of works in other works*”).

²⁹² Art. 24(2) (providing that provisions of Art. 24(1) shall not include computer software; instead, Arts. 70 and 71 apply).

²⁹³ Art. 23 (“The free use of works shall be permissible only in the cases, pointed out in the law, under the condition, that the normal use of the work is not hampered and the legitimate interests of the owner of the copyright are not impaired.”).

Purpose of school performance	
Condition of school performance	no pecuniary revenues are received no compensation is paid to participants in preparation and realization of presentation or performance
Entity exercising school performance	in educational or other learning establishments
Preclusions (not part of school performance)	computer software ²⁹⁸ cases where normal use of work is hampered or legitimate interests of owner of copyright are impaired ²⁹⁹
Subject to Attribution	
Subject to Remuneration	

7. Educational Broadcasts/Communications/Recordings
8. Compulsory Licences for Educational Reproductions and Translations
9. TPM/RMI Exceptions for Educational Purposes

²⁹⁴ Art. 84 (applying exceptions by analogy to performances).

²⁹⁵ Art. 90 (applying exceptions by analogy to phonograms).

²⁹⁶ Art. 90c (applying exceptions by analogy to films).

²⁹⁷ Art. 93 (applying exceptions by analogy to broadcasts).

²⁹⁸ Art. 24(2) (providing that provisions of Art. 24(1) shall not include computer software; instead, Arts. 70 and 71 apply).

²⁹⁹ Art. 23 ("The free use of works shall be permissible only in the cases, pointed out in the law, under the condition, that the normal use of the work is not hampered and the legitimate interests of the owner of the copyright are not impaired.").

Burkina Faso

1. Legislation Reviewed

Law No. 032-99/AN of December 22, 1999, on the Protection of Literary and Artistic Property

2. Private/Personal Use

Provision	Art. 21
Scope of private/personal use	performances of
Type(s) of source work(s)	legally disclosed work, (performance, phonogram, videogram, broadcast) ³⁰⁰
Entity exercising private/personal use	
Purpose of private/personal use	private and gratuitous
Condition of private/personal use	held exclusively within the family circle
Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	

Provision	Art. 21
Scope of private/personal use	copies or reproductions of
Type(s) of source work(s)	a work, (performance, phonogram, videogram, broadcast) ³⁰¹
Entity exercising private/personal use	
Purpose of private/personal use	strictly for the private use of copier
Condition of private/personal use	not intended for collective use
Preclusions (not part of private/personal use)	works of architecture (for purposes identical to original works), whole or substantial part of a database, computer programs ³⁰²
Subject to Attribution	
Subject to Remuneration	

3. Quotations

Provision	Art. 22
Scope of quotation	analyses and short quotations of
Type(s) of source work(s)	work has been legally disclosed
Entity exercising quotation	
Purpose of quotation	justified by critical, polemic, educational, scientific or informative nature of the work in which they are incorporated
Condition of quotation	
Preclusions (not part of quotation)	
Subject to Attribution	source, name of author
Subject to Remuneration	

Provision	Art. 80, item 4
Scope of quotation	citations, as short fragments, of
Type(s) of source work(s)	a performance, phonogram, videogram or broadcast

³⁰⁰ Art. 80 (applying by extension exceptions in relation to copyright to neighbouring rights).

³⁰¹ Art 80, item 1. See also Art. 80, item 5 (applying by extension exceptions in relation to copyright to neighbouring rights).

³⁰² Art. 23 (excepting use of the computer program and for backup/archival purposes).

Entity exercising quotation	
Purpose of quotation	citations properly used justified by information aim
Condition of quotation	
Preclusions (not part of quotation)	
Subject to Attribution	
Subject to Remuneration	

4. Educational Reproduction

Provision	Art. 80, item 3
Nature of educational reproduction	use
Type(s) of source work(s)	performance, phonogram, videogram or broadcast
Entity exercising reproduction	
Purpose of educational reproduction	solely for educational or scientific research
Qualification(s)	
Frequency/Multiple copies and Limits	
Collective Licence/remuneration	
Attribution	

5. Educational Publications/Anthologies/Compilations/Composite Works

Provision	Art. 22
Scope of anthologies/compilations limitation/exception	use by means of publication, broadcasting or audio or visual recordings
Type(s) of source work(s)	literary or artistic works
Entity exercising anthologies/compilations limitation/exception	
Purpose of anthologies/compilations limitation/exception	teaching examples
Condition of anthologies/compilations limitation/exception	use is not abusive use devoid of any commercial purpose
Preclusions (not part of anthologies/compilations limitation/exception)	
Subject to Attribution	
Subject to Remuneration	

6. School Performances

7. Educational Broadcasts/Communications/Recordings

Provision	Art. 22
Scope of broadcast/communication/recording	use by means of publication, broadcasting or audio or visual recordings
Type(s) of source work(s)	literary or artistic works
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	teaching examples
Condition of broadcast/communication/recording	use is not abusive use devoid of any commercial purpose

Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	
Subject to Remuneration	

- 8. Compulsory Licences for Educational Reproductions and Translations
- 9. TPM/RMI Exceptions for Educational Purposes

Burundi

1. Legislation Reviewed

Law No. 1/021 of December 30, 2005, on the Protection of Copyright and Related Rights in Burundi

2. Private/Personal Use

Provision	Arts. 26.1(a), 82(a)
Scope of private/personal use	reproduction, translation, adaptation, arrangement or other transformation of
Type(s) of source work(s)	any work that has been lawfully published, and (a performance, phonogram and broadcast) ³⁰³
Entity exercising private/personal use	
Purpose of private/personal use	user's own personal or private use
Condition of private/personal use	in a single copy
Preclusions (not part of private/personal use)	works of architecture, reprographic reproduction of whole or substantial part of book or musical notation, whole or major parts of a digital database, computer programs ³⁰⁴ , any work where "reproduction would conflict with a normal use of the work or would unreasonably prejudice legitimate interests of author"
Subject to Attribution	
Subject to Remuneration	

Provision	Art. 34
Scope of private/personal use	reproduction of
Type(s) of source work(s)	legally published audiovisual work or a sound recording
Entity exercising private/personal use	
Purpose of private/personal use	user's private use
Condition of private/personal use	
Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	equitable remuneration ³⁰⁵

3. Quotations

Provision	Art. 26.1(b)
Scope of quotation	inclusion of quotations from
Type(s) of source work(s)	any lawfully published work in another work, newspaper articles and periodicals in the form of press summaries
Entity exercising quotation	
Purpose of quotation	
Condition of quotation	quotations is compatible with fair practice extent does not exceed extent justified by

³⁰³ Art. 82(a) (extending limitations under Part One of the law to Part Two to encompass performances, phonograms and broadcasts).

³⁰⁴ Art. 27 (excepting use of the computer program and for backup/archival purposes).

³⁰⁵ Art 34 (describing equitable remuneration as levy on producers and importers of physical media and devices used for such reproduction, and collected and distributed by CMO).

	purpose
Preclusions (not part of quotation)	
Subject to Attribution	source, name of author
Subject to Remuneration	
Provision	Art. 82(c)
Scope of quotation	reproduction, in the form of
Type(s) of source work(s)	quotation, of a short part of a performance, a phonogram or a broadcast
Entity exercising quotation	
Purpose of quotation	
Condition of quotation	reproduction is compatible with fair practice extent does not exceed extent justified by purpose
Preclusions (not part of quotation)	
Subject to Attribution	
Subject to Remuneration	

4. Educational Reproduction

Provision	Art. 26.5
Nature of educational reproduction	reproduction by a photographic or similar process
Type(s) of source work(s)	lawfully-published literary and artistic work, and (a performance, phonogram and broadcast) ³⁰⁶
Entity exercising reproduction	public libraries, non-commercial documentation centers, scientific institutions and educational establishments
Purpose of educational reproduction	
Qualification(s)	reproduction does not conflict with the normal uses of the work nor unreasonably prejudices the legitimate interests of the author
Frequency/Multiple copies and Limits	reproduction and number of copies made are limited to the needs of entity's regular activities
Collective Licence/remuneration	
Attribution	

5. Educational Publications/Anthologies/Compilations/Composite Works

Provision	Art. 26.1(c)
Scope of anthologies/compilations limitation/exception	use of work by way of illustration in publications, broadcasts or sound or visual recordings
Type(s) of source work(s)	lawfully published work
Entity exercising anthologies/compilations limitation/exception	
Purpose of anthologies/compilations limitation/exception	teaching purposes of the work, broadcast or distributed by cable for use in schools, educational establishments, universities and professional training

³⁰⁶ Art. 82(a) (extending limitations under Part One of the law to Part Two to encompass performances, phonograms and broadcasts).

Condition of anthologies/compilations limitation/exception	use is compatible with fair practice
Preclusions (not part of anthologies/compilations limitation/exception)	
Subject to Attribution	source, name of author
Subject to Remuneration	

6. School Performances

Provision	Art. 82(b)
Scope of school performance	use
Type(s) of source work(s)	performance, phonogram and broadcast
Entity exercising school performance	
Purpose of school performance	solely for teaching activities or scientific research
Condition of school performance	proceeds of any charge for admission to the place where the recording is to be heard are applied solely for the purposes of the organization
Preclusions (not part of school performance)	
Subject to Attribution	
Subject to Remuneration	

7. Educational Broadcasts/Communications/Recordings

Provision	Art. 26.1(c)
Scope of broadcast/communication/recording	use of work by way of illustration in publications, broadcasts or sound or visual recordings
Type(s) of source work(s)	lawfully published work
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	teaching purposes of the work, broadcast or distributed by cable for use in schools, educational establishments, universities and professional training
Condition of broadcast/communication/recording	use is compatible with fair practice
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	source, name of author
Subject to Remuneration	
Provision	Art. 82(b)
Scope of broadcast/communication/recording	use
Type(s) of source work(s)	performance, phonogram and broadcast
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	solely for teaching activities or scientific research
Condition of broadcast/communication/recording	proceeds of any charge for admission to the place where the recording is to be heard are applied solely for the purposes of the organization

Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	
Subject to Remuneration	

8. Compulsory Licences for Educational Reproductions and Translations

Provision	Art. 32
Nature of compulsory licence for translation for educational purposes	compulsory licence granted by competent authority
Type(s) of source work(s)	a work
Licence applicant/entity	
Purpose of licence	translation of a work into Kirundi, Swahili, English or French and the publication of that translation on the territory of Burundi
Qualification(s)	conditions specified in the regulations on translation licences annexed to this Act
Compulsory licence fee(s)	
Price of publication	
Distribution conditions	
Grantor of Collective Licence	

Provision	Art. 33
Nature of compulsory licence for translation for educational purposes	compulsory licence granted by competent authority
Type(s) of source work(s)	a work
Licence applicant/entity	
Purpose of licence	reproduction of a work and the publication of a particular edition of the work on the territory of Burundi
Qualification(s)	conditions specified in the regulations on translation licences annexed to this Act
Compulsory licence fee(s)	
Price of publication	
Distribution conditions	
Grantor of Collective Licence	

9. TPM/RMI Exceptions for Educational Purposes

Cabo Verde

1. Legislation Reviewed

Decree-Law No. 1/2009 of April 27, 2009, revising the Law on Copyright

2. Private/Personal Use

Provision	Arts. 62.1(l), 63
Scope of private/personal use	reproduction, translation, adaptation, arrangement, or any other alteration of
Type(s) of source work(s)	lawfully published or disclosed works
Entity exercising private/personal use	
Purpose of private/personal use	individual and private use
Condition of private/personal use	
Preclusions (not part of private/personal use)	works of architecture, reprographic reproduction of 3D arts of limited printruns, musical scores, exercise manuals and “other publications as long as people use them only once”, whole or substantial part of a database, computer program ³⁰⁷ , any other reproduction which “damages its normal exploitation or causes unjustified prejudice to the legitimate interests of the author” ³⁰⁸
Subject to Attribution	title, name of author ³⁰⁹
Subject to Remuneration	

Provision	Art. 73
Scope of private/personal use	reproduction of
Type(s) of source work(s)	lawfully published audiovisual work or sound recording
Entity exercising private/personal use	
Purpose of private/personal use	private use by the user
Condition of private/personal use	
Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	fair remuneration ³¹⁰

3. Quotations

Provision	Art. 62.1(f)
Scope of quotation	citation of short excerpts of
Type(s) of source work(s)	another author's work, whether in written, audio or visual form
Entity exercising quotation	
Purpose of quotation	for scientific, critical or didactic reasons or for

³⁰⁷ S 17 (excepting use of the computer program and for backup/archival purposes).

³⁰⁸ Art. 63(e).

³⁰⁹ Art. 61(1).

³¹⁰ Art. 73(2) (providing that fair remuneration be paid by importers and sellers of apparatus and material carriers used for reproduction or recording, and shall be received by CMOs).

	information
Condition of quotation	excerpts are not so extensive as to lessen interest in the work
Preclusions (not part of quotation)	
Subject to Attribution	title, name of author ³¹¹
Subject to Remuneration	

4. Educational Reproduction

Provision	Art. 62.1(b)
Nature of educational reproduction	reproduction by photographic processes or any other similar processes
Type(s) of source work(s)	
Entity exercising reproduction	libraries, archives and non-commercial documentation centers, scientific institutes or teaching establishments
Purpose of educational reproduction	exclusively didactic, research or professional training purposes
Qualification(s)	
Frequency/Multiple copies and Limits	copies reproduced do not exceed the needs of the purpose for which they are intended
Collective Licence/remuneration	
Attribution	title, name of author ³¹²

Provision	Art. 72
Nature of educational reproduction	reproduction
Type(s) of source work(s)	a single copy of works which are not yet available in trade or are impossible to obtain
Entity exercising reproduction	
Purpose of educational reproduction	purely scientific or humanitarian interest purposes
Qualification(s)	for the time necessary for their use
Frequency/Multiple copies and Limits	
Collective Licence/remuneration	
Attribution	

5. Educational Publications/Anthologies/Compilations/Composite Works

6. School Performances

Provision	Art. 62.1(a)
Scope of school performance	performance, execution, cinematographic showing
Type(s) of source work(s)	recorded or broadcast (lawfully published or disclosed) works
Entity exercising school performance	
Purpose of school performance	
Condition of school performance	performance etc. take place in private, with no paid entry and without profit, or in school establishments for exclusively

³¹¹ Art. 61(1).

³¹² Art. 61(1).

	educational, research or professional training purposes
Preclusions (not part of school performance)	
Subject to Attribution	
Subject to Remuneration	title, name of author ³¹³

7. Educational Broadcasts/Communications/Recordings

Provision	Art. 62.1(a)
Scope of broadcast/communication/recording	communication of
Type(s) of source work(s)	recorded or broadcast (lawfully published or disclosed) works
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	
Condition of broadcast/communication/recording	performance etc. take place in private, with no paid entry and without profit, or in school establishments for exclusively educational, research or professional training purposes
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	
Subject to Remuneration	title, name of author ³¹⁴

8. Compulsory Licences for Educational Reproductions and Translations

Provision	Art. 75
Nature of compulsory licence for translation for educational purposes	non-exclusive inalienable compulsory licence, for translation, publication and/or reproduction in Cape Verde ³¹⁵
Type(s) of source work(s)	work already lawfully disclosed into Portuguese or Cape Verdean creole, which its author has not withdrawn from circulation
Licence applicant/entity	an audio or audiovisual broadcasting organisation with headquarters in Cape Verde
Purpose of licence	for exclusively teaching or scientific research purposes exclusively for teaching or scientific research purposes, in audiovisual fixations for school or scientific use ³¹⁶
Qualification(s)	work has not been previously translated and published within 1 year from first publication in

³¹³ Art. 61(1).

³¹⁴ Art. 61(1).

³¹⁵ However, export of such copies to citizens domiciled abroad, within the limits strictly necessary and with express prohibition on its commercialization, is allowed. Art. 75.1(c).

³¹⁶ Art. 75.2.

	original language or 3 years in Portuguese or Cape Verdean creole ³¹⁷ licensee proves that authorization was requested but not granted from rights holder, or it was not possible to find, despite reasonable efforts, the rights holder ³¹⁸ title and author to be indicated on all copies of published translation/reproductions ³¹⁹
Compulsory licence fee(s)	beneficiary of compulsory licence to be guaranteed fair and equitable compensation ³²⁰
Price of publication	
Distribution conditions	
Grantor of Collective Licence	Government department responsible for culture sector ³²¹

9. TPM/RMI Exceptions for Educational Purposes

³¹⁷ Art. 75.1(a).

³¹⁸ Art. 75.1(b).

³¹⁹ Art. 75.3.

³²⁰ Art. 75.1(d).

³²¹ Art. 75.4.

Cambodia

1. Legislation Reviewed

Law on Copyright and Related Rights

2. Private/Personal Use

Provision	Art. 24
Scope of private/personal use	private reproduction of
Type(s) of source work(s)	a published work, (performances, phonograms, video productions and broadcasts) ³²²
Entity exercising private/personal use	a natural person
Purpose of private/personal use	exclusively for his own personal purposes
Condition of private/personal use	in a single copy
Preclusions (not part of private/personal use)	works of architecture, reprographic reproduction of whole or substantial part of book or musical notation, whole or substantial part of a database, computer program ³²³ , any work where “reproduction would conflict with a normal exploitation of work or unreasonably prejudice legitimate interests of author or rightholder”
Subject to Attribution	
Subject to Remuneration	

Provision	Art. 25
Scope of private/personal use	free and private representations of
Type(s) of source work(s)	works, (performances, phonograms, video productions and broadcasts) ³²⁴
Entity exercising private/personal use	
Purpose of private/personal use	exclusively to a close circle of people such as family or friends
Condition of private/personal use	
Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	

3. Quotations

Provision	Art. 25
Scope of quotation	analyses and short quotations
Type(s) of source work(s)	
Entity exercising quotation	
Purpose of quotation	justified by the critical, polemical, pedagogical, scientific or informative nature of that work
Condition of quotation	

³²² Art. 50(e).

³²³ Other than a backup-copy. Art. 24(d).

³²⁴ Art. 50(e).

Preclusions (not part of quotation)	
Subject to Attribution	source, name of author
Subject to Remuneration	

Provision	Art. 28
Scope of quotation	cite, in another work
Type(s) of source work(s)	a legitimately published work
Entity exercising quotation	
Purpose of quotation	
Condition of quotation	citation does not exceed extent justified by the purpose
Preclusions (not part of quotation)	
Subject to Attribution	source, name of author (if on source)
Subject to Remuneration	

Provision	Art. 50(d)
Scope of quotation	quotation, in the form of
Type(s) of source work(s)	short citation extracted from performance, phonogram or broadcast
Entity exercising quotation	
Purpose of quotation	
Condition of quotation	quotation is conformed to reasonable practice and justified by proper informative objective
Preclusions (not part of quotation)	
Subject to Attribution	
Subject to Remuneration	

4. Educational Reproduction

Provision	Art. 25(c)
Nature of educational reproduction	use
Type(s) of source work(s)	work
Entity exercising reproduction	anyone
Purpose of educational reproduction	education
Qualification(s)	which is not for financial gain
Frequency/Multiple copies and Limits	
Collective Licence/remuneration	
Attribution	

Provision	Art. 29(a)
Nature of educational reproduction	use for the purpose of illustration in publication such as book or newspaper, or by broadcasting, or by audio or visual screening
Type(s) of source work(s)	a legally published work
Entity exercising reproduction	
Purpose of educational reproduction	intended for educational purposes
Qualification(s)	
Frequency/Multiple copies and Limits	
Collective Licence/remuneration	

Attribution	source, name of author (if on source)
Provision	Art. 29(b)
Nature of educational reproduction	reproduce (by reprographic means)
Type(s) of source work(s)	any separated articles, articles of the newspaper or magazine, or short extracts of any legally published works
Entity exercising reproduction	
Purpose of educational reproduction	used for teaching or for examinations held by any educational establishments
Qualification(s)	activities do not lead directly or indirectly to commercial gain and must be done with appropriate reason according to this specific objective
Frequency/Multiple copies and Limits	
Collective Licence/remuneration	
Attribution	source, name of author (if on source)

5. Educational Publications/Anthologies/Compilations/Composite Works6. School Performances7. Educational Broadcasts/Communications/Recordings

Provision	Art. 50(b)
Scope of broadcast/communication/recording	reproduction
Type(s) of source work(s)	performances, phonograms, video productions and broadcasts ³²⁵
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	scientific research
Condition of broadcast/communication/recording	
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	
Subject to Remuneration	

Provision	Art. 50(c)
Scope of broadcast/communication/recording	reproduction
Type(s) of source work(s)	performances, phonograms, video productions and broadcasts ³²⁶
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	educational purpose
Condition of	except for performances or phonograms

³²⁵ Art. 50.³²⁶ Art. 50.

broadcast/communication/recording	produced for educational purposes
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	
Subject to Remuneration	

- 8. Compulsory Licences for Educational Reproductions and Translations
- 9. TPM/RMI Exceptions for Educational Purposes

Cameroon

1. Legislation Reviewed

Law No. 2000/011 of December 19, 2000 on Copyright and Neighbouring Rights

2. Private/Personal Use

Provision	s 29(1)(c)
Scope of private/personal use	reproductions and transformations of
Type(s) of source work(s)	work published with authorization of author
Entity exercising private/personal use	any person
Purpose of private/personal use	strictly personal and private use of the person who makes them
Condition of private/personal use	in a single copy
Preclusions (not part of private/personal use)	any collective use or any exploitation for profit ³²⁷ works of architecture, reprographic reproduction of whole book or musical notation, a database, computer program ³²⁸ , any work where reproduction would “violate the normal exploitation of work or which will be unjustifiably detrimental to the legitimate interests of the author” ³²⁹
Subject to Attribution	
Subject to Remuneration	levies on recording media paid by manufacturer/importer ³³⁰

Provision	s 67(1)(b)
Scope of private/personal use	reproductions of
Type(s) of source work(s)	performance, phonogram, videogram, audiovisual programmes ³³¹
Entity exercising private/personal use	
Purpose of private/personal use	strictly private use of the person who makes them
Condition of private/personal use	
Preclusions (not part of private/personal use)	any collective use
Subject to Attribution	
Subject to Remuneration	levies on recording media paid by manufacturer/importer ³³² (for reproductions of phonograms, videograms)

Provision	ss 29(1)(a), 67(1)(a)
Scope of private/personal use	private performance of
Type(s) of source work(s)	work published with authorization of author, (performance, phonogram, videogram,

³²⁷ S 29(1)(c).

³²⁸ S 36 (excepting use of a database, the reproduction of minor parts of a database, reproduction for backup/archival purposes and for software development purposes).

³²⁹ S 29(3).

³³⁰ See Part IV (remuneration for private copying), in particular, ss 69 (works, recordings fixed on phonograms, videograms), 72 (printed works).

³³¹ S 67(1)(a).

³³² See Part IV (remuneration for private copying), in particular, ss 69 (works, recordings fixed on phonograms, videograms), 72 (printed works).

	audiovisual programmes) ³³³
Entity exercising private/personal use	
Purpose of private/personal use	within family
Condition of private/personal use	no proceeds accruing
Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	

3. Quotations

Provision	s 29(d)
Scope of quotation	analysis, press reviews, short quotations of
Type(s) of source work(s)	work published with authorization of author
Entity exercising quotation	
Purpose of quotation	critical, pedagogic, scientific or informative nature of the work
Condition of quotation	
Preclusions (not part of quotation)	
Subject to Attribution	source, name of author (if on source)
Subject to Remuneration	
Provision	s 67(1)(c)
Scope of quotation	analyses and short quotations
Type(s) of source work(s)	
Entity exercising quotation	
Purpose of quotation	necessary by the critical, controversial, pedagogic, scientific or informative nature of the work containing them
Condition of quotation	
Preclusions (not part of quotation)	
Subject to Attribution	source
Subject to Remuneration	

4. Educational Reproduction

5. Educational Publications/Anthologies/Compilations/Composite Works

Provision	s 29(1)(e)
Scope of anthologies/compilations limitation/exception	use through publication, broadcast programmes or sound or visual recordings
Type(s) of source work(s)	literary or artistic works
Entity exercising anthologies/compilations limitation/exception	
Purpose of anthologies/compilations limitation/exception	as teaching illustration
Condition of anthologies/compilations limitation/exception	use is fair and non-profit making
Preclusions (not part of anthologies/compilations limitation/exception)	

³³³ S 67(1)(a).

Subject to Attribution	
Subject to Remuneration	

6. School Performances

Provision	s 29(1)(b)
Scope of school performance	performance of
Type(s) of source work(s)	work published with authorization of author
Entity exercising school performance	
Purpose of school performance	educational and academic purposes
Condition of school performance	performances given free of charge performances within premises reserved for such purposes
Preclusions (not part of school performance)	
Subject to Attribution	
Subject to Remuneration	

7. Educational Broadcasts/Communications/Recordings

Provision	s 29(1)(e)
Scope of broadcast/communication/recording	use through publication, broadcast programmes or sound or visual recordings
Type(s) of source work(s)	literary or artistic works
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	as teaching illustration
Condition of broadcast/communication/recording	use is fair and non-profit making
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	
Subject to Remuneration	

8. Compulsory Licences for Educational Reproductions and Translations

9. TPM/RMI Exceptions for Educational Purposes

***Canada**

1. Legislation Reviewed

See the footnote 37.

***Central African Republic**

1. Legislation Reviewed

Ordinance No. 85.002 on Copyrights

Chad

1. Legislation Reviewed

Law No. 005/PR/2003 of May 2nd, 2003 on the Protection of Copyright, Neighboring rights and Expressions of Folklore

2. Private/Personal Use

Provision	Art. 34.1
Scope of private/personal use	private performance of
Type(s) of source work(s)	a lawfully disclosed work, (performance, phonogram, videogram, broadcast) ³³⁴
Entity exercising private/personal use	
Purpose of private/personal use	exclusively within family circle
Condition of private/personal use	performance given free of charge
Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	

Provision	Art. 34.2
Scope of private/personal use	copies or reproductions of
Type(s) of source work(s)	a lawfully disclosed work, (performance, phonogram, videogram, broadcast) ³³⁵
Entity exercising private/personal use	
Purpose of private/personal use	strictly for private use of copier
Condition of private/personal use	not intended for collective use, with the exception of copies of works of art intended to be used for purposes identical to those for which original work was created
Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	levies paid by manufacturer/importer of recording media that can be used for reproduction for private use of works fixed in phonograms and videograms ³³⁶

3. Quotations

Provision	Art. 34.3
Scope of quotation	analyses and short quotations from
Type(s) of source work(s)	works, (performance, phonogram, videogram, broadcast) ³³⁷
Entity exercising quotation	
Purpose of quotation	critical, polemic, educational, scientific or informative nature of the work in which they are incorporated
Condition of quotation	
Preclusions (not part of quotation)	
Subject to Attribution	source, name of author
Subject to Remuneration	

³³⁴ Art. 95 (applying Art. 34 mutatis mutandis to neighbouring rights).

³³⁵ Art. 95 (applying Art. 34 mutatis mutandis to neighbouring rights).

³³⁶ Art. 114.

³³⁷ Art. 95 (applying Art. 34 mutatis mutandis to neighbouring rights).

4. Educational Reproduction5. Educational Publications/Anthologies/Compilations/Composite Works

Provision	Art. 34
Scope of anthologies/compilations limitation/exception	use by means of publication, broadcasting or audio or visual recording
Type(s) of source work(s)	lawfully disclosed literary or artistic works, (performance, phonogram, videogram, broadcast) ³³⁸
Entity exercising anthologies/compilations limitation/exception	
Purpose of anthologies/compilations limitation/exception	teaching examples
Condition of anthologies/compilations limitation/exception	use is not improper and is not for profitmaking purposes
Preclusions (not part of anthologies/compilations limitation/exception)	
Subject to Attribution	
Subject to Remuneration	

6. School Performances7. Educational Broadcasts/Communications/Recordings

Provision	Art. 34
Scope of broadcast/communication/recording	use by means of publication, broadcasting or audio or visual recording
Type(s) of source work(s)	lawfully disclosed literary or artistic works, (performance, phonogram, videogram, broadcast) ³³⁹
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	teaching examples
Condition of broadcast/communication/recording	use is not improper and is not for profitmaking purposes
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	
Subject to Remuneration	

8. Compulsory Licences for Educational Reproductions and Translations9. TPM/RMI Exceptions for Educational Purposes

³³⁸ Art. 95 (applying Art. 34 mutatis mutandis to neighbouring rights).

³³⁹ Art. 95 (applying Art. 34 mutatis mutandis to neighbouring rights).

Chile

1. Legislation Reviewed

Law No. 17.336 on Intellectual Property

2. Private/Personal Use

Provision	Art. 71N
Scope of private/personal use	use of
Type(s) of source work(s)	a work, including phonograms
Entity exercising private/personal use	
Purpose of private/personal use	within the family circle
Condition of private/personal use	such use is not for profit
Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	

Provision	Art. 71S
Scope of private/personal use	translate
Type(s) of source work(s)	lawfully acquired works originally written in a foreign language
Entity exercising private/personal use	
Purpose of private/personal use	personal use
Condition of private/personal use	
Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	

3. Quotations

Provision	Art. 71B
Scope of quotation	include in a work brief fragments of
Type(s) of source work(s)	a protected work that has been lawfully disclosed
Entity exercising quotation	
Purpose of quotation	quotation or for the purposes of criticism, illustration, teaching or research
Condition of quotation	
Preclusions (not part of quotation)	
Subject to Attribution	source, title, name of author
Subject to Remuneration	

Provision	Art. 71R
Scope of quotation	use of
Type(s) of source work(s)	a protected work (to audiovisual works of a documentary nature)
Entity exercising quotation	
Purpose of quotation	criticism, commentary, caricature
Condition of quotation	use does not constitute disguised use of the protected work use to be incidental or exceptional
Preclusions (not part of quotation)	

Subject to Attribution	
Subject to Remuneration	

4. Educational Reproduction

Provision	Art. 71R
Nature of educational reproduction	use
Type(s) of source work(s)	a protected work (to audiovisual works of a documentary nature)
Entity exercising reproduction	
Purpose of educational reproduction	commentary, teaching, academic or research interest
Qualification(s)	use does not constitute disguised use of the protected work
Frequency/Multiple copies and Limits	use to be incidental or exceptional
Collective Licence/remuneration	
Attribution	
Provision	Art. 71F
Nature of educational reproduction	reproduction through photography, cinema, television or any other similar process, and publication of the corresponding photographs in newspapers, reviews, books and texts
Type(s) of source work(s)	architectural works
Entity exercising reproduction	anyone
Purpose of educational reproduction	educational purposes
Qualification(s)	not in a complete or partial separate collection
Frequency/Multiple copies and Limits	
Collective Licence/remuneration	
Attribution	

Provision	Art. 71M
Nature of educational reproduction	reproduce and translate
Type(s) of source work(s)	small fragments of publicly disclosed works or isolated works of a three-dimensional, photographic or figurative nature, excluding school textbooks and university manuals
Entity exercising reproduction	
Purpose of educational reproduction	educational purposes, within the framework of formal education or with the consent of the Ministry of Education, solely to illustrate educational activities
Qualification(s)	reproduction and translation must be warranted and not for profit
Frequency/Multiple copies and Limits	
Collective Licence/remuneration	
Attribution	source, name of author (unless infeasible)

Provision	Art. 71D
Nature of educational reproduction	annotating or compiling in any form

Type(s) of source work(s)	courses taught in institutions of higher education, high schools and schools
Entity exercising reproduction	to whom the courses are intended
Purpose of educational reproduction	
Qualification(s)	no full/partial publication without authorization of lecturer
Frequency/Multiple copies and Limits	
Collective Licence/remuneration	
Attribution	

5. Educational Publications/Anthologies/Compilations/Composite Works

Provision	Art. 71F
Scope of anthologies/compilations limitation/exception	reproduction through photography, cinema, television or any other similar process, and publication of the corresponding photographs in newspapers, reviews, books and texts
Type(s) of source work(s)	architectural works
Entity exercising anthologies/compilations limitation/exception	anyone
Purpose of anthologies/compilations limitation/exception	educational purposes
Condition of anthologies/compilations limitation/exception	not in a complete or partial separate collection
Preclusions (not part of anthologies/compilations limitation/exception)	
Subject to Attribution	
Subject to Remuneration	

6. School Performances

Provision	Art. 71N
Scope of school performance	use of, [not considered public performance]
Type(s) of source work(s)	a work, including phonograms
Entity exercising school performance	
Purpose of school performance	within the family circle, in educational or charitable establishments, libraries, archive centers or museums
Condition of school performance	such use is not for profit
Preclusions (not part of school performance)	
Subject to Attribution	
Subject to Remuneration	

7. Educational Broadcasts/Communications/Recordings

Provision	Art. 71N
Scope of broadcast/communication/recording	use of, [not considered communication]
Type(s) of source work(s)	a work, including phonograms
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	within the family circle, in educational or charitable establishments, libraries, archive centers or museums

Condition of broadcast/communication/recording	such use is not for profit
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	
Subject to Remuneration	

8. Compulsory Licences for Educational Reproductions and Translations

Note:

Art. 71L enables not-for-profit libraries and archive centers to arrange for the translation of works originally written in foreign languages, for research or study purposes by users of the libraries or archive centers, without having to remunerate the copyright holder or obtain his authorization. This is unlike the compulsory license regime for educational reproductions and translations in the Berne Convention, where remuneration has to be made.

9. TPM/RMI Exceptions for Educational Purposes

China

1. Legislation Reviewed

Copyright Law of the People's Republic of China of February 26, 2010 (amended up to the Decision of February 26, 2010, by the Standing Committee of the National People's Congress on Amending the Copyright Law of the People's Republic of China)

2. Private/Personal Use

Provision	Art. 22(1)
Scope of private/personal use	use of
Type(s) of source work(s)	another person's published work, (typographical design of publisher, performance, sound recording, video recording, broadcast) ³⁴⁰
Entity exercising private/personal use	
Purpose of private/personal use	user's own personal study, research or appreciation
Condition of private/personal use	
Preclusions (not part of private/personal use)	
Subject to Attribution	title of work, name of author
Subject to Remuneration	

3. Quotations

Provision	Art. 22(2)
Scope of quotation	appropriate quotation from
Type(s) of source work(s)	another person's published work, (typographical design of publisher, performance, sound recording, video recording, broadcast) ³⁴¹ in one's own work
Entity exercising quotation	
Purpose of quotation	
Condition of quotation	
Preclusions (not part of quotation)	
Subject to Attribution	title of work, name of author
Subject to Remuneration	

4. Educational Reproduction

Provision	Art. 22(6)
Nature of educational reproduction	translation, or reproduction of copies
Type(s) of source work(s)	a published work, (typographical design of publisher, performance, sound recording, video recording, broadcast) ³⁴²
Entity exercising reproduction	teachers or scientific researchers
Purpose of educational reproduction	use in classroom teaching or scientific research
Qualification(s)	translation or reproductions are not published for distribution
Frequency/Multiple copies and Limits	reproduction in a small quantity [of copies]

³⁴⁰ Art. 22 proviso.

³⁴¹ Art. 22 proviso.

³⁴² Art. 22 proviso.

Collective Licence/remuneration	
Attribution	title of work, name of author

5. Educational Publications/Anthologies/Compilations/Composite Works

Provision	Art. 23
Scope of anthologies/compilations limitation/exception	passages from
Type(s) of source work(s)	a work, a short written work, musical work, a single work of the fine arts or photographic work which has been published, (typographical design, performance, sound recording, video recording, broadcast) ³⁴³ may be compiled in textbooks
Entity exercising anthologies/compilations limitation/exception	
Purpose of anthologies/compilations limitation/exception	compiling and publishing textbooks for the nine-year compulsory education and for national education planning
Condition of anthologies/compilations limitation/exception	“other rights enjoyed by the copyright owner in accordance with this Law are not prejudiced”
Preclusions (not part of anthologies/compilations limitation/exception)	where author declares in advance that use of his work is not permitted
Subject to Attribution	title of work, name of author
Subject to Remuneration	remuneration is paid

6. School Performances

Provision	Art. 22(9)
Scope of school performance	live performance of
Type(s) of source work(s)	a published work, (typographical design of publisher, performance, sound recording, video recording, broadcast) ³⁴⁴
Entity exercising school performance	
Purpose of school performance	
Condition of school performance	gratuitous (no fees are charged to the public, nor payments are made to the performers)
Preclusions (not part of school performance)	
Subject to Attribution	title of work, name of author
Subject to Remuneration	

Note that limitation here is not restricted to school performances.

7. Educational Broadcasts/Communications/Recordings

8. Compulsory Licences for Educational Reproductions and Translations

Provision	Art. 22(11)
Nature of compulsory licence for translation for educational purposes	translation into minority nationality languages

³⁴³ Art. 23 proviso.

³⁴⁴ Art. 22 proviso.

Type(s) of source work(s)	published work, (typographical design of publisher, performance, sound recording, video recording, broadcast) ³⁴⁵ of a Chinese citizen, legal entity or other organization from Han language
Licence applicant/entity	
Purpose of licence	publication and distribution in the country
Qualification(s)	attribution of original published work by title of work, name of author
Compulsory licence fee(s)	
Price of publication	
Distribution conditions	
Grantor of Collective Licence	

Note:

This is not a compulsory licence scheme under the Berne Convention.

9. TPM/RMI Exceptions for Educational Purposes

³⁴⁵ Art. 22 proviso.

Colombia

1. Legislation Reviewed

Law No. 23 of 1982 (January 28) - On Copyright

2. Private/Personal Use

Provision	Art. 37
Scope of private/personal use	reproduce, by any means,
Type(s) of source work(s)	a literary or scientific work, (performance, phonogram, broadcast) ³⁴⁶
Entity exercising private/personal use	reproduction to be arranged by party using the work
Purpose of private/personal use	for his private use
Condition of private/personal use	in one single copy without gainful intent
Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	

Provision	Art. 44
Scope of private/personal use	use of
Type(s) of source work(s)	scientific, literary and artistic works, (performance, phonogram, broadcast) ³⁴⁷
Entity exercising private/personal use	private residence
Purpose of private/personal use	
Condition of private/personal use	without gainful intent
Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	

3. Quotations

Provision	Art. 31
Scope of quotation	quote an author by transcribing
Type(s) of source work(s)	the necessary passages
Entity exercising quotation	
Purpose of quotation	
Condition of quotation	not of such length and continuity that they might reasonably be considered a simulated, substantial reproduction constituting a prejudice for author of work
Preclusions (not part of quotation)	
Subject to Attribution	title of work, name of author (if on source)
Subject to Remuneration	where new work is constituted mainly by the inclusion of works of other owners, courts shall make an equitable assessment of remuneration payable to each of other owners at request of any interested party

³⁴⁶ Art. 178(a) (extending private use exceptions regarding private use to neighbouring rights).

³⁴⁷ Art. 178(a) (extending private use exceptions regarding private use to neighbouring rights).

Provision	Art.178(d)
Scope of quotation	quote short excerpts from
Type(s) of source work(s)	(performance, phonogram, broadcast) ³⁴⁸
Entity exercising quotation	
Purpose of quotation	
Condition of quotation	quotations are compatible with fair practice quotations are justified by the informatory purpose of such quotations.
Preclusions (not part of quotation)	
Subject to Attribution	
Subject to Remuneration	

4. Educational Reproduction

Provision	Art. 32
Nature of educational reproduction	by way of illustration in works, (performance, phonogram, broadcast) ³⁴⁹ by means of publications, broadcasts or sound or visual recordings by communicating works broadcast for use in schools, education, universities and professional training
Type(s) of source work(s)	literary or artistic works, or parts thereof
Entity exercising reproduction	
Purpose of educational reproduction	for teaching purposes (or scientific research) without gainful intent
Qualification(s)	
Frequency/Multiple copies and Limits	
Collective Licence/remuneration	
Attribution	title of work, name of author

Provision	Art. 40
Nature of educational reproduction	noting and collecting
Type(s) of source work(s)	lectures or talks given at establishments of higher, secondary or primary education
Entity exercising reproduction	students, to whom lectures are addressed
Purpose of educational reproduction	
Qualification(s)	no full/partial publication or reproduction without written authorization of lecturer
Frequency/Multiple copies and Limits	
Collective Licence/remuneration	
Attribution	

5. Educational Publications/Anthologies/Compilations/Composite Works

Provision	Art. 32
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³⁴⁸ Art. 178(d) (extending private use exceptions regarding quotations to neighbouring rights).

³⁴⁹ Art. 178(c) (extending private use exceptions regarding sole use for teaching or scientific research).

Scope of anthologies/compilations limitation/exception	by way of illustration in works, (performance, phonogram, broadcast) ³⁵⁰ by means of publications, broadcasts or sound or visual recordings by communicating works broadcast for use in schools, education, universities and professional training
Type(s) of source work(s)	literary or artistic works, or parts thereof
Entity exercising anthologies/compilations limitation/exception	
Purpose of anthologies/compilations limitation/exception	for teaching purposes (or scientific research) without gainful intent
Condition of anthologies/compilations limitation/exception	
Preclusions (not part of anthologies/compilations limitation/exception)	
Subject to Attribution	title of work, name of author
Subject to Remuneration	

6. School Performances

Provision	Art. 164
Scope of school performance	public performance by any means, including broadcasting, of
Type(s) of source work(s)	a musical work with or without words
Entity exercising school performance	
Purpose of school performance	for strictly educational purposes within the grounds or buildings of the educational establishments concerned
Condition of school performance	no admission charge whatever is made
Preclusions (not part of school performance)	
Subject to Attribution	
Subject to Remuneration	

7. Educational Broadcasts/Communications/Recordings

Provision	Art. 32
Scope of broadcast/communication/recording	by way of illustration in works, (performance, phonogram, broadcast) ³⁵¹ by means of publications, broadcasts or sound or visual recordings by communicating works broadcast for use in schools, education, universities and professional training
Type(s) of source work(s)	literary or artistic works, or parts thereof
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	for teaching purposes (or scientific research) without gainful intent
Condition of	

³⁵⁰ Art. 178(c) (extending private use exceptions regarding sole use for teaching or scientific research).

³⁵¹ Art. 178(c) (extending private use exceptions regarding sole use for teaching or scientific research).

broadcast/communication/recording	
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	title of work, name of author
Subject to Remuneration	

8. Compulsory Licences for Educational Reproductions and Translations

Provision	Art. 45
Nature of compulsory licence for translation for educational purposes	non-exclusive, non-transferable ³⁵² compulsory licence, for translation into Spanish and publication (or analogous form) (and broadcasting) ³⁵³ in Columbia ³⁵⁴
Type(s) of source work(s)	(lawfully acquired copy of) ³⁵⁵ work or text incorporated in an audiovisual fixation that was prepared and published for sole purpose of systematic instruction ³⁵⁶
Licence applicant/entity	
Purpose of licence	for the purpose of teaching, scholarship or research of the work to which the license relates ³⁵⁷ for use in broadcasts intended exclusively for teaching or for the dissemination of the results of specialized technical or scientific research to experts in a particular profession ³⁵⁸
Qualification(s)	work has not been previously translated by copyright owner into Spanish and published in Columbia within 7 years from first publication of the work, or all previous editions in that language are out of print licence applicant has requested and been denied authorization from owner of right of translation, or applicant was unable to find such owner, after due diligence, and applicant has notified the designated national/international information center ³⁵⁹ where owner of right of translation is known or located, owner is to be given an opportunity to be heard before a licence can be granted ³⁶⁰ no licence granted if author withdraws all copies of work from circulation ³⁶¹

³⁵² Art. 52.

³⁵³ Art. 56.

³⁵⁴ Arts. 45, 52.

³⁵⁵ Art. 56(a).

³⁵⁶ Art. 57.

³⁵⁷ Art. 52(a).

³⁵⁸ Art. 52(b), (c).

³⁵⁹ Art. 47(c), (d).

³⁶⁰ Art. 48.

	<p>all copies published have to include the original title and name of author of the work and notice in Spanish stating that copy is available for sale or distribution only within Columbia³⁶²</p> <p>subject to licensee's sale of existing copies, licence nullified if right owner is publishing or has permitted the publishing of translated work under the same conditions, display, form and content or for a price similar to licensee's edition³⁶³</p>
Compulsory licence fee(s)	just compensation to owner of right of translation ³⁶⁴
Price of publication	
Distribution conditions	
Grantor of Collective Licence	competent authority

Provision	Art. 58
Nature of compulsory licence for translation for educational purposes	non-exclusive, non-transferable ³⁶⁵ compulsory licence, for reproduction and publication (or analogous form) (and in audiovisual form) ³⁶⁶ in Columbia ³⁶⁷ and not for export
Type(s) of source work(s)	work, or or text incorporated in an audiovisual fixation that was prepared and published for sole purpose of systematic instruction ³⁶⁸
Licence applicant/entity	
Purpose of licence	for use in connection with systematic instructional activities ³⁶⁹ for use in audiovisual form in connection with systematic instructional activities ³⁷⁰
Qualification(s)	for works of technology and of the natural and physical sciences, including mathematics, 3 years had expired from first publication for fictional work, 7 years had expired from first publication for any other work, 5 years had expired from first publication

³⁶¹ Art. 51.³⁶² Art. 54.³⁶³ Art. 55.³⁶⁴ Art. 53.³⁶⁵ Art. 66.³⁶⁶ Art. 70.³⁶⁷ Arts. 68(b).³⁶⁸ Art. 70.³⁶⁹ Art. 66(a).³⁷⁰ Art. 70(a).

	<p>work has not been previously distributed by copyright owner in Columbia at a price for comparable works, or all copies are out of print for at least 6 months</p> <p>licence applicant has requested and been denied authorization from owner of right of reproduction, or applicant was unable to find such owner, after due diligence, and applicant has notified the designated national/international information center³⁷¹</p> <p>a further waiting period of 3 months/6 months has lapsed since licence applicant complied with conditions³⁷²</p> <p>no distribution or placing on sale of work has taken place during waiting period³⁷³</p> <p>where owner of right of reproduction is known or located, owner is to be given an opportunity to be heard before a licence can be granted³⁷⁴</p> <p>no licence granted if author withdraws all copies of work from circulation³⁷⁵</p> <p>all copies published to be at price for comparable work³⁷⁶ and have to include the original title and name of author of the work and notice in Spanish stating that copy is available for sale or distribution only within Columbia, and a reprint of original copyright notice³⁷⁷</p> <p>subject to licensee's sale of existing copies, licence nullified if right owner is publishing or has permitted the publishing of work under the same conditions, display, form and content or for a price similar to licensee's edition³⁷⁸</p>
Compulsory licence fee(s)	just compensation to owner of right of reproduction ³⁷⁹
Price of publication	
Distribution conditions	
Grantor of Collective Licence	competent authority

³⁷¹ Art. 59(b)-(d).

³⁷² Art. 61-62.

³⁷³ Art. 63.

³⁷⁴ Art. 60.

³⁷⁵ Art. 64.

³⁷⁶ Art. 66(b).

³⁷⁷ Art. 68.

³⁷⁸ Art. 69.

³⁷⁹ Art. 67.

9. TPM/RMI Exceptions for Educational Purposes

***Comoros**

1. Legislation Reviewed

Law of March 11, 1957, on Literary and Artistic Property

Congo

1. Legislation Reviewed

Law No. 24/82 of July 7, 1982 on Copyright and Neighbouring Rights

2. Private/Personal Use

Provision	Art. 33.1(a)
Scope of private/personal use	reproduction, translation, adaptation, arrangement or any other transformation of
Type(s) of source work(s)	a lawfully published work (in original language or in translation), (performance, phonogram, broadcast) ³⁸⁰
Entity exercising private/personal use	
Purpose of private/personal use	exclusively for user's own personal and private use
Condition of private/personal use	
Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	author entitled to remuneration for sound and visual recordings of protected works on physical media ³⁸¹

3. Quotations

Provision	Art. 33.1(b)
Scope of quotation	inclusion, in another work, of quotations from
Type(s) of source work(s)	such work, including newspaper articles and periodicals in the form of press summaries
Entity exercising quotation	
Purpose of quotation	in the form of quotation
Condition of quotation	quotation is compatible with fair practice quotation does not exceed extent justified by the purpose
Preclusions (not part of quotation)	
Subject to Attribution	source, name of author
Subject to Remuneration	
Provision	Art. 97
Scope of quotation	quotations in the form of
Type(s) of source work(s)	short excerpts of a performance, of a phonogram or of a broadcast
Entity exercising quotation	
Purpose of quotation	
Condition of quotation	quotation is compatible with fair practice quotation is justified by informatory purpose of such quotations
Preclusions (not part of quotation)	
Subject to Attribution	

³⁸⁰ Art. 97 (applying the limitation of protection for works to neighbouring rights).

³⁸¹ Art. 48 (providing that author is entitled to remuneration whose amount is proportional to revenue from sales of blank media, calculated as a percentage of the selling price of blank physical media, payable to the CMOs representing the authors).

Subject to Remuneration	
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4. Educational Reproduction

Provision	Art. 33.5
Nature of educational reproduction	reproduction, by photographic or similar process
Type(s) of source work(s)	lawfully available literary, artistic or scientific works
Entity exercising reproduction	public libraries, non-commercial documentation centers, scientific institutions and educational establishments
Purpose of educational reproduction	
Qualification(s)	
Frequency/Multiple copies and Limits	reproduction and the number of copies made are limited to the needs of their activities “do not conflict with the normal exploitation of the work and do not unreasonably prejudice the legitimate interests of the author”
Collective Licence/remuneration	
Attribution	

Provision	Arts. 97, 98
Nature of educational reproduction	reproduction/use
Type(s) of source work(s)	copies of phonograms, (performances, broadcasts) ³⁸²
Entity exercising reproduction	
Purpose of educational reproduction	sole purpose of teaching or of scientific research
Qualification(s)	phonograms: copies made and distributed on the territory of the Congo, excluding any exportation of copies
Frequency/Multiple copies and Limits	
Collective Licence/remuneration	phonograms: equitable remuneration for reproduction of copies of phonograms, based on number of copies made and distributed
Attribution	

5. Educational Publications/Anthologies/Compilations/Composite Works

Provision	Art. 33.1(c)
Scope of anthologies/compilations limitation/exception	utilization of work by way of illustration in publications, broadcasts or sound or visual recordings communication of work broadcast for use in schools, education, universities and vocational training
Type(s) of source work(s)	work
Entity exercising anthologies/compilations limitation/exception	

³⁸² Art. 97.

Purpose of anthologies/compilations limitation/exception	utilization for teaching communication for teaching purposes
Condition of anthologies/compilations limitation/exception	use is compatible with fair practice
Preclusions (not part of anthologies/compilations limitation/exception)	
Subject to Attribution	source, name of author
Subject to Remuneration	

6. School Performances7. Educational Broadcasts/Communications/Recordings

Provision	Art. 33.1(c)
Scope of broadcast/communication/recording	utilization of work by way of illustration in publications, broadcasts or sound or visual recordings communication of work broadcast for use in schools, education, universities and vocational training
Type(s) of source work(s)	work
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	utilization for teaching communication for teaching purposes
Condition of broadcast/communication/recording	use is compatible with fair practice
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	source, name of author
Subject to Remuneration	

8. Compulsory Licences for Educational Reproductions and Translations9. TPM/RMI Exceptions for Educational Purposes

***Costa Rica**

1. Legislation Reviewed

Law No. 6683 on Copyright and Related Rights (as last amended by Law No. 8834 of May 3, 2010)

Côte d'Ivoire

1. Legislation Reviewed

Law No. 96-564 of July 25, 1996, on the Protection of Intellectual Works and the Rights of Authors, Performers and Phonogram and Videogram Producers

2. Private/Personal Use

Provision	Art. 31
Scope of private/personal use	private performances of
Type(s) of source work(s)	work, (performance, phonogram, videogram) ³⁸³ lawfully made accessible to the public
Entity exercising private/personal use	
Purpose of private/personal use	exclusively in a family circle
Condition of private/personal use	do not generate any form of income
Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	
Provision	Art. 31
Scope of private/personal use	reproductions, translations and adaptations of
Type(s) of source work(s)	works, (performance, phonogram, videogram) ³⁸⁴
Entity exercising private/personal use	
Purpose of private/personal use	strictly personal and private use, and not for collective use, with the exception of works of art
Condition of private/personal use	
Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	remuneration to authors and performers for reproduction of works fixed on phonograms, videograms, as levy on manufacturer/importer of recording material suitable for reproduction for private use of works fixed on phonograms/videograms ³⁸⁵

3. Quotations

Provision	Art. 31
Scope of quotation	analyses, press reviews and short quotations of
Type(s) of source work(s)	works, (performance, phonogram, videogram) ³⁸⁶
Entity exercising quotation	
Purpose of quotation	justified by the critical, polemic, educational, scientific or inforamatory character of the work
Condition of quotation	
Preclusions (not part of quotation)	
Subject to Attribution	source, name of author (if on source)

³⁸³ Art. 87.

³⁸⁴ Art. 87.

³⁸⁵ Art. 92.

³⁸⁶ Art. 87.

Subject to Remuneration	
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4. Educational Reproduction5. Educational Publications/Anthologies/Compilations/Composite Works

Provision	Art. 31
Scope of anthologies/compilations limitation/exception	use through publication, radio or television broadcasting or sound or visual recordings
Type(s) of source work(s)	literary, artistic or scientific works, (performance, phonogram, videogram) ³⁸⁷
Entity exercising anthologies/compilations limitation/exception	
Purpose of anthologies/compilations limitation/exception	illustration in teaching
Condition of anthologies/compilations limitation/exception	use is not improper and is devoid of any gainful intent
Preclusions (not part of anthologies/compilations limitation/exception)	
Subject to Attribution	source, name of author (if on source)
Subject to Remuneration	

6. School Performances7. Educational Broadcasts/Communications/Recordings

Provision	Art. 31
Scope of broadcast/communication/recording	use through publication, radio or television broadcasting or sound or visual recordings
Type(s) of source work(s)	literary, artistic or scientific works, (performance, phonogram, videogram) ³⁸⁸
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	illustration in teaching
Condition of broadcast/communication/recording	use is not improper and is devoid of any gainful intent
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	source, name of author (if on source)
Subject to Remuneration	

8. Compulsory Licences for Educational Reproductions and Translations9. TPM/RMI Exceptions for Educational Purposes³⁸⁷ Art. 87.³⁸⁸ Art. 87.

Croatia

1. Legislation Reviewed

Copyright and Related Rights Act and Acts on Amendments to the Copyright and Related Rights Act (OG Nos. 167/2003, 79/2007, 80/2011, 141/2013 & 127/2014)

2. Private/Personal Use

Provision	Art. 82
Scope of private/personal use	reproduce
Type(s) of source work(s)	a copyright work, (performances, phonograms, videograms, broadcasts, publishers' publications and databases) ³⁸⁹
Entity exercising private/personal use	natural person
Purpose of private/personal use	for private use
Condition of private/personal use	in any medium or in the form of photocopying and other personal use if this copy is not intended for or accessible to the public and has no direct or indirect commercial purpose
Preclusions (not part of private/personal use)	works of architecture, reproduction of whole book (unless copies have been sold out for at least two years), musical notation, electronic database, cartographic works, only "such uses of a copyright work which do not conflict with regular use of the work and do not unreasonably prejudice the legitimate interests of the author" ³⁹⁰
Subject to Attribution	
Subject to Remuneration	author whose works are expected to be reproduced by (photocopying, recording on sound, visual or text fixation media) entitled to appropriate remuneration by levy on sale of technical appliances and blank audio, video or text fixation media ³⁹¹ from manufacturers/importers ³⁹² , and remuneration from person who provides paid photocopying services ³⁹³

3. Quotations

Provision	Art. 90
Scope of quotation	quotations of
Type(s) of source work(s)	excerpts from a lawfully available copyright work, (performances, phonograms, videograms, broadcasts, publishers' publications and databases) ³⁹⁴
Entity exercising quotation	
Purpose of quotation	scientific research, teaching, criticism,

³⁸⁹ Art. 4(2).

³⁹⁰ Art. 80.

³⁹¹ Art. 32(1).

³⁹² Art. 32(4).

³⁹³ Art. 32(2).

³⁹⁴ Art. 4(2).

	polemics, revision, review
Condition of quotation	extent justified by the purpose to be achieved and in accordance with fair practice
Preclusions (not part of quotation)	
Subject to Attribution	source, name of author
Subject to Remuneration	

4. Educational Reproduction

Provision	Art. 84
Nature of educational reproduction	reproduce to any media
Type(s) of source work(s)	work, (performances, phonograms, videograms, broadcasts, publishers' publications and databases) ³⁹⁵
Entity exercising reproduction	public archives, public libraries, educational and scientific institutions, preschool educational institutions and social (charitable) institutions pursuing non-commercial purposes
Purpose of educational reproduction	
Qualification(s)	from their own copy [of the work]
Frequency/Multiple copies and Limits	not more than one copy
Collective Licence/remuneration	
Attribution	

5. Educational Publications/Anthologies/Compilations/Composite Works

Provision	Art. 85
Scope of anthologies/compilations limitation/exception	reproduce on paper or any similar medium and distribute particular portions (parts) of
Type(s) of source work(s)	lawfully disclosed works, or integral short works from the domain of science, literature and music, as well as disclosed individual works of visual arts, architecture, applied arts and industrial design, photographic or cartographic works, and presentations of scientific or technical nature, in the form of a collection which contains contributions of several authors, <i>and</i> (performances, phonograms, videograms, broadcasts, publishers' publications and databases) ³⁹⁶
Entity exercising anthologies/compilations limitation/exception	
Purpose of anthologies/compilations limitation/exception	by its contents, and systematisation exclusively intended for teaching or scientific research
Condition of anthologies/compilations limitation/exception	
Preclusions (not part of anthologies/compilations limitation/exception)	unless expressly prohibited by author

³⁹⁵ Art. 4(2).

³⁹⁶ Art. 4(2).

Subject to Attribution	source
Subject to Remuneration	authors entitled to equitable remuneration ³⁹⁷

6. School Performances

Provision	Art. 88
Scope of school performance	publicly perform or to present it at stage in the form of direct teaching or at school events
Type(s) of source work(s)	a work, (performances, phonograms, videograms, broadcasts, publishers' publications and databases) ³⁹⁸
Entity exercising school performance	
Purpose of school performance	to extent justified by educational purpose
Condition of school performance	works are not used for direct or indirect economic or commercial benefit by the educational institution, the organizers or third persons the performers receive no payment (remuneration) for their performance where the tickets are free of charge
Preclusions (not part of school performance)	
Subject to Attribution	
Subject to Remuneration	

7. Educational Broadcasts/Communications/Recordings

Provision	Art. 84
Scope of broadcast/communication/recording	reproduce to any media
Type(s) of source work(s)	work, (performances, phonograms, videograms, broadcasts, publishers' publications and databases) ³⁹⁹
Entity exercising broadcast/communication/recording	public archives, public libraries, educational and scientific institutions, preschool educational institutions and social (charitable) institutions pursuing non-commercial purposes
Purpose of broadcast/communication/recording	
Condition of broadcast/communication/recording	from their own copy [of the work]
Preclusions (not part of broadcast/communication/recording)	not more than one copy
Subject to Attribution	
Subject to Remuneration	

8. Compulsory Licences for Educational Reproductions and Translations

9. TPM/RMI Exceptions for Educational Purposes

³⁹⁷ Art. 85(2).

³⁹⁸ Art. 4(2).

³⁹⁹ Art. 4(2).

Provision	Art. 98
Scope of TPM/RMI limitation/exception	exception to oblige authors or other persons who applied technological measures to works to enable access to such works
Type(s) of source work(s)	
Beneficiary exercising limitation/exception	users who use or access of the work is allowed under Arts. 82-87 are prevented by the application of technological measures from so accessing the works
Purpose of limitation/exception	to such works and use thereof in accordance with Arts. 82-87 (limitations of copyright)
Condition of limitation/exception	works are not "made available to the public on agreed contractual terms in such a way that members of the public may access them from a place and at a time individually chosen by them" ⁴⁰⁰

⁴⁰⁰ Art. 98(4).

***Cuba**

1. Legislation Reviewed

Law on Copyright (Law No. 14 of 1977)

Cyprus

1. Legislation Reviewed

Copyright Laws 1976 to 1993 (Law No. 59 of December 3, 1976, as amended by Law No. 18(I), 1993)

2. Private/Personal Use

Provision	s 7(1)(a)
Scope of private/personal use	reproduction, sale, rental, distribution, lending, advertising, exhibiting in public, communication to the public, broadcasting, translation, adaptation and other arrangement, of
Type(s) of source work(s)	the whole (literary, musical or artistic work or cinematograph film), (sound recording, broadcast), ⁴⁰¹ or a substantial part by way of fair dealing
Entity exercising private/personal use	
Purpose of private/personal use	research, private use
Condition of private/personal use	
Preclusions (not part of private/personal use)	
Subject to Attribution	(if use in public) title of work and author of work, except where work is incidentally included in a broadcast
Subject to Remuneration	

3. Quotations

Provision	s 7(1)(a)
Scope of quotation	reproduction, sale, rental, distribution, lending, advertising, exhibiting in public, communication to the public, broadcasting, translation, adaptation and other arrangement, of
Type(s) of source work(s)	the whole (literary, musical or artistic work or cinematograph film), (sound recording, broadcast), ⁴⁰² or a substantial part by way of fair dealing
Entity exercising quotation	
Purpose of quotation	criticism or review
Condition of quotation	
Preclusions (not part of quotation)	
Subject to Attribution	(if use in public) title of work and author of work, except where work is incidentally included in a broadcast
Subject to Remuneration	

Provision	s 7(1)(f)
Scope of quotation	quotation of

⁴⁰¹ Ss 9 (applying exceptions to sound recordings), 10(a) (applying exceptions to broadcasts).

⁴⁰² Ss 9 (applying exceptions to sound recordings), 10(a) (applying exceptions to broadcasts).

Type(s) of source work(s)	passages from published works, (sound recording, broadcast), ⁴⁰³ including extracts from newspaper articles and magazines in the form of press summaries
Entity exercising quotation	
Purpose of quotation	
Condition of quotation	quotation compatible with fair practice quotation does not exceed extent justified by the purpose
Preclusions (not part of quotation)	
Subject to Attribution	source, name of author (if on source)
Subject to Remuneration	

4. Educational Reproduction

Provision	s 7(1)(j)
Nature of educational reproduction	any use made of
Type(s) of source work(s)	a work, (sound recording, broadcast) ⁴⁰⁴
Entity exercising reproduction	public libraries, non-commercial collection and documentation centres and scientific institutions as may be prescribed
Purpose of educational reproduction	use is in the public interest
Qualification(s)	no revenue is derived therefrom no admission fee is charged for the communication, if any, to the public of the work
Frequency/Multiple copies and Limits	
Collective Licence/remuneration	
Attribution	

5. Educational Publications/Anthologies/Compilations/Composite Works

6. School Performances

7. Educational Broadcasts/Communications/Recordings

Provision	s 7(1)(e)
Scope of broadcast/communication/recording	inclusion of
Type(s) of source work(s)	a work, (sound recording, broadcast), ⁴⁰⁵ in a broadcast, communication to the public, sound recording, cinematograph film or collection of works
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	illustration for teaching purposes
Condition of broadcast/communication/recording	compatible with fair practice

⁴⁰³ Ss 9 (applying exceptions to sound recordings), 10(a) (applying exceptions to broadcasts).

⁴⁰⁴ Ss 9 (applying exceptions to sound recordings), 10(a) (applying exceptions to broadcasts).

⁴⁰⁵ Ss 9 (applying exceptions to sound recordings), 10(a) (applying exceptions to broadcasts).

Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	source, name of author (if on source)
Subject to Remuneration	

8. Compulsory Licences for Educational Reproductions and Translations
9. TPM/RMI Exceptions for Educational Purposes

Czech Republic

1. Legislation Reviewed

Consolidated Version of Act No. 121/2000 Coll., on Copyright and Rights Related to Copyright and on Amendment to Certain Acts (the Copyright Act, as amended by Act No. 81/2005 Coll., Act No. 61/2006 Coll. and Act No. 216/2006 Coll.)

2. Private/Personal Use

Provision	Arts. 25(1)(a), 30(2), (3)
Scope of private/personal use	reproduction of
Type(s) of source work(s)	a work, (computer program, electronic database), ⁴⁰⁶ (work of architecture in the form of building), ⁴⁰⁷ made public
Entity exercising private/personal use	natural person/legal person/sole trader
Purpose of private/personal use	natural person: for personal use legal person/sole trader: for own internal use
Condition of private/personal use	using a device for making printed reproductions on paper or other similar base without seeking to achieve direct or indirect economic benefit ⁴⁰⁸ reproduction may not be used for any other purpose ⁴⁰⁹
Preclusions (not part of private/personal use)	
Subject to Attribution	reproduction or imitation of work of fine arts made by natural person for personal use: to be “visibly designated as such”
Subject to Remuneration	printed reproductions: remuneration payable to author by producer/importer/consignee/carrier ⁴¹⁰ of technical devices for making printed reproductions and provider of paid reproduction services, ⁴¹¹ at time of import/receipt/first sale ⁴¹²

Provision	Arts. 20(1), 25(1)(b), 30(2)
Scope of private/personal use	reproduction, by transfer by device to blank record carrier, of
Type(s) of source work(s)	a work, (computer program, electronic database), ⁴¹³ (work of architecture in the form of building), ⁴¹⁴ fixation of an audio, audiovisual work, ⁴¹⁵ (while it is performed from a fixation or during its transmission) ⁴¹⁶ or other fixation or broadcasting

⁴⁰⁶ Art. 30(3).

⁴⁰⁷ Art. 30(3).

⁴⁰⁸ Art. 30(1).

⁴⁰⁹ Art. 30(5).

⁴¹⁰ Art. 25(2)(b).

⁴¹¹ Art. 25(2)(e).

⁴¹² Art. 25(3). Art. 25 goes on to spell out the calculations of the remuneration payable.

⁴¹³ Art. 30(3).

⁴¹⁴ Art. 30(3).

⁴¹⁵ Art. 20(1) read with Art. 30(3).

⁴¹⁶ Art. 30(3).

Entity exercising private/personal use	natural person
Purpose of private/personal use	for personal use
Condition of private/personal use	without seeking to achieve direct or indirect economic benefit ⁴¹⁷ reproduction may not be used for any other purpose ⁴¹⁸
Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	fixation by transfer: remuneration payable to author by producer/importer/consignee/carrier ⁴¹⁹ of technical devices for making reproductions of fixations, blank record carriers and provider of paid reproduction services, ⁴²⁰ at time of import/receipt/first sale ⁴²¹

Provision	Arts. 30a
Scope of private/personal use	printed reproduction of
Type(s) of source work(s)	a work on paper or other similar base by photographic technique or by any other process with similar effects, (computer program, electronic database), ⁴²² (work of architecture in the form of building), ⁴²³ made public
Entity exercising private/personal use	anybody, who upon order, for personal use by a natural person or for a legal person/sole trader's own internal use
Purpose of private/personal use	
Condition of private/personal use	reproduction may not be used for any other purpose ⁴²⁴
Preclusions (not part of private/personal use)	
Subject to Attribution	reproduction or imitation of work of fine arts made by natural person for personal use: to be "visibly designated as such"
Subject to Remuneration	printed reproductions: remuneration payable to author by provider of paid reproduction services, ⁴²⁵ at time of first sale ⁴²⁶
Provision	Arts. 30a
Scope of private/personal use	printed reproduction of
Type(s) of source work(s)	a work on paper or other similar base by photographic technique or by any other

⁴¹⁷ Art. 30(1).

⁴¹⁸ Art. 30(5).

⁴¹⁹ Art. 25(2)(a), (c), (d).

⁴²⁰ Art. 25(2)(e).

⁴²¹ Art. 25(3). Art. 25 goes on to spell out the calculations of the remuneration payable.

⁴²² Art. 30(3).

⁴²³ Art. 30(3).

⁴²⁴ Art. 30(5).

⁴²⁵ Art. 25(2)(e).

⁴²⁶ Art. 25(3). Art. 25 goes on to spell out the calculations of the remuneration payable.

	process with similar effects, (computer program, electronic database), ⁴²⁷ (work of architecture in the form of building), ⁴²⁸ made public
Entity exercising private/personal use	natural person, legal person/sole trader
Purpose of private/personal use	natural person: for personal use legal person/sole trader: for own internal use
Condition of private/personal use	reproduction may not be used for any other purpose ⁴²⁹
Preclusions (not part of private/personal use)	printed reproduction is made of musical notation of a musical work or musical – dramatical work
Subject to Attribution	reproduction or imitation of work of fine arts made by natural person for personal use: to be “visibly designated as such”
Subject to Remuneration	printed reproductions: remuneration payable to author by producer/importer/consignee/carrier ⁴³⁰ of technical devices for making printed reproductions at time of import/receipt/first sale ⁴³¹

Provision	Art. 92(a)
Scope of private/personal use	extracts or re-utilises a substantial part of
Type(s) of source work(s)	the content of the database
Entity exercising private/personal use	lawful user of database
Purpose of private/personal use	for personal purposes
Condition of private/personal use	
Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	

Provision	Art. 92(b)
Scope of private/personal use	extracts or re-utilises a substantial part of
Type(s) of source work(s)	the content of the database
Entity exercising private/personal use	lawful user of database
Purpose of private/personal use	for scientific or educational purposes
Condition of private/personal use	within the scope justified by the pursued non-gainful purpose
Preclusions (not part of private/personal use)	
Subject to Attribution	source
Subject to Remuneration	

3. Quotations

⁴²⁷ Art. 30(3).

⁴²⁸ Art. 30(3).

⁴²⁹ Art. 30(5).

⁴³⁰ Art. 25(2)(b).

⁴³¹ Art. 25(3). Art. 25 goes on to spell out the calculations of the remuneration payable.

Provision	Art. 31(1)(a)
Scope of quotation	uses excerpts from
Type(s) of source work(s)	works of other authors which were made public
Entity exercising quotation	author of own work
Purpose of quotation	
Condition of quotation	use of excerpts to a justified extent
Preclusions (not part of quotation)	
Subject to Attribution	title, source, name of author (unless anonymous or pseudonym is used)
Subject to Remuneration	

Provision	Art. 31(1)(b)
Scope of quotation	uses excerpts from
Type(s) of source work(s)	works, or small works in their entirety
Entity exercising quotation	author of own work
Purpose of quotation	critique or review related to such a work and for the purposes of scientific or technical work
Condition of quotation	use of excerpts to extent complying with fair practices and required by specific purpose
Preclusions (not part of quotation)	
Subject to Attribution	title, source, name of author (unless anonymous or pseudonym is used)
Subject to Remuneration	

4. Educational Reproduction

Provision	Art. 31(1)(c)
Nature of educational reproduction	use
Type(s) of source work(s)	work
Entity exercising reproduction	
Purpose of educational reproduction	while teaching for illustration purposes or during scientific research
Qualification(s)	without seeking to achieve direct or indirect economic or commercial advantage
Frequency/Multiple copies and Limits	without exceeding extent adequate to given purpose
Collective Licence/remuneration	
Attribution	title, source, name of author (unless anonymous or pseudonym is used)
Provision	Art. 35(3)
Nature of educational reproduction	use
Type(s) of source work(s)	a work created by a pupil or student as part of his school or educational assignments ensuing from his legal relationship to his school or the school-related or educational establishment (school work)
Entity exercising reproduction	a school or school-related or educational establishment
Purpose of educational reproduction	use for teaching purposes or to meet their own internal needs a work

Qualification(s)	not done for the purpose of any direct or indirect economic or commercial advantage
Frequency/Multiple copies and Limits	
Collective Licence/remuneration	
Attribution	

5. Educational Publications/Anthologies/Compilations/Composite Works6. School Performances

Provision	Art. 35(2)
Scope of school performance	uses, during school performances,
Type(s) of source work(s)	a work
Entity exercising school performance	anyone
Purpose of school performance	performed exclusively by the pupils, students or teachers of the school or of the school-related or educational establishment
Condition of school performance	not done for the purpose of any direct or indirect economic or commercial advantage
Preclusions (not part of school performance)	
Subject to Attribution	
Subject to Remuneration	

7. Educational Broadcasts/Communications/Recordings8. Compulsory Licences for Educational Reproductions and Translations9. TPM/RMI Exceptions for Educational Purposes

Provision	Art. 43(4)
Scope of TPM/RMI limitation/exception	exception to require author who used technical measures in respect of his work to make work available to lawful users
Type(s) of source work(s)	
Beneficiary exercising limitation/exception	lawful users: users who use work for personal use or internal use (Art. 30a), or for critique, review, scientific or technical work (Art. 31(1)(b))
Purpose of limitation/exception	to the extent necessary to fulfil the purpose of the stated exploitation of work [pursuant to exception]
Condition of limitation/exception	

***Democratic People's Republic of Korea**

1. Legislation Reviewed

Copyright Law of the Democratic People's Republic of Korea (as amended by Decree No. 1532 of February 1, 2006, of the Presidium of the Supreme People's Assembly)

2. Private/Personal Use

3. Quotations

4. Educational Reproduction

5. Educational Publications/Anthologies/Compilations/Composite Works

6. School Performances

7. Educational Broadcasts/Communications/Recordings

8. Compulsory Licences for Educational Reproductions and Translations

9. TPM/RMI Exceptions for Educational Purposes

Democratic Republic of the Congo

1. Legislation Reviewed

Ordinance-Law No. 86-033 of April 5, 1986 on the Protection of Copyright and Related Rights of Apr. 5, 1986

2. Private/Personal Use

3. Quotations

4. Educational Reproduction

Provision	Art. 24
Nature of educational reproduction	reproduce quotations or excerpts of
Type(s) of source work(s)	protected works
Entity exercising reproduction	
Purpose of educational reproduction	cultural, scientific, teaching, critical or polemic purposes
Qualification(s)	
Frequency/Multiple copies and Limits	
Collective Licence/remuneration	
Attribution	source, title, name of author

Provision	Art. 27
Nature of educational reproduction	reproduction or summarization of
Type(s) of source work(s)	lessons delivered as part of teaching
Entity exercising reproduction	the people to whom [lessons] are addressed
Purpose of educational reproduction	
Qualification(s)	may not be published, in part or in full, without the written authorization of the authors or their successors
Frequency/Multiple copies and Limits	
Collective Licence/remuneration	
Attribution	

5. Educational Publications/Anthologies/Compilations/Composite Works

Provision	Art. 25
Scope of anthologies/compilations limitation/exception	reproduce, in anthologies intended for teaching use and in scientific works
Type(s) of source work(s)	photographs
Entity exercising anthologies/compilations limitation/exception	
Purpose of anthologies/compilations limitation/exception	to illustrate a text
Condition of anthologies/compilations limitation/exception	
Preclusions (not part of anthologies/compilations limitation/exception)	
Subject to Attribution	

Subject to Remuneration	
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Art.28.The reproduction of an architectural work by means of photography, cinematography, television or any other similar procedure, as well as the publication of the corresponding photographs in newspapers, journals and school textbooks, shall be lawful and may not give rise to payment of copyright.

Provision	Art. 28
Scope of anthologies/compilations limitation/exception	reproduction, by publication of corresponding photographs in school textbooks
Type(s) of source work(s)	an architectural work
Entity exercising anthologies/compilations limitation/exception	
Purpose of anthologies/compilations limitation/exception	
Condition of anthologies/compilations limitation/exception	
Preclusions (not part of anthologies/compilations limitation/exception)	
Subject to Attribution	
Subject to Remuneration	

6. School Performances

Provision	Art. 31
Scope of school performance	carrying out performances
Type(s) of source work(s)	a work already disseminated
Entity exercising school performance	
Purpose of school performance	
Condition of school performance	performance given free of charge in in a teaching establishment during school hours and have a direct bearing on the subject of the lesson
Preclusions (not part of school performance)	
Subject to Attribution	
Subject to Remuneration	

7. Educational Broadcasts/Communications/Recordings

8. Compulsory Licences for Educational Reproductions and Translations

9. TPM/RMI Exceptions for Educational Purposes

Denmark

1. Legislation Reviewed

Consolidated Act on Copyright 2014 (Consolidate Act No. 1144 of October 23, 2014, on Copyright)

2. Private/Personal Use

Provision	s 12
Scope of private/personal use	make or have made single copies of
Type(s) of source work(s)	works, (performances, ⁴³² sound recordings, ⁴³³ recordings of moving pictures, ⁴³⁴ radio and television broadcasts, ⁴³⁵ phonographic pictures, ⁴³⁶ catalogues, tables, databases etc. ⁴³⁷) which have been made public
Entity exercising private/personal use	anyone
Purpose of private/personal use	private purposes; not done for commercial purposes
Condition of private/personal use	copies must not be used for any other purpose
Preclusions (not part of private/personal use)	<p>construct works of architecture, copy of art by casting, printing from original negative or base, or “any other manner implying that the copy can be considered as an original”, copies in digital form of a digital database, copies of computer program, make single copies in digital form of other works (that are not lent or hired)⁴³⁸ than computer programs and databases unless this is done exclusively for the personal use of the copying person himself or his household⁴³⁹</p> <p>no rights to engage another to make copies of musical works, cinematographic works, literary works if the other person assists for commercial purposes, works of applied art and works of art if copying is in the form of artistic reproduction⁴⁴⁰</p> <p>no entitlement to make copies of musical and cinematographic works using technical equipment made available to the public in libraries, on business premises, or in other places accessible to the public, or copies of literary works from technical equipment provided for commercial purposes⁴⁴¹</p>

⁴³² S 65(6).

⁴³³ S 66(2)

⁴³⁴ S 67(2).

⁴³⁵ S 69(3).

⁴³⁶ S 70(3).

⁴³⁷ S 71(5).

⁴³⁸ S 12(3).

⁴³⁹ S 12(2)(v).

⁴⁴⁰ S 12(4).

⁴⁴¹ S 12(5).

Subject to Attribution	if “work is used publicly” ⁴⁴² , source indicated in accordance with requirements of proper usage ⁴⁴³
Subject to Remuneration	levy payable by producer or importer of tapes etc. onto which are copied works broadcast on radio or television or published on phonogram, film, videogram ⁴⁴⁴

3. Quotations

Provision	s 22
Scope of quotation	quote from
Type(s) of source work(s)	a work, (performance, ⁴⁴⁵ sound recording, ⁴⁴⁶ recording of moving pictures, ⁴⁴⁷ radio and television broadcast, ⁴⁴⁸ catalogue, table, database etc. ⁴⁴⁹) which has been made public
Entity exercising quotation	
Purpose of quotation	
Condition of quotation	in accordance with proper usage and to extent required for the purpose
Preclusions (not part of quotation)	
Subject to Attribution	if “work is used publicly” ⁴⁵⁰ , source indicated in accordance with requirements of proper usage ⁴⁵¹
Subject to Remuneration	

4. Educational Reproduction

Provision	s 13(1)
Nature of educational reproduction	copies (including recordings)
Type(s) of source work(s)	published works, works broadcast in radio and television (not applicable to cinematographic works which are part of general cinema repertoire of feature films except brief excerpts, ⁴⁵² not applicable to computer programs ⁴⁵³), (performances, ⁴⁵⁴ sound recordings, ⁴⁵⁵ recordings of moving pictures, ⁴⁵⁶ radio and television phonographic pictures, ⁴⁵⁷ catalogues, tables, databases etc. ⁴⁵⁸)

⁴⁴² *** does this mean the source work is publicly available, or that the targeted work is publicly available?

⁴⁴³ S 11(3).

⁴⁴⁴ S 39(1), (2). More details of the remuneration are spelt out in ss 40-46a.

⁴⁴⁵ S 65(6).

⁴⁴⁶ S 66(2)

⁴⁴⁷ S 67(2).

⁴⁴⁸ S 69(3).

⁴⁴⁹ S 71(5).

⁴⁵⁰ *** does this mean the source work is publicly available, or that the targeted work is publicly available?

⁴⁵¹ S 11(3).

⁴⁵² S 13(2).

⁴⁵³ S 13(3).

⁴⁵⁴ S 65(6).

⁴⁵⁵ S 66(2)

⁴⁵⁶ S 67(2).

⁴⁵⁷ S 70(3).

⁴⁵⁸ S 71(5).

Entity exercising reproduction	anyone
Purpose of educational reproduction	only in educational activities comprised by collective licence presumed in section 50
Qualification(s)	
Frequency/Multiple copies and Limits	
Collective Licence/remuneration	“extended collective license” ⁴⁵⁹
Attribution	if “work is used publicly” ⁴⁶⁰ , source indicated in accordance with requirements of proper usage ⁴⁶¹
Provision	s 23(1)
Nature of educational reproduction	use works of art and works of a descriptive nature (i.e. maps, drawings) ⁴⁶² , (phonographic pictures ⁴⁶³)
Type(s) of source work(s)	
Entity exercising reproduction	
Purpose of educational reproduction	in critical or scientific presentations in connection with the text
Qualification(s)	no reproduction for commercial purposes
Frequency/Multiple copies and Limits	in accordance with proper usage and to extent required for the purpose
Collective Licence/remuneration	
Attribution	if “work is used publicly” ⁴⁶⁴ , source indicated in accordance with requirements of proper usage ⁴⁶⁵

5. Educational Publications/Anthologies/Compilations/Composite Works

Provision	s 18
Scope of anthologies/compilations limitation/exception	minor portions, used in composite works comprising contributions by a large number of authors of,
Type(s) of source work(s)	literary works (including maps, drawings and other works of a descriptive nature executed in graphic or plastic form considered as literary works), ⁴⁶⁶ musical works, (performances, ⁴⁶⁷ sound recordings, ⁴⁶⁸ recordings of moving pictures, ⁴⁶⁹ phonographic pictures, ⁴⁷⁰ catalogues, tables, databases etc. ⁴⁷¹) or such works of small proportions
Entity exercising anthologies/compilations	

⁴⁵⁹ S 50 (giving licensees who have made an agreement with a CMO for a substantial number of authors, the right to exploit other works of the same nature even though authors of these other works are not represented by the CMO).

⁴⁶⁰ *** does this mean the source work is publicly available, or that the targeted work is publicly available?

⁴⁶¹ S 11(3).

⁴⁶² S 1(2).

⁴⁶³ S 70(3).

⁴⁶⁴ *** does this mean the source work is publicly available, or that the targeted work is publicly available?

⁴⁶⁵ S 11(3).

⁴⁶⁶ S 1(2) read with s 18(1).

⁴⁶⁷ S 65(6).

⁴⁶⁸ S 66(2).

⁴⁶⁹ S 67(2).

⁴⁷⁰ S 70(3).

⁴⁷¹ S 71(5).

limitation/exception	
Purpose of anthologies/compilations limitation/exception	educational activities
Condition of anthologies/compilations limitation/exception	5 years have lapsed since year of first publication
Preclusions (not part of anthologies/compilations limitation/exception)	works prepared for use in educational activities or if use is for commercial purposes
Subject to Attribution	if "work is used publicly" ⁴⁷² , source indicated in accordance with requirements of proper usage ⁴⁷³
Subject to Remuneration	author entitled to remuneration ⁴⁷⁴
Provision	s 18(3)
Scope of anthologies/compilations limitation/exception	used in song booklets
Type(s) of source work(s)	a few published songs
Entity exercising anthologies/compilations limitation/exception	
Purpose of anthologies/compilations limitation/exception	solely for use of participants in a particular meeting
Condition of anthologies/compilations limitation/exception	not more than 300 copies of each booklet may be produced
Preclusions (not part of anthologies/compilations limitation/exception)	
Subject to Attribution	if "work is used publicly" ⁴⁷⁵ , source indicated in accordance with requirements of proper usage ⁴⁷⁶
Subject to Remuneration	free

6. School Performances

Provision	s 21
Scope of school performance	public performance of
Type(s) of source work(s)	a published work, which is not a dramatic work or a cinematographic work, or (performances, ⁴⁷⁷ sound recordings, ⁴⁷⁸ radio and television broadcasts, ⁴⁷⁹ phonographic pictures, ⁴⁸⁰ catalogues, tables, databases etc. ⁴⁸¹)
Entity exercising school performance	
Purpose of school performance	divine services or educational activities
Condition of school performance	audience is admitted free of charge, performance is not the main feature of the event, and where event does not occur for

⁴⁷² *** does this mean the source work is publicly available, or that the targeted work is publicly available?

⁴⁷³ S 11(3).

⁴⁷⁴ If no agreement is reached on quantum of remuneration, the dispute may be brought before the Copyright License Tribunal under s 47.

⁴⁷⁵ *** does this mean the source work is publicly available, or that the targeted work is publicly available?

⁴⁷⁶ S 11(3).

⁴⁷⁷ S 65(6).

⁴⁷⁸ S 66(2).

⁴⁷⁹ S 69(3).

⁴⁸⁰ S 70(3).

⁴⁸¹ S 71(5).

	commercial purposes
Preclusions (not part of school performance)	does not apply to performances on radio or television and to performances in educational activities which occur for commercial purposes
Subject to Attribution	if "work is used publicly" ⁴⁸² , source indicated in accordance with requirements of proper usage ⁴⁸³
Subject to Remuneration	

7. Educational Broadcasts/Communications/Recordings

Provision	s 13(1)
Scope of broadcast/communication/recording	copies (including recordings)
Type(s) of source work(s)	published works, works broadcast in radio and television (not applicable to cinematographic works which are part of general cinema repertoire of feature films except brief excerpts, ⁴⁸⁴ not applicable to computer programs ⁴⁸⁵), (performances, ⁴⁸⁶ sound recordings, ⁴⁸⁷ recordings of moving pictures, ⁴⁸⁸ radio and television phonographic pictures, ⁴⁸⁹ catalogues, tables, databases etc. ⁴⁹⁰)
Entity exercising broadcast/communication/recording	anyone
Purpose of broadcast/communication/recording	only in educational activities comprised by collective licence presumed in section 50
Condition of broadcast/communication/recording	
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	if "work is used publicly" ⁴⁹¹ , source indicated in accordance with requirements of proper usage ⁴⁹²
Subject to Remuneration	
Provision	s 13(4)
Scope of broadcast/communication/recording	recordings
Type(s) of source work(s)	[teachers and students] own performances of works, (performances, ⁴⁹³ sound recordings, ⁴⁹⁴ recordings of moving pictures, ⁴⁹⁵ phonographic

⁴⁸² *** does this mean the source work is publicly available, or that the targeted work is publicly available?

⁴⁸³ S 11(3).

⁴⁸⁴ S 13(2).

⁴⁸⁵ S 13(3).

⁴⁸⁶ S 65(6).

⁴⁸⁷ S 66(2).

⁴⁸⁸ S 67(2).

⁴⁸⁹ S 70(3).

⁴⁹⁰ S 71(5).

⁴⁹¹ *** does this mean the source work is publicly available, or that the targeted work is publicly available?

⁴⁹² S 11(3).

⁴⁹³ S 65(6).

⁴⁹⁴ S 66(2).

⁴⁹⁵ S 67(2).

	pictures, ⁴⁹⁶ catalogues, tables, databases etc. ⁴⁹⁷)
Entity exercising broadcast/communication/recording	teachers and students
Purpose of broadcast/communication/recording	not done for commercial purposes; recordings may not be used for any other purpose
Condition of broadcast/communication/recording	
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	
Subject to Remuneration	if “work is used publicly” ⁴⁹⁸ , source indicated in accordance with requirements of proper usage ⁴⁹⁹

8. Compulsory Licences for Educational Reproductions and Translations
9. TPM/RMI Exceptions for Educational Purposes

⁴⁹⁶ S 70(3).

⁴⁹⁷ S 71(5).

⁴⁹⁸ *** does this mean the source work is publicly available, or that the targeted work is publicly available?

⁴⁹⁹ S 11(3).

Djibouti

1. Legislation Reviewed

Law No. 154/AN/06 of 23 July 2006 on the Protection of Copyright and Neighboring Rights

2. Private/Personal Use

Provision	Arts. 54(a), 65(d)
Scope of private/personal use	reproduction, translation, adaptation, arrangement or other transformation of
Type(s) of source work(s)	a lawfully published protected work, (a performance, phonogram or broadcast) ⁵⁰⁰
Entity exercising private/personal use	
Purpose of private/personal use	exclusively for producer's own personal or private use
Condition of private/personal use	
Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	(reproduction of sound, visual, audiovisual recording on physical media of works, performance or phonograms) remuneration for Djiboutian authors, performers and phonogram producers, of a sum to be based on the nature and recording length of these physical media ⁵⁰¹ , by producers or importers of physical media
Provision	Art 54(i)
Scope of private/personal use	production of
Type(s) of source work(s)	a copy or adaptation of software
Entity exercising private/personal use	legitimate owner
Purpose of private/personal use	archiving/backup or necessary for use of computer program
Condition of private/personal use	in a single copy
Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	

3. Quotations

Provision	Art. 54(b)
Scope of quotation	inclusion of
Type(s) of source work(s)	nonsubstantial quotations from another lawfully published work, including quotations from newspaper articles and periodicals in the form of press summaries,
Entity exercising quotation	
Purpose of quotation	
Condition of quotation	quotations are compatible with fair practice and their extent does not exceed that justified by the purpose
Preclusions (not part of quotation)	

⁵⁰⁰ Art. 65(d) (limiting neighboring rights in relation to reproduction solely for personal and private use of producer).

⁵⁰¹ Art. 66. Arts. 67, 68 contain more details about the rates of remuneration and means of payment and reimbursement.

Subject to Attribution	source, name of author
Subject to Remuneration	
Provision	Art. 65(e)
Scope of quotation	reproduction, in the form of, quotation, of
Type(s) of source work(s)	a performance, a phonogram or a broadcast ⁵⁰²
Entity exercising quotation	
Purpose of quotation	
Condition of quotation	“short fragments” a performance, a phonogram or a broadcast quotations are compatible with fair practice and their extent does not exceed that justified by the purpose
Preclusions (not part of quotation)	
Subject to Attribution	
Subject to Remuneration	

4. Educational Reproduction

Provision	Art. 54(e)
Nature of educational reproduction	reproduction by photographic or similar process
Type(s) of source work(s)	literary, artistic or scientific works which have already been lawfully made available to the public use of a performance, a phonogram or a broadcast ⁵⁰³
Entity exercising reproduction	public libraries, noncommercial documentation centers, scientific institutions and educational establishments
Purpose of educational reproduction	
Qualification(s)	
Frequency/Multiple copies and Limits	number of copies made is limited to the needs of their regular activities such reproduction “does not conflict with the normal uses of the work nor unreasonably prejudices the legitimate interests of the author”
Collective Licence/remuneration	
Attribution	

5. Educational Publications/Anthologies/Compilations/Composite Works

Provision	Art. 54(c)
Scope of anthologies/compilations limitation/exception	use, by way of illustration in publications, broadcasts or sound or visual recordings, or communication of work broadcasted,
Type(s) of source work(s)	a work, (a performance, a phonogram or a

⁵⁰² Art. 65(e) (limiting neighboring rights in relation to reproduction in the form of quotation).

⁵⁰³ Art. 65(f) (applying copyright exceptions mutatis mutandis to neighboring rights).

	broadcast ⁵⁰⁴)
Entity exercising anthologies/compilations limitation/exception	
Purpose of anthologies/compilations limitation/exception	for teaching/for teaching purposes for use in schools, educational establishments, universities and vocational training
Condition of anthologies/compilations limitation/exception	
Preclusions (not part of anthologies/compilations limitation/exception)	work by way of illustration etc.: to the extent justified by the intended purpose
Subject to Attribution	use to be compatible with fair practice source, name of author (in publication, broadcast, recording)
Subject to Remuneration	

6. School Performances

Provision	Art. 54(d)
Scope of school performance	public performance of
Type(s) of source work(s)	a work, (a performance, a phonogram or a broadcast) ⁵⁰⁵
Entity exercising school performance	teaching establishment
Purpose of school performance	teaching activities
Condition of school performance	
Preclusions (not part of school performance)	
Subject to Attribution	
Subject to Remuneration	

7. Educational Broadcasts/Communications/Recordings

Provision	Art. 65(b)
Scope of broadcast/communication/recording	reproduction
Type(s) of source work(s)	a performance, phonogram or broadcast ⁵⁰⁶
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	solely for scientific research
Condition of broadcast/communication/recording	
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	
Subject to Remuneration	
Provision	Art. 54(c)
Scope of broadcast/communication/recording	use, by way of illustration in publications, broadcasts or sound or visual recordings, or communication of work broadcasted,
Type(s) of source work(s)	a work, (a performance, a phonogram or a

⁵⁰⁴ Art. 65(f) (applying copyright exceptions mutatis mutandis to neighboring rights).

⁵⁰⁵ Art. 65(f) (applying copyright exceptions mutatis mutandis to neighboring rights).

⁵⁰⁶ Art. 65(b) (limiting neighboring rights in relation to reproduction solely for scientific research).

	broadcast ⁵⁰⁷)
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	for teaching/for teaching purposes for use in schools, educational establishments, universities and vocational training
Condition of broadcast/communication/recording	
Preclusions (not part of broadcast/communication/recording)	work by way of illustration etc.: to the extent justified by the intended purpose use to be compatible with fair practice
Subject to Attribution	source, name of author (in publication, broadcast, recording)
Subject to Remuneration	
Provision	Art. 56
Scope of broadcast/communication/recording	licence to translate
Type(s) of source work(s)	any work, and any text incorporated in an audiovisual work that is itself prepared and published for school and university use
Entity exercising broadcast/communication/recording	Djibouti Radio and Television
Purpose of broadcast/communication/recording	translation is used only in broadcasts intended exclusively for teaching or for the dissemination of the result of specialized research to experts in a particular profession
Condition of broadcast/communication/recording	
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	
Subject to Remuneration	

8. Compulsory Licences for Educational Reproductions and Translations

Provision	Art. 55
Nature of compulsory licence for translation for educational purposes	non-exclusive compulsory licence, for translation and publication of work in Djibouti
Type(s) of source work(s)	a writing
Licence applicant/entity	
Purpose of licence	license intended for school, university or research use
Qualification(s)	written publication has not been previously translated and published in Djibouti within 1 year from first publication by owner or with his authorization, or if all previous editions of a translation are out of print applicant establishes that, after due diligence on his part, he was unable to find the owner of the right of translation or to obtain his

⁵⁰⁷ Art. 65(f) (applying copyright exceptions mutatis mutandis to neighboring rights).

	authorization
Compulsory licence fee(s)	owner of translation right to receive just and equitable compensation
Price of publication	
Distribution conditions	
Grantor of Collective Licence	Ministry responsible for culture
Provision	Art. 57
Nature of compulsory licence for translation for educational purposes	non-exclusive compulsory licence for reproduction and publication in Djibouti
Type(s) of source work(s)	literary, scientific or artistic work published in print or as an audiovisual reproduction or in any other analogous form of reproduction
Licence applicant/entity	
Purpose of licence	school teaching and university requirements
Qualification(s)	work in print/audiovisual reproduction was not offered for sale at a price comparable to that in use for similar works, or all previous editions are out of print, after: <ul style="list-style-type: none"> • 5 years from first publication • 3 years from first publication of a work of natural and physical sciences and technology • 7 years from first publication of works that belong to the realm of the imagination, such as novels and poetic, dramatic and musical works, as well as art books, encyclopaedias and anthologies
Compulsory licence fee(s)	owner of reproduction right to receive just and equitable compensation
Price of publication	
Distribution conditions	
Grantor of Collective Licence	Ministry responsible for culture

9. TPM/RMI Exceptions for Educational Purposes

Dominica

1. Legislation Reviewed

Copyright Act 2003 (Act 5 of 2003)

2. Private/Personal Use

Provision	s 63
Scope of private/personal use	private reproduction of
Type(s) of source work(s)	a published work, (performance, sound recording, broadcast) ⁵⁰⁸
Entity exercising private/personal use	any person
Purpose of private/personal use	exclusively for his own personal purposes
Condition of private/personal use	in a single copy
Preclusions (not part of private/personal use)	works of architecture, reprographic reproduction by electronic means of whole or substantial part of book or recording of musical work, whole or substantial part of a digital database, a computer program, any work where “reproduction would conflict with a normal exploitation of work or unreasonably prejudice legitimate interests of author or other copyright owner”
Subject to Attribution	
Subject to Remuneration	

3. Quotations

Provision	s 65
Scope of quotation	reproduction, in the form of quotation, of
Type(s) of source work(s)	a short part of a published work that has been made available, (a performance, sound recording, broadcast) ⁵⁰⁹
Entity exercising quotation	
Purpose of quotation	
Condition of quotation	reproduction is compatible with “fair practice” ⁵¹⁰ reproduction does not exceed extent justified by the purpose
Preclusions (not part of quotation)	
Subject to Attribution	source, name of author (if on source)
Subject to Remuneration	

4. Educational Reproduction

Provision	s 67(1)(b)
Nature of educational reproduction	reprographic reproduction
Type(s) of source work(s)	published articles, other short works or short extracts of work

⁵⁰⁸ S 30(d) (extending copyright limitations to neighbouring rights).

⁵⁰⁹ S 30(d) (extending copyright limitations to neighbouring rights).

⁵¹⁰ S 66 (defining fair practice as a determination by the court of all factors which appear to be relevant, including the nature of the work in question, the extent and substantiality of that part of the work affected by the act in relation to the whole of the work, and the effect of that act upon the potential market on the commercial value of the work).

Entity exercising reproduction	
Purpose of educational reproduction	face-to-face teaching in educational institutions
Qualification(s)	activities of which do not serve direct or indirect commercial gain
Frequency/Multiple copies and Limits	to the extent justified by the purpose isolated one; if repeated, each occurrence be separate and unrelated
Collective Licence/remuneration	no collective licence available by CMO of which educational institution is or should be aware
Attribution	source, name of author (on all copies made as far as practicable) ⁵¹¹

5. Educational Publications/Anthologies/Compilations/Composite Works

Provision	s 67(1)(a)
Scope of anthologies/compilations limitation/exception	reproduction, by way of illustration, in writing or sound or visual recordings
Type(s) of source work(s)	short part of a published work
Entity exercising anthologies/compilations limitation/exception	
Purpose of anthologies/compilations limitation/exception	teaching purposes
Condition of anthologies/compilations limitation/exception	
Preclusions (not part of anthologies/compilations limitation/exception)	reproduction is compatible with fair practice and does not exceed the extent justified by the purpose
Subject to Attribution	source, name of author (on all copies made as far as practicable) ⁵¹²
Subject to Remuneration	

6. School Performances

7. Educational Broadcasts/Communications/Recordings

Provision	s 67(1)(a)
Scope of broadcast/communication/recording	reproduction, by way of illustration, in writing or sound or visual recordings
Type(s) of source work(s)	short part of a published work
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	teaching purposes
Condition of broadcast/communication/recording	
Preclusions (not part of broadcast/communication/recording)	reproduction is compatible with fair practice and does not exceed the extent justified by the purpose

⁵¹¹ S 67(2).

⁵¹² S 67(2).

Subject to Attribution	source, name of author (on all copies made as far as practicable) ⁵¹³
Subject to Remuneration	
Provision	s 30(b)
Scope of broadcast/communication/recording	reproduction
Type(s) of source work(s)	a performance, sound recording, broadcast ⁵¹⁴
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	solely for scientific research
Condition of broadcast/communication/recording	
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	
Subject to Remuneration	
Provision	s 30(c)
Scope of broadcast/communication/recording	reproduction
Type(s) of source work(s)	a performance, sound recording, broadcast ⁵¹⁵
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	solely for face-to-face teaching activities
Condition of broadcast/communication/recording	except for performances and phonograms which have been published as teaching or instructional materials
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	
Subject to Remuneration	

8. Compulsory Licences for Educational Reproductions and Translations9. TPM/RMI Exceptions for Educational Purposes

⁵¹³ S 67(2).⁵¹⁴ S 30(b).⁵¹⁵ S 30(c).

Dominican Republic

1. Legislation Reviewed

Law No. 65-00 on Copyright

2. Private/Personal Use

Provision	Art. 37
Scope of private/personal use	reproduce
Type(s) of source work(s)	a literary or scientific work, (performance, phonogram, broadcast) ⁵¹⁶
Entity exercising private/personal use	
Purpose of private/personal use	personal use and not for profitmaking purposes
Condition of private/personal use	once and in a single copy
Preclusions (not part of private/personal use)	computer program ⁵¹⁷
Subject to Attribution	
Subject to Remuneration	sound or audiovisual recording, as established in the Regulations
Provision	Art. 44(4)
Scope of private/personal use	private communications of
Type(s) of source work(s)	works, (performance, phonogram, broadcast) ⁵¹⁸
Entity exercising private/personal use	
Purpose of private/personal use	domestic environment
Condition of private/personal use	without being reproduced not for profitmaking purposes
Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	

3. Quotations

Provision	Art. 31
Scope of quotation	quote an author by transcribing the necessary passages of
Type(s) of source work(s)	works, (performance, phonogram, broadcast) ⁵¹⁹
Entity exercising quotation	
Purpose of quotation	
Condition of quotation	they are not of such length and continuity that they might reasonably be considered a simulated, substantial reproduction of the content of his work that causes injury to the author thereof
Preclusions (not part of quotation)	
Subject to Attribution	source (other info identifying the work quoted), title, name of author
Subject to Remuneration	(where inclusion of works of others constitutes main part of the new work) equitable award of

⁵¹⁶ Art. 134 (extending limitations and exceptions to neighbouring rights).

⁵¹⁷ Art. 37 (providing that computer programs are governed by guidelines expressly established).

⁵¹⁸ Art. 134 (extending limitations and exceptions to neighbouring rights).

⁵¹⁹ Art. 134 (extending limitations and exceptions to neighbouring rights).

	proportional amount to each of holders of rights in included works
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4. Educational Reproduction

Provision	Art. 32
Nature of educational reproduction	reprographic reproduction
Type(s) of source work(s)	articles lawfully published in newspapers or magazines, or brief extracts from lawfully published works, (performances, phonograms, broadcasts) ⁵²⁰
Entity exercising reproduction	
Purpose of educational reproduction	for teaching or for the holding of examinations in educational establishments
Qualification(s)	such use is carried out in accordance with “fair practice” use does not entail sale or any other transaction for payment no direct or indirect profitmaking purposes
Frequency/Multiple copies and Limits	
Collective Licence/remuneration	
Attribution	
Provision	Art. 40
Nature of educational reproduction	noting down and collection
Type(s) of source work(s)	lectures or talks delivered at establishments of higher, secondary or primary education
Entity exercising reproduction	students to whom lectures/talks are addressed
Purpose of educational reproduction	
Qualification(s)	full or partial reproduction, distribution or communication of notes prohibited without written authorization of lecturer/speaker
Frequency/Multiple copies and Limits	
Collective Licence/remuneration	
Attribution	

5. Educational Publications/Anthologies/Compilations/Composite Works

6. School Performances

7. Educational Broadcasts/Communications/Recordings

Provision	Art. 44(1)
Scope of broadcast/communication/recording	communications of
Type(s) of source work(s)	works, (performances, phonograms, broadcasts) ⁵²¹
Entity exercising broadcast/communication/recording	within the grounds or buildings of educational institutions
Purpose of broadcast/communication/recording	strictly educational purposes

⁵²⁰ Art. 134 (extending limitations and exceptions to neighbouring rights).

⁵²¹ Art. 134 (extending limitations and exceptions to neighbouring rights).

Condition of broadcast/communication/recording	without being reproduced no charge whatsoever is made for admission
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	
Subject to Remuneration	

8. Compulsory Licences for Educational Reproductions and Translations

Provision	Art. 45
Nature of compulsory licence for translation for educational purposes	non-exclusive, non-transferable compulsory licence, for translation and reproduction
Type(s) of source work(s)	foreign works, (performances, phonograms, broadcasts) ⁵²²
Licence applicant/entity	
Purpose of licence	
Qualification(s)	to ensure a correct translation of the work or an accurate reproduction of the edition
Compulsory licence fee(s)	holder of compulsory licence to pay a equitable remuneration to right owner ⁵²³
Price of publication	
Distribution conditions	
Grantor of Collective Licence	

9. TPM/RMI Exceptions for Educational Purposes

⁵²² Art. 134 (extending limitations and exceptions to neighbouring rights).

⁵²³ Art. 46.

Ecuador

1. Legislation Reviewed

Intellectual Property Law (Consolidation No. 2006-13)

2. Private/Personal Use

Provision	Art. 108
Scope of private/personal use	“private copying” – the domestic copying, or reprographic reproduction in a single copy by the original acquirer of
Type(s) of source work(s)	(lawfully circulating) phonogram or videogram or literary work
Entity exercising private/personal use	natural person who carries out reproduction
Purpose of private/personal use	exclusively for nonprofitmaking purposes by natural person
Condition of private/personal use	copies may not be used in a manner contrary to fair use
Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	compensatory remuneration to accrue to author, performer and phonogram producer, ⁵²⁴ by levy on manufacturer/importer of tapes, material carriers and reproduction equipment, ⁵²⁵ for use of media or reproduction equipment; otherwise will be copyright and related rights infringement

3. Quotations

Provision	Art. 83(a)
Scope of quotation	inclusion in a given work of fragments of
Type(s) of source work(s)	other already-disclosed works, by other people, in written, aural or audiovisual form, or individual three dimensional, photographic, figurative or analogous works
Entity exercising quotation	
Purpose of quotation	inclusion thereof is by way of quotation or for the purpose of analysis, comment or critical assessment, for teaching or research purposes
Condition of quotation	extent justified by the purpose of the inclusion fair use is respected ⁵²⁶ normal exploitation of the work is not adversely affected or injury caused to the right holder ⁵²⁷
Preclusions (not part of quotation)	
Subject to Attribution	source, name of author
Subject to Remuneration	

⁵²⁴ Art. 105.

⁵²⁵ Art. 106.

⁵²⁶ Art. 83 (main provision).

⁵²⁷ Art. 83 (main provision).

4. Educational Reproduction

Provision	Art. 83(k)
Nature of educational reproduction	annotation and collection of
Type(s) of source work(s)	lessons and lectures given at universities, polytechnic schools and higher technical and technological institutes, colleges, schools, and teaching and training centers in general
Entity exercising reproduction	those to whom they are addressed
Purpose of educational reproduction	personal use
Qualification(s)	
Frequency/Multiple copies and Limits	
Collective Licence/remuneration	
Attribution	

5. Educational Publications/Anthologies/Compilations/Composite Works
6. School Performances
7. Educational Broadcasts/Communications/Recordings
8. Compulsory Licences for Educational Reproductions and Translations
9. TPM/RMI Exceptions for Educational Purposes

Egypt

1. Legislation Reviewed

Law No. 82 of 2002 on the Protection of Intellectual Property Rights

2. Private/Personal Use

Provision	Art. 171(2)
Scope of private/personal use	make a copy
Type(s) of source work(s)	work
Entity exercising private/personal use	any person
Purpose of private/personal use	one's exclusive personal use
Condition of private/personal use	a single copy
Preclusions (not part of private/personal use)	such a copy shall not hamper the normal exploitation of the work nor cause undue prejudice to the legitimate interests of the author or copyright holders author or successor may prevent third parties from reproducing/copying the following: works of fine, applied or plastic arts (unless displayed in a public place), works of architecture, all or a substantial part of the notes of a musical work, a database or computer program
Subject to Attribution	
Subject to Remuneration	
Provision	Art. 171(3)
Scope of private/personal use	make copy or adaptation of
Type(s) of source work(s)	a computer program
Entity exercising private/personal use	any person (with consent of legitimate owner of the program)
Purpose of private/personal use	archiving purposes or replace lost/destroyed/invalid original copy, even if exceeding the extent necessary for the use of the program inasmuch as it remains within the limits of the purpose for which consent was initially granted
Condition of private/personal use	a single copy or adaptation
Preclusions (not part of private/personal use)	original/adapted copy to be destroyed upon expiration of property title
Subject to Attribution	
Subject to Remuneration	
Provision	Art. 171(8) 1 st item
Scope of private/personal use	making a copy of
Type(s) of source work(s)	a work as a published article, a short work or an extract of a work
Entity exercising private/personal use	through the intermediary of a documentation and archiving center or through a bookshop not aiming at making any direct or indirect profit
Purpose of private/personal use	copy used only for study or research purposes
Condition of private/personal use	a single copy made or at different occasions
Preclusions (not part of private/personal use)	
Subject to Attribution	

Subject to Remuneration	
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3. Quotations

Provision	Art. 171(4)
Scope of quotation	make an analysis of, or excerpts or quotations therefrom,
Type(s) of source work(s)	the work
Entity exercising quotation	
Purpose of quotation	for the purpose of criticism, discussion or information
Condition of quotation	
Preclusions (not part of quotation)	
Subject to Attribution	
Subject to Remuneration	

4. Educational Reproduction

Provision	Art. 171(7)
Nature of educational reproduction	reproduction of
Type(s) of source work(s)	an article, a short work or extracts therefrom
Entity exercising reproduction	
Purpose of educational reproduction	if necessary for teaching purposes in educational institutes
Qualification(s)	
Frequency/Multiple copies and Limits	reproduction is made once or on different separate occasions
Collective Licence/remuneration	
Attribution	title, name of author indicated on all copies

5. Educational Publications/Anthologies/Compilations/Composite Works

6. School Performances

Provision	Art. 171(1)
Scope of school performance	perform
Type(s) of source work(s)	a publicly available work
Entity exercising school performance	
Purpose of school performance	in family context or student gathering within an educational institution
Condition of school performance	no direct or indirect financial remuneration is obtained
Preclusions (not part of school performance)	
Subject to Attribution	
Subject to Remuneration	

7. Educational Broadcasts/Communications/Recordings

8. Compulsory Licences for Educational Reproductions and Translations

Provision	Art. 170
Nature of compulsory licence for translation for educational purposes	a personal licence for the reproduction, translation or both, of
Type(s) of source work(s)	any work

Licence applicant/entity	any person
Purpose of licence	meeting teaching requirements of all kinds and levels
Qualification(s)	“to the extent that such license is not in contradiction with the normal exploitation of the work or does not unduly prejudice the legitimate interests of the author or the copyright holders” ⁵²⁸
Compulsory licence fee(s)	equitable remuneration to author or his successor; fees due to not exceed 1,000 pounds for each work ⁵²⁹
Price of publication	
Distribution conditions	
Grantor of Collective Licence	competent ministry

9. TPM/RMI Exceptions for Educational Purposes

⁵²⁸ Art. 170.

⁵²⁹ Art. 170 4th item.

El Salvador

1. Legislation Reviewed

Law on the Promotion and Protection of Intellectual Property Rights (Legislative Decree No. 604 of 15 July 1993)

2. Private/Personal Use

Provision	Art. 45(a)
Scope of private/personal use	production of work
Type(s) of source work(s)	
Entity exercising private/personal use	
Purpose of private/personal use	personal and exclusive benefit of the user
Condition of private/personal use	one copy
Preclusions (not part of private/personal use)	user made copy himself with his own facilities the normal exploitation of the work is not affected and the legitimate interests of the author are not unjustifiably prejudiced thereby
Subject to Attribution	
Subject to Remuneration	

Provision	Art. 44(a)
Scope of private/personal use	communication ⁵³⁰
Type(s) of source work(s)	
Entity exercising private/personal use	
Purpose of private/personal use	made in family circle
Condition of private/personal use	no direct or indirect gainful intent
Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	

Provision	Art. 45(b)
Scope of private/personal use	photomechanical reproduction, such as photocopying and microfilming
Type(s) of source work(s)	
Entity exercising private/personal use	
Purpose of private/personal use	exclusive personal use
Condition of private/personal use	confined to small parts of a protected work or to works that are out of print
Preclusions (not part of private/personal use)	any use of parts reproduced for other than personal purposes, made by any means or process and in competition with author's exclusive right to exploit his work, shall be treated as unlawful reproduction
Subject to Attribution	
Subject to Remuneration	

⁵³⁰ Art. 9 (defining "public communication" as the act by which the work becomes accessible to the public by any means or processes, and also the procedures to be observed for the work to become accessible to the public, and includes stage performances, public projections or showings of audiovisual works, broadcasting, transmission by wire etc., retransmission, receiving, public presentation, public access by means of telecommunication systems and the dissemination of signs, words etc. by any known or as yet unknown process).

Provision	Art. 85(c).1
Scope of private/personal use	reproduction of recordings of
Type(s) of source work(s)	broadcasts
Entity exercising private/personal use	
Purpose of private/personal use	use for private purposes
Condition of private/personal use	
Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	

3. Quotations

Provision	Art. 46
Scope of quotation	make brief quotations from
Type(s) of source work(s)	lawfully published works
Entity exercising quotation	
Purpose of quotation	
Condition of quotation	quotations are made in accordance with proper practice and to extent justified by purpose
Preclusions (not part of quotation)	
Subject to Attribution	source, name of author
Subject to Remuneration	

4. Educational Reproduction

Provision	Art. 41
Nature of educational reproduction	reproduction (and optionally translation) of
Type(s) of source work(s)	short fragments of literary, scientific or artistic works
Entity exercising reproduction	
Purpose of educational reproduction	teaching, science or literary criticism or research
Qualification(s)	texts reproduced are not altered reproduction does not adversely affect the normal exploitation of the work or prejudice the legitimate interests of the author
Frequency/Multiple copies and Limits	
Collective Licence/remuneration	
Attribution	source unmistakably specified
Provision	Art. 45(c)
Nature of educational reproduction	reprographic reproduction
Type(s) of source work(s)	articles, brief extracts or lawfully published short works
Entity exercising reproduction	
Purpose of educational reproduction	teaching or the holding of examinations at educational institutions
Qualification(s)	no gainful intent and that such use is made in accordance with proper practice
Frequency/Multiple copies and Limits	extent justified by the purpose
Collective Licence/remuneration	
Attribution	

Provision	Art. 85(c).4
Nature of educational reproduction	reproduction of
Type(s) of source work(s)	recordings of broadcasts
Entity exercising reproduction	
Purpose of educational reproduction	used solely for teaching or research purposes
Qualification(s)	
Frequency/Multiple copies and Limits	
Collective Licence/remuneration	
Attribution	
Provision	Art. 45(c)
Nature of educational reproduction	reprographic reproduction
Type(s) of source work(s)	
Entity exercising reproduction	by or on behalf of an educational establishment
Purpose of educational reproduction	for its educational purposes
Qualification(s)	no recording if certified licensing scheme under s 135 providing for grant of licences reprographic copies made cannot be dealt with (i.e. sold, let for hire or offered or exposed for sale or hire) ⁵³¹
Frequency/Multiple copies and Limits	
Collective Licence/remuneration	
Attribution	

5. Educational Publications/Anthologies/Compilations/Composite Works

Provision	Art. 41
Scope of anthologies/compilations limitation/exception	reproduce (and optionally translate), in publications or chrestomathies,
Type(s) of source work(s)	short fragments of literary, scientific or artistic works
Entity exercising anthologies/compilations limitation/exception	
Purpose of anthologies/compilations limitation/exception	for use [for the educational purposes] ⁵³² in an educational establishment
Condition of anthologies/compilations limitation/exception	texts reproduced are not altered reproduction does not adversely affect the normal exploitation of the work or prejudice the legitimate interests of the author
Preclusions (not part of anthologies/compilations limitation/exception)	
Subject to Attribution	source unmistakably specified
Subject to Remuneration	

6. School Performances

Provision	Art. 44(c)
Scope of school performance	communication ⁵³³

⁵³¹ S 39(3).

⁵³² S 37(4).

Type(s) of source work(s)	
Entity exercising school performance	
Purpose of school performance	exclusively educational purposes
Condition of school performance	take place in teaching establishments no gainful intent
Preclusions (not part of school performance)	
Subject to Attribution	
Subject to Remuneration	

7. Educational Broadcasts/Communications/Recordings

8. Compulsory Licences for Educational Reproductions and Translations

Provision	Art. 77
Nature of compulsory licence for translation for educational purposes	compulsory licence, for educational reproductions and translations
Type(s) of source work(s)	
Licence applicant/entity	
Purpose of licence	
Qualification(s)	subject to compliance with the requirements laid down in the international conventions
Compulsory licence fee(s)	
Price of publication	
Distribution conditions	
Grantor of Collective Licence	competent court

9. TPM/RMI Exceptions for Educational Purposes

⁵³³ Art. 9 (defining “public communication” as the act by which the work becomes accessible to the public by any means or processes, and also the procedures to be observed for the work to become accessible to the public, and includes stage performances, public projections or showings of audiovisual works, broadcasting, transmission by wire etc., retransmission, receiving, public presentation, public access by means of telecommunication systems and the dissemination of signs, words etc. by any known or as yet unknown process). In this context, this limitation/exception is classified as one pertaining to “performance” instead of “communication” in the sense used in this study.

***Equatorial Guinea**

1. Legislation Reviewed

Law of January 10, 1879 on Intellectual Property

Eritrea

1. Legislation Reviewed

Provisional Commercial Code of Eritrea and Provisional Civil Code of Eritrea of 1993 (Extracts relating to Intellectual Property rights)

2. Private/Personal Use

Provision	Art. 1656
Scope of private/personal use	private performances
Type(s) of source work(s)	a work
Entity exercising private/personal use	
Purpose of private/personal use	a family gathering
Condition of private/personal use	free of charge
Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	
Provision	Art. 1660
Scope of private/personal use	copies or reproductions of
Type(s) of source work(s)	a work
Entity exercising private/personal use	
Purpose of private/personal use	private use only
Condition of private/personal use	in a single copy
Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	

3. Quotations

Provision	Art. 1660
Scope of quotation	analyses and press reviews
Type(s) of source work(s)	work
Entity exercising quotation	
Purpose of quotation	
Condition of quotation	
Preclusions (not part of quotation)	
Subject to Attribution	
Subject to Remuneration	
Provision	Art. 1660
Scope of quotation	short quotations (in work in which they are included)
Type(s) of source work(s)	work
Entity exercising quotation	
Purpose of quotation	
Condition of quotation	do not exceed, in work in which they are included, forty lines (a poetical work) or ten thousand letters (any other work)
Preclusions (not part of quotation)	
Subject to Attribution	
Subject to Remuneration	

4. Educational Reproduction5. Educational Publications/Anthologies/Compilations/Composite Works6. School Performances

Provision	Art. 1656
Scope of school performance	private performances
Type(s) of source work(s)	
Entity exercising school performance	
Purpose of school performance	in a school
Condition of school performance	free of charge
Preclusions (not part of school performance)	
Subject to Attribution	
Subject to Remuneration	

7. Educational Broadcasts/Communications/Recordings8. Compulsory Licences for Educational Reproductions and Translations

Provision	Art. 1673
Nature of compulsory licence for translation for educational purposes	authorization of presentation or reproduction of a work of its adaptation, notwithstanding the author's opposition
Type(s) of source work(s)	after such work has been published by its author or his heirs
Licence applicant/entity	
Purpose of licence	presentation or reproduction in the general interest
Qualification(s)	conditions and forms of authorisation shall be determined by a special law public authorities may not authorize the alteration of a work
Compulsory licence fee(s)	fair compensation to the author
Price of publication	
Distribution conditions	
Grantor of Collective Licence	public authorities

9. TPM/RMI Exceptions for Educational Purposes

***Estonia**

1. Legislation Reviewed

Ethiopia

1. Legislation Reviewed

Copyright and Neighboring Rights Protection Proclamation No. 410/2004

2. Private/Personal Use

Provision	Art. 9
Scope of private/personal use	private reproduction of
Type(s) of source work(s)	a published work, (performance, sound recording, broadcast) ⁵³⁴
Entity exercising private/personal use	a physical person
Purpose of private/personal use	exclusively for his own personal purposes
Condition of private/personal use	in a single copy
Preclusions (not part of private/personal use)	works of architecture, musical notation, original or copy of fine art made and signed by author, whole or substantial part of a digital database, computer program ⁵³⁵ , reproduction “would conflict with or unreasonable [sic] harm the normal exploitation of the work or the legitimate interests of the author”
Subject to Attribution	
Subject to Remuneration	

Provision	Art. 16
Scope of private/personal use	private performance
Type(s) of source work(s)	a work, (performance, sound recording, broadcast) ⁵³⁶
Entity exercising private/personal use	
Purpose of private/personal use	family gathering
Condition of private/personal use	given free of charge
Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	

3. Quotations

Provision	Art. 10
Scope of quotation	reproduction of quotation of
Type(s) of source work(s)	a published work, (performance, sound recording, broadcast) ⁵³⁷
Entity exercising quotation	
Purpose of quotation	
Condition of quotation	quotation is compatible with fair practice quotation does not exceed extent justified by the purpose
Preclusions (not part of quotation)	

⁵³⁴ Art. 32(d) (applying copyright limitations to neighbouring rights).

⁵³⁵ Art. 14 (excepting use of the computer program, for backup/archival purposes and adaptation for indispensable use).

⁵³⁶ Art. 32(d) (applying copyright limitations to neighbouring rights).

⁵³⁷ Art. 32(d) (applying copyright limitations to neighbouring rights).

Subject to Attribution	source, name of author (if on source)
Subject to Remuneration	

4. Educational Reproduction

Provision	Art. 11
Nature of educational reproduction	reproduction
Type(s) of source work(s)	a published work or sound recording, (performance, broadcast) ⁵³⁸
Entity exercising reproduction	
Purpose of educational reproduction	teaching
Qualification(s)	
Frequency/Multiple copies and Limits	without exceeding fair practice and the extent justified by the purpose
Collective Licence/remuneration	
Attribution	source (of work/sound recording) and name of author

5. Educational Publications/Anthologies/Compilations/Composite Works

6. School Performances

Provision	Art. 16
Scope of school performance	private performance
Type(s) of source work(s)	work, (performance, sound recording, broadcast) ⁵³⁹
Entity exercising school performance	
Purpose of school performance	in a school
Condition of school performance	free of charge
Preclusions (not part of school performance)	
Subject to Attribution	
Subject to Remuneration	

7. Educational Broadcasts/Communications/Recordings

Provision	Art. 11
Scope of broadcast/communication/recording	reproduction
Type(s) of source work(s)	a published work or sound recording, (performance, broadcast) ⁵⁴⁰
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	teaching
Condition of broadcast/communication/recording	
Preclusions (not part of broadcast/communication/recording)	without exceeding fair practice and the extent justified by the purpose
Subject to Attribution	source (of work/sound recording) and name of author

⁵³⁸ Art. 32(d) (applying copyright limitations to neighbouring rights).

⁵³⁹ Art. 32(d) (applying copyright limitations to neighbouring rights).

⁵⁴⁰ Art. 32(d) (applying copyright limitations to neighbouring rights).

Subject to Remuneration	
Provision	Art. 32(c)
Scope of broadcast/communication/recording	reproduction
Type(s) of source work(s)	performance, sound recording, broadcast ⁵⁴¹
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	solely for scientific research
Condition of broadcast/communication/recording	
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	
Subject to Remuneration	

Provision	Art. 32(d)
Scope of broadcast/communication/recording	reproduction
Type(s) of source work(s)	performance, sound recording, broadcast ⁵⁴² , except for performances and sound recordings which have been published as teaching or instructional materials
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	solely for the purpose of face-to-face teaching activities
Condition of broadcast/communication/recording	
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	
Subject to Remuneration	

8. Compulsory Licences for Educational Reproductions and Translations

Provision	Art. 17
Nature of compulsory licence for translation for educational purposes	compulsory licence, for reproduction or translation or broadcasting
Type(s) of source work(s)	a published work, (performance, sound recording, broadcast) ⁵⁴³
Licence applicant/entity	
Purpose of licence	
Qualification(s)	conditions to be determined by regulations Office may not authorize the alteration of a work
Compulsory licence fee(s)	

⁵⁴¹ Art. 32 refers to rights in Arts. 26-31, which deal with the protection of performers, producers of sound recordings and broadcasting organizations.

⁵⁴² Art. 32 refers to rights in Arts. 26-31, which deal with the protection of performers, producers of sound recordings and broadcasting organizations.

⁵⁴³ Art. 32(d) (applying copyright limitations to neighbouring rights).

Price of publication	
Distribution conditions	
Grantor of Collective Licence	Ethiopian Intellectual Property Office

9. TPM/RMI Exceptions for Educational Purposes

Fiji

1. Legislation Reviewed

Copyright Act, 1999

2. Private/Personal Use

Provision	s 42
Scope of private/personal use	copying
Type(s) of source work(s)	a literary, dramatic, musical or artistic work, (published edition) ⁵⁴⁴
Entity exercising private/personal use	by an individual
Purpose of private/personal use	research or private study
Condition of private/personal use	book: one copy of the same work, or the same part of a work, on any one occasion ⁵⁴⁵ article in periodical: whole or part of work or edition and any artistic work therein, but not if another article dealing with a different subject matter is copied on the same occasion from the same issue of the periodical ⁵⁴⁶ other literary, dramatic, musical work or published edition: not more than 10% of the work/edition (including any artistic work) ⁵⁴⁷ others: may include copying the whole or part of the work, having regard to: the purpose of the copying, nature of the item copied, whether the item could have been obtained within a reasonable time at an ordinary commercial price, the effect of the copying on the potential market for, or value of, the work, and the amount and substantiality of the part copied taken in relation to the whole item ⁵⁴⁸
Preclusions (not part of private/personal use)	there is a collective licence available of which the individual is or should be aware under which the copying can be done does not include a computer program ⁵⁴⁹ works of architecture, reprographic reproduction of whole or substantial part of book or musical notation, whole or substantial part of a database, computer [sic] program ⁵⁵⁰ , any work where “reproduction would conflict with a normal exploitation of work or unreasonably prejudice legitimate interests of author or other copyright owner”
Subject to Attribution	
Subject to Remuneration	

⁵⁴⁴ S 42(2) (exempting from infringement copyright in the topographical arrangement of the edition or in any literary, dramatic, or musical work or part of a work in the edition).

⁵⁴⁵ S 42(3).

⁵⁴⁶ S 42(4).

⁵⁴⁷ S 42(5).

⁵⁴⁸ S 42((7).

⁵⁴⁹ S 42(8).

⁵⁵⁰ S 17 (excepting use of the computer program and for backup/archival purposes).

3. Quotations

Provision	s 41(1)
Scope of quotation	copying
Type(s) of source work(s)	a work
Entity exercising quotation	
Purpose of quotation	criticism or review of that or another work, or of a performance of a work
Condition of quotation	
Preclusions (not part of quotation)	
Subject to Attribution	title of work, name of author (unless anonymous or not possible to ascertain its author if unpublished) ⁵⁵¹
Subject to Remuneration	

4. Educational Reproduction

Provision	s 43
Nature of educational reproduction	copying the whole or part of
Type(s) of source work(s)	a literary, dramatic, musical or artistic work (not a computer program) ⁵⁵²
Entity exercising reproduction	school (includes a kindergarten, a primary school, an intermediate school, a secondary school, a special school) ⁵⁵³ educational establishment may apply to Minister for a certificate of exemption to entitle establishment to this [s 43] exemption ⁵⁵⁴
Purpose of educational reproduction	research or private study by an individual – for supply to any student or staff member of the school
Qualification(s)	no collective licence available of which school is or should be aware ⁵⁵⁵ copies made cannot be dealt with (i.e. sold, let for hire or offered or exposed for sale or hire) ⁵⁵⁶
Frequency/Multiple copies and Limits	no more than one copy of the copied material to any student or staff member of that school ⁵⁵⁷ if payment required, no higher than cost of production with reasonable contribution to general expenses of school ⁵⁵⁸
Collective Licence/remuneration	
Attribution	

⁵⁵¹ S 2(1) (defining “sufficient acknowledgment”).

⁵⁵² S 43(4).

⁵⁵³ S 43(2).

⁵⁵⁴ S 44(3).

⁵⁵⁵ S 43(1).

⁵⁵⁶ S 84(2)(a).

⁵⁵⁷ S 43(2)(b).

⁵⁵⁸ S 43(3)(c).

Provision	s 44(1)
Nature of educational reproduction	copying the whole or part of
Type(s) of source work(s)	a literary, dramatic, musical or artistic work (not a computer program) ⁵⁵⁹
Entity exercising reproduction	educational establishment (means a tertiary institution, a private training institution or a government training institute) ⁵⁶⁰
Purpose of educational reproduction	“research or private study” by an individual – for supply to any student or staff member of educational establishment test for “research or private study”: having regard to the purpose of the copying, nature of the item copied, price, the effect of the copying on the potential market for, or value of, the work, and the amount and substantiality of the part copied taken in relation to the whole item
Qualification(s)	no collective licence available of which school is or should be aware ⁵⁶¹ copies made cannot be dealt with (i.e. sold, let for hire or offered or exposed for sale or hire) ⁵⁶²
Frequency/Multiple copies and Limits	not more than one chapter of work, or 10% of work, whichever is less ⁵⁶³
Collective Licence/remuneration	
Attribution	
Provision	s 47
Nature of educational reproduction	anything done
Type(s) of source work(s)	
Entity exercising reproduction	
Purpose of educational reproduction	purposes of an examination, whether by way of setting the questions, communicating the questions to the candidates or answering the questions
Qualification(s)	copies made cannot be dealt with (i.e. sold, let for hire or offered or exposed for sale or hire) ⁵⁶⁴
Frequency/Multiple copies and Limits	
Collective Licence/remuneration	
Attribution	

⁵⁵⁹ S 44(7).⁵⁶⁰ S 2(1) (defining “educational establishment”).⁵⁶¹ S 44(1). The licensing scheme may be sought under Part X of the Copyright Act, 1999. See, in particular, ss 140(d)(i) and 148(c). Under Division 5 of Part X, the Minister has power to extend the coverage of a licence for reprographic copying by educational establishments. S 159.⁵⁶² S 84(2)(d).⁵⁶³ S 44(2).⁵⁶⁴ S 84(2)(d).

5. Educational Publications/Anthologies/Compilations/Composite Works6. School Performances

Provision	s 45(1)
Scope of school performance	performance
Type(s) of source work(s)	a literary, dramatic, or musical work
Entity exercising school performance	(a) by a student or staff member in the course of the activities of the school or establishment; or (b) by any person at the school or establishment for the purposes of instruction
Purpose of school performance	an audience consisting of persons who are students or staff members at a school or educational establishment or are “directly connected” ⁵⁶⁵ with the activities of the school or establishment
Condition of school performance	
Preclusions (not part of school performance)	
Subject to Attribution	
Subject to Remuneration	

Provision	s 45(2)
Scope of school performance	playing or showing
Type(s) of source work(s)	a sound recording, audio visual work, broadcast, or cable programme
Entity exercising school performance	
Purpose of school performance	for the purposes of instruction, to an audience consisting of persons who are students or staff members at a school or educational establishment or are “directly connected” ⁵⁶⁶ with the activities of the school or establishment
Condition of school performance	
Preclusions (not part of school performance)	
Subject to Attribution	
Subject to Remuneration	

Provision	s 173
Scope of school performance	public performance
Type(s) of source work(s)	a sound recording, audio visual work, broadcast or cable programme
Entity exercising school performance	an educational establishment
Purpose of school performance	instruction
Condition of school performance	before an audience consisting of persons who are students or staff members at the

⁵⁶⁵ S 45(3) (defining “directly connected” as excluding a parent or guardian of a student at a school or educational establishment).

⁵⁶⁶ S 45(3) (defining “directly connected” as excluding a parent or guardian of a student at a school or educational establishment).

	establishment or persons “directly connected” ⁵⁶⁷ with the activities of the establishment
Preclusions (not part of school performance)	
Subject to Attribution	
Subject to Remuneration	
Provision	ss 75, 181
Scope of school performance	play
Type(s) of source work(s)	sound recording
Entity exercising school performance	
Purpose of school performance	part of the activities of, or for the benefit of, a club, society, or other organisation
Condition of school performance	club/society/organisation is not established or conducted for profit main objects of club/society/organisation are charitable or are concerned with the advancement of religion, education or social welfare proceeds of any charge for admissible to place where recording is to be heard are applied solely for purposes of club/society/organisation
Preclusions (not part of school performance)	
Subject to Attribution	
Subject to Remuneration	

7. Educational Broadcasts/Communications/Recordings

Provision	s 44(5)
Scope of broadcast/communication/recording	copying by making an audio visual work or audio visual soundtrack
Type(s) of source work(s)	sound recording, audio visual work or audio visual soundtrack, broadcast or cable programme
Entity exercising broadcast/communication/recording	a person giving or receiving instruction
Purpose of broadcast/communication/recording	in the course of instruction, or of preparation for instruction, in the making of an audio visual work or audio visual soundtrack
Condition of broadcast/communication/recording	copies made cannot be dealt with (i.e. sold, let for hire or offered or exposed for sale or hire) ⁵⁶⁸
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	
Subject to Remuneration	
Provision	s 46
Scope of broadcast/communication/recording	recording, or a copy of a recording of

⁵⁶⁷ S 173(2) (defining “directly connected” as excluding a parent or guardian of a student at a school or educational establishment).

⁵⁶⁸ S 84(2)(b).

Type(s) of source work(s)	a broadcast or cable programme
Entity exercising broadcast/communication/recording	made by or on behalf of a school or educational establishment
Purpose of broadcast/communication/recording	educational purposes of that school or establishment
Condition of broadcast/communication/recording	unless there is a collective licence available of which the school or educational establishment is or should or be aware under which copying can be done copies made cannot be dealt with (i.e. sold, let for hire or offered or exposed for sale or hire) ⁵⁶⁹ special considerations by Copyright Tribunal regarding the licence charges payable by educational establishments under a Part X licensing scheme ⁵⁷⁰
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	
Subject to Remuneration	

Provision	s 172(1)
Scope of broadcast/communication/recording	copying of a recording of
Type(s) of source work(s)	a performance
Entity exercising broadcast/communication/recording	copying is done by or on behalf of a person who is to give, is giving, or has given the lesson, or by or on behalf of a person who is to receive, is receiving, or has received the lesson
Purpose of broadcast/communication/recording	in preparing a course of instruction, for use during the course of instruction, during a course of instruction, or after a course of instruction, in the making of an audio visual work or audio visual soundtrack, or relates to language learning or is conducted by correspondence
Condition of broadcast/communication/recording	no charge made for supply of copy ⁵⁷¹ copies made cannot be dealt with (i.e. sold, let for hire or offered or exposed for sale or hire) ⁵⁷²
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	

⁵⁶⁹ S 84(2)(c).

⁵⁷⁰ S 155(2) (“[T]he Tribunal shall, in considering what charges (if any) should be paid for a licence, have regard to the extent to which the owners of copyright in the works included in the broadcast or cable programme have already received, or are entitled to receive, payment in respect of their inclusion.”)

⁵⁷¹ S 172(1)(c).

⁵⁷² S 175.

Subject to Remuneration	
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Provision	s 174
Scope of broadcast/communication/recording	recording, or a copy of a recording of
Type(s) of source work(s)	a broadcast or cable programme
Entity exercising broadcast/communication/recording	made by or on behalf of an educational establishment
Purpose of broadcast/communication/recording	for its educational purposes
Condition of broadcast/communication/recording	copies made cannot be dealt with (i.e. sold, let for hire or offered or exposed for sale or hire) ⁵⁷³
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	
Subject to Remuneration	

Provision	s 172(2)(a)
Scope of broadcast/communication/recording	copying of a recording of
Type(s) of source work(s)	a performance
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	purposes of setting or answering the questions in an examination
Condition of broadcast/communication/recording	copies made cannot be dealt with (i.e. sold, let for hire or offered or exposed for sale or hire) ⁵⁷⁴
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	
Subject to Remuneration	

Provision	s 172(2)(b)
Scope of broadcast/communication/recording	anything done
Type(s) of source work(s)	a performance, recording, audiovisual work, broadcast, or cable programme
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	purposes of an examination by way of communicating the questions to the candidates
Condition of broadcast/communication/recording	copies made cannot be dealt with (i.e. sold, let for hire or offered or exposed for sale or hire) ⁵⁷⁵
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	
Subject to Remuneration	

⁵⁷³ S 175.

⁵⁷⁴ S 84(2)(d).

⁵⁷⁵ S 84(2)(d).

8. Compulsory Licences for Educational Reproductions and Translations
9. TPM/RMI Exceptions for Educational Purposes

Finland

1. Legislation Reviewed

Copyright Act (Act No. 404 of July 8, 1961, as amended up to April 30, 2010)

2. Private/Personal Use

Provision	s 12(1)
Scope of private/personal use	making copy of
Type(s) of source work(s)	a work that has been made public, (performance, ⁵⁷⁶ sound recording, ⁵⁷⁷ video recording ⁵⁷⁸)
Entity exercising private/personal use	anyone
Purpose of private/personal use	for private use
Condition of private/personal use	single copy copy may not be used for other purposes
Preclusions (not part of private/personal use)	work of architecture, a computer-readable database, a computer-readable computer program ⁵⁷⁹
Subject to Attribution	
Subject to Remuneration	levy payable by producer or importer to author on audio or video tape or any other device on which sound or image can be recorded and which to a substantial extent is used for the reproduction of a work for private use ⁵⁸⁰

Provision	s 12(2)
Scope of private/personal use	making copy of
Type(s) of source work(s)	a work that has been made public, (performance, ⁵⁸¹ sound recording, ⁵⁸² video recording ⁵⁸³)
Entity exercising private/personal use	a third party
Purpose of private/personal use	for private use of party ordering the copies
Condition of private/personal use	in a single copy
Preclusions (not part of private/personal use)	work of architecture, a computer-readable database, a computer-readable computer program, ⁵⁸⁴ musical work, cinematographic work, utility article or sculpture, any other work of art by artistic means ⁵⁸⁵
Subject to Attribution	
Subject to Remuneration	

⁵⁷⁶ S 45(5).

⁵⁷⁷ S 46(3).

⁵⁷⁸ S 46a(3).

⁵⁷⁹ S 12(4).

⁵⁸⁰ S 26a. The levy is calculated based on the total playing time of the tape or device, or, where the playing time of a device varies, the average playing time of the device. S 26a(1). See also ss 25, 26, Copyright Decree No. 574 of Apr. 21, 1995 (14.12.2006/1173). Where the device is used for educational or scientific research purposes, the user is entitled to obtain a refund from the CMO corresponding to the levy paid. S 26e(1).2.

⁵⁸¹ S 45(5).

⁵⁸² S 46(3).

⁵⁸³ S 46a(3).

⁵⁸⁴ S 12(4).

⁵⁸⁵ S 12(3).

3. Quotations

Provision	s 22
Scope of quotation	quotation
Type(s) of source work(s)	a work made public, (performance, ⁵⁸⁶ sound recording, ⁵⁸⁷ video recording, ⁵⁸⁸ audio recording of performance and music recording containing images ⁵⁸⁹)
Entity exercising quotation	
Purpose of quotation	
Condition of quotation	in accordance with proper usage to the extent necessary for the purpose
Preclusions (not part of quotation)	
Subject to Attribution	
Subject to Remuneration	

4. Educational Reproduction

Provision	s 14(1)
Nature of educational reproduction	reproduction (not by photocopying or corresponding means) and communication to the public (not by transmitting on radio or television)
Type(s) of source work(s)	a work, (performance, ⁵⁹⁰ sound recording, ⁵⁹¹ video recording ⁵⁹²), made public (but not a work (other than that transmitted on radio or television) whose author has prohibited the reproduction or communication of the work) ⁵⁹³
Entity exercising reproduction	
Purpose of educational reproduction	educational activities or in scientific research
Qualification(s)	educational activities are not to be conducted for purpose of gain ⁵⁹⁴
Frequency/Multiple copies and Limits	
Collective Licence/remuneration	extended collective licence under s 26 ⁵⁹⁵
Attribution	

Provision	s 14(2)
Nature of educational reproduction	reproduction by direct recording of sound or image
Type(s) of source work(s)	a work, (performance, ⁵⁹⁶ sound recording, ⁵⁹⁷

⁵⁸⁶ S 45(5).⁵⁸⁷ S 46(3).⁵⁸⁸ S 46a(3).⁵⁸⁹ S 47(4).⁵⁹⁰ S 45(5).⁵⁹¹ S 46(3).⁵⁹² S 46a(3).⁵⁹³ S 14(4).⁵⁹⁴ S 54a.⁵⁹⁵ S 26 (providing for a licensee authorised by virtue of the extended collective licence to use a work in the same field whose author the CMO does not represent). Any disputes shall be settled by arbitration. S 54(1) items 2, 3.

	video recording ⁵⁹⁸), made public, performed by a teacher or a student
Entity exercising reproduction	anyone
Purpose of educational reproduction	temporary use in educational activities
Qualification(s)	copy thus made may not be used for other purposes educational activities are not to be conducted for purpose of gain ⁵⁹⁹
Frequency/Multiple copies and Limits	
Collective Licence/remuneration	
Attribution	

Provision	s 14(3)
Nature of educational reproduction	incorporation of
Type(s) of source work(s)	parts of a literary work or (performance, ⁶⁰⁰ sound recording, ⁶⁰¹ video recording ⁶⁰²) that has been made public or, when the work is not extensive, the whole work
Entity exercising reproduction	
Purpose of educational reproduction	a test constituting part of the matriculation examination or into any other corresponding test
Qualification(s)	educational activities are not to be conducted for purpose of gain ⁶⁰³
Frequency/Multiple copies and Limits	
Collective Licence/remuneration	
Attribution	

Provision	s 16c(3)
Nature of educational reproduction	used
Type(s) of source work(s)	a work, (performance, ⁶⁰⁴ sound recording, ⁶⁰⁵ video recording, ⁶⁰⁶) in the collections of the National Audiovisual Archive, with the exception of a cinematographic work deposited by a foreign producer
Entity exercising reproduction	
Purpose of educational reproduction	research and higher education in cinematography

⁵⁹⁶ S 45(5).

⁵⁹⁷ S 46(3).

⁵⁹⁸ S 46a(3).

⁵⁹⁹ S 54a.

⁶⁰⁰ S 45(5).

⁶⁰¹ S 46(3).

⁶⁰² S 46a(3).

⁶⁰³ S 54a.

⁶⁰⁴ S 45(5).

⁶⁰⁵ S 46(3).

⁶⁰⁶ S 46a(3).

Qualification(s)	educational activities are not to be conducted for purpose of gain ⁶⁰⁷
Frequency/Multiple copies and Limits	
Collective Licence/remuneration	
Attribution	

5. Educational Publications/Anthologies/Compilations/Composite Works

Provision	s 18
Scope of anthologies/compilations limitation/exception	incorporation into a literary or artistic work of compilation consisting of works by several authors which is printed or produced by corresponding means
Type(s) of source work(s)	minor parts of literary or musical works, or, if not extensive, the entire work, and work of art made public in connection with text, but not a work created for use in education
Entity exercising anthologies/compilations limitation/exception	
Purpose of anthologies/compilations limitation/exception	use in education
Condition of anthologies/compilations limitation/exception	five years have elapsed from year of publication
Preclusions (not part of anthologies/compilations limitation/exception)	educational activities are not to be conducted for purpose of gain ⁶⁰⁸
Subject to Attribution	
Subject to Remuneration	author has right of remuneration

6. School Performances

Provision	s 21(1)
Scope of school performance	public performance
Type(s) of source work(s)	a published work, (performance, ⁶⁰⁹ sound recording, ⁶¹⁰ audio recording of performance and music recording containing images ⁶¹¹), but not dramatic or cinematographic works
Entity exercising school performance	
Purpose of school performance	education (and divine services)
Condition of school performance	
Preclusions (not part of school performance)	educational activities are not to be conducted for purpose of gain ⁶¹²
Subject to Attribution	
Subject to Remuneration	

⁶⁰⁷ S 54a.

⁶⁰⁸ S 54a.

⁶⁰⁹ S 45(5).

⁶¹⁰ S 46(3).

⁶¹¹ S 47(4).

⁶¹² S 54a.

See also s 16c(3) (use of a work in the collections of the National Audiovisual Archive for purposes of research and higher education in cinematography).

7. Educational Broadcasts/Communications/Recordings

Provision	s 14(1)
Scope of broadcast/communication/recording	reproduction (not by photocopying or corresponding means) and communication to the public (not by transmitting on radio or television)
Type(s) of source work(s)	a work, (performance, ⁶¹³ sound recording, ⁶¹⁴ video recording ⁶¹⁵), made public (but not a work (other than that transmitted on radio or television) whose author has prohibited the reproduction or communication of the work) ⁶¹⁶
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	educational activities or in scientific research
Condition of broadcast/communication/recording	educational activities are not to be conducted for purpose of gain ⁶¹⁷
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	
Subject to Remuneration	extended collective licence under s 26 ⁶¹⁸

Provision	s 14(2)
Scope of broadcast/communication/recording	reproduction by direct recording of sound or image
Type(s) of source work(s)	a work, (performance, ⁶¹⁹ sound recording, ⁶²⁰ video recording ⁶²¹), made public, performed by a teacher or a student
Entity exercising broadcast/communication/recording	anyone
Purpose of broadcast/communication/recording	temporary use in educational activities
Condition of broadcast/communication/recording	copy thus made may not be used for other purposes educational activities are not to be conducted for purpose of gain ⁶²²
Preclusions (not part of	

⁶¹³ S 45(5).

⁶¹⁴ S 46(3).

⁶¹⁵ S 46a(3).

⁶¹⁶ S 14(4).

⁶¹⁷ S 54a.

⁶¹⁸ S 26 (providing for a licensee authorised by virtue of the extended collective licence to use a work in the same field whose author the CMO does not represent). Any disputes shall be settled by arbitration. S 54(1) items 2, 3.

⁶¹⁹ S 45(5).

⁶²⁰ S 46(3).

⁶²¹ S 46a(3).

⁶²² S 54a.

broadcast/communication/recording)	
Subject to Attribution	
Subject to Remuneration	
Provision	s 14(3)
Scope of broadcast/communication/recording	incorporation of
Type(s) of source work(s)	parts of a literary work or (performance, ⁶²³ sound recording, ⁶²⁴ video recording ⁶²⁵) that has been made public or, when the work is not extensive, the whole work
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	a test constituting part of the matriculation examination or into any other corresponding test
Condition of broadcast/communication/recording	educational activities are not to be conducted for purpose of gain ⁶²⁶
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	
Subject to Remuneration	

8. Compulsory Licences for Educational Reproductions and Translations

9. TPM/RMI Exceptions for Educational Purposes

Provision	s 50a(3)
Scope of TPM/RMI limitation/exception	exception for circumventing effective technological protection measure
Type(s) of source work(s)	not a technological measure protecting a computer program
Beneficiary exercising limitation/exception	
Purpose of limitation/exception	course of research or education relating to encryptology
Condition of limitation/exception	work in which the technological measure has been circumvented for the purposes of listening or viewing shall not be reproduced educational activities are not to be conducted for purpose of gain ⁶²⁷

⁶²³ S 45(5).

⁶²⁴ S 46(3).

⁶²⁵ S 46a(3).

⁶²⁶ S 54a.

⁶²⁷ S 54a.

***France**

1. Legislation Reviewed

Intellectual Property Code (consolidated version of February 23, 2015)

Gabon

1. Legislation Reviewed

Law No. 1/87 of July 29, 1987, instituting Protection for Copyright and Neighboring Rights

2. Private/Personal Use

Provision	Art. 33
Scope of private/personal use	reproductions, translations and adaptations
Type(s) of source work(s)	work, (performance, phonogram, radio or television broadcast), ⁶²⁸ that has been lawfully made available to the public
Entity exercising private/personal use	
Purpose of private/personal use	strictly personal and private use
Condition of private/personal use	
Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	

Provision	Art. 33
Scope of private/personal use	communication such as private performance, execution, diffusion
Type(s) of source work(s)	work, (performance, phonogram, radio or television broadcast), ⁶²⁹ that has been lawfully made available to the public
Entity exercising private/personal use	
Purpose of private/personal use	made exclusively within a family circle
Condition of private/personal use	generate no receipts of any kind
Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	

3. Quotations

Provision	Art. 34
Scope of quotation	analyses and short quotations taken from
Type(s) of source work(s)	a work, (short fragments of a performance, phonogram or radio or television broadcast), ⁶³⁰ already made lawfully available to the public, including quotations from newspaper articles and periodicals in the form of press reviews
Entity exercising quotation	
Purpose of quotation	
Condition of quotation	comply with fair use and to the extent that they are justified by the scientific, critical, polemic, teaching or informatory purpose
Preclusions (not part of quotation)	

⁶²⁸ Art. 85 item 1.

⁶²⁹ Art. 85 item 1.

⁶³⁰ Art. 85 item 4.

Subject to Attribution	title of work, name of author
Subject to Remuneration	

4. Educational Reproduction5. Educational Publications/Anthologies/Compilations/Composite Works6. School Performances

Provision	Art. 33
Scope of school performance	communications such as performance, execution
Type(s) of source work(s)	work has been lawfully made available to the public
Entity exercising school performance	
Purpose of school performance	strictly educational or welfare purposes
Condition of school performance	made free of charge [in premises reserved for that purpose] ⁶³¹
Preclusions (not part of school performance)	
Subject to Attribution	
Subject to Remuneration	

7. Educational Broadcasts/Communications/Recordings

Provision	Art. 33
Scope of broadcast/communication/recording	communications such as diffusion ⁶³²
Type(s) of source work(s)	work has been lawfully made available to the public
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	strictly educational or welfare purposes
Condition of broadcast/communication/recording	made free of charge [in premises reserved for that purpose] ⁶³³
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	
Subject to Remuneration	

Provision	Art. 85 item 3
Scope of broadcast/communication/recording	use
Type(s) of source work(s)	a performance, phonogram, radio or television broadcast ⁶³⁴

⁶³¹ *Quaere* whether this expression qualifies “during a religious service” or also “educational or welfare purposes”.

⁶³² Art. 29 (defining “diffusion” as public communication by any “other means” (in contradistinction to recitation, performance and public execution) serving to diffuse by wireless means the signs, sounds or images).

⁶³³ *Quaere* whether this expression qualifies “during a religious service” or also “educational or welfare purposes”.

⁶³⁴ Art. 85 item 1.

Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	solely for the purposes of teaching and scientific research
Condition of broadcast/communication/recording	
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	
Subject to Remuneration	

8. Compulsory Licences for Educational Reproductions and Translations

Provision	Art. 40
Nature of compulsory licence for translation for educational purposes	non-exclusive, non-assignable compulsory licence, for translation, in Gabon
Type(s) of source work(s)	foreign works already made lawfully available to the public and their publication
Licence applicant/entity	
Purpose of licence	school, university or research use, needs of school and post-university teaching ⁶³⁵
Qualification(s)	grant of a license shall not prejudice the author's moral rights ⁶³⁶
Compulsory licence fee(s)	
Price of publication	
Distribution conditions	
Grantor of Collective Licence	

Provision	Art. 40
Nature of compulsory licence for translation for educational purposes	non-exclusive, non-assignable compulsory licence, for reproduction and publication, in Gabon
Type(s) of source work(s)	foreign works already made lawfully available to the public and their publication
Licence applicant/entity	
Purpose of licence	school, university or research use, needs of school and post-university teaching ⁶³⁷
Qualification(s)	grant of a license shall not prejudice the author's moral rights ⁶³⁸
Compulsory licence fee(s)	
Price of publication	
Distribution conditions	
Grantor of Collective Licence	

9. TPM/RMI Exceptions for Educational Purposes

⁶³⁵ Art. 41.

⁶³⁶ Art. 41. Moral rights are spelt out in Art. 25.

⁶³⁷ Art. 41.

⁶³⁸ Art. 41. Moral rights are spelt out in Art. 25.

Gambia

1. Legislation Reviewed

Copyright Act, 2004

2. Private/Personal Use

Provision	s 27
Scope of private/personal use	private reproduction of
Type(s) of source work(s)	a published work
Entity exercising private/personal use	an individual
Purpose of private/personal use	exclusively for his own personal purposes
Condition of private/personal use	in a single copy
Preclusions (not part of private/personal use)	works of architecture, reprographic reproduction of whole or substantial part of book or musical notation, whole or substantial part of a database, computer program ⁶³⁹ , any work where “reproduction would conflict with a normal exploitation of work or would otherwise unreasonably prejudice legitimate interests of author or other copyright owner” ⁶⁴⁰
Subject to Attribution	
Subject to Remuneration	
Provision	s 43
Scope of private/personal use	private use
Type(s) of source work(s)	a performance, broadcast, sound recording, audiovisual work
Entity exercising private/personal use	
Purpose of private/personal use	
Condition of private/personal use	
Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	(sound recording or audiovisual work published for commercial purposes, production of a sound recording or audiovisual work for broadcasting or communication to the public, or public performance of a sound recording) reasonable remuneration payable to producer and performers ⁶⁴¹

Provision	s 14(a)
Scope of private/personal use	use, involving the reproduction in any material form, the communication to the public or the broadcasting of,
Type(s) of source work(s)	the whole signal or a substantial part of the programme-carrying signal, ⁶⁴² either in its original form or in any form recognisably derived from the original

⁶³⁹ S 28 (excepting the temporary reproduction of a work).

⁶⁴⁰ S 27(2)(e).

⁶⁴¹ S 44.

⁶⁴² S 2(1) (defining “programme-carrying signals” electronically generated carriers transmitting live or recorded material consisting of images, sounds or both, in their original form or any form recognizable derived from the original, in extra-terrestrial space;”).

Entity exercising private/personal use	
Purpose of private/personal use	fair dealing for the purpose of scientific research, private use, criticism or review or the reporting of current events
Condition of private/personal use	
Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	

3. Quotations

Provision	s 29
Scope of quotation	reproduction of
Type(s) of source work(s)	a short part of a published work
Entity exercising quotation	
Purpose of quotation	in the form of quotation
Condition of quotation	reproduction is compatible with fair practice reproduction does not exceed extent justified by the purpose
Preclusions (not part of quotation)	
Subject to Attribution	source, name of author or other owner (if indicated on source)
Subject to Remuneration	

Provision	s 43
Scope of quotation	quotation, of short excerpts of,
Type(s) of source work(s)	a performance, sound recording, audio visual work or broadcast
Entity exercising quotation	
Purpose of quotation	
Condition of quotation	compatible with fair practice, and justified by informative purpose of those quotations
Preclusions (not part of quotation)	
Subject to Attribution	
Subject to Remuneration	

4. Educational Reproduction

Provision	s 30(1)(b)
Nature of educational reproduction	reprographic reproduction, of
Type(s) of source work(s)	published articles, other short works or short extracts of works
Entity exercising reproduction	
Purpose of educational reproduction	face-to-face teaching in educational institutions
Qualification(s)	whose activities do not serve direct or indirect commercial gain
Frequency/Multiple copies and Limits	reproduction does not exceed the extent justified by the purpose

	isolated one; if repeated, occurrence on separate and unrelated occasions
Collective Licence/remuneration	no collective licence offered by a Collecting Society of which educational institution is or should be aware
Attribution	source, name of work indicated on all copies

Provision	s 14(c)
Nature of educational reproduction	use, involving the reproduction of a broadcast of,
Type(s) of source work(s)	programme-carrying signals ⁶⁴³
Entity exercising reproduction	
Purpose of educational reproduction	in an educational institution or for the systematic instructional activities in any educational institution
Qualification(s)	
Frequency/Multiple copies and Limits	
Collective Licence/remuneration	
Attribution	

5. Educational Publications/Anthologies/Compilations/Composite Works

Provision	s 30(1)(a)
Scope of anthologies/compilations limitation/exception	reproduction, by way of illustration, in writing or sound or visual recording, of
Type(s) of source work(s)	short part of a published work
Entity exercising anthologies/compilations limitation/exception	
Purpose of anthologies/compilations limitation/exception	for teaching purposes
Condition of anthologies/compilations limitation/exception	
Preclusions (not part of anthologies/compilations limitation/exception)	reproduction is compatible with fair practice and does not exceed the extent justified by the purpose isolated one; if repeated, occurrence on separate and unrelated occasions
Subject to Attribution	source, name of work indicated on all copies
Subject to Remuneration	no collective licence offered by a Collecting Society of which educational institution is or should be aware

6. School Performances

Provision	s 43
Scope of school performance	[use]
Type(s) of source work(s)	a performance, broadcast, sound recording,

⁶⁴³ S 2(1) (defining “programme-carrying signals” electronically generated carriers transmitting live or recorded material consisting of images, sounds or both, in their original form or any form recognizable derived from the original, in extra-terrestrial space;”).

	audiovisual work
Entity exercising school performance	
Purpose of school performance	teaching or scientific research
Condition of school performance	
Preclusions (not part of school performance)	
Subject to Attribution	
Subject to Remuneration	(sound recording or audiovisual work “published for commercial purposes”, production of a sound recording or audiovisual work for broadcasting or communication to the public, or public performance of a sound recording) reasonable remuneration payable to producer and performers ⁶⁴⁴

7. Educational Broadcasts/Communications/Recordings

Provision	s 30(1)(a)
Scope of broadcast/communication/recording	reproduction, by way of illustration, in writing or sound or visual recording, of
Type(s) of source work(s)	short part of a published work
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	for teaching purposes
Condition of broadcast/communication/recording	
Preclusions (not part of broadcast/communication/recording)	reproduction is compatible with fair practice and does not exceed the extent justified by the purpose isolated one; if repeated, occurrence on separate and unrelated occasions
Subject to Attribution	source, name of work indicated on all copies
Subject to Remuneration	
Provision	s 43
Scope of broadcast/communication/recording	[use]
Type(s) of source work(s)	a performance, broadcast, sound recording, audiovisual work
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	teaching or scientific research
Condition of broadcast/communication/recording	
Preclusions (not part of	

⁶⁴⁴ S 44 (describing a “user” of a sound recording or audiovisual work who shall pay the producer and performers reasonable remuneration). *Quaere* whether “published for commercial purposes” refers to the *source* work or the *produced* work, because if it is the latter, the use of such a work for teaching or scientific research will not necessarily lead to a work which is produced and published for commercial purposes. On the other hand, the use in an educational institution could constitute a broadcast or communication to the public, or a public performance. If this interpretation were correct, s 44 will substantially detract from the limitation on protection afforded for “teaching or scientific research” in s 43.

broadcast/communication/recording)	
Subject to Attribution	
Subject to Remuneration	(sound recording or audiovisual work “published for commercial purposes”, production of a sound recording or audiovisual work for broadcasting or communication to the public, or public performance of a sound recording) reasonable remuneration payable to producer and performers ⁶⁴⁵

Provision	s 14(b)
Scope of broadcast/communication/recording	use, involving the broadcast of,
Type(s) of source work(s)	programme-carrying signals ⁶⁴⁶
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	purposes of systematic instructional activities
Condition of broadcast/communication/recording	
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	
Subject to Remuneration	

8. Compulsory Licences for Educational Reproductions and Translations
9. TPM/RMI Exceptions for Educational Purposes

⁶⁴⁵ S 44 (describing a “user” of a sound recording or audiovisual work who shall pay the producer and performers reasonable remuneration). *Quaere* whether “published for commercial purposes” refers to the *source* work or the *produced* work, because if it is the latter, the use of such a work for teaching or scientific research will not necessarily lead to a work which is produced and published for commercial purposes. On the other hand, the use in an educational institution could constitute a broadcast or communication to the public, or a public performance. If this interpretation were correct, s 44 will substantially detract from the limitation on protection afforded for “teaching or scientific research” in s 43.

⁶⁴⁶ S 2(1) (defining “programme-carrying signals” electronically generated carriers transmitting live or recorded material consisting of images, sounds or both, in their original form or any form recognizable derived from the original, in extra-terrestrial space;”).

Georgia

1. Legislation Reviewed

Law of Georgia on Copyright and Neighboring Rights (last amended as of May 4, 2010)

2. Private/Personal Use

Provision	Art. 21(1)
Scope of private/personal use	reproduce
Type(s) of source work(s)	a work made available to the public by means of lawful publication or making available to the public [sic]
Entity exercising private/personal use	natural person
Purpose of private/personal use	only for personal use
Condition of private/personal use	
Preclusions (not part of private/personal use)	works of architecture, reprographic reproduction of whole of book or musical notation or work of fine art, electronic databases, ⁶⁴⁷ computer programs ⁶⁴⁸ , audiovisual work or work fixed in phonogram or videogram
Subject to Attribution	
Subject to Remuneration	(audiovisual work, phonogram) author or other copyright owner entitled to remuneration, paid by producers and importers of equipment (audio- and video recorders and other equipment) and of material carriers (audio and video tapes, cassettes, laser disks, compact disks, and other material carriers) ⁶⁴⁹ , and collected by CMO

Provision	Art. 51(3)
Scope of private/personal use	use
Type(s) of source work(s)	a performance, broadcast of a broadcasting organization and records thereof, and reproduction of a phonogram or videogram
Entity exercising private/personal use	natural persons
Purpose of private/personal use	personal use
Condition of private/personal use	reproduction carried out pursuant to Art. 21
Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	subject to payment of remuneration

Note: Art. 22(b) provides that a library or archive may, by reprographic reproduction, make a single copy of lawfully published individual articles and other small-volume works, or excerpts from written works (other than computer programs), at the request of natural persons, for educational, scientific or personal purposes.

⁶⁴⁷ Arts. 28 (excepting use and backup/archival of the computer program or database), 30 (excepting acts necessary for access to database contents and normal use).

⁶⁴⁸ Arts. 28 (excepting use and backup/archival of the computer program or database), 29 (decompilation of a computer program).

⁶⁴⁹ Art. 21(3), (4), (5). More details are spelt out in Art. 21(6) to (9).

3. Quotations

Provision	Art. 23(a)
Scope of quotation	quotations
Type(s) of source work(s)	original works made available to the public by means of lawful publication or making available to the public, including reproduction of short extracts from newspapers and journals for a printed survey
Entity exercising quotation	
Purpose of quotation	research, criticism or review
Condition of quotation	to the extent justified for the purpose of quotation
Preclusions (not part of quotation)	
Subject to Attribution	source, name of author
Subject to Remuneration	

Provision	Art. 23(b)
Scope of quotation	illustrations of short extracts
Type(s) of source work(s)	works made available to the public by means of lawful publication, in printed matter, radio and television programs, sound and visual recordings of educational character
Entity exercising quotation	
Purpose of quotation	extent justified by the purpose to be achieved
Condition of quotation	
Preclusions (not part of quotation)	
Subject to Attribution	source, name of author
Subject to Remuneration	

Provision	Art. 51(2)(a)
Scope of quotation	quotations
Type(s) of source work(s)	a performance, phonogram, videogram and broadcast of a broadcasting organization and recordings thereof
Entity exercising quotation	
Purpose of quotation	purposes such as research, criticism or review, and inforatory purposes
Condition of quotation	to the extent justified for the purpose of quotation shall not conflict with normal exploitation of the related rights and shall not unreasonably prejudice the lawful interests of the owners of the related rights ⁶⁵⁰
Preclusions (not part of quotation)	
Subject to Attribution	
Subject to Remuneration	

⁶⁵⁰ Art. 51(1).

Provision	Art. 51(2)(b)
Scope of quotation	use of extracts, excerpts and illustrations
Type(s) of source work(s)	a performance, phonogram, videogram and broadcast of a broadcasting organization
Entity exercising quotation	
Purpose of quotation	teaching and scientific research
Condition of quotation	to the extent justified for the purpose shall not conflict with normal exploitation of the related rights and shall not unreasonably prejudice the lawful interests of the owners of the related rights ⁶⁵¹
Preclusions (not part of quotation)	
Subject to Attribution	
Subject to Remuneration	

4. Educational Reproduction

Provision	Art. 22(c)
Nature of educational reproduction	reprographic copies ⁶⁵²
Type(s) of source work(s)	short extracts from the lawfully published individual articles and other small-volume works, or written works (other than computer programs)
Entity exercising reproduction	educational institutions
Purpose of educational reproduction	teaching purposes
Qualification(s)	without receiving direct or indirect profit to the extent justified by the set aim
Frequency/Multiple copies and Limits	
Collective Licence/remuneration	
Attribution	source, name of author

5. Educational Publications/Anthologies/Compilations/Composite Works
6. School Performances
7. Educational Broadcasts/Communications/Recordings
8. Compulsory Licences for Educational Reproductions and Translations
9. TPM/RMI Exceptions for Educational Purposes

⁶⁵¹ Art. 51(1).

⁶⁵² Art. 4(o) (defining "reprographic reproduction (copying)" as the making of a copy of the original of a work, data or other material expressed by written or graphic means or of facsimiles of copies thereof in any size by any means of photocopying or other technical means; the recording in an electronic form (including digital), optical or other machine readable form shall not be deemed to reprographic reproduction).

***Germany**

1. Legislation Reviewed

Act on Copyright and Related Rights (Copyright Act, as amended up to Law of October 1, 2013)

Ghana

1. Legislation Reviewed

Copyright Act, 2005 (Act 690)

2. Private/Personal Use

Provision	ss 19(1)(a), 35(e)
Scope of private/personal use	reproduction, translation, adaptation, arrangement or other transformation
Type(s) of source work(s)	a literary or artistic work, either in the original language or in translation, and work has been made public, and a performance or broadcast ⁶⁵³
Entity exercising private/personal use	an individual
Purpose of private/personal use	exclusive personal use of a person
Condition of private/personal use	
Preclusions (not part of private/personal use)	works of architecture, reprography of whole or substantial part of book or musical notation, whole or substantial part of a digital database, computer program ^{654, 655}
Subject to Attribution	
Subject to Remuneration	

Provision	s 35(a)
Scope of private/personal use	private use
Type(s) of source work(s)	a performance or broadcast ⁶⁵⁶
Entity exercising private/personal use	
Purpose of private/personal use	
Condition of private/personal use	
Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	

3. Quotations

Provision	ss 19(1)(b), 35(e)
Scope of quotation	inclusion of quotations in another work, from
Type(s) of source work(s)	work, including quotations from articles in newspapers or periodicals in the form of press summaries, and a performance or broadcast ⁶⁵⁷ work has been made public
Entity exercising quotation	
Purpose of quotation	
Condition of quotation	quotations referred to in that paragraph are compatible with fair practice

⁶⁵³ S 35(e) (applying limitations and exceptions in ss 19 to 23 to performances and broadcasts).

⁶⁵⁴ S 16 [sic] (limiting the duration of copyright in sound recording to 75 years from year of first publication, or 70 year from year of fixation).

⁶⁵⁵ S 19(2) (subjecting s 19(1)(a) to preclusions).

⁶⁵⁶ S 35 (referring to provisions of ss 28, 33 which shall not apply to the enumerated limitations or exceptions).

⁶⁵⁷ S 35(e) (applying limitations and exceptions in ss 19 to 23 to performances and broadcasts).

	the extent of the quotations does not exceed what is justified for the purpose of the work in which the quotations are used ⁶⁵⁸
Preclusions (not part of quotation)	⁶⁵⁹
Subject to Attribution	source, name of author
Subject to Remuneration	

Provision	s 35(d)
Scope of quotation	quotations in the form of short excerpts of
Type(s) of source work(s)	a performance, sound recording, audio-visual work or broadcast
Entity exercising quotation	
Purpose of quotation	
Condition of quotation	compatible with fair practice and justified by the informative purpose of those quotations
Preclusions (not part of quotation)	
Subject to Attribution	
Subject to Remuneration	

4. Educational Reproduction

Provision	ss 19(1)(c)(iii), 35(e)
Nature of educational reproduction	utilization
Type(s) of source work(s)	a work, if made public, and a performance or broadcast ⁶⁶⁰
Entity exercising reproduction	
Purpose of educational reproduction	professional training or public education
Qualification(s)	use is compatible with fair practice
Frequency/Multiple copies and Limits	to the extent justified for the purposes
Collective Licence/remuneration	
Attribution	source, name of author

5. Educational Publications/Anthologies/Compilations/Composite Works

Provision	ss 19(1)(c)(i), 35(e)
Scope of anthologies/compilations limitation/exception	utilization, by way of illustration in publications, broadcasts of sound or visual recordings, of
Type(s) of source work(s)	a work, if made public, and a performance or broadcast ⁶⁶¹
Entity exercising anthologies/compilations limitation/exception	
Purpose of anthologies/compilations	teaching

⁶⁵⁸ S 19(3).

⁶⁵⁹ S 19(2) (subjecting s 19(1)(a) [sic] to preclusions, though s 19(1)(b) referred to s 19(2) preclusions). The reference in s 19(1)(b) to s 19(2) is probably erroneous, since s 19(3) expressly referred to s 19(1)(b).

⁶⁶⁰ S 35(e) (applying limitations and exceptions in ss 19 to 23 to performances and broadcasts).

⁶⁶¹ S 35(e) (applying limitations and exceptions in ss 19 to 23 to performances and broadcasts).

limitation/exception	
Condition of anthologies/compilations limitation/exception	use is compatible with fair practice
Preclusions (not part of anthologies/compilations limitation/exception)	to the extent justified for the purposes
Subject to Attribution	source, name of author
Subject to Remuneration	

6. School Performances

Provision	s 35(c)
Scope of school performance	
Type(s) of source work(s)	a performance or broadcast ⁶⁶²
Entity exercising school performance	
Purpose of school performance	teaching or scientific research
Condition of school performance	
Preclusions (not part of school performance)	
Subject to Attribution	
Subject to Remuneration	

7. Educational Broadcasts/Communications/Recordings

Provision	s 35(c)
Scope of broadcast/communication/recording	a performance or broadcast ⁶⁶³
Type(s) of source work(s)	
Entity exercising broadcast/communication/recording	teaching or scientific research
Purpose of broadcast/communication/recording	
Condition of broadcast/communication/recording	
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	
Subject to Remuneration	
Provision	ss 19(1)(c)(ii), 35(e)
Scope of broadcast/communication/recording	“communication” ⁶⁶⁴ by broadcast,
Type(s) of source work(s)	work, if made public, and a performance or broadcast ⁶⁶⁵
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	use in educational institutions
Condition of broadcast/communication/recording	use is compatible with fair practice

⁶⁶² S 35 (referring to provisions of ss 28, 33 which shall not apply to the enumerated limitations or exceptions).

⁶⁶³ S 35 (referring to provisions of ss 28, 33 which shall not apply to the enumerated limitations or exceptions).

⁶⁶⁴ S 76 (defining “communication to the public” as a transmission, other than broadcasting, by wire or without wire, in such a way that the images or sounds can be perceived by persons outside the normal circle of a family and its closest social acquaintances at a place or places so distant from the place where the transmission originates that without the transmission, the images or sounds would not be perceivable irrespective of whether the person can receive images or sounds at the same place and time, or at different places or times individually chosen by them).

⁶⁶⁵ S 35(e) (applying limitations and exceptions in ss 19 to 23 to performances and broadcasts).

Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	source, name of author
Subject to Remuneration	

Provision	ss 19(1)(c)(i), 35(e)
Scope of broadcast/communication/recording	utilization, by way of illustration in publications, broadcasts of sound or visual recordings, of
Type(s) of source work(s)	a work, if made public, and a performance or broadcast ⁶⁶⁶
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	teaching
Condition of broadcast/communication/recording	use is compatible with fair practice
Preclusions (not part of broadcast/communication/recording)	to the extent justified for the purposes
Subject to Attribution	source, name of author
Subject to Remuneration	

Provision	ss 19(1)(c)(iii), 35(e)
Scope of broadcast/communication/recording	utilization
Type(s) of source work(s)	a work, if made public, and a performance or broadcast ⁶⁶⁷
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	professional training or public education
Condition of broadcast/communication/recording	use is compatible with fair practice
Preclusions (not part of broadcast/communication/recording)	to the extent justified for the purposes
Subject to Attribution	source, name of author
Subject to Remuneration	

8. Compulsory Licences for Educational Reproductions and Translations

9. TPM/RMI Exceptions for Educational Purposes

⁶⁶⁶ S 35(e) (applying limitations and exceptions in ss 19 to 23 to performances and broadcasts).

⁶⁶⁷ S 35(e) (applying limitations and exceptions in ss 19 to 23 to performances and broadcasts).

Greece

1. Legislation Reviewed

Law No. 2121/1993 on Copyright, Related Rights and Cultural Matters (as amended up to Law No. 4281/2014)

2. Private/Personal Use

Provision	Art. 18
Scope of private/personal use	reproduction
Type(s) of source work(s)	a lawfully published work, (performance, phonogram, broadcast, printed matter) ⁶⁶⁸
Entity exercising private/personal use	a person
Purpose of private/personal use	own private use
Condition of private/personal use	
Preclusions (not part of private/personal use)	“private use” shall not include use by an enterprise, a service or an organization ⁶⁶⁹ where “is likely to conflict with normal exploitation of the work or to prejudice the author’s legitimate interests” ⁶⁷⁰ , including: works of architecture, using technical means to reproduce a fine art work which has limited circulation, reproduction of musical notation
Subject to Attribution	
Subject to Remuneration	use of (recording equipment for sound/image, computer peripherals (not printers) used solely for digital reproduction or transcription to/from analogue media, magnetic/optical tapes/media/devices for reproduction of sound/image, photocopy machines, photocopy paper): equitable remuneration due to creator and beneficiaries of related rights, payable by importers/producers, collected by CMOs ⁶⁷¹

3. Quotations

Provision	Art. 19
Scope of quotation	quotation of short extracts of
Type(s) of source work(s)	a lawfully published work, (performance, phonogram, broadcast, printed matter) ⁶⁷²
Entity exercising quotation	
Purpose of quotation	providing support for a case advanced by the person making the quotation or a critique of the position of the author
Condition of quotation	quotation is compatible with fair practice quotation does not exceed extent justified by the purpose
Preclusions (not part of quotation)	

⁶⁶⁸ Art. 52(b) (extending the limitations applicable to economic rights to related rights mutatis mutandis).

⁶⁶⁹ Art. 18(1).

⁶⁷⁰ Art. 18(2).

⁶⁷¹ Art. 18(3). More details about the remuneration are spelt out in Art. 18(4)-(12).

⁶⁷² Art. 52(b) (extending the limitations applicable to economic rights to related rights mutatis mutandis).

Subject to Attribution	source, name of author, name of publisher (if names indicated on source)
Subject to Remuneration	

4. Educational Reproduction

Provision	Art. 21
Nature of educational reproduction	reproduction of
Type(s) of source work(s)	articles lawfully published in a newspaper or periodical, short extracts of a work or parts of a short work or a lawfully published work of fine art work, (performance, phonogram, broadcast, printed matter) ⁶⁷³
Entity exercising reproduction	
Purpose of educational reproduction	exclusively for teaching or examination purposes at an educational establishment
Qualification(s)	in such measure as is compatible with the aforementioned purpose reproduction is effected in accordance with fair practice and does not conflict with the normal exploitation
Frequency/Multiple copies and Limits	
Collective Licence/remuneration	
Attribution	source, name of author, name of publisher (if names indicated on source)

5. Educational Publications/Anthologies/Compilations/Composite Works

Provision	Art. 20(1)
Scope of anthologies/compilations limitation/exception	reproduction (by printing)
Type(s) of source work(s)	lawfully published literary works, (performances, phonograms, broadcasts, printed matter) ⁶⁷⁴ of one or more writers
Entity exercising anthologies/compilations limitation/exception	
Purpose of anthologies/compilations limitation/exception	in educational textbooks approved for use in primary and secondary education by the Ministry of National Education and Religions or another competent ministry, according to the official detailed syllabus
Condition of anthologies/compilations limitation/exception	reproduction shall encompass only a small part of the total output of each of the writers reproduction shall not conflict with the normal exploitation of the work from which the texts are taken ⁶⁷⁵

⁶⁷³ Art. 52(b) (extending the limitations applicable to economic rights to related rights mutatis mutandis).

⁶⁷⁴ Art. 52(b) (extending the limitations applicable to economic rights to related rights mutatis mutandis).

⁶⁷⁵ Art. 18(3).

Preclusions (not part of anthologies/compilations limitation/exception)	
Subject to Attribution	source, name of author, name of publisher (if names indicated on source) ⁶⁷⁶
Subject to Remuneration	

Provision	Art. 20(2)
Scope of anthologies/compilations limitation/exception	reproduction
Type(s) of source work(s)	lawfully published literary works, (performances, phonograms, broadcasts, printed matter) ⁶⁷⁷ of one or more writers/authors
Entity exercising anthologies/compilations limitation/exception	
Purpose of anthologies/compilations limitation/exception	in lawfully published anthology of literary works of more than one writer
Condition of anthologies/compilations limitation/exception	after death of writer/author reproduction shall encompass only a small part of the total output of each of the writers reproduction shall not conflict with the normal exploitation of the work from which the texts are taken ⁶⁷⁸
Preclusions (not part of anthologies/compilations limitation/exception)	
Subject to Attribution	source, name of author, name of publisher (if names indicated on source) ⁶⁷⁹
Subject to Remuneration	

6. School Performances

Provision	Art. 27(b)
Scope of school performance	public performance or presentation
Type(s) of source work(s)	a work, (performance, phonogram, broadcast, printed matter) ⁶⁸⁰
Entity exercising school performance	at an educational establishment
Purpose of school performance	within the framework of staff and pupil or student activities
Condition of school performance	audience is composed exclusively of the aforementioned persons, the parents of the pupils or students, persons responsible for the care of the pupils or students, or persons directly involved in the activities of the establishment
Preclusions (not part of school performance)	

⁶⁷⁶ Art. 20(3).

⁶⁷⁷ Art. 52(b) (extending the limitations applicable to economic rights to related rights mutatis mutandis).

⁶⁷⁸ Art. 18(3).

⁶⁷⁹ Art. 20(3).

⁶⁸⁰ Art. 52(b) (extending the limitations applicable to economic rights to related rights mutatis mutandis).

Subject to Attribution	
Subject to Remuneration	

7. Educational Broadcasts/Communications/Recordings

Provision	Art. 21
Scope of broadcast/communication/recording	reproduction of
Type(s) of source work(s)	articles lawfully published in a newspaper or periodical, short extracts of a work or parts of a short work or a lawfully published work of fine art work, (performance, phonogram, broadcast, printed matter) ⁶⁸¹
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	exclusively for teaching or examination purposes at an educational establishment
Condition of broadcast/communication/recording	in such measure as is compatible with the aforementioned purpose reproduction is effected in accordance with fair practice and does not conflict with the normal exploitation
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	source, name of author, name of publisher (if names indicated on source)
Subject to Remuneration	

8. Compulsory Licences for Educational Reproductions and Translations

9. TPM/RMI Exceptions for Educational Purposes

Provision	Art. 66A(5)
Scope of TPM/RMI limitation/exception	exception to require rightholder who used effective technological measures in respect of his work to take voluntary measures to ensure for the “beneficiaries” the benefit of the exception
Type(s) of source work(s)	work/subject-matter (but not applicable to works/subject-matter available to the public on agreed contractual terms in such a way that members of the public may access them from a place and at a time individually chosen by them ⁶⁸²)
Beneficiary exercising limitation/exception	users who reproduce work/subject-matter for, <i>inter alia</i> , private use (Art. 18), for teaching purposes (Art. 21)
Purpose of limitation/exception	to the extent necessary and to have legal access to the protected work or subject-matter
Condition of limitation/exception	

⁶⁸¹ Art. 52(b) (extending the limitations applicable to economic rights to related rights *mutatis mutandis*).

⁶⁸² Art. 66A(5) proviso, taken from EU Copyright Directive 2001/29, Art. 6(4).

Grenada

1. Legislation Reviewed

Copyright Act (Cap 67, Act No. 21 of 2011)

2. Private/Personal Use

Provision	s 9
Scope of private/personal use	private reproduction of
Type(s) of source work(s)	a published work
Entity exercising private/personal use	a natural person
Purpose of private/personal use	exclusively for his own personal purposes
Condition of private/personal use	in a single copy
Preclusions (not part of private/personal use)	works of architecture, reprographic reproduction of whole or substantial part of book or musical notation, whole or substantial part of a database, computer program ⁶⁸³ , any work where “reproduction would conflict with a normal exploitation of the work or would otherwise unreasonably prejudice the legitimate interests of the owner of copyright”
Subject to Attribution	
Subject to Remuneration	

Provision	s 27(1)(a)
Scope of private/personal use	use
Type(s) of source work(s)	a performance, sound recording or broadcast
Entity exercising private/personal use	a natural person
Purpose of private/personal use	exclusively for his own personal purposes
Condition of private/personal use	
Preclusions (not part of private/personal use)	not extend to the reproduction of any performance, sound recording or broadcast, in cases where reproduction would conflict with a normal exploitation of the performance, sound recording, or broadcast, or would otherwise unreasonably prejudice the legitimate interests of the owner of neighbouring rights
Subject to Attribution	
Subject to Remuneration	

3. Quotations

Provision	s 10
Scope of quotation	reproduction of
Type(s) of source work(s)	a short part of a published work, (a performance, sound recording, broadcast) ⁶⁸⁴
Entity exercising quotation	
Purpose of quotation	in the form of quotation
Condition of quotation	reproduction is compatible with fair practice reproduction does not exceed extent justified by the purpose

⁶⁸³ S 17 (excepting use of the computer program and for backup/archival purposes).

⁶⁸⁴ S 27(1)(d) (applying limitations and exceptions in Part II to neighbouring rights).

Preclusions (not part of quotation)	
Subject to Attribution	source, name of author (if indicated on source)
Subject to Remuneration	

4. Educational Reproduction

Provision	s 11(1)(a)
Nature of educational reproduction	utilisation by way of illustration, including the making available of such works in computer networks
Type(s) of source work(s)	a work that has lawfully been made available to the public, in publications, broadcasting or sound or visual recordings
Entity exercising reproduction	
Purpose of educational reproduction	teaching, or scientific research purposes
Qualification(s)	utilisation is compatible with fair practice utilisation by making available: access to the works is only available to enrolled pupils or students and their teachers
Frequency/Multiple copies and Limits	does not exceed the extent justified by the purpose
Collective Licence/remuneration	
Attribution	source, name of author (if indicated on source) on all copies or in reasonable connection with work

Provision	s 11(1)(b)
Nature of educational reproduction	reprographic copies ⁶⁸⁵
Type(s) of source work(s)	published articles, other short works or short extracts of works
Entity exercising reproduction	
Purpose of educational reproduction	face-to-face teaching in educational institutions
Qualification(s)	activities of which do not serve direct or indirect commercial gain no copying if licences are available authorizing copying and educational institution knows or ought to have been aware of licences
Frequency/Multiple copies and Limits	extent justified by the purpose reproduction of any particular work is an isolated act occurring, if repeated, on separate and unrelated occasions no more than a single copy for each pupil or student and the teacher is made
Collective Licence/remuneration	

⁶⁸⁵ S 2(1) (defining "reprographic process" as a process (a) for making facsimile copies, or (b) involving the use of an appliance for making multiple copies, and, in relation to a work held in electronic form, includes any copying by electronic means, but does not include the making of a film or sound recording).

Attribution	source, name of author (if indicated on source) on all copies or in reasonable connection with work
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5. Educational Publications/Anthologies/Compilations/Composite Works6. School Performances7. Educational Broadcasts/Communications/Recordings

Provision	s 27(1)(c)
Scope of broadcast/communication/recording	use
Type(s) of source work(s)	a performance, sound recording, broadcast
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	solely for the purpose of face-to-face teaching activities or for scientific research
Condition of broadcast/communication/recording	
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	
Subject to Remuneration	

8. Compulsory Licences for Educational Reproductions and Translations9. TPM/RMI Exceptions for Educational Purposes

Provision	s 46(2)
Scope of TPM/RMI limitation/exception	exception to require rightholder who used effective technological measures in respect of his work to take necessary means to ensure that “beneficiary” may enjoy or apply the exception or limitation
Type(s) of source work(s)	work/subject-matter (but not applicable to works/subject-matter available to the public on agreed contractual terms in such a way that members of the public may access them from a place and at a time individually chosen by them ⁶⁸⁶)
Beneficiary exercising limitation/exception	“beneficiary”: users who reproduce work/subject-matter for, <i>inter alia</i> , private use (s 9), quotations (s 10), educational reproduction (s 11)
Purpose of limitation/exception	to the extent required
Condition of limitation/exception	

⁶⁸⁶ S 46(3).

***Guatemala**

1. Legislation Reviewed

Law on Copyright and Related Rights

Guinea

1. Legislation Reviewed

Act No. 043/APN/CP of August 9, 1980, adopting Provisions Relating to Copyright and Neighboring Rights

2. Private/Personal Use

Provision	Art. 10(ii)
Scope of private/personal use	reproductions, translations and adaptations
Type(s) of source work(s)	a work that has been lawfully made available to the public, (a performance, phonogram or broadcast) ⁶⁸⁷
Entity exercising private/personal use	
Purpose of private/personal use	strictly personal and private use
Condition of private/personal use	
Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	

Provision	Art. 10(i)(a)
Scope of private/personal use	communications such as performance or broadcasting, in private
Type(s) of source work(s)	a work that has been lawfully made available to the public, (a performance, phonogram or broadcast) ⁶⁸⁸
Entity exercising private/personal use	
Purpose of private/personal use	exclusively within a family circle
Condition of private/personal use	do not give rise to receipts of any kind
Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	

3. Quotations

Provision	Art. 11
Scope of quotation	make analyses of and short quotations from
Type(s) of source work(s)	a work (in original form or in translation) that has already been lawfully made available to the public, including quotations from newspaper articles and periodicals in the form of press summaries
Entity exercising quotation	
Purpose of quotation	in the form of quotation
Condition of quotation	compatible with fair practice and justified by the scientific, critical, polemic, educational or informatory purpose
Preclusions (not part of quotation)	
Subject to Attribution	title, name of author
Subject to Remuneration	

⁶⁸⁷ Art. 74(i).

⁶⁸⁸ Art. 74(i).

Provision	Art. 74(iv)
Scope of quotation	quotations in the form of short excerpts
Type(s) of source work(s)	a performance, phonogram or broadcast
Entity exercising quotation	
Purpose of quotation	
Condition of quotation	compatible with fair practice and justified by the informatory purpose
Preclusions (not part of quotation)	
Subject to Attribution	
Subject to Remuneration	

4. Educational Reproduction

5. Educational Publications/Anthologies/Compilations/Composite Works

6. School Performances

Provision	Art. 10(i)(b)
Scope of school performance	communications such as performance
Type(s) of source work(s)	a work, (a performance, phonogram or broadcast) ⁶⁸⁹
Entity exercising school performance	a club, society or other organization not established or conducted for profit and its main objects are charitable or are otherwise concerned with the advancement of religion, education or social welfare
Purpose of school performance	strictly educational or scholastic purposes
Condition of school performance	free of charge
Preclusions (not part of school performance)	
Subject to Attribution	
Subject to Remuneration	

7. Educational Broadcasts/Communications/Recordings

Provision	Art. 10(i)(b)
Scope of broadcast/communication/recording	communications such as broadcasting
Type(s) of source work(s)	a work, (a performance, phonogram or broadcast) ⁶⁹⁰
Entity exercising broadcast/communication/recording	a club, society or other organization not established or conducted for profit and its main objects are charitable or are otherwise concerned with the advancement of religion, education or social welfare
Purpose of broadcast/communication/recording	strictly educational or scholastic purposes
Condition of broadcast/communication/recording	free of charge
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	

⁶⁸⁹ Art. 74(i).

⁶⁹⁰ Art. 74(i).

Subject to Remuneration	
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Provision	Art. 74(iii)
Scope of broadcast/communication/recording	use
Type(s) of source work(s)	a performance, phonogram or broadcast
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	solely for the purposes of teaching or scientific research
Condition of broadcast/communication/recording	
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	Name of author and title of work indicated on all copies
Subject to Remuneration	

8. Compulsory Licences for Educational Reproductions and Translations

Provision	Art. 15(i)
Nature of compulsory licence for translation for educational purposes	licence, for translation and publication in printed or analogous forms of reproduction on the territory of the Revolutionary People's Republic of Guinea
Type(s) of source work(s)	foreign works already lawfully made available to the public
Licence applicant/entity	any natural person or legal entity residing on the territory of the Revolutionary People's Republic of Guinea
Purpose of licence	
Qualification(s)	subject to, and under the conditions specified in, the Appendix to the Paris Act (1971) of the Berne Convention for the Protection of Literary and Artistic Works no derogation from the rights conferred on the author by Art. 3 above
Compulsory licence fee(s)	licensee to pay equitable remuneration to author ⁶⁹¹
Price of publication	
Distribution conditions	
Grantor of Collective Licence	Minister for Higher Education and Scientific Research

Provision	Art. 15(ii)
Nature of compulsory licence for translation for educational purposes	licence, for reproduction and publication in printed or analogous forms of reproduction on the territory of the Revolutionary People's

⁶⁹¹ Art. 16 (failing amicable agreement, the amount shall be determined by the Minister for Higher Education and Scientific Research).

	Republic of Guinea
Type(s) of source work(s)	foreign works already lawfully made available to the public
Licence applicant/entity	any natural person or legal entity residing on the territory of the Revolutionary People's Republic of Guinea
Purpose of licence	
Qualification(s)	licenses may not be granted for the publication of literary or scientific works of which a French edition is available abroad unless such publication on the national territory affords good conditions for the desired dissemination subject to, and under the conditions specified in, the Appendix to the Paris Act (1971) of the Berne Convention for the Protection of Literary and Artistic Works no derogation from the rights conferred on the author by Article 3 above
Compulsory licence fee(s)	licensee to pay equitable remuneration to author ⁶⁹²
Price of publication	
Distribution conditions	
Grantor of Collective Licence	Minister for Higher Education and Scientific Research

9. TPM/RMI Exceptions for Educational Purposes

⁶⁹² Art. 16 (failing amicable agreement, the amount shall be determined by the Minister for Higher Education and Scientific Research).

Guinea-Bissau

1. Legislation Reviewed

Copyright Code (approved by Decree-Law No. 46.980 of March 28, 1972)

2. Private/Personal Use

Provision	Art. 103(2)
Scope of private/personal use	performance
Type(s) of source work(s)	a published work
Entity exercising private/personal use	
Purpose of private/personal use	
Condition of private/personal use	not-for-profit basis and in a family home
Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	

Provision	Art. 63
Scope of private/personal use	reproduction of extracts of
Type(s) of source work(s)	works which have not yet fallen into the public domain
Entity exercising private/personal use	those requesting reproduction by public entities, libraries, archives and scientific institutions
Purpose of private/personal use	private use
Condition of private/personal use	
Preclusions (not part of private/personal use)	reproductions may not be used commercially without the consent of the authors
Subject to Attribution	
Subject to Remuneration	

3. Quotations

Provision	Art. 185(1)
Scope of quotation	transcribe or summarize, extracts of
Type(s) of source work(s)	others' works
Entity exercising quotation	authors of any text
Purpose of quotation	in support of their own doctrines or for the purposes of criticism, discussion or teaching
Condition of quotation	extracts are distinguished from their own text and the works from which the transcribed or summarized texts are taken transcribed or summarized texts may not be so extensive that they prejudice interest in the work cited
Preclusions (not part of quotation)	not permitted to reproduce the work of another under the "pretext of commentary or annotation", but it is lawful to refer to chapters, paragraphs or pages of another author's work

	in one's own separate comments or annotations ⁶⁹³
Subject to Attribution	name of author
Subject to Remuneration	

4. Educational Reproduction

Provision	Art. 63
Nature of educational reproduction	reproduction of extracts of
Type(s) of source work(s)	works which have not yet fallen into the public domain
Entity exercising reproduction	public entities, libraries, archives and scientific institutions
Purpose of educational reproduction	(entity's own use)
Qualification(s)	reproductions may not be used commercially without the consent of the authors
Frequency/Multiple copies and Limits	
Collective Licence/remuneration	
Attribution	

Provision	Art. 151
Nature of educational reproduction	reproduction
Type(s) of source work(s)	photographs
Entity exercising reproduction	
Purpose of educational reproduction	in scientific or educational works
Qualification(s)	
Frequency/Multiple copies and Limits	
Collective Licence/remuneration	payment to author(s) of fair compensation
Attribution	name of photographer and year of production (if indicated in original)

Provision	Art. 183
Nature of educational reproduction	any use, including reproduction of,
Type(s) of source work(s)	lectures delivered by academics, including lectures obtained through stenographic notetaking
Entity exercising reproduction	students
Purpose of educational reproduction	
Qualification(s)	any use for an audience other than students to require special authorization lectures may only be published by third parties with author's authorization
Frequency/Multiple copies and Limits	
Collective Licence/remuneration	
Attribution	

⁶⁹³ Art. 186.

5. Educational Publications/Anthologies/Compilations/Composite Works

Provision	Art. 185(2)
Scope of anthologies/compilations limitation/exception	transcription of extracts or fragments from
Type(s) of source work(s)	literary or musical works of others
Entity exercising anthologies/compilations limitation/exception	
Purpose of anthologies/compilations limitation/exception	in anthologies for use in schools
Condition of anthologies/compilations limitation/exception	extracts are distinguished from their own text and the works from which the transcribed or summarized texts are taken transcribed or summarized texts may not be so extensive that they prejudice interest in the work cited ⁶⁹⁴
Preclusions (not part of anthologies/compilations limitation/exception)	
Subject to Attribution	name of author ⁶⁹⁵
Subject to Remuneration	(transcription that exceeds limits) author has right to fair recompense

6. School Performances**7. Educational Broadcasts/Communications/Recordings****8. Compulsory Licences for Educational Reproductions and Translations**

Provision	Art. 164
Nature of compulsory licence for translation for educational purposes	non-exclusive, non-transferable compulsory licence, for translation and publication
Type(s) of source work(s)	a written work published in a foreign language, or a translation already published in Portuguese
Licence applicant/entity	any person
Purpose of licence	
Qualification(s)	work has not been previously published by holder of translation rights or authorised person in Portuguese after 7 years from first publication, or if copies of the translated work have been exhausted title and name of author of original work to be printed on all copies of published translation ⁶⁹⁶ licence applicant has requested and been denied authorization from holder of translation

⁶⁹⁴ Art. 185(2) refers to the “terms of and within the limits referred to in the preceding paragraph”, which is a reference to the terms and limits set out in Art. 185(1).

⁶⁹⁵ *Id.*

⁶⁹⁶ Art. 164(5).

	right, or applicant was unable to find such owner, despite due diligence, after notifying the publisher/diplomatic or consular representative of state of holder of translation rights/organization designated by government of that state, and 3 months have lapsed since request ⁶⁹⁷ no licence granted if author has withdrawn copies of work from circulation ⁶⁹⁸
Compulsory licence fee(s)	beneficiary of licence to pay a fair compensation to the right owner ⁶⁹⁹
Price of publication	
Distribution conditions	
Grantor of Collective Licence	courts

9. TPM/RMI Exceptions for Educational Purposes

⁶⁹⁷ Art. 164(2), (4).

⁶⁹⁸ Art. 164(8).

⁶⁹⁹ Art. 165.

Guyana

1. Legislation Reviewed

Copyright Act 1956 (4 & 5 Eliz. 2, Cap. 74)

2. Private/Personal Use

Provision	ss 6(1), 9(1)
Scope of private/personal use	fair dealing
Type(s) of source work(s)	a literary, dramatic or musical work, (or its adaptation) ⁷⁰⁰ , an artistic work
Entity exercising private/personal use	
Purpose of private/personal use	research or private study
Condition of private/personal use	
Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	

3. Quotations

Provision	ss 6(2), 9(2)
Scope of quotation	fair dealing
Type(s) of source work(s)	a literary, dramatic or musical work, (or its adaptation) ⁷⁰¹ or an artistic work
Entity exercising quotation	
Purpose of quotation	purposes of criticism or review, whether of that work or of another work
Condition of quotation	
Preclusions (not part of quotation)	
Subject to Attribution	title (or other description), name of author (unless anonymous or author has agreed otherwise) ⁷⁰²
Subject to Remuneration	

4. Educational Reproduction

Provision	s 41(1)(a)
Nature of educational reproduction	reproduction (otherwise than by the use of a “duplicating process” ⁷⁰³) or making of an adaptation, of
Type(s) of source work(s)	a literary, dramatic, musical or artistic work
Entity exercising reproduction	by a teacher or pupil
Purpose of educational reproduction	in the course of instruction, whether at a school ⁷⁰⁴ or elsewhere
Qualification(s)	reproduction or adaptation shall not be published ⁷⁰⁵

⁷⁰⁰ S 6(8).

⁷⁰¹ S 6(8).

⁷⁰² Ss 6(10), 48(1) (defining “sufficient acknowledgment”).

⁷⁰³ S 41(7) (defining “duplicating process” as any process involving the use of an appliance for producing multiple copies).

⁷⁰⁴ S 41(7) (defining “school” as an entity with the same meaning at that in the Education Act 1944, the Education (Scotland) Act, 1946 and the Education Act (Northern Ireland), 1947 in relation to England and Wales, Scotland and Northern Ireland, but presumably meaning that which is so defined in the laws of Guyana).

Frequency/Multiple copies and Limits	
Collective Licence/remuneration	
Attribution	

Provision	s 41(1)(b)
Nature of educational reproduction	reproduction (otherwise than by the use of a duplicating process) or making of an adaptation, of
Type(s) of source work(s)	a literary, dramatic, musical or artistic work
Entity exercising reproduction	
Purpose of educational reproduction	as part of the questions to be answered in an examination, or in an answer to such a question
Qualification(s)	reproduction or adaptation shall not be published ⁷⁰⁶
Frequency/Multiple copies and Limits	
Collective Licence/remuneration	
Attribution	

5. Educational Publications/Anthologies/Compilations/Composite Works

Provision	s 6(6)
Scope of anthologies/compilations limitation/exception	inclusion of a short passage in a collection, from
Type(s) of source work(s)	a published literary or dramatic work, (or its adaptation) ⁷⁰⁷
Entity exercising anthologies/compilations limitation/exception	
Purpose of anthologies/compilations limitation/exception	for use of schools
Condition of anthologies/compilations limitation/exception	collection is so described in its title and in any publisher's advertisement [source] work was not published for use of schools collection consists mainly of material in which no copyright subsists
Preclusions (not part of anthologies/compilations limitation/exception)	2 or more excerpts from works by same author ⁷⁰⁸ are contained in that collection, or that collection with every similar collection by same publisher within 5 year period ⁷⁰⁹
Subject to Attribution	title (or other description), name of author (unless anonymous or author has agreed otherwise) ⁷¹⁰

⁷⁰⁵ S 41(2).

⁷⁰⁶ S 41(2).

⁷⁰⁷ S 6(8).

⁷⁰⁸ S 6(6) proviso (explaining that author includes works of joint authorship, and works by any of the authors will count towards the preclusion).

⁷⁰⁹ S 6(6).

⁷¹⁰ Ss 6(10), 48(1) (defining "sufficient acknowledgment").

Subject to Remuneration	
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6. School Performances

Provision	s 12(7)
Scope of school performance	causing to be heard in public
Type(s) of source work(s)	a sound recording
Entity exercising school performance	a club, society or other organization not established or conducted for profit and its main objects are charitable or are otherwise concerned with the advancement of religion, education or social welfare
Purpose of school performance	as part of the activities of, or for the benefit of
Condition of school performance	proceeds of any charge for admission to the place where the recording is to be heard are applied solely for the purposes of the organization
Preclusions (not part of school performance)	
Subject to Attribution	
Subject to Remuneration	

Provision	s 41(3), (5)
Scope of school performance	performance [of a work] causing to be heard or seen, the sounds or visual images [of a sound recording, cinematograph film, a television broadcast]
Type(s) of source work(s)	a literary, dramatic or musical work a sound recording, cinematograph film, a television broadcast
Entity exercising school performance	by a person who is a teacher in, or a pupil in attendance at, the school ⁷¹¹
Purpose of school performance	in the course of the activities of a school
Condition of school performance	performance in class, or otherwise in the presence of an audience audience is limited to persons who are teachers in, or pupils in attendance at, the school, or are otherwise "directly connected" ⁷¹² with the activities of the school
Preclusions (not part of school performance)	
Subject to Attribution	
Subject to Remuneration	

⁷¹¹ S 41(7) (defining "school" as an entity with the same meaning as that in the Education Act 1944, the Education (Scotland) Act, 1946 and the Education Act (Northern Ireland), 1947 in relation to England and Wales, Scotland and Northern Ireland, but presumably meaning that which is so defined in the laws of Guyana).

⁷¹² S 41(4) (defining "directly connected" as excluding a person who is connected by reason only that he is a parent or guardian of a pupil in attendance at the school).

7. Educational Broadcasts/Communications/Recordings
8. Compulsory Licences for Educational Reproductions and Translations
9. TPM/RMI Exceptions for Educational Purposes

Haiti

1. Legislation Reviewed

Decree of January 9, 1968 relating to Copyright in Literary, Scientific and Artistic Works

Decree of October 12, 2005 on the Creation of the Office of Haitian Copyright (BHDA)

2. Private/Personal Use

3. Quotations

Provision	Art. 32
Scope of quotation	borrowings
Type(s) of source work(s)	works of other persons
Entity exercising quotation	
Purpose of quotation	
Condition of quotation	
Preclusions (not part of quotation)	plagiarism which amount to abuse – when borrowings are considerable and damaging, without mention of source
Subject to Attribution	source
Subject to Remuneration	courts enjoy considerable freedom in making appraisalment

4. Educational Reproduction

5. Educational Publications/Anthologies/Compilations/Composite Works

6. School Performances

7. Educational Broadcasts/Communications/Recordings

8. Compulsory Licences for Educational Reproductions and Translations

9. TPM/RMI Exceptions for Educational Purposes

***Holy See**

1. Legislation Reviewed

Law No. 132 of March 19, 2011 on Copyright and Related Rights

***Honduras**

1. Legislation Reviewed

Copyright and Neighboring Rights Law (approved by Decree No. 4-99-E)

Hungary

1. Legislation Reviewed

Act No. LXXVI of 1999 on Copyright (consolidated text as of January 1, 2007)

Government Decree No. 117 of 2004 (IV. 28.) Korm. on the Determination of the Manner & Conditions of the Communication & Making Available to the Public in the Case of Free Use Provided for in Article 38(5) of Act LXXVI of 1999 on Copyright

2. Private/Personal Use

Provision	Art. 35(1)
Scope of private/personal use	copy
Type(s) of source work(s)	work, (performance, sound recording, radio or television programme, film) ⁷¹³ disclosed to the public ⁷¹⁴
Entity exercising private/personal use	a natural person
Purpose of private/personal use	for private purposes
Condition of private/personal use	not intended for earning or increasing income even in an indirect way use “does not conflict with a normal exploitation of the work and does not unreasonably prejudice the legitimate interests of the author, and it is in compliance with the requirements of fairness and is not designed for a purpose incompatible with the intention of free use” ⁷¹⁵
Preclusions (not part of private/personal use)	works of architecture, engineering structures, reprographic reproduction of musical notation, a database, a computer program, a fixation of public performance of a work on video or sound carrier to have work copied by someone else by means of a computer and/or on an electronic data carrier ⁷¹⁶
Subject to Attribution	
Subject to Remuneration	(on the private purpose copying of their works, performances, films and sound recordings) fair and equitable remuneration ⁷¹⁷ due to authors, performers, producers, payable to CMO by manufacturer/importer/carrier of blank video and audio carriers, ⁷¹⁸ and by manufacturer/importer/carrier and operator with consideration of reprographic device. ⁷¹⁹
Provision	Art. 35(2)

⁷¹³ Art. 83(2) (providing that the exceptions applicable to copyright works shall apply collectively to neighbouring rights).

⁷¹⁴ Art. 33(1).

⁷¹⁵ Art. 33(2).

⁷¹⁶ Art. 35(3).

⁷¹⁷ More details about the remuneration and the reporting requirements are spelt out in Arts. 20-22.

⁷¹⁸ Art. 20(2).

⁷¹⁹ Art. 21(1). A reprographic device is defined as a device capable of reproducing books or periodicals “by photocopying or in like manner on paper or on like carrier”. *Id.*

Scope of private/personal use	copying
Type(s) of source work(s)	complete book or whole of periodical or daily (work has been disclosed to the public ⁷²⁰), (performance, sound recording, radio or television programme, film) ⁷²¹
Entity exercising private/personal use	
Purpose of private/personal use	private purpose
Condition of private/personal use	only by handwriting or typing use “does not conflict with a normal exploitation of the work and does not unreasonably prejudice the legitimate interests of the author, and it is in compliance with the requirements of fairness and is not designed for a purpose incompatible with the intention of free use” ⁷²²
Preclusions (not part of private/personal use)	to have work copied by someone else by means of a computer and/or on an electronic data carrier ⁷²³
Subject to Attribution	
Subject to Remuneration	

3. Quotations

Provision	Art. 34(1)
Scope of quotation	cite any part of
Type(s) of source work(s)	a published work (work has been disclosed to the public ⁷²⁴), (performance, sound recording, radio or television programme, film) ⁷²⁵
Entity exercising quotation	
Purpose of quotation	
Condition of quotation	citation to be true to original scope of citation to be justified by nature and purpose of the borrowing work use “does not conflict with a normal exploitation of the work and does not unreasonably prejudice the legitimate interests of the author, and it is in compliance with the requirements of fairness and is not designed for a purpose incompatible with the intention of free use” ⁷²⁶
Preclusions (not part of quotation)	

⁷²⁰ Art. 33(1).

⁷²¹ Art. 83(2) (providing that the exceptions applicable to copyright works shall apply collectively to neighbouring rights).

⁷²² Art. 33(2).

⁷²³ Art. 35(3).

⁷²⁴ Art. 33(1).

⁷²⁵ Art. 83(2) (providing that the exceptions applicable to copyright works shall apply collectively to neighbouring rights).

⁷²⁶ Art. 33(2).

Subject to Attribution	source, name of author
Subject to Remuneration	

4. Educational Reproduction

Provision	Art. 35(4)(a)
Nature of educational reproduction	a copy
Type(s) of source work(s)	a work (has been disclosed to the public ⁷²⁷), (performance, sound recording, radio or television programme, film) ⁷²⁸
Entity exercising reproduction	publicly accessible libraries, educational establishments, ⁷²⁹ museums and archives as well as audio and audiovisual archives
Purpose of educational reproduction	internal institutional purposes and required for scientific research
Qualification(s)	outside the scope of entrepreneurial activity - not intended for earning or increasing income even in an indirect way copy “does not conflict with a normal exploitation of the work and does not unreasonably prejudice the legitimate interests of the author, and it is in compliance with the requirements of fairness and is not designed for a purpose incompatible with the intention of free use” ⁷³⁰
Frequency/Multiple copies and Limits	to the extent and in the way justified by such a purpose
Collective Licence/remuneration	
Attribution	

Provision	Art. 35(4)(c)
Nature of educational reproduction	a copy of a minor part of
Type(s) of source work(s)	a work made public or of an article published in a newspaper or periodical, (performance, sound recording, radio or television programme, film) ⁷³¹
Entity exercising reproduction	publicly accessible libraries, educational establishments, ⁷³² museums and archives as well as audio and audiovisual archives

⁷²⁷ Art. 33(1).

⁷²⁸ Art. 83(2) (providing that the exceptions applicable to copyright works shall apply collectively to neighbouring rights).

⁷²⁹ Art. 33(4) (defining use in “educational establishments” as use taken to serve the purposes of school education implemented in accordance with the requirements of education and with curricula used in kindergarten, primary school, secondary school, industrial school, vocational school education, the primary education of arts, higher education institutions).

⁷³⁰ Art. 33(2).

⁷³¹ Art. 83(2) (providing that the exceptions applicable to copyright works shall apply collectively to neighbouring rights).

⁷³² Art. 33(4) (defining use in “educational establishments” as use taken to serve the purposes of school education implemented in accordance with the requirements of education and with curricula used in kindergarten, primary

Purpose of educational reproduction	internal institutional purposes
Qualification(s)	outside the scope of entrepreneurial activity - not intended for earning or increasing income even in an indirect way copy “does not conflict with a normal exploitation of the work and does not unreasonably prejudice the legitimate interests of the author, and it is in compliance with the requirements of fairness and is not designed for a purpose incompatible with the intention of free use” ⁷³³
Frequency/Multiple copies and Limits	to the extent and in the way justified by such a purpose
Collective Licence/remuneration	
Attribution	

Provision	Art. 35(5)
Nature of educational reproduction	reproduction
Type(s) of source work(s)	a work published as a book, newspaper, periodical article, (performance, sound recording, radio or television programme, film) ⁷³⁴
Entity exercising reproduction	
Purpose of educational reproduction	school education or exams in public and higher education
Qualification(s)	reproduction “does not conflict with a normal exploitation of the work and does not unreasonably prejudice the legitimate interests of the author, and it is in compliance with the requirements of fairness and is not designed for a purpose incompatible with the intention of free use” ⁷³⁵
Frequency/Multiple copies and Limits	specific parts of the work in a number corresponding to the number of pupils in a class/necessary for purpose
Collective Licence/remuneration	
Attribution	

Provision	Art. 34(2)
Nature of educational reproduction	borrowing (using of a work in another work to an extent that goes beyond citation) ⁷³⁶ part of
Type(s) of source work(s)	a literary or musical work or such a type of an

school, secondary school, industrial school, vocational school education, the primary education of arts, higher education institutions).

⁷³³ Art. 33(2).

⁷³⁴ Art. 83(2) (providing that the exceptions applicable to copyright works shall apply collectively to neighbouring rights).

⁷³⁵ Art. 33(2).

⁷³⁶ Art. 34(2) (defining “borrowing”).

	entire work of a minor volume (has been disclosed to the public ⁷³⁷), (performance, sound recording, radio or television programme, film) ⁷³⁸
Entity exercising reproduction	
Purpose of educational reproduction	illustration for teaching and scientific research
Qualification(s)	borrowing work is not used for commercial purposes no author's authorization required where borrowing work qualifies as a textbook/reference book and school education purposes is indicated on its front page ⁷³⁹ reproduction "does not conflict with a normal exploitation of the work and does not unreasonably prejudice the legitimate interests of the author, and it is in compliance with the requirements of fairness and is not designed for a purpose incompatible with the intention of free use" ⁷⁴⁰
Frequency/Multiple copies and Limits	to the extent justified by the purpose
Collective Licence/remuneration	
Attribution	source, name of author

Provision	Art. 68(2)
Nature of educational reproduction	picture of
Type(s) of source work(s)	a fine art, architectural, applied art and industrial design creation, artistic photographs, (performance, sound recording, radio or television programme, film) ⁷⁴¹
Entity exercising reproduction	
Purpose of educational reproduction	scientific educational lectures as well as school education
Qualification(s)	
Frequency/Multiple copies and Limits	
Collective Licence/remuneration	
Attribution	

5. Educational Publications/Anthologies/Compilations/Composite Works

6. School Performances

Provision	Art. 38(1)(b)
Scope of school performance	performance

⁷³⁷ Art. 33(1).

⁷³⁸ Art. 83(2) (providing that the exceptions applicable to copyright works shall apply collectively to neighbouring rights).

⁷³⁹ Art. 34(3).

⁷⁴⁰ Art. 33(2).

⁷⁴¹ Art. 83(2) (providing that the exceptions applicable to copyright works shall apply collectively to neighbouring rights).

Type(s) of source work(s)	a work (that has been disclosed to the public ⁷⁴²), (performance, sound recording, radio or television programme, film) ⁷⁴³
Entity exercising school performance	
Purpose of school performance	school education or at celebrations held at school
Condition of school performance	not designed to earn or increase income even in an indirect manner participants do not receive remuneration performance “does not conflict with a normal exploitation of the work and does not unreasonably prejudice the legitimate interests of the author, and it is in compliance with the requirements of fairness and is not designed for a purpose incompatible with the intention of free use” ⁷⁴⁴
Preclusions (not part of school performance)	dancing party held at a school is not “performance for purposes of school education” ⁷⁴⁵
Subject to Attribution	
Subject to Remuneration	

7. Educational Broadcasts/Communications/Recordings

Provision	Art. 35(4)(a)
Scope of broadcast/communication/recording	a copy
Type(s) of source work(s)	a work (has been disclosed to the public ⁷⁴⁶), (performance, sound recording, radio or television programme, film) ⁷⁴⁷
Entity exercising broadcast/communication/recording	publicly accessible libraries, educational establishments, ⁷⁴⁸ museums and archives as well as audio and audiovisual archives
Purpose of broadcast/communication/recording	internal institutional purposes and required for scientific research
Condition of broadcast/communication/recording	outside the scope of entrepreneurial activity - not intended for earning or increasing income even in an indirect way copy “does not conflict with a normal exploitation of the work and does not

⁷⁴² Art. 33(1).

⁷⁴³ Art. 83(2) (providing that the exceptions applicable to copyright works shall apply collectively to neighbouring rights).

⁷⁴⁴ Art. 33(2).

⁷⁴⁵ Art. 38(3).

⁷⁴⁶ Art. 33(1).

⁷⁴⁷ Art. 83(2) (providing that the exceptions applicable to copyright works shall apply collectively to neighbouring rights).

⁷⁴⁸ Art. 33(4) (defining use in “educational establishments” as use taken to serve the purposes of school education implemented in accordance with the requirements of education and with curricula used in kindergarten, primary school, secondary school, industrial school, vocational school education, the primary education of arts, higher education institutions).

	unreasonably prejudice the legitimate interests of the author, and it is in compliance with the requirements of fairness and is not designed for a purpose incompatible with the intention of free use ⁷⁴⁹
Preclusions (not part of broadcast/communication/recording)	to the extent and in the way justified by such a purpose
Subject to Attribution	
Subject to Remuneration	

Provision	Art. 35(4)(c)
Scope of broadcast/communication/recording	a copy of a minor part of
Type(s) of source work(s)	a work made public or of an article published in a newspaper or periodical, (performance, sound recording, radio or television programme, film) ⁷⁵⁰
Entity exercising broadcast/communication/recording	publicly accessible libraries, educational establishments, ⁷⁵¹ museums and archives as well as audio and audiovisual archives
Purpose of broadcast/communication/recording	internal institutional purposes
Condition of broadcast/communication/recording	outside the scope of entrepreneurial activity - not intended for earning or increasing income even in an indirect way copy “does not conflict with a normal exploitation of the work and does not unreasonably prejudice the legitimate interests of the author, and it is in compliance with the requirements of fairness and is not designed for a purpose incompatible with the intention of free use” ⁷⁵²
Preclusions (not part of broadcast/communication/recording)	to the extent and in the way justified by such a purpose
Subject to Attribution	
Subject to Remuneration	

Provision	Art. 35(5)
Scope of broadcast/communication/recording	reproduction
Type(s) of source work(s)	a work published as a book, newspaper, periodical article, (performance, sound

⁷⁴⁹ Art. 33(2).

⁷⁵⁰ Art. 83(2) (providing that the exceptions applicable to copyright works shall apply collectively to neighbouring rights).

⁷⁵¹ Art. 33(4) (defining use in “educational establishments” as use taken to serve the purposes of school education implemented in accordance with the requirements of education and with curricula used in kindergarten, primary school, secondary school, industrial school, vocational school education, the primary education of arts, higher education institutions).

⁷⁵² Art. 33(2).

	recording, radio or television programme, film) ⁷⁵³
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	school education or exams in public and higher education
Condition of broadcast/communication/recording	reproduction “does not conflict with a normal exploitation of the work and does not unreasonably prejudice the legitimate interests of the author, and it is in compliance with the requirements of fairness and is not designed for a purpose incompatible with the intention of free use” ⁷⁵⁴
Preclusions (not part of broadcast/communication/recording)	specific parts of the work in a number corresponding to the number of pupils in a class/necessary for purpose
Subject to Attribution	
Subject to Remuneration	

Provision	Art. 34(2)
Scope of broadcast/communication/recording	borrowing (using of a work in another work to an extent that goes beyond citation) ⁷⁵⁵ part of
Type(s) of source work(s)	a literary or musical work or such a type of an entire work of a minor volume (has been disclosed to the public ⁷⁵⁶), (performance, sound recording, radio or television programme, film) ⁷⁵⁷
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	illustration for teaching and scientific research
Condition of broadcast/communication/recording	borrowing work is not used for commercial purposes no author’s authorization required where borrowing work qualifies as a textbook/reference book and school education purposes is indicated on its front page ⁷⁵⁸ reproduction “does not conflict with a normal exploitation of the work and does not unreasonably prejudice the legitimate interests of the author, and it is in compliance with the requirements of fairness and is not designed

⁷⁵³ Art. 83(2) (providing that the exceptions applicable to copyright works shall apply collectively to neighbouring rights).

⁷⁵⁴ Art. 33(2).

⁷⁵⁵ Art. 34(2) (defining “borrowing”).

⁷⁵⁶ Art. 33(1).

⁷⁵⁷ Art. 83(2) (providing that the exceptions applicable to copyright works shall apply collectively to neighbouring rights).

⁷⁵⁸ Art. 34(3).

	for a purpose incompatible with the intention of free use ⁷⁵⁹
Preclusions (not part of broadcast/communication/recording)	to the extent justified by the purpose
Subject to Attribution	source, name of author
Subject to Remuneration	
Provision	Art. 38(5)
Scope of broadcast/communication/recording	free display, communicate or make available, to individual members of the public on screens of dedicated terminals on the premises of such entities ⁷⁶⁰
Type(s) of source work(s)	works, (performances, sound recordings, radio or television programmes, films) ⁷⁶¹ forming part of the collection, of
Entity exercising broadcast/communication/recording	publicly accessible libraries, educational establishments ⁷⁶² , museums, archives, as well as audio and audiovisual archives
Purpose of broadcast/communication/recording	research or private study
Condition of broadcast/communication/recording	not for direct or indirect earning or increasing income beneficiary entity to apply a safe technical solution which hinders the modification/reproduction/communication to the public of the works in its collection to non-users ⁷⁶³ beneficiary entity to provide info that the work made available can only be used for purposes of research or private study in Art. 38(5) [this article] ⁷⁶⁴ beneficiary entity to require user's statement, as a precondition of access, that user will use the terminals for purposes of research or private study in Art. 38(5) [this article] ⁷⁶⁵
Preclusions (not part of broadcast/communication/recording)	in the absence of a contractual provision to the contrary
Subject to Attribution	
Subject to Remuneration	

⁷⁵⁹ Art. 33(2).

⁷⁶⁰ Government Decree No. 117 of 2004 (IV. 28.) Korm. on the Determination of the Manner & Conditions of the Communication & Making Available to the Public in the Case of Free Use Provided for in Article 38(5) of Act LXXVI of 1999 on Copyright [hereinafter Government Decree No. 117], Art. 3 (providing that beneficiary entities' terminals may be interconnected to one another).

⁷⁶¹ Art. 83(2) (providing that the exceptions applicable to copyright works shall apply collectively to neighbouring rights).

⁷⁶² Art. 33(4) (defining "educational establishment").

⁷⁶³ Government Decree No. 117, Art. 2(1)(a).

⁷⁶⁴ *Id.*, Art. 2(1)(b).

⁷⁶⁵ *Id.*, Art. 2(2).

8. Compulsory Licences for Educational Reproductions and Translations9. TPM/RMI Exceptions for Educational Purposes

Provision	Art. 95/A
Scope of TPM/RMI limitation/exception	exception to require rightholder who used technological measures in respect of his work, (performance, sound recording, radio or television programme, film, database) ⁷⁶⁶ to make free use possible for the “beneficiary” who has lawful access to the work
Type(s) of source work(s)	(not applicable to a work, (performance, sound recording, radio or television programme, film, database) ⁷⁶⁷ made available to the public on basis of a contract in such a way that members of the public may access the work from a place and at a time individually chosen by them ⁷⁶⁸)
Beneficiary exercising limitation/exception	“beneficiary” of limitation/exception for reprographic reproduction for [purposes]
Purpose of limitation/exception	private purposes (Arts. 21(1), 35(1)), illustration for teaching and scientific research (Art. 34(2)), copy of work for internal purposes of educational establishments (Art. 35(4))
Condition of limitation/exception	

⁷⁶⁶ Art. 99 (providing that the TPM provisions shall apply to neighbouring rights (in Chapter XI) and databases (in Chapter XI/A)).

⁷⁶⁷ *Id.*

⁷⁶⁸ Art. 95/A(2), taken from EU Copyright Directive 2001/29, Art. 6(4).

Iceland

1. Legislation Reviewed

The 1972 Copyright Act as amended in 1984, 1991 and 1992

2. Private/Personal Use

Provision	Art. 11
Scope of private/personal use	reproductions
Type(s) of source work(s)	a published work (including photos ⁷⁶⁹ and databases ⁷⁷⁰), (a performance, ⁷⁷¹ an audio-visual recording, ⁷⁷² a broadcast ⁷⁷³)
Entity exercising private/personal use	individuals
Purpose of private/personal use	exclusively for private use
Condition of private/personal use	not done for commercial purposes reproductions may not be used for any other purpose
Preclusions (not part of private/personal use)	works of architecture, sculptures, applied art or drawing, if assistance of others is sought, musical and literary works, if assistance of others who carry out such reproduction on a commercial basis is sought, electronic databases, computer programs ⁷⁷⁴
Subject to Attribution	
Subject to Remuneration	(recording for private use on tape, disk, CD-ROM or other means, by which audio/video material may be recorded) authors of works which have been broadcast or issued on audio/video recording entitled to special compensation for media and for equipment intended for such recording, payable by producer/importer and collected by CMOs for distribution to authors ⁷⁷⁵

3. Quotations

Provision	Art. 14
Scope of quotation	quotation of
Type(s) of source work(s)	any presented literary work, including dramatic works and presented cinematographic or musical works, presentations of pictures and drawings of presented works of art and documents, (a photo, ⁷⁷⁶ a database ⁷⁷⁷), (a

⁷⁶⁹ Art. 49.

⁷⁷⁰ Art. 50.

⁷⁷¹ Art. 45.

⁷⁷² Art. 46.

⁷⁷³ Art. 48.

⁷⁷⁴ Art. 11a (excepting the copying of a computer program for backup and security purposes, and for utilization of the computer program).

⁷⁷⁵ Art. 11.

⁷⁷⁶ Art. 49.

⁷⁷⁷ Art. 50.

	performance, ⁷⁷⁸ an audio-visual recording, ⁷⁷⁹ a broadcast ⁷⁸⁰)
Entity exercising quotation	
Purpose of quotation	in the context of a critical or scientific public discussion, or other recognised purpose
Condition of quotation	quotation is correct and of reasonable length no commercial purpose is involved
Preclusions (not part of quotation)	
Subject to Attribution	source, name of author (if indicated on source)
Subject to Remuneration	author to be remunerated where pictures or drawings of two or more works by the same author are presented in a text intended as general information

4. Educational Reproduction5. Educational Publications/Anthologies/Compilations/Composite Works

Provision	Art. 17
Scope of anthologies/compilations limitation/exception	presentations in composite works, consisting of selections from
Type(s) of source work(s)	works by many authors (but not works created and published for use in classroom instruction without the author's consent), (including photos ⁷⁸¹ and databases ⁷⁸²)
Entity exercising anthologies/compilations limitation/exception	
Purpose of anthologies/compilations limitation/exception	compiled for use in religious services, classroom instruction or educational broadcasting
Condition of anthologies/compilations limitation/exception	no commercial purpose is involved lapse of 5 years from year in which work was published/presented individual literary or musical works, if they are of limited size, and chapters taken from longer works pictures or drawings of works of art or documents, in connection with aforesaid texts
Preclusions (not part of anthologies/compilations limitation/exception)	
Subject to Attribution	author of work presented in composition entitled to remuneration

⁷⁷⁸ Art. 45.⁷⁷⁹ Art. 46.⁷⁸⁰ Art. 48.⁷⁸¹ Art. 49.⁷⁸² Art. 50.

Subject to Remuneration	
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6. School Performances

Provision	Art. 21(1)
Scope of school performance	public performance
Type(s) of source work(s)	a published work (not dramatic or cinematographic work) ⁷⁸³ , (including a photo ⁷⁸⁴ and a database ⁷⁸⁵), (a performance, ⁷⁸⁶ an audio recording, ⁷⁸⁷ a broadcast ⁷⁸⁸)
Entity exercising school performance	
Purpose of school performance	educational purposes
Condition of school performance	
Preclusions (not part of school performance)	
Subject to Attribution	
Subject to Remuneration	if admission is charged especially for this performance, author is entitled to remuneration

Provision	Art. 21(2)
Scope of school performance	public performance
Type(s) of source work(s)	a published work (not dramatic or cinematographic work) ⁷⁸⁹ , (including a photo ⁷⁹⁰ and a database ⁷⁹¹), (a performance, ⁷⁹² an audio recording, ⁷⁹³ a broadcast ⁷⁹⁴)
Entity exercising school performance	
Purpose of school performance	at gatherings held for purposes of charity, at public gatherings, for the promotion of culture or education, or in support of causes otherwise favourable to the common good
Condition of school performance	no remuneration is made for the performance
Preclusions (not part of school performance)	
Subject to Attribution	
Subject to Remuneration	

Provision	Art. 21(3)
Scope of school performance	public performance
Type(s) of source work(s)	a published work (not dramatic or cinematographic work) ⁷⁹⁵ , (including a photo ⁷⁹⁶

⁷⁸³ Art. 21 proviso.

⁷⁸⁴ Art. 49.

⁷⁸⁵ Art. 50.

⁷⁸⁶ Art. 45.

⁷⁸⁷ Art. 47 (excluding from the application of the Art. 21 exception, cinematographic works and video recordings).

⁷⁸⁸ Art. 48.

⁷⁸⁹ Art. 21 proviso.

⁷⁹⁰ Art. 49.

⁷⁹¹ Art. 50.

⁷⁹² Art. 45.

⁷⁹³ Art. 47 (excluding from the application of the Art. 21 exception, cinematographic works and video recordings).

⁷⁹⁴ Art. 48.

⁷⁹⁵ Art. 21 proviso.

	and a database ⁷⁹⁷), (a performance, ⁷⁹⁸ an audio recording, ⁷⁹⁹ a broadcast ⁸⁰⁰)
Entity exercising school performance	
Purpose of school performance	at gatherings not organised for commercial purposes or financial gain, such as meetings of schools or societies, and other similar occasions
Condition of school performance	no remuneration is made for the performance admission charges no higher than necessary to cover direct costs incurred
Preclusions (not part of school performance)	
Subject to Attribution	
Subject to Remuneration	

7. Educational Broadcasts/Communications/Recordings

Provision	Art. 18
Scope of broadcast/communication/recording	audio recording of
Type(s) of source work(s)	presented works (but not gramophone records or other audio recordings which are produced for commercial sale), (photos, ⁸⁰¹ databases ⁸⁰²), (performances, ⁸⁰³ audio-visual recordings, ⁸⁰⁴ broadcasts ⁸⁰⁵)
Entity exercising broadcast/communication/recording	public educational institutions
Purpose of broadcast/communication/recording	temporary instructional use
Condition of broadcast/communication/recording	audio recordings may not be used for any other purposes
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	
Subject to Remuneration	

8. Compulsory Licences for Educational Reproductions and Translations

9. TPM/RMI Exceptions for Educational Purposes

Provision	Art. 50b
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⁷⁹⁶ Art. 49.

⁷⁹⁷ Art. 50.

⁷⁹⁸ Art. 45.

⁷⁹⁹ Art. 47 (excluding from the application of the Art. 21 exception, cinematographic works and video recordings).

⁸⁰⁰ Art. 48.

⁸⁰¹ Art. 49.

⁸⁰² Art. 50.

⁸⁰³ Art. 45.

⁸⁰⁴ Art. 46.

⁸⁰⁵ Art. 48.

Scope of TPM/RMI limitation/exception	exception for circumventing technological measures
Type(s) of source work(s)	
Beneficiary exercising limitation/exception	
Purpose of limitation/exception	study of encryption
Condition of limitation/exception	

Provision	Art. 50c
Scope of TPM/RMI limitation/exception	exception to require the rightholder applying technological measures to grant user access to means necessary for the user to employ the limitations to copyright, failing which user may ignore the technological measures ⁸⁰⁶
Type(s) of source work(s)	work/other materials (but not applicable to works/other materials made accessible to the public under an agreement on an 'on-demand' basis ⁸⁰⁷)
Beneficiary exercising limitation/exception	users who, <i>inter alia</i> , present pictures/drawings of presented works of art/documents (Art. 12(2)), present individual literary/musical works in composite works for classroom instruction or educational broadcasting (Art. 17(1)), publicly perform works for educational purposes (Art. 21(1) item 1)
Purpose of limitation/exception	[to have legal access to the work/other materials pursuant to the copyright limitations]
Condition of limitation/exception	user has legal access to the work/material in question ⁸⁰⁸ rightholder has not voluntarily taken measures which would ensure that the user is not able to invoke this exception ⁸⁰⁹

⁸⁰⁶ The Rulings Committee may grant the user access to the means necessary to employ the copyright limitations. This would include requiring the rightholder to ... If the rightholder does not comply with the committee's instructions within four weeks, the user may ignore the technological measures.

⁸⁰⁷ Art. 50c line 5, taken from EU Copyright Directive 2001/29, Art. 6(4).

⁸⁰⁸ Art. 50c para 1.

⁸⁰⁹ Art. 50c para 2.

India

1. Legislation Reviewed

Copyright Act, 1957 (as consolidated up to Act No. 49 of 1999), as revised by the Copyright (Amendment) Act, 2012

2. Private/Personal Use

Provision	s 52(1)(a)(i)
Scope of private/personal use	a fair dealing
Type(s) of source work(s)	any work, not being a computer programme
Entity exercising private/personal use	
Purpose of private/personal use	private or personal use, including research
Condition of private/personal use	
Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	

Provision	s 52(1)(p)
Scope of private/personal use	reproduction
Type(s) of source work(s)	an unpublished literary, dramatic or musical work kept in a library, museum or other institution to which the public has access, (a broadcast, a performance) ⁸¹⁰
Entity exercising private/personal use	
Purpose of private/personal use	research or private study or with a view to publication
Condition of private/personal use	if identity of author/any of joint authors is known to library, museum or institution, reproduction can only be made more than 60 years from date of death of author/author whose identity is known/ author who dies last
Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	

Provision	s 39(a)
Scope of private/personal use	making of sound recording or visual recording of
Type(s) of source work(s)	a broadcast, a performance
Entity exercising private/personal use	a person
Purpose of private/personal use	private use of person making such recording
Condition of private/personal use	
Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	

3. Quotations

Provision	s 52(1)(a)(ii)
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⁸¹⁰ S 39(c) (applying copyright limitations and exceptions in s 52 to broadcasts and performances).

Scope of quotation	a fair dealing
Type(s) of source work(s)	a work, not being a computer programme
Entity exercising quotation	
Purpose of quotation	criticism or review, whether of that work or of any other work
Condition of quotation	
Preclusions (not part of quotation)	
Subject to Attribution	
Subject to Remuneration	

4. Educational Reproduction

Provision	s 51(1)(i)
Nature of educational reproduction	reproduction
Type(s) of source work(s)	any work, (a broadcast, a performance) ⁸¹¹
Entity exercising reproduction	
Purpose of educational reproduction	by a teacher or a pupil in the course of instruction, or as part of the questions to be answered in an examination, or in answers to such questions
Qualification(s)	
Frequency/Multiple copies and Limits	
Collective Licence/remuneration	
Attribution	

5. Educational Publications/Anthologies/Compilations/Composite Works

Provision	s 52(1)(h)
Scope of anthologies/compilations limitation/exception	publication in a collection, of short passages from
Type(s) of source work(s)	published literary or dramatic works, (broadcasts, performances) ⁸¹²
Entity exercising anthologies/compilations limitation/exception	
Purpose of anthologies/compilations limitation/exception	bona fide intended for instructional use
Condition of anthologies/compilations limitation/exception	collection is so described in its title and in any publisher's advertisement collection consists mainly of non-copyright matter source works themselves not published for instructional use
Preclusions (not part of anthologies/compilations limitation/exception)	more than 2 excerpts from works by same author ⁸¹³ are published by same publisher within 5 year period ⁸¹⁴

⁸¹¹ S 39(c) (applying copyright limitations and exceptions in s 52 to broadcasts and performances).

⁸¹² S 39(c) (applying copyright limitations and exceptions in s 52 to broadcasts and performances).

⁸¹³ S 52(h) explanation (explaining that author includes works of joint authorship, and works by any of the authors will count towards the preclusion).

Subject to Attribution	title of work, author (unless anonymous published work, or author identity cannot be ascertained by reasonable inquiry for unpublished work) ⁸¹⁵
Subject to Remuneration	

6. School Performances

Provision	s 52(1)(j)
Scope of school performance	performance
Type(s) of source work(s)	a literary, dramatic or musical work, or a cinematograph film or a sound recording, or (a broadcast, a performance) ⁸¹⁶
Entity exercising school performance	staff and students of the institution
Purpose of school performance	course of the activities of an educational institution
Condition of school performance	audience is limited to such staff and students, the parents and guardians of the students and persons connected with the activities of the institution or the communication to such an audience of a cinematograph film or sound recording
Preclusions (not part of school performance)	
Subject to Attribution	
Subject to Remuneration	

7. Educational Broadcasts/Communications/Recordings

Provision	s 51(1)(i)
Scope of broadcast/communication/recording	reproduction
Type(s) of source work(s)	any work, (a broadcast, a performance) ⁸¹⁷
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	by a teacher or a pupil in the course of instruction, or as part of the questions to be answered in an examination, or in answers to such questions
Condition of broadcast/communication/recording	
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	
Subject to Remuneration	

Provision	s 39(a)
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⁸¹⁴ S 52(h) proviso.

⁸¹⁵ S 2(1) (defining "sufficient acknowledgement").

⁸¹⁶ S 39(c) (applying copyright limitations and exceptions in s 52 to broadcasts and performances).

⁸¹⁷ S 39(c) (applying copyright limitations and exceptions in s 52 to broadcasts and performances).

Scope of broadcast/communication/recording	making of any sound recording or visual recording
Type(s) of source work(s)	a broadcast, performance
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	solely for purposes of bona fide teaching or research
Condition of broadcast/communication/recording	
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	
Subject to Remuneration	

Provision	s 39(b)
Scope of broadcast/communication/recording	use of excerpts of
Type(s) of source work(s)	a broadcast, performance
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	for bona fide review, teaching or research
Condition of broadcast/communication/recording	
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	
Subject to Remuneration	

8. Compulsory Licences for Educational Reproductions and Translations

Provision	s 32(1A)
Nature of compulsory licence for translation for educational purposes	non-exclusive compulsory licence, for production, translation and publication, in any language in general use in India, in printed or analogous forms of reproduction in India ⁸¹⁸
Type(s) of source work(s)	a literary or dramatic work, other than an Indian work
Licence applicant/entity	any person
Purpose of licence	translation is required for the purposes of teaching, scholarship or research
Qualification(s)	licence application may be made: 7 years from first publication, ⁸¹⁹ or 3 years from first publication (if required for teaching, scholarship or research), ⁸²⁰ or

⁸¹⁸ S 32(4)(ii) (subjecting the licence to the condition that the licence shall not extend to the export of copies of the translation of the work outside India and every copy of such translation shall contain a notice in the language of such translation that the copy is available for distribution only in India, though the Indian government or any authority under the Government may export copies of such translation in a language other than English, French or Spanish to any country to Indian citizens domiciled abroad, or for purposes of teaching, scholarship or research and not for any commercial purpose, and where permission for export has been given by the importing country).

⁸¹⁹ S 32(1).

⁸²⁰ S 32(1A).

	<p>1 year from first publication (where translation is in language not in general use in any developed country)⁸²¹</p> <p>work has not been previously translated into the language in the licence application and published by the copyright owner/authorised person, within 7/3/1 year of first publication, or if translation has been so published, it has been out of print⁸²²</p> <p>licence applicant has requested and been denied authorisation by copyright owner, or was unable to find copyright owner after due diligence, despite sending request to publisher⁸²³</p> <p>name of author and title of particular edition proposed to be translated are printed on all copies of the translation⁸²⁴</p> <p>licence applicant to satisfy Copyright Board that it is competent to produce and publish a correct translation and possesses the means to pay copyright royalties⁸²⁵</p> <p>author has not withdrawn from circulation copies of the work⁸²⁶</p> <p>opportunity to be heard is given, wherever practicable, to copyright owner⁸²⁷</p> <p>subject to licensee's sale of existing copies, licence nullified if copyright owner is publishing or has permitted the publishing of translated work in the same language and substantially the same in content at a price normally charged for translation of works of the same standard⁸²⁸</p>
Compulsory licence fee(s)	beneficiary of compulsory licence to pay royalties to owner of copyright in the work in respect of copies of translation sold to the public ⁸²⁹

⁸²¹ S 32(1A) proviso.

⁸²² S 32(4)(a).

⁸²³ S 32(4)(b), (c). In addition, a waiting period of 6/9 months has lapsed before the licence application has been made. S 32(4)(cc).

⁸²⁴ S 32(4)(ccc)(i).

⁸²⁵ S 32(4)(d).

⁸²⁶ S 32(4)(e).

⁸²⁷ S 32(4)(f).

⁸²⁸ S 32B(1).

⁸²⁹ S 32(4)(i). The Copyright Board may, in the circumstances of each case, determine in the prescribed manner the royalties payable.

Price of publication	licence application to state in licence application proposed retail price of a copy of the translation of the work ⁸³⁰
Distribution conditions	
Grantor of Collective Licence	Copyright Board

Provision	s 32(5)
Nature of compulsory licence for translation for educational purposes	non-exclusive compulsory licence, for production, translation, publication and broadcasting of such translation in India ⁸³¹
Type(s) of source work(s)	a literary or dramatic work, other than an Indian work, or any text incorporated in audiovisual fixations prepared and published solely for the purpose of systematic instructional activities ⁸³²
Licence applicant/entity	any broadcasting authority
Purpose of licence	for the purposes of teaching or for the dissemination of the results of specialised, technical or scientific research to the experts in any particular field ⁸³³
Qualification(s)	<p>licence application may be made: 7 years from first publication,⁸³⁴ or 3 years from first publication (if required for teaching, scholarship or research),⁸³⁵ or 1 year from first publication (where translation is in language not in general use in any developed country)⁸³⁶</p> <p>work has not been previously translated into the language in the licence application and published by the copyright owner/authorised person, within 7/3/1 year of first publication, or if translation has been so published, it has been out of print⁸³⁷</p> <p>licence applicant has requested and been denied authorisation by copyright owner, or was unable to find copyright owner after due diligence, despite sending request to publisher⁸³⁸</p>

⁸³⁰ S 32(2).

⁸³¹ S 32(6)(c).

⁸³² S 32(5).

⁸³³ S 32(5).

⁸³⁴ S 32(1).

⁸³⁵ S 32(1A).

⁸³⁶ S 32(1A) proviso.

⁸³⁷ S 32(4)(a).

⁸³⁸ S 32(4)(b), (c). In addition, a waiting period of 6/9 months has lapsed before the licence application has been made. S 32(4)(cc).

	<p>name of author and title of particular edition proposed to be translated are printed on all copies of the translation⁸³⁹</p> <p>licence applicant to satisfy Copyright Board that it is competent to produce and publish a correct translation and possesses the means to pay copyright royalties⁸⁴⁰</p> <p>author has not withdrawn from circulation copies of the work⁸⁴¹</p> <p>opportunity to be heard is given, wherever practicable, to copyright owner⁸⁴²</p> <p>translation is made from a lawfully acquired work⁸⁴³</p> <p>broadcast is made through the medium of sound and visual recordings⁸⁴⁴</p> <p>such recordings have been lawfully and exclusively made for the purpose of broadcasting in India by the licence applicant or by any other broadcasting agency⁸⁴⁵</p> <p>the translation and broadcasting of such translation are not used for any commercial purposes⁸⁴⁶</p>
Compulsory licence fee(s)	beneficiary of compulsory licence to pay royalties to owner of copyright in the work ⁸⁴⁷
Price of publication	
Distribution conditions	
Grantor of Collective Licence	Copyright Board

Provision	s 32A
Nature of compulsory licence for reproduction for educational purposes	<p>non-exclusive compulsory licence, for:</p> <ul style="list-style-type: none"> * reproduction and publication, in printed or analogous forms of reproduction in India⁸⁴⁸ [of a work] * reproduction and publication, or translation

⁸³⁹ S 32(4)(ccc)(i).

⁸⁴⁰ S 32(4)(d).

⁸⁴¹ S 32(4)(e).

⁸⁴² S 32(4)(f).

⁸⁴³ S 32(6)(a).

⁸⁴⁴ S 32(6)(b).

⁸⁴⁵ S 32(6)(c).

⁸⁴⁶ S 32(6)(d).

⁸⁴⁷ S 32(4)(i). The Copyright Board may, in the circumstances of each case, determine in the prescribed manner the royalties payable.

⁸⁴⁸ S 32A(4)(ii) (subjecting the licence to the condition that the licence shall not extend to the export of copies of the reproduction of the work outside India).

	into a language in general use in India ⁸⁴⁹ [of an audiovisual fixation]
Type(s) of source work(s)	* an edition of a literary, scientific or artistic work ⁸⁵⁰ * any text incorporated in audiovisual fixations prepared and published solely for the purpose of systematic instructional activities ⁸⁵¹
Licence applicant/entity	any person
Purpose of licence	systematic instructional activities
Qualification(s)	<p>licence application may be made: any work of, or relating to, fiction, poetry, drama, music or art - 7 years from first publication, or any work of, or relating to, natural science, physical science, mathematics or technology - 3 years from first publication, or any other work - 1 year from first publication⁸⁵²</p> <p>work has not been previously reproduced and published by the copyright owner/authorised person, within 3/6 months of licence application⁸⁵³</p> <p>licence applicant has requested and been denied authorisation by copyright owner, or was unable to find copyright owner after due diligence, despite sending request to publisher⁸⁵⁴</p> <p>name of author and title of particular edition proposed to be reproduced are printed on all copies of the translation⁸⁵⁵</p> <p>licence applicant to satisfy Copyright Board that it is competent to produce and publish an accurate reproduction and possesses the means to pay copyright royalties⁸⁵⁶</p> <p>author has not withdrawn from circulation copies of the work⁸⁵⁷</p> <p>opportunity to be heard is given, wherever practicable, to copyright owner⁸⁵⁸</p>

⁸⁴⁹ S 32A(9).⁸⁵⁰ S 32A(4)(ii) (subjecting the licence to the condition that the licence shall not extend to the export of copies of the reproduction of the work outside India).⁸⁵¹ S 32A(9).⁸⁵² S 32A(6) explanation.⁸⁵³ S 32A(4)(e) (providing for a waiting period of 6 months for any work of natural science, physical science, mathematics or technology, or 3 months for any other work).⁸⁵⁴ S 32A(4)(a), (b). In addition, a waiting period of 3 months has lapsed before the licence application has been made, if the copyright owner is not found. S 32A(4)(b).⁸⁵⁵ S 32A(4)(f).⁸⁵⁶ S 32A(4)(c).⁸⁵⁷ S 32A(4)(g).

	no licence to reproduce and publish the translation of a work under this section unless translation has been published by owner of translation right/authorised person and translation is not in a language in general use in India ⁸⁵⁹ subject to licensee's sale of existing copies, licence nullified if copyright owner is publishing or has permitted the publishing of work in the same language and substantially the same in content at a price normally charged for works of the same standard ⁸⁶⁰
Compulsory licence fee(s)	beneficiary of compulsory licence to pay royalties to owner of copyright in the work in respect of copies of reproduction sold to the public ⁸⁶¹
Price of publication	retail price to be proposed by licence applicant, ⁸⁶² at price as may be fixed by Copyright Board, reasonably related to price normally charged in India for works of the same standard on the same or similar subjects ⁸⁶³
Grantor of Collective Licence	Copyright Board

9. TPM/RMI Exceptions for Educational Purposes

Provision	s 65A(2)(b)
Scope of TPM/RMI limitation/exception	exception to do anything to circumvent an effective technological measure
Type(s) of source work(s)	a work, (a broadcast, a performance) ⁸⁶⁴
Beneficiary exercising limitation/exception	a person
Purpose of limitation/exception	necessary to conduct encryption research
Condition of limitation/exception	using a lawfully obtained encrypted copy [of a work]

⁸⁵⁸ S 32A(4)(h).

⁸⁵⁹ S 32A(5).

⁸⁶⁰ S 32B(2).

⁸⁶¹ S 32A(4)(i). The Copyright Board may, in the circumstances of each case, determine in the prescribed manner the royalties payable.

⁸⁶² S 32A(2).

⁸⁶³ Ss 32A(1) proviso, (4)(d).

⁸⁶⁴ S 39A(1) (applying the provision as it applied in relation to copyright in a work to broadcast reproduction right in any broadcast and performer's right in any performance).

***Indonesia**

1. Legislation Reviewed

Law of the Republic of Indonesia No. 28 of September 16, 2014, on Copyright

Iran (Islamic Republic of)

1. Legislation Reviewed

Act for Protection of Authors, Composers and Artists Rights (Copyright Law)

2. Private/Personal Use

Provision	Art. 11
Scope of private/personal use	reproduction, recording
Type(s) of source work(s)	[reproduction] a work, [recording] radio and television programmes
Entity exercising private/personal use	
Purpose of private/personal use	private and non-commercial use
Condition of private/personal use	
Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	

3. Quotations

Provision	Art. 7
Scope of quotation	quote and refer to
Type(s) of source work(s)	published works
Entity exercising quotation	
Purpose of quotation	for literary, scientific, technical or educational purposes, and in criticism or praise
Condition of quotation	customary limitations are observed
Preclusions (not part of quotation)	
Subject to Attribution	source (not necessary where work is reproduced for use in educational institutions by teachers employed thereat, and no monetary gain involved)
Subject to Remuneration	

4. Educational Reproduction

Provision	Art. 8
Nature of educational reproduction	reproduction by photographic or similar process
Type(s) of source work(s)	protected works
Entity exercising reproduction	public libraries, documentation centers, scientific institutions and educational establishments, which are noncommercial
Purpose of educational reproduction	for purpose of their activities
Qualification(s)	
Frequency/Multiple copies and Limits	in numbers necessary
Collective Licence/remuneration	
Attribution	

Provision	Art. 10
Nature of educational reproduction	right to use
Type(s) of source work(s)	any school books already printed and issued

	in agreement with appropriate existing laws
Entity exercising reproduction	Ministry of Education
Purpose of educational reproduction	
Qualification(s)	
Frequency/Multiple copies and Limits	
Collective Licence/remuneration	
Attribution	

5. Educational Publications/Anthologies/Compilations/Composite Works
6. School Performances
7. Educational Broadcasts/Communications/Recordings
8. Compulsory Licences for Educational Reproductions and Translations
9. TPM/RMI Exceptions for Educational Purposes

***Iraq**

1. Legislation Reviewed

Order No. 83, Amendment to the Copyright Law; amending Copyright Law No. 3 of 1971

Ireland

1. Legislation Reviewed

Copyright and Related Rights Act, 2000 (No. 28 of 2000)

Copyright and Related Rights (Educational Establishments) Order, 2000 (S.I. No. 410 of 2000) (describing the educational establishments prescribed)

Copyright and Related Rights (Educational Establishments and Establishments to which Members of the Public have Access) Order, 2000 (S.I. No. 409 of 2000) (including libraries as educational establishments)

Copyright and Related Rights (Certification of Licensing Scheme for Reprographic Copying by Educational Establishments)(The Irish Copyright Licensing Agency Limited) Order 2002 (S.I. 514 of 2002) (establishing a licensing scheme by the ICLA for reprographic reproductions by educational establishments)

Copyright and Related Rights (Amendment) Act 2007 (S.I. No. 39 of 2007) (replacing ss 58, 226)

2. Private/Personal Use

Provision	s 50(1), (2)
Scope of private/personal use	fair dealing with
Type(s) of source work(s)	a literary, dramatic, musical or artistic work, sound recording, film, broadcast, cable programme, non-electronic database, typographical arrangement
Entity exercising private/personal use	
Purpose of private/personal use	purpose of research or private study
Condition of private/personal use	“fair dealing” means making use of the source work which has already been lawfully made available to the public, “for a purpose and to an extent which will not unreasonably prejudice the interests of the owner of the copyright” ⁸⁶⁵
Preclusions (not part of private/personal use)	copying by a person other than researcher or student is not fair dealing if “person copying knows or has reason to believe that the copying will result in copies of substantially the same material being provided to more than one person at substantially the same time and for substantially the same purpose” ⁸⁶⁶ does not include converting a computer program into a higher level version, or copying a computer program in an incidental manner in the course of converting it ⁸⁶⁷
Subject to Attribution	
Subject to Remuneration	

3. Quotations

⁸⁶⁵ S 50(4).

⁸⁶⁶ S 50(3)(b).

⁸⁶⁷ S 50(5).

Provision	s 51
Scope of quotation	fair dealing with
Type(s) of source work(s)	a work
Entity exercising quotation	
Purpose of quotation	criticism or review, of that or another work or of a performance of a work
Condition of quotation	reproduction is compatible with fair practice reproduction does not exceed extent justified by the purpose
Preclusions (not part of quotation)	
Subject to Attribution	title of work (or other description), author (unless anonymous published work, or author identity cannot be ascertained by reasonable inquiry for unpublished work) ⁸⁶⁸
Subject to Remuneration	
Provision	s 221
Scope of quotation	fair dealing with
Type(s) of source work(s)	a performance or recording, lawfully made available to the public
Entity exercising quotation	
Purpose of quotation	criticism or review, of that or another performance or recording
Condition of quotation	purpose and to an extent which will not unreasonably prejudice the interests of the rights owner
Preclusions (not part of quotation)	
Subject to Attribution	
Subject to Remuneration	

4. Educational Reproduction

Provision	s 50(1), (2)
Nature of educational reproduction	fair dealing with
Type(s) of source work(s)	a literary, dramatic, musical or artistic work, sound recording, film, broadcast, cable programme, non-electronic database, typographical arrangement
Entity exercising reproduction	
Purpose of educational reproduction	purpose of research or private study
Qualification(s)	“fair dealing” means making use of the source work which has already been lawfully made available to the public, “for a purpose and to an extent which will not unreasonably prejudice the interests of the owner of the copyright” ⁸⁶⁹
Frequency/Multiple copies and Limits	copying by a person other than researcher or student is not fair dealing if “person copying knows or has reason to believe that the copying will result in copies of substantially the same material being provided to more than

⁸⁶⁸ S 51(3) (defining “sufficient acknowledgement”).

⁸⁶⁹ S 50(4).

	one person at substantially the same time and for substantially the same purpose ⁸⁷⁰ does not include converting a computer program into a higher level version, or copying a computer program in an incidental manner in the course of converting it ⁸⁷¹
Collective Licence/remuneration	
Attribution	
Provision	s 53(1)
Nature of educational reproduction	copying
Type(s) of source work(s)	literary, dramatic, musical or artistic work, typographical arrangement
Entity exercising reproduction	by or on behalf of a person giving or receiving the instruction
Purpose of educational reproduction	in the course of instruction, or of preparation for instruction
Qualification(s)	not by means of a reprographic process copies made cannot be dealt with (i.e. sold, let for hire or offered or exposed for sale or hire) ⁸⁷²
Frequency/Multiple copies and Limits	
Collective Licence/remuneration	
Attribution	title of work (or other description), author (unless anonymous published work, or author identity cannot be ascertained by reasonable inquiry for unpublished work) ⁸⁷³

Provision	s 53(3)
Nature of educational reproduction	copying
Type(s) of source work(s)	sound recording, film, broadcast or cable programme, original database
Entity exercising reproduction	by or on behalf of a person giving or receiving the instruction
Purpose of educational reproduction	in the course of instruction, or of preparation for instruction
Qualification(s)	a single copy being made copies made cannot be dealt with (i.e. sold, let for hire or offered or exposed for sale or hire) ⁸⁷⁴
Frequency/Multiple copies and Limits	
Collective Licence/remuneration	
Attribution	

⁸⁷⁰ S 50(3)(b).

⁸⁷¹ S 50(5).

⁸⁷² S 53(7).

⁸⁷³ Ss 53(2)(c), 51(3) (defining "sufficient acknowledgement").

⁸⁷⁴ S 53(7).

Provision	s 53(5)
Nature of educational reproduction	anything done
Type(s) of source work(s)	
Entity exercising reproduction	
Purpose of educational reproduction	setting the questions, communicating the questions to the candidates, or answering the questions
Qualification(s)	does not apply to making of a reprographic copy of a musical work for use by an examination candidate in performing the work ⁸⁷⁵ copies made cannot be dealt with (i.e. sold, let for hire or offered or exposed for sale or hire) ⁸⁷⁶
Frequency/Multiple copies and Limits	
Collective Licence/remuneration	
Attribution	
Provision	s 57
Nature of educational reproduction	reprographic copies ⁸⁷⁷
Type(s) of source work(s)	passages from published literary, dramatic or musical works, typographical arrangements, original databases
Entity exercising reproduction	by or on behalf of an educational establishment
Purpose of educational reproduction	educational purpose of educational establishment
Qualification(s)	no copying if "licencing scheme" ⁸⁷⁸ certified under s 173 are available authorizing copying and person making copies knows or ought to have been aware of licences ⁸⁷⁹ reprographic copies made cannot be dealt with (i.e. sold, let for hire or offered or exposed for sale or hire) ⁸⁸⁰
Frequency/Multiple copies and Limits	not more than 5% by or on behalf of an educational establishment in any calendar year
Collective Licence/remuneration	any collective licence granted not to derogate from this provision ⁸⁸¹
Attribution	

⁸⁷⁵ S 53(6).⁸⁷⁶ S 53(7).⁸⁷⁷ S 2(1) (defining "reprographic process" as a process for making facsimile copies or involving the use of an appliance for making multiple copies, and includes any copying by electronic means, but does not include the making of a film or sound recording).⁸⁷⁸ Special provisions exist for dealing with licences for the making of reprographic copies of works by or on behalf of educational establishments. s 168 empowers the Minister to extend the application of a licence scheme or licence to works unreasonably excluded from the scheme or licence, s 171 empowers the Minister to evaluate or assess such schemes for educational establishments, and s 172 empowers the Minister to grant a statutory licence where the recommendation for the scheme is not implemented.⁸⁷⁹ S 57(3).⁸⁸⁰ S 57(5).⁸⁸¹ S 57(4).

5. Educational Publications/Anthologies/Compilations/Composite Works

Provision	s 54
Scope of anthologies/compilations limitation/exception	inclusion, in a collection, of a short passage from
Type(s) of source work(s)	a literary, dramatic or musical work, original database, typographical arrangement which has been lawfully made available to the public
Entity exercising anthologies/compilations limitation/exception	
Purpose of anthologies/compilations limitation/exception	for use in an “educational establishment” ⁸⁸² , or for use “in any advertisements issued by or on behalf of the publisher” [sic]
Condition of anthologies/compilations limitation/exception	collection is so described in its title and in any publisher’s advertisement ⁸⁸³ consists mainly of material in which no copyright subsists work itself is not intended for use in such establishment
Preclusions (not part of anthologies/compilations limitation/exception)	more than 2 excerpts from works by same author ⁸⁸⁴ are contained in collections by same publisher within 5 year period ⁸⁸⁵
Subject to Attribution	title of work (or other description), author (unless anonymous published work, or author identity cannot be ascertained by reasonable inquiry for unpublished work) ⁸⁸⁶
Subject to Remuneration	

6. School Performances

Provision	s 55(1)
Scope of school performance	performance of
Type(s) of source work(s)	a literary, dramatic or musical work
Entity exercising school performance	a teacher or student in the course of the activities of educational establishment, or any person at the educational establishment for purpose of instruction
Purpose of school performance	
Condition of school performance	audience limited to persons who are teachers and students at an educational establishment and other persons “directly connected” ⁸⁸⁷ with its activities
Preclusions (not part of school performance)	

⁸⁸² S 2(1) (defining “educational establishment” as any school, university and any other educational establishment prescribed by the Minister).

⁸⁸³ S 54(1)(a)(ii) (reading “in any advertisements” to refer to its intended use in educational establishments).

⁸⁸⁴ S 54(3) (explaining that author includes works of joint authorship, and works by any of the authors will count towards the preclusion).

⁸⁸⁵ S 54(2).

⁸⁸⁶ Ss 53(2)(c), 51(3) (defining “sufficient acknowledgement”).

⁸⁸⁷ S 55(3) (“[a] person is not for this purpose directly connected with the activities of the educational establishment by reason only that he or she is the parent or guardian of a pupil in attendance at the establishment concerned.”)

Subject to Attribution	
Subject to Remuneration	

Provision	s 55(2)
Scope of school performance	playing or showing, at an educational establishment, of
Type(s) of source work(s)	a sound recording, film, broadcast or cable programme
Entity exercising school performance	
Purpose of school performance	purpose of instruction
Condition of school performance	audience limited to persons who are teachers and students at an educational establishment and other persons “directly connected” ⁸⁸⁸ with its activities
Preclusions (not part of school performance)	
Subject to Attribution	
Subject to Remuneration	

Provision	ss 98, 247
Scope of school performance	play
Type(s) of source work(s)	a sound recording, ⁸⁸⁹ a sound recording of a performance ⁸⁹⁰
Entity exercising school performance	
Purpose of school performance	as part of the private activities of or for the benefit of a club, society or other organisation
Condition of school performance	club, society or other organisation is not established or conducted for profit and its main objects are charitable or are otherwise concerned with the advancement of religion, education or social welfare proceeds of any charge for admission to the place where the sound recording is to be heard are applied solely for the purposes of the club, society or other organisation
Preclusions (not part of school performance)	
Subject to Attribution	
Subject to Remuneration	

Provision	s 224(1)
Scope of school performance	playing or showing
Type(s) of source work(s)	a sound recording, film, broadcast or cable programme
Entity exercising school performance	a teacher or student in the course of the activities of educational establishment, or any person for purpose of instruction

⁸⁸⁸ S 55(3) (“[a] person is not for this purpose directly connected with the activities of the educational establishment by reason only that he or she is the parent or guardian of a pupil in attendance at the establishment concerned.”)

⁸⁸⁹ S 98.

⁸⁹⁰ S 247.

Purpose of school performance	
Condition of school performance	audience limited to persons who are teachers and students at an educational establishment and other persons “directly connected” ⁸⁹¹ with its activities
Preclusions (not part of school performance)	
Subject to Attribution	
Subject to Remuneration	

7. Educational Broadcasts/Communications/Recordings

Provision	s 56
Scope of broadcast/communication/recording	fixation, or copy of a fixation of,
Type(s) of source work(s)	a broadcast or cable programme
Entity exercising broadcast/communication/recording	by or on behalf of an educational establishment
Purpose of broadcast/communication/recording	for its educational purposes
Condition of broadcast/communication/recording	copies made cannot be dealt with (i.e. sold, let for hire or offered or exposed for sale or hire) ⁸⁹²
Preclusions (not part of broadcast/communication/recording)	no recording if certified licensing scheme under s 173 provided for grant of licences
Subject to Attribution	
Subject to Remuneration	
Provision	s 223(1)
Scope of broadcast/communication/recording	copying of a recording of
Type(s) of source work(s)	a performance
Entity exercising broadcast/communication/recording	by or on behalf of a person giving or receiving the instruction
Purpose of broadcast/communication/recording	in the course of instruction, or of preparation for instruction
Condition of broadcast/communication/recording	
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	
Subject to Remuneration	
Provision	s 223(2)
Scope of broadcast/communication/recording	copying of a recording of
Type(s) of source work(s)	a performance
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	setting the questions, communicating the questions to the candidates, or answering the questions in an examination
Condition of broadcast/communication/recording	copies made cannot be dealt with (i.e. sold, let for hire or offered or exposed for sale or

⁸⁹¹ S 224(2) (“[a] person is not for this purpose directly connected with the activities of the educational establishment by reason only that he or she is the parent or guardian of a pupil in attendance at the establishment concerned.”)

⁸⁹² S 56(3).

	hire) ⁸⁹³
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	
Subject to Remuneration	

Provision	s 225
Scope of broadcast/communication/recording	recording, or a copy of such a recording, of
Type(s) of source work(s)	a broadcast or cable programme
Entity exercising broadcast/communication/recording	by or on behalf of an educational establishment
Purpose of broadcast/communication/recording	educational purposes of educational establishment
Condition of broadcast/communication/recording	recordings made cannot be dealt with (i.e. sold, let for hire or offered or exposed for sale or hire) ⁸⁹⁴
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	
Subject to Remuneration	

8. Compulsory Licences for Educational Reproductions and Translations
9. TPM/RMI Exceptions for Educational Purposes

⁸⁹³ S 223(3).

⁸⁹⁴ S 225(2).

Israel

1. Legislation Reviewed

Copyright Act, 2007 (as amended on July 28, 2011)

Copyright Regulations (Public Performance in Education Institutions), 5770-2012 (defining educational institution to permit public performance of work under s 29)

2. Private/Personal Use

Provision	s 19
Scope of private/personal use	fair use
Type(s) of source work(s)	a work
Entity exercising private/personal use	
Purpose of private/personal use	private study, research
Condition of private/personal use	to take into account all factors to determine if use made of a work is fair, including: (a) the character of the work used; (b) the scope of the use, quantitatively and qualitatively, in relation to the whole of the work; (c) the purpose and character of the use; and (d) the impact of the use on the value of the work and its potential market.
Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	

3. Quotations

Provision	s 19
Scope of quotation	fair use
Type(s) of source work(s)	a work
Entity exercising quotation	
Purpose of quotation	criticism, review, journalistic reporting, quotation
Condition of quotation	to take into account all factors to determine if use made of a work is fair, including: (a) the character of the work used; (b) the scope of the use, quantitatively and qualitatively, in relation to the whole of the work; (c) the purpose and character of the use; and (d) the impact of the use on the value of the work and its potential market.
Preclusions (not part of quotation)	
Subject to Attribution	
Subject to Remuneration	

4. Educational Reproduction

Provision	s 19
Nature of educational reproduction	fair use
Type(s) of source work(s)	a work
Entity exercising reproduction	

Purpose of educational reproduction	private study, research, instruction and examination by an educational institution
Qualification(s)	to take into account all factors to determine if use made of a work is fair, including: (a) the character of the work used; (b) the scope of the use, quantitatively and qualitatively, in relation to the whole of the work; (c) the purpose and character of the use; and (d) the impact of the use on the value of the work and its potential market.
Frequency/Multiple copies and Limits	
Collective Licence/remuneration	
Attribution	

5. Educational Publications/Anthologies/Compilations/Composite Works

6. School Performances

Provision	s 29
Scope of school performance	public performance
Type(s) of source work(s)	a work
Entity exercising school performance	employees of the "educational institution" ⁸⁹⁵ , or by the students studying therein
Purpose of school performance	in the course of the educational activity of educational institutions, of the type prescribed by the Minister
Condition of school performance	audience limited to employees or students of the educational institution, the relatives of the students or other people directly connected with the activity of said institution, and to them alone
Preclusions (not part of school performance)	
Subject to Attribution	
Subject to Remuneration	

Provision	s 29
Scope of school performance	screening
Type(s) of source work(s)	a cinematographic work
Entity exercising school performance	employees of the "educational institution" ⁸⁹⁶ , or by the students studying therein
Purpose of school performance	teaching and examination by an educational institution
Condition of school performance	audience limited to employees or students of the educational institution, the relatives of the students or other people directly connected with the activity of said institution, and to them alone

⁸⁹⁵ Copyright Regulations (Public Performance in Educational Institutions), 5770-2012 (listing the types of educational institutions).

⁸⁹⁶ Copyright Regulations (Public Performance in Educational Institutions), 5770-2012 (listing the types of educational institutions)..

Preclusions (not part of school performance)	
Subject to Attribution	
Subject to Remuneration	

7. Educational Broadcasts/Communications/Recordings

8. Compulsory Licences for Educational Reproductions and Translations

9. TPM/RMI Exceptions for Educational Purposes

***Italy**

1. Legislation Reviewed

Law No. 633 of April 22, 1941, for the Protection of Copyright and Neighboring Rights (as amended up to Decree-law No. 64 of April 30, 2010)

Law No. 159 of May 22, 1993 (provisions on the improper reproduction of books and repealing the levy on well-known books referred to in articles 177, 178 and 179 and the last paragraph of article 172 of Law No. 633 of April 22, 1941)

2. Private/Personal Use

3. Quotations

4. Educational Reproduction

5. Educational Publications/Anthologies/Compilations/Composite Works

6. School Performances

7. Educational Broadcasts/Communications/Recordings

8. Compulsory Licences for Educational Reproductions and Translations

9. TPM/RMI Exceptions for Educational Purposes

Jamaica

1. Legislation Reviewed

Copyright Act - Act 5 of 1993

Copyright (Educational Establishments) Order, 1993 (defining an educational establishment as including institution providing tertiary education)

2. Private/Personal Use

Provision	s 52
Scope of private/personal use	fair dealing
Type(s) of source work(s)	a literary, dramatic, musical or artistic work, typographical arrangement of a published edition
Entity exercising private/personal use	
Purpose of private/personal use	research or private study
Condition of private/personal use	court to take into account all factors to determine if act done in relation to a work is fair dealing, including: (a) the nature of the work in question; (b) the extent and substantiality of that part of the work affected by the act in relation to the whole of the work; (c) the purpose and character of the use; and (d) the effect of the act upon the potential market for, or the commercial value of, the work. ⁸⁹⁷
Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	

3. Quotations

Provision	s 53
Scope of quotation	fair dealing
Type(s) of source work(s)	a protected work
Entity exercising quotation	
Purpose of quotation	criticism or review of that or another work or of a performance of a work
Condition of quotation	court to take into account all factors to determine if act done in relation to a work is fair dealing, including: (a) the nature of the work in question; (b) the extent and substantiality of that part of the work affected by the act in relation to the whole of the work; (c) the purpose and character of the use; and (d) the effect of the act upon the potential market for, or the commercial value of, the work. ⁸⁹⁸
Preclusions (not part of quotation)	

⁸⁹⁷ S 54.

⁸⁹⁸ S 54.

Subject to Attribution	title (or other description), name of author (unless published anonymously or author's identity unascertainable by reasonable inquiry) ⁸⁹⁹
Subject to Remuneration	

Provision	s 116
Scope of quotation	fair dealing
Type(s) of source work(s)	a performance or recording
Entity exercising quotation	
Purpose of quotation	criticism or review of that or another performance/recording or of a work
Condition of quotation	court to take into account all factors to determine if act done in relation to a work is fair dealing, including: (a) the nature of the work in question; (b) the extent and substantiality of that part of the work affected by the act in relation to the whole of the work; (c) the purpose and character of the use; and (d) the effect of the act upon the potential market for, or the commercial value of, the work. ⁹⁰⁰
Preclusions (not part of quotation)	
Subject to Attribution	
Subject to Remuneration	

4. Educational Reproduction

Provision	s 56(1)
Nature of educational reproduction	copy (non-reprographic process)
Type(s) of source work(s)	a literary, dramatic, musical or artistic work
Entity exercising reproduction	a person giving or receiving instructions
Purpose of educational reproduction	in the course of instruction or of preparation for instruction
Qualification(s)	copies made cannot be dealt with (i.e. sold, let for hire or offered or exposed for sale or hire) ⁹⁰¹
Frequency/Multiple copies and Limits	
Collective Licence/remuneration	
Attribution	

Provision	s 56(3)
Nature of educational reproduction	anything done
Type(s) of source work(s)	a work
Entity exercising reproduction	
Purpose of educational reproduction	an examination by way of setting the

⁸⁹⁹ S 51.

⁹⁰⁰ S 54.

⁹⁰¹ S 60(1).

	questions, communicating the questions to candidates or answering the questions
Qualification(s)	copies made cannot be dealt with (i.e. sold, let for hire or offered or exposed for sale or hire) ⁹⁰²
Frequency/Multiple copies and Limits	
Collective Licence/remuneration	
Attribution	

Provision	s 59
Nature of educational reproduction	reprographic copies
Type(s) of source work(s)	passages from published literary, dramatic or musical works
Entity exercising reproduction	made by or on behalf of an educational establishment
Purpose of educational reproduction	instruction
Qualification(s)	no copying if , or to extent of, licences are available authorizing copying and person making copies knows or ought to have been aware of licences ⁹⁰³ reprographic copies made cannot be dealt with (i.e. sold, let for hire or offered or exposed for sale or hire) ⁹⁰⁴
Frequency/Multiple copies and Limits	not more than 5% of any work by or on behalf of an educational establishment in any quarter
Collective Licence/remuneration	any collective licence granted not to derogate from this provision ⁹⁰⁵
Attribution	

5. Educational Publications/Anthologies/Compilations/Composite Works

Provision	s 57
Scope of anthologies/compilations limitation/exception	inclusion, in a collection, of a short passage from
Type(s) of source work(s)	a published literary or dramatic work
Entity exercising anthologies/compilations limitation/exception	
Purpose of anthologies/compilations limitation/exception	for use in educational establishments
Condition of anthologies/compilations limitation/exception	collection is so described in its title and in any publisher's advertisement collection consists mainly of material in which no copyright subsists, work itself was not published for use of

⁹⁰² S 60(1).

⁹⁰³ S 59(3).

⁹⁰⁴ S 60(1).

⁹⁰⁵ S 59(4).

	educational establishments
Preclusions (not part of anthologies/compilations limitation/exception)	more than 2 excerpts from works by same author ⁹⁰⁶ are contained in collections by same publisher within 5 year period ⁹⁰⁷
Subject to Attribution	title (or other description), name of author (unless published anonymously or author's identity unascertainable by reasonable inquiry) ⁹⁰⁸
Subject to Remuneration	

6. School Performances

Provision	ss 79, 123
Scope of school performance	play
Type(s) of source work(s)	a sound recording
Entity exercising school performance	a club, society or other organization not established or conducted for profit and its main objects are charitable or are otherwise concerned with the advancement of religion, education or social welfare
Purpose of school performance	as part of the activities of, or for the benefit of [entity]
Condition of school performance	proceeds of any charge for admission to the place where the recording is to be heard are applied solely for the purposes of the organization
Preclusions (not part of school performance)	
Subject to Attribution	
Subject to Remuneration	

Provision	s 119
Scope of school performance	recording, or a copy of such recording,
Type(s) of source work(s)	a broadcast or cable programme
Entity exercising school performance	by or on behalf of an educational establishment
Purpose of school performance	educational purposes of educational establishment
Condition of school performance	recording made cannot be dealt with (i.e. sold, let for hire or offered or exposed for sale or hire) ⁹⁰⁹
Preclusions (not part of school performance)	
Subject to Attribution	
Subject to Remuneration	

7. Educational Broadcasts/Communications/Recordings

⁹⁰⁶ S 57(3) (explaining that author includes works of joint authorship, and works by any of the authors will count towards the preclusion).

⁹⁰⁷ S 57(2).

⁹⁰⁸ S 51.

⁹⁰⁹ S 119(2).

Provision	s 58
Scope of broadcast/communication/recording	a recording, or a copy of such a recording, of
Type(s) of source work(s)	a broadcast or cable programme
Entity exercising broadcast/communication/recording	made by or on behalf of an educational establishment
Purpose of broadcast/communication/recording	educational purposes of that establishment
Condition of broadcast/communication/recording	
Preclusions (not part of broadcast/communication/recording)	not applicable if or to the extent there is a s 102 certified licensing scheme applicable ⁹¹⁰
Subject to Attribution	
Subject to Remuneration	
Provision	s 118(1)
Scope of broadcast/communication/recording	copy
Type(s) of source work(s)	a recording of a performance
Entity exercising broadcast/communication/recording	a person giving or receiving instructions
Purpose of broadcast/communication/recording	in the course of instruction or of preparation for instruction, in the making of films or film sound-tracks
Condition of broadcast/communication/recording	copies made cannot be dealt with (i.e. sold, let for hire or offered or exposed for sale or hire) ⁹¹¹
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	
Subject to Remuneration	

Provision	s 56(2)
Scope of broadcast/communication/recording	making a film or film sound-track
Type(s) of source work(s)	a sound recording, film, broadcast or cable programme
Entity exercising broadcast/communication/recording	a person giving or receiving instruction
Purpose of broadcast/communication/recording	in the course of instruction, or of preparation for instruction, in the making of films or film sound-tracks
Condition of broadcast/communication/recording	copies made cannot be dealt with (i.e. sold, let for hire or offered or exposed for sale or hire) ⁹¹²
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	
Subject to Remuneration	

Provision	s 118(2)
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⁹¹⁰ S 58(2).

⁹¹¹ S 118(3).

⁹¹² S 60(1).

Scope of broadcast/communication/recording	copying of a recording of, or anything done
Type(s) of source work(s)	a performance
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	an examination by way of setting the questions, communicating the questions to candidates or answering the questions
Condition of broadcast/communication/recording	copies made cannot be dealt with (i.e. sold, let for hire or offered or exposed for sale or hire) ⁹¹³
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	
Subject to Remuneration	

8. Compulsory Licences for Educational Reproductions and Translations
9. TPM/RMI Exceptions for Educational Purposes

⁹¹³ S 60(1).

***Japan**

1. Legislation Reviewed

Copyright Act (Act No. 48 of May 6, 1970, as last amended by Act No. 65 of December 3, 2010)

2. Private/Personal Use

3. Quotations

4. Educational Reproduction

5. Educational Publications/Anthologies/Compilations/Composite Works

6. School Performances

7. Educational Broadcasts/Communications/Recordings

8. Compulsory Licences for Educational Reproductions and Translations

9. TPM/RMI Exceptions for Educational Purposes

Jordan

1. Legislation Reviewed

Law No. 22 of 1992 on Copyright and its Amendments up to 2005

2. Private/Personal Use

Provision	Art. 17(a)
Scope of private/personal use	presenting, exhibiting, accounting, performing or musically playing
Type(s) of source work(s)	a work
Entity exercising private/personal use	
Purpose of private/personal use	private family meeting
Condition of private/personal use	
Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	

Provision	Art. 17(b)
Scope of private/personal use	use by reproduction, recording, photographing, translation or musical distribution
Type(s) of source work(s)	a work
Entity exercising private/personal use	
Purpose of private/personal use	private personal use
Condition of private/personal use	one copy “does not conflict with normal exploitation of the work and does not cause unjustified injury to the legitimate interests of the author”
Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	

3. Quotations

Provision	Art 17(d)
Scope of quotation	quoting paragraphs, in another work, from
Type(s) of source work(s)	a work
Entity exercising quotation	
Purpose of quotation	illustration, discussion, criticism, culturing or examination
Condition of quotation	within limits which justify this purpose
Preclusions (not part of quotation)	
Subject to Attribution	title, name of author
Subject to Remuneration	

4. Educational Reproduction

Provision	Art. 17(a)
Nature of educational reproduction	presenting, exhibiting, accounting, performing or musically playing
Type(s) of source work(s)	a work

Entity exercising reproduction	
Purpose of educational reproduction	in an educational, cultural or social institute by way of illustration for educational purposes
Qualification(s)	
Frequency/Multiple copies and Limits	
Collective Licence/remuneration	
Attribution	

5. Educational Publications/Anthologies/Compilations/Composite Works

Provision	Art. 17(c)
Scope of anthologies/compilations limitation/exception	illustration through publications, programs and sound, audio and visual recordings
Type(s) of source work(s)	a work
Entity exercising anthologies/compilations limitation/exception	
Purpose of anthologies/compilations limitation/exception	educational, cultural, religious or vocational purposes
Condition of anthologies/compilations limitation/exception	within the parameters necessary for achieving these purposes “does not conflict with the regular exploitation of the work” “relying on this work in this case does not aim to achieve any financial gain”
Preclusions (not part of anthologies/compilations limitation/exception)	
Subject to Attribution	title, name of author
Subject to Remuneration	

6. School Performances

7. Educational Broadcasts/Communications/Recordings

Provision	Art. 17(c)
Scope of broadcast/communication/recording	illustration through publications, programs and sound, audio and visual recordings
Type(s) of source work(s)	a work
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	educational, cultural, religious or vocational purposes
Condition of broadcast/communication/recording	within the parameters necessary for achieving these purposes “does not conflict with the regular exploitation of the work” “relying on this work in this case does not aim to achieve any financial gain”
Preclusions (not part of	

broadcast/communication/recording)	
Subject to Attribution	title, name of author
Subject to Remuneration	

8. Compulsory Licences for Educational Reproductions and Translations
9. TPM/RMI Exceptions for Educational Purposes

***Kazakhstan**

1. Legislation Reviewed

Law on Copyright and Neighboring Rights

2. Private/Personal Use

3. Quotations

4. Educational Reproduction

5. Educational Publications/Anthologies/Compilations/Composite Works

6. School Performances

7. Educational Broadcasts/Communications/Recordings

8. Compulsory Licences for Educational Reproductions and Translations

9. TPM/RMI Exceptions for Educational Purposes

Kenya

1. Legislation Reviewed

Chapter 130 - The Copyright Act 2001

2. Private/Personal Use

Provision	s 26(1)(a)
Scope of private/personal use	doing of those acts by way of fair dealing
Type(s) of source work(s)	a literary, musical or artistic work or audiovisual work, (a sound recording) ⁹¹⁴ , (a broadcast) ⁹¹⁵
Entity exercising private/personal use	
Purpose of private/personal use	scientific research, private use
Condition of private/personal use	
Preclusions (not part of private/personal use)	not a computer program ⁹¹⁶
Subject to Attribution	source
Subject to Remuneration	
Provision	s 28(3)
Scope of private/personal use	making
Type(s) of source work(s)	sound recording
Entity exercising private/personal use	a person
Purpose of private/personal use	personal and private use of person making the copy
Condition of private/personal use	in a single copy
Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	copyright owner of sound recording to receive fair compensation consisting of levy on audio recording equipment or audio blank tape suitable for recording and other recording media, payable by manufacturer/importer ⁹¹⁷ to CMOs ⁹¹⁸

3. Quotations

Provision	s 26(1)(a)
Scope of quotation	doing of those acts by way of fair dealing
Type(s) of source work(s)	a literary, musical or artistic work or audiovisual work, (a sound recording) ⁹¹⁹ , (a broadcast) ⁹²⁰
Entity exercising quotation	
Purpose of quotation	criticism or review
Condition of quotation	
Preclusions (not part of quotation)	

⁹¹⁴ S 28(2).

⁹¹⁵ S 29(a).

⁹¹⁶ S 26(3). However, a person in lawful possession of a computer program may make copies of the programme to correct errors, to make backup copies, for testing to determine its suitability for use, and for any purpose not prohibited under any licence or agreement.

⁹¹⁷ S 28(3), (4) (providing that the royalty payable shall be agreed between organizations representing producers of sound recordings and manufacturers/importers, failing which the competent authority will set the royalty).

⁹¹⁸ S 28(5) (prescribing an organization representative of producers of sound recordings).

⁹¹⁹ S 28(2).

⁹²⁰ S 29(a).

Subject to Attribution	source
Subject to Remuneration	

4. Educational Reproduction5. Educational Publications/Anthologies/Compilations/Composite Works

Provision	s 26(1)(d)
Scope of anthologies/compilations limitation/exception	inclusion in a collection of
Type(s) of source work(s)	literary or musical works
Entity exercising anthologies/compilations limitation/exception	
Purpose of anthologies/compilations limitation/exception	collection is designed for use in a school registered under the Education Act or any university established by or under any written law
Condition of anthologies/compilations limitation/exception	not more than two short passages from each work
Preclusions (not part of anthologies/compilations limitation/exception)	
Subject to Attribution	title of work, author
Subject to Remuneration	

6. School Performances7. Educational Broadcasts/Communications/Recordings

Provision	s 26(1)(e)
Scope of broadcast/communication/recording	broadcasting
Type(s) of source work(s)	a work, (a broadcast) ⁹²¹
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	broadcast intended to be used for systematic instructional activities
Condition of broadcast/communication/recording	
Preclusions (not part of broadcast/communication/recording)	reprographic copies made cannot be dealt with (i.e. sold, let for hire or offered or exposed for sale or hire) ⁹²²
Subject to Attribution	
Subject to Remuneration	

Provision	s 26(1)(f)
Scope of broadcast/communication/recording	reproduction of
Type(s) of source work(s)	a broadcast, (a sound recording) ⁹²³ , (a broadcast) ⁹²⁴

⁹²¹ S 29(a).⁹²² S 39(3).⁹²³ S 28(2).

	intended for purposes of systematic instructional activities
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	use of that reproduction in a school registered under the Education Act or any university established by or under any written law for the systematic instructional activities of any such school or university
Condition of broadcast/communication/recording	
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	
Subject to Remuneration	

8. Compulsory Licences for Educational Reproductions and Translations
9. TPM/RMI Exceptions for Educational Purposes

⁹²⁴ S 29(a).

Kiribati

1. Legislation Reviewed

Copyright Ordinance (Cap 16) (adopting the application of parts of UK Copyright Act 1956 (4 & 5 Eliz. 2, Cap. 74)⁹²⁵, but excluding s 22⁹²⁶)

2. Private/Personal Use

Provision	ss 6(1), 9(1)
Scope of private/personal use	fair dealing
Type(s) of source work(s)	a literary, dramatic or musical work, (or its adaptation) ⁹²⁷ , an artistic work
Entity exercising private/personal use	
Purpose of private/personal use	research or private study
Condition of private/personal use	
Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	

3. Quotations

Provision	ss 6(2), 9(2)
Scope of quotation	fair dealing
Type(s) of source work(s)	a literary, dramatic or musical work, (or its adaptation) ⁹²⁸ or an artistic work
Entity exercising quotation	
Purpose of quotation	purposes of criticism or review, whether of that work or of another work
Condition of quotation	
Preclusions (not part of quotation)	
Subject to Attribution	title (or other description), name of author (unless anonymous or author has agreed otherwise) ⁹²⁹
Subject to Remuneration	

4. Educational Reproduction

Provision	s 41(1)(a)
Nature of educational reproduction	reproduction (otherwise than by the use of a “duplicating process” ⁹³⁰) or making of an adaptation, of

⁹²⁵ s 15, Western Pacific (Courts) Order in Council, 1961 states that “statutes of general application in force in England on the 1st day of January, 1961 ... shall be in force [but] so far only as the circumstances of any particular territory and its inhabitants and the limits of Her Majesty’s jurisdiction permit and subject to such qualifications as local circumstances render necessary”. This rendered applicable in Kiribati the U.K. Copyright Act 1956. Article 5(1) of the Kiribati Independence Order provides that existing laws and Acts of the Parliament of the U.K. or Order of Her Majesty in Council, having effect as part of the law of Kiribati immediately before independence day, shall continue in force and be construed with such conforming modifications. With the enactment of the Kiribati Copyright Ordinance (Chapter 16, Revised Edition 1980), which came into force on 13 June 1917, the U.K. Copyright Act 1956, which continues to apply in Kiribati, will be construed with the Kiribati Copyright Ordinance.

⁹²⁶ S 5, Copyright Ordinance (Cap 16) (stating that s 22, U.K. Copyright Act 1956 does not apply as the law of Kiribati).

⁹²⁷ S 6(8).

⁹²⁸ S 6(8).

⁹²⁹ Ss 6(10), 48(1) (defining “sufficient acknowledgment”).

Type(s) of source work(s)	a literary, dramatic, musical or artistic work
Entity exercising reproduction	by a teacher or pupil
Purpose of educational reproduction	in the course of instruction, whether at a school ⁹³¹ or elsewhere
Qualification(s)	reproduction or adaptation shall not be published ⁹³²
Frequency/Multiple copies and Limits	
Collective Licence/remuneration	
Attribution	

Provision	s 41(1)(b)
Nature of educational reproduction	reproduction (otherwise than by the use of a duplicating process) or making of an adaptation, of
Type(s) of source work(s)	a literary, dramatic, musical or artistic work
Entity exercising reproduction	
Purpose of educational reproduction	as part of the questions to be answered in an examination, or in an answer to such a question
Qualification(s)	reproduction or adaptation shall not be published ⁹³³
Frequency/Multiple copies and Limits	
Collective Licence/remuneration	
Attribution	

5. Educational Publications/Anthologies/Compilations/Composite Works

Provision	s 6(6)
Scope of anthologies/compilations limitation/exception	inclusion of a short passage in a collection, from
Type(s) of source work(s)	a published literary or dramatic work, (or its adaptation) ⁹³⁴
Entity exercising anthologies/compilations limitation/exception	
Purpose of anthologies/compilations limitation/exception	for use of schools
Condition of anthologies/compilations limitation/exception	collection is so described in its title and in any publisher's advertisement [source] work was not published for use of schools collection consists mainly of material in which no copyright subsists

⁹³⁰ S 41(7) (defining "duplicating process" as any process involving the use of an appliance for producing multiple copies).

⁹³¹ S 41(7) (defining "school" as an entity with the same meaning at that in the Education Act 1944, the Education (Scotland) Act, 1946 and the Education Act (Northern Ireland), 1947 in relation to England and Wales, Scotland and Northern Ireland, but presumably meaning that which is so defined in the laws of Guyana).

⁹³² S 41(2).

⁹³³ S 41(2).

⁹³⁴ S 6(8).

Preclusions (not part of anthologies/compilations limitation/exception)	2 or more excerpts from works by same author ⁹³⁵ are contained in that collection, or that collection with every similar collection by same publisher within 5 year period ⁹³⁶
Subject to Attribution	title (or other description), name of author (unless anonymous or author has agreed otherwise) ⁹³⁷
Subject to Remuneration	

6. School Performances

Provision	s 12(7)
Scope of school performance	causing to be heard in public
Type(s) of source work(s)	a sound recording
Entity exercising school performance	a club, society or other organization not established or conducted for profit and its main objects are charitable or are otherwise concerned with the advancement of religion, education or social welfare
Purpose of school performance	as part of the activities of, or for the benefit of
Condition of school performance	proceeds of any charge for admission to the place where the recording is to be heard are applied solely for the purposes of the organization
Preclusions (not part of school performance)	
Subject to Attribution	
Subject to Remuneration	

Provision	s 41(3), (5)
Scope of school performance	performance [of a work] causing to be heard or seen, the sounds or visual images [of a sound recording, cinematograph film, a television broadcast]
Type(s) of source work(s)	a literary, dramatic or musical work a sound recording, cinematograph film, a television broadcast
Entity exercising school performance	by a person who is a teacher in, or a pupil in attendance at, the school ⁹³⁸
Purpose of school performance	in the course of the activities of a school
Condition of school performance	performance in class, or otherwise in the presence of an audience audience is limited to persons who are

⁹³⁵ S 6(6) proviso (explaining that author includes works of joint authorship, and works by any of the authors will count towards the preclusion).

⁹³⁶ S 6(6).

⁹³⁷ Ss 6(10), 48(1) (defining "sufficient acknowledgment").

⁹³⁸ S 41(7) (defining "school" as an entity with the same meaning as that in the Education Act 1944, the Education (Scotland) Act, 1946 and the Education Act (Northern Ireland), 1947 in relation to England and Wales, Scotland and Northern Ireland, but presumably meaning that which is so defined in the laws of Guyana).

	teachers in, or pupils in attendance at, the school, or are otherwise “directly connected” ⁹³⁹ with the activities of the school
Preclusions (not part of school performance)	
Subject to Attribution	
Subject to Remuneration	

7. Educational Broadcasts/Communications/Recordings
8. Compulsory Licences for Educational Reproductions and Translations
9. TPM/RMI Exceptions for Educational Purposes

⁹³⁹ S 41(4) (defining “directly connected” as excluding a person who is connected by reason only that he is a parent or guardian of a pupil in attendance at the school).

Kuwait

1. Legislation Reviewed

Law No. 64 of 1999 concerning Intellectual Property Rights including Explanatory Memorandum

Law No. 5 of 1999 on Intellectual Property Rights

2. Private/Personal Use

Provision	Art. 7
Scope of private/personal use	presentation or performance
Type(s) of source work(s)	a published literary work
Entity exercising private/personal use	
Purpose of private/personal use	private meeting
Condition of private/personal use	no financial outcome directly or indirectly
Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	

Provision	Art. 8
Scope of private/personal use	reproduction, modification, quotation or translation
Type(s) of source work(s)	a published literary work
Entity exercising private/personal use	
Purpose of private/personal use	for his own personal purposes
Condition of private/personal use	reproduction, modification or translation may not be published without permission from owner and author
Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	

3. Quotations

Provision	Art. 9
Scope of quotation	analysis and short quotations
Type(s) of source work(s)	a published literary work
Entity exercising quotation	
Purpose of quotation	criticism, enlightenment, study or information
Condition of quotation	
Preclusions (not part of quotation)	
Subject to Attribution	source, name of author
Subject to Remuneration	

4. Educational Reproduction

5. Educational Publications/Anthologies/Compilations/Composite Works

6. School Performances

7. Educational Broadcasts/Communications/Recordings

8. Compulsory Licences for Educational Reproductions and Translations

Provision	Art. 16
Nature of compulsory licence for translation for educational purposes	compulsory licence, for translation into Arabic and publication
Type(s) of source work(s)	literary work in a foreign language
Licence applicant/entity	
Purpose of licence	
Qualification(s)	work has not been previously translated into Arabic and published within 1 year from first publication of the original or translation ⁹⁴⁰
Compulsory licence fee(s)	beneficiary of compulsory licence to pay a fair compensation to author or owner of translation rights
Price of publication	
Distribution conditions	
Grantor of Collective Licence	Minister of Information

9. TPM/RMI Exceptions for Educational Purposes

⁹⁴⁰ Art. 16 also provides that if the translation right is not exercised within 5 years from date of first publication of the original or translated literary work, the translation right “shall expire”.

*Kyrgyzstan

1. Legislation Reviewed

Law of the Kyrgyz Republic on Copyright and Related Rights (as amended up to Law No. 14 of January 21, 2014)

Lao People's Democratic Republic

1. Legislation Reviewed

Law No. 01/NA of December 20, 2011, on Intellectual Property (as amended)

2. Private/Personal Use

3. Quotations

Provision	Art. 111.1.1
Scope of quotation	making quotations
Type(s) of source work(s)	a work which has already been lawfully made available to the public, including newspaper articles and periodicals in the form of press summaries, (a performance, phonogram, broadcast) ⁹⁴¹
Entity exercising quotation	
Purpose of quotation	
Condition of quotation	making is compatible with fair use, and their extent does not exceed that justified by the purpose “acts shall not conflict with a normal exploitation of the work and shall not unreasonably prejudice the legitimate interests of the author” does not apply to reproduction of architectural works, including construction of the work, and reproduction that requires circumvention of technological measures to protect copyright or related rights, or unauthorised removal or alteration of electronic rights management information
Preclusions (not part of quotation)	
Subject to Attribution	source, name of author (if indicated on source)
Subject to Remuneration	

4. Educational Reproduction

5. Educational Publications/Anthologies/Compilations/Composite Works

Provision	Art. 111.1.2
Scope of anthologies/compilations limitation/exception	utilization, by way of illustration in publications, broadcasts or sound or visual recordings
Type(s) of source work(s)	literary or artistic works, (performances, phonograms, broadcasts) ⁹⁴²
Entity exercising anthologies/compilations limitation/exception	
Purpose of anthologies/compilations limitation/exception	for teaching

⁹⁴¹ Art. 112 (applying limitations and exceptions applicable to copyright to related rights).

⁹⁴² Art. 112 (applying limitations and exceptions applicable to copyright to related rights).

Condition of anthologies/compilations limitation/exception	does not apply to reproduction of architectural works, including construction of the work, and reproduction that requires circumvention of technological measures to protect copyright or related rights, or unauthorised removal or alteration of electronic rights management information
Preclusions (not part of anthologies/compilations limitation/exception)	to the extent justified by the purpose utilization is compatible with fair practice “acts shall not conflict with a normal exploitation of the work and shall not unreasonably prejudice the legitimate interests of the author”
Subject to Attribution	source, name of author (if indicated on source)
Subject to Remuneration	

6. School Performances7. Educational Broadcasts/Communications/Recordings

Provision	Art. 111.1.2
Scope of broadcast/communication/recording	utilization, by way of illustration in publications, broadcasts or sound or visual recordings
Type(s) of source work(s)	literary or artistic works, (performances, phonograms, broadcasts) ⁹⁴³
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	for teaching
Condition of broadcast/communication/recording	does not apply to reproduction of architectural works, including construction of the work, and reproduction that requires circumvention of technological measures to protect copyright or related rights, or unauthorised removal or alteration of electronic rights management information
Preclusions (not part of broadcast/communication/recording)	to the extent justified by the purpose utilization is compatible with fair practice “acts shall not conflict with a normal exploitation of the work and shall not unreasonably prejudice the legitimate interests of the author”
Subject to Attribution	source, name of author (if indicated on source)
Subject to Remuneration	

8. Compulsory Licences for Educational Reproductions and Translations9. TPM/RMI Exceptions for Educational Purposes

⁹⁴³ Art. 112 (applying limitations and exceptions applicable to copyright to related rights).

***Latvia**

1. Legislation Reviewed

Copyright Law (as last amended on April 18, 2013)

Lebanon

1. Legislation Reviewed

Law No. 75 of 1999 on the Protection of Literary and Artistic Property

2. Private/Personal Use

Provision	Art. 23
Scope of private/personal use	copy, record or make a single copy
Type(s) of source work(s)	any work that has been legally published, (a sound recording, performance, broadcast, printed work) ⁹⁴⁴
Entity exercising private/personal use	a natural person
Purpose of private/personal use	personal and private use
Condition of private/personal use	in a single copy
Preclusions (not part of private/personal use)	use of a copy copied or reproduced inside a company or at any work place is not a personal and private use works of architecture (complete or partial construction), any work of which a limited number of original copies are published, reproduction of whole or significant part of book, compilations of data of all kinds, computer program ⁹⁴⁵
Subject to Attribution	
Subject to Remuneration	

3. Quotations

Provision	Art. 25(2)
Scope of quotation	use a limited part of
Type(s) of source work(s)	any legally published work, (sound recording, performance, broadcast, printed work) ⁹⁴⁶
Entity exercising quotation	
Purpose of quotation	criticism, argumentation or citation
Condition of quotation	part used does not exceed what is necessary and customary
Preclusions (not part of quotation)	
Subject to Attribution	source, name of author (if indicated on source)
Subject to Remuneration	

4. Educational Reproduction

Provision	Art. 25(2)
Nature of educational reproduction	use a limited part of
Type(s) of source work(s)	any legally published work, (sound recording, performance, broadcast, printed work) ⁹⁴⁷
Entity exercising reproduction	

⁹⁴⁴ Art. 47 (applying the limitations and exceptions for copyright works to related rights).

⁹⁴⁵ Art. 24 (excepting use of the computer program and for backup/archival purposes).

⁹⁴⁶ Art. 47 (applying the limitations and exceptions for copyright works to related rights).

⁹⁴⁷ Art. 47 (applying the limitations and exceptions for copyright works to related rights).

Purpose of educational reproduction	an educational purpose
Qualification(s)	part used does not exceed what is necessary and customary
Frequency/Multiple copies and Limits	
Collective Licence/remuneration	
Attribution	source, name of author (if indicated on source)
Provision	Art. 26
Nature of educational reproduction	copy or reproduce
Type(s) of source work(s)	articles published in newspapers and magazines or short excerpts of a work, (a sound recording, performance, broadcast, printed work) ⁹⁴⁸
Entity exercising reproduction	
Purpose of educational reproduction	solely for educational purposes
Qualification(s)	
Frequency/Multiple copies and Limits	within the necessary limits of such purpose
Collective Licence/remuneration	
Attribution	publisher, name of author (if indicated on source)

5. Educational Publications/Anthologies/Compilations/Composite Works

6. School Performances

Provision	Art. 32
Scope of school performance	display or perform, in public,
Type(s) of source work(s)	a work, (a sound recording, performance, broadcast, printed work) ⁹⁴⁹
Entity exercising school performance	teachers or students of educational institutions use the work
Purpose of school performance	activities carried out by educational institutions
Condition of school performance	audience is limited to the teachers, students, students' parents and persons directly involved in the activities of the said educational institution
Preclusions (not part of school performance)	
Subject to Attribution	
Subject to Remuneration	

7. Educational Broadcasts/Communications/Recordings

Provision	Art. 25(2)
Scope of broadcast/communication/recording	use a limited part of
Type(s) of source work(s)	any legally published work, (sound recording, performance, broadcast, printed work) ⁹⁵⁰
Entity exercising broadcast/communication/recording	
Purpose of	an educational purpose

⁹⁴⁸ Art. 47 (applying the limitations and exceptions for copyright works to related rights).

⁹⁴⁹ Art. 47 (applying the limitations and exceptions for copyright works to related rights).

⁹⁵⁰ Art. 47 (applying the limitations and exceptions for copyright works to related rights).

broadcast/communication/recording	
Condition of broadcast/communication/recording	part used does not exceed what is necessary and customary
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	source, name of author (if indicated on source)
Subject to Remuneration	
Provision	Art. 26
Scope of broadcast/communication/recording	copy or reproduce
Type(s) of source work(s)	articles published in newspapers and magazines or short excerpts of a work, (a sound recording, performance, broadcast, printed work) ⁹⁵¹
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	solely for educational purposes
Condition of broadcast/communication/recording	
Preclusions (not part of broadcast/communication/recording)	within the necessary limits of such purpose
Subject to Attribution	publisher, name of author (if indicated on source)
Subject to Remuneration	

8. Compulsory Licences for Educational Reproductions and Translations
9. TPM/RMI Exceptions for Educational Purposes

⁹⁵¹ Art. 47 (applying the limitations and exceptions for copyright works to related rights).

Lesotho

1. Legislation Reviewed

Copyright Order 1989 (Order No.13 of 1989)

2. Private/Personal Use

Provision	s 9(a)(i)
Scope of private/personal use	reproduction, translation, adaptation, arrangement or other transformation
Type(s) of source work(s)	a work (either in the original language or in translation) that has been made whether or not that work has been lawfully published
Entity exercising private/personal use	
Purpose of private/personal use	exclusively for the user's personal and private use
Condition of private/personal use	
Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	

Provision	s 30(1)(a)
Scope of private/personal use	use of
Type(s) of source work(s)	a performance, phonogram, broadcast
Entity exercising private/personal use	
Purpose of private/personal use	private use
Condition of private/personal use	
Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	

3. Quotations

Provision	s 9(a)(ii)
Scope of quotation	inclusion, of quotations, in another work, from
Type(s) of source work(s)	a work (either in the original language or in translation) that has been made whether or not that work has been lawfully published, including quotations from newspaper articles and periodicals in the form of press summaries
Entity exercising quotation	
Purpose of quotation	
Condition of quotation	quotation is compatible with fair practice quotation does not exceed extent justified by the purpose
Preclusions (not part of quotation)	
Subject to Attribution	source, name of author
Subject to Remuneration	

Provision	s 30(1)(c)
Scope of quotation	use

Type(s) of source work(s)	a performance, phonogram, broadcast
Entity exercising quotation	
Purpose of quotation	solely for the purpose of short excerpts
Condition of quotation	quotations are compatible with fair practice justified by the informatory purposes of such quotations
Preclusions (not part of quotation)	
Subject to Attribution	source, name of author (if indicated on source)
Subject to Remuneration	

4. Educational Reproduction

Provision	s 9(f)
Nature of educational reproduction	reproduction, by photography, sound or video-recording, of [sic] electronic storage
Type(s) of source work(s)	literary artistic or scientific works which have already been lawfully made available to the public, (performances, phonograms, broadcasts) ⁹⁵²
Entity exercising reproduction	public libraries, national archives and museums, noncommercial documentation centres, scientific institutions and educational establishments
Purpose of educational reproduction	needs of the regular activities of the entity reproducing the work
Qualification(s)	
Frequency/Multiple copies and Limits	reproduction, number of copies made and use thereof are limited to the needs of the regular activities of the entity reproduction etc. will “neither conflict with the normal exploitation of the work nor unreasonably prejudice the legitimate interest of the author”
Collective Licence/remuneration	
Attribution	

5. Educational Publications/Anthologies/Compilations/Composite Works

Provision	s 9(a)(iii)
Scope of anthologies/compilations limitation/exception	utilization by way of illustration in broadcasts, distribution by cable, sound or visual recordings, communication
Type(s) of source work(s)	a work (either in the original language or in translation) that has been made whether or not that work has been lawfully published, including quotations from newspaper articles and periodicals in the form of press

⁹⁵² S 30(1)(d) (applying the limitations in s 9 in respect of copyright works to related rights).

	summaries, (a performance, phonogram, broadcast) ⁹⁵³
Entity exercising anthologies/compilations limitation/exception	
Purpose of anthologies/compilations limitation/exception	for teaching
Condition of anthologies/compilations limitation/exception	use is compatible with fair practice to the extent justified by the purpose
Preclusions (not part of anthologies/compilations limitation/exception)	
Subject to Attribution	title of work, author (unless anonymous published work, or author identity cannot be ascertained by reasonable inquiry for unpublished work) ⁹⁵⁴
Subject to Remuneration	

6. School Performances7. Educational Broadcasts/Communications/Recordings

Provision	s 9(a)(iii)
Scope of broadcast/communication/recording	communication
Type(s) of source work(s)	a work (either in the original language or in translation) that has been made whether or not that work has been lawfully published, including quotations from newspaper articles and periodicals in the form of press summaries, (a performance, phonogram, broadcast) ⁹⁵⁵
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	for teaching purposes of the work broadcast or distributed by cable for use in schools, education, universities and professional training
Condition of broadcast/communication/recording	use is compatible with fair practice
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	source, name of author
Subject to Remuneration	

Provision	s 9(f)
Scope of broadcast/communication/recording	reproduction, by photography, sound or video-recording, of [sic] electronic storage
Type(s) of source work(s)	literary artistic or scientific works which have already been lawfully made available to the

⁹⁵³ S 30(1)(d) (applying the limitations in s 9 in respect of copyright works to related rights).⁹⁵⁴ S 2(1) (defining "sufficient acknowledgement").⁹⁵⁵ S 30(1)(d) (applying the limitations in s 9 in respect of copyright works to related rights).

	public, (performances, phonograms, broadcasts) ⁹⁵⁶
Entity exercising broadcast/communication/recording	public libraries, national archives and museums, noncommercial documentation centres, scientific institutions and educational establishments
Purpose of broadcast/communication/recording	needs of the regular activities of the entity reproducing the work
Condition of broadcast/communication/recording	
Preclusions (not part of broadcast/communication/recording)	reproduction, number of copies made and use thereof are limited to the needs of the regular activities of the entity reproduction etc. will “neither conflict with the normal exploitation of the work nor unreasonably prejudice the legitimate interest of the author”
Subject to Attribution	
Subject to Remuneration	

Provision	s 30(2)
Scope of broadcast/communication/recording	reproduction, by way of licences, of duplicates of
Type(s) of source work(s)	phonograms
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	reproduction serves the exclusive purposes of education or scientific research
Condition of broadcast/communication/recording	reproduction is made and distributed in Lesotho, to the exclusion of all importation of duplicates
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	
Subject to Remuneration	equitable remuneration for the phonogram producer, prescribed by the Ministry of Information and Broadcasting with particular reference to the number of duplicates to be made and distributed

8. Compulsory Licences for Educational Reproductions and Translations

Provision	s 10, First Schedule
Nature of compulsory licence for translation for educational purposes	non-exclusive, non-transferable ⁹⁵⁷ compulsory licence, for translation and publication of such translation in printed or analogous forms of reproduction in Lesotho ⁹⁵⁸

⁹⁵⁶ S 30(1)(d) (applying the limitations in s 9 in respect of copyright works to related rights).

⁹⁵⁷ Para. 4(1)(d), (e), First Schedule.

⁹⁵⁸ Para. 4(1)(b), First Schedule. An exception may be made for printing outside of Lesotho. See para. 4(1) proviso.

Type(s) of source work(s)	works which have been published in printed or analogous forms of reproduction, (whose country of origin is Lesotho or any other designated country) ⁹⁵⁹ (for domestic broadcasting organisations) any text incorporated in an audio-visual fixation that was itself prepared and published for the sole purpose of being used in connection with systematic instructional activities ⁹⁶⁰
Licence applicant/entity	licence applicant is a national of Lesotho or a domestic broadcasting organisation ⁹⁶¹
Purpose of licence	purpose of teaching, scholarship or research ⁹⁶²
Qualification(s)	licence application may be made: 3 years from first publication (for translation into English), ⁹⁶³ or 1 year from first publication (for translation into Sesotho) ⁹⁶⁴ work has not been previously translated into the language in the licence application and published by the owner of the right of translation, or if translation has been so published, all previous editions in that language are out of print ⁹⁶⁵ licence applicant has requested and been denied authorisation by owner of right of translation, or was unable to find owner after due diligence, despite sending request to publisher or to any designated national or international information centre ⁹⁶⁶ opportunity to be heard is given, to owner of right of translation, where known or located ⁹⁶⁷ a further period of 6/9 months has lapsed from date licence applicant complies with licence requirements ⁹⁶⁸ no licence shall be granted if, during further period, a translation into said language has

⁹⁵⁹ Para. 6(1), First Schedule.

⁹⁶⁰ Para. 5(2), First Schedule.

⁹⁶¹ Paras. 2(1), 5(1), First Schedule.

⁹⁶² Para. 4(1)(a), First Schedule.

⁹⁶³ Para. 2(2)(a), First Schedule.

⁹⁶⁴ Para. 2(2)(b), First Schedule.

⁹⁶⁵ Para. 3(1)(a), First Schedule.

⁹⁶⁶ Para. 3(1)(b)-(d), First Schedule. In addition, a waiting period of 6/9 months must have lapsed before the licence application has been made. Para. 3(3).

⁹⁶⁷ Para. 3(2), First Schedule.

⁹⁶⁸ Para. 3(4), First Schedule.

	<p>been published by or with authorisation of owner⁹⁶⁹</p> <p>if work is composed mainly of illustrations, the additional conditions of the Second Schedule to the First Schedule are fulfilled⁹⁷⁰</p> <p>author has not withdrawn from circulation copies of the work⁹⁷¹</p> <p>on all copies of the published translation are printed: the name of author and original title,⁹⁷² a notice in the language of the translation stating that the copy is available for distribution only in Lesotho,⁹⁷³ a reprint of the original copyright notice (if available)⁹⁷⁴</p> <p>subject to licensee's sale of existing copies, licence terminated if translation right owner has published or authorised the publishing of translated work, at a price reasonably related to that normally charged in Lesotho for comparable works⁹⁷⁵</p>
Compulsory licence fee(s)	beneficiary of compulsory licence to pay just compensation to owner of translation right in the work, consistent with normally operating standards of royalties ⁹⁷⁶
Price of publication	
Distribution conditions	copies of translated work may not be exported, except if translation is into a language other than English, for Lesotho nationals, or of organizations of Lesotho nationals, residing abroad, who will use them only for purpose of teaching, scholarship or research, where the sending and distribution are without any commercial purpose, and the government of the foreign importing country has agreed to their receipt/distribution ⁹⁷⁷
Grantor of Collective Licence	Minister
Provision	s 10, First Schedule
Nature of compulsory licence for translation for educational purposes	compulsory licence, for broadcasting of translation for recipients in Lesotho, including broadcasts made through the medium of sound or visual recording ⁹⁷⁸

⁹⁶⁹ Para. 3(5), First Schedule.

⁹⁷⁰ Para. 3(6), First Schedule.

⁹⁷¹ Para. 3(7), First Schedule.

⁹⁷² Para 4(5)(a), First Schedule.

⁹⁷³ Para 4(5)(b), First Schedule.

⁹⁷⁴ Para 4(5)(c), First Schedule.

⁹⁷⁵ Para. 4(7), (7), First Schedule.

⁹⁷⁶ Para. 4(3), First Schedule.

⁹⁷⁷ Para. 4(2), First Schedule.

⁹⁷⁸ Para. 5(1)(c), First Schedule.

Type(s) of source work(s)	works which have been published in printed or analogous forms of reproduction, (whose country of origin is Lesotho or any other designated country) ⁹⁷⁹
Licence applicant/entity	licence applicant is a domestic broadcasting organization ⁹⁸⁰
Purpose of licence	broadcasts intended exclusively for teaching or for the dissemination of the results of specialized technical or scientific research to experts in a particular profession ⁹⁸¹
Qualification(s)	translation is made from a lawfully made or acquired copy ⁹⁸² the translation and broadcasting of such translation are not used for any commercial purposes ⁹⁸³
Compulsory licence fee(s)	
Price of publication	
Distribution conditions	sounds or visual recordings of the translation may not be used by broadcasting organizations other than those having their headquarters in Lesotho ⁹⁸⁴
Grantor of Collective Licence	Minister
Provision	s 11, Second Schedule
Nature of compulsory licence for reproduction for educational purposes	non-exclusive, non-transferable ⁹⁸⁵ compulsory licence, for: * publication of particular edition, in printed or analogous forms of reproduction in Lesotho ⁹⁸⁶ [of a work] * reproduction in audiovisual form, or translation of any text incorporated, into English [of an audiovisual fixation] ⁹⁸⁷
Type(s) of source work(s)	[works]: which have been published in printed or analogous forms of reproduction, (whose country of origin is Lesotho or any other designated country) ⁹⁸⁸ [audiovisual fixations]: which have been prepared and published for the sole purpose of

⁹⁷⁹ Para. 6(1), First Schedule.

⁹⁸⁰ Para. 5(1), First Schedule.

⁹⁸¹ Para. 5(1)(b), First Schedule.

⁹⁸² Para 5(1)(a), First Schedule.

⁹⁸³ Para. 5(1)(e), First Schedule.

⁹⁸⁴ Para. 5(1)(d), First Schedule.

⁹⁸⁵ Para. 4(1)(d), (e), Second Schedule. Provisions have been incorrectly labelled as paras. (a) and (b).

⁹⁸⁶ Para. 2(1), Second Schedule. An exception may be made for printing outside of Lesotho. See para. 4(1)(c) proviso.

⁹⁸⁷ Para. 5(a), (b), Second Schedule.

⁹⁸⁸ Paras. 1, 6(1), Second Schedule.

	being used in connection with systematic instructional activities ⁹⁸⁹
Licence applicant/entity	licence applicant a national of Lesotho ⁹⁹⁰
Purpose of licence	systematic instructional activities ⁹⁹¹
Qualification(s)	<p>licence application may be made: works of fiction, poetry, drama, music or art - 7 years from first publication, or works of technology, natural and physical sciences, mathematics - 3 years from first publication, or any other work - 5 years from first publication⁹⁹²</p> <p>work has not been previously reproduced and published by the owner/authorised person in Lesotho, to the general public or in connection with systematic instructional activities, at a price reasonably related to that charged in Lesotho for comparable works, or, under the same conditions, such copies have not been on sale in Lesotho for a continuous period of at least 6 months⁹⁹³</p> <p>licence applicant has requested and been denied authorisation by owner of right of reproduction, or was unable to owner after due diligence, despite sending request to publisher or to any designated national or international information centre⁹⁹⁴</p> <p>opportunity to be heard is given, to owner of right of reproduction, where known or located⁹⁹⁵</p> <p>a “further period” of 3/6 months has lapsed from date licence applicant complies with licence requirements⁹⁹⁶</p> <p>no licence shall be granted if, during “further period”, a distribution or placing on sale has taken place by or with authorisation of owner⁹⁹⁷</p>

⁹⁸⁹ Para. 5(a), (b), Second Schedule.

⁹⁹⁰ Para. 2(1), Second Schedule.

⁹⁹¹ Para. 4(1)(a), Second Schedule.

⁹⁹² Para 2(2), Second Schedule.

⁹⁹³ Para. 3(1)(a), Second Schedule.

⁹⁹⁴ Para. 3(1)(b)-(d), Second Schedule.

⁹⁹⁵ Para. 3(2), Second Schedule.

⁹⁹⁶ Para. 3(3), (4), Second Schedule. It is 3 months for a 5/7 year waiting period, and 6 months for a 3 year waiting period.

⁹⁹⁷ Para. 3(5), Second Schedule.

	<p>author has not withdrawn from circulation copies of the work⁹⁹⁸</p> <p>if edition for reproduction is a translation, the licence shall only be granted if the translation is in a prescribed language and published by or with authorization of the owner of the right of translation⁹⁹⁹</p> <p>on all copies of the published reproduction are included: the name of author and original title,¹⁰⁰⁰ a notice in the language of the publication stating that the copy is available for distribution only in Lesotho,¹⁰⁰¹ a reprint of the original copyright notice (if available)¹⁰⁰²</p> <p>subject to licensee's sale of existing copies, licence terminated if reproduction right owner has distributed the reproduction in Lesotho or in connection with systematic instructional activities, at a price reasonably related to that normally charged in Lesotho for comparable works¹⁰⁰³</p>
Compulsory licence fee(s)	beneficiary of compulsory licence to pay just compensation to owner of reproduction right in the work, consistent with normally operating standards of royalties ¹⁰⁰⁴
Price of publication	a price reasonably related to, or lower than, that normally charged in Lesotho for comparable work ¹⁰⁰⁵
Distribution conditions	copies of reproduced work may only be published within Lesotho and not be exported ¹⁰⁰⁶
Grantor of Collective Licence	Minister

9. TPM/RMI Exceptions for Educational Purposes

⁹⁹⁸ Para. 3(6), Second Schedule.

⁹⁹⁹ Para. 3(7), Second Schedule.

¹⁰⁰⁰ Para 4(4)(a), First Schedule.

¹⁰⁰¹ Para 4(4)(b), First Schedule.

¹⁰⁰² Para 4(4)(c), First Schedule.

¹⁰⁰³ Para. 4(5), (6), Second Schedule.

¹⁰⁰⁴ Para. 4(2), Second Schedule.

¹⁰⁰⁵ Para. 4(1)(b), Second Schedule.

¹⁰⁰⁶ Para. 4(1)(c), Second Schedule.

Liberia

1. Legislation Reviewed

Copyright Law of the Republic of Liberia

2. Private/Personal Use

Provision	s 2.7
Scope of private/personal use	fair use, including such use by reproduction in copies or sound recordings or by any other means
Type(s) of source work(s)	a copyrighted work, (a performance) ¹⁰⁰⁷
Entity exercising private/personal use	
Purpose of private/personal use	scholarship or research
Condition of private/personal use	to determine if use is fair use, consider all factors, including: (a) the purpose and character of the use, including whether such use is of a commercial nature or for non-profit educational purposes; (b) the nature of the copyright work; (c) the amount and substantially of the portion used in relation to the copyrighted work as a whole; (d) the effect of the use upon the potential market for or value of the work.
Preclusions (not part of private/personal use)	reproduction of a computer program ¹⁰⁰⁸
Subject to Attribution	
Subject to Remuneration	

Note: This includes a user requesting, for private study, scholarship or research purposes, that the library/archive make a copy of one article or contribution to a copyright collection periodical, or to a copy or sound recording of a small part of any other copyrighted work. See s 2.9(d).

3. Quotations

Provision	s 2.7
Scope of quotation	fair use, including such use by reproduction in copies or sound recordings or by any other means
Type(s) of source work(s)	a copyrighted work, (a performance) ¹⁰⁰⁹
Entity exercising quotation	
Purpose of quotation	criticism, comment
Condition of quotation	to determine if use is fair use, consider all factors, including: (a) the purpose and character of the use, including whether such use is of a commercial nature or for non-profit educational purposes; (b) the nature of the copyright work; (c) the amount and substantially of the portion used in relation to the copyrighted work as a whole; (d) the effect of the use upon the potential market for or value of the work.

¹⁰⁰⁷ S 2.32(A)(1)(a)(i) (exempting all fixations made under s 2.7 from authorisation of performer).

¹⁰⁰⁸ S 2.14 (excepting the reproduction of a computer program for its use, and for backup/archival purposes).

¹⁰⁰⁹ S 2.32(A)(1)(a)(i) (exempting all fixations made under s 2.7 from authorisation of performer).

Preclusions (not part of quotation)	reproduction of a computer program ¹⁰¹⁰
Subject to Attribution	
Subject to Remuneration	

4. Educational Reproduction

Provision	S 2.7
Nature of educational reproduction	fair use, including such use by reproduction in copies or sound recordings or by any other means
Type(s) of source work(s)	a copyrighted work, (a performance) ¹⁰¹¹
Entity exercising reproduction	
Purpose of educational reproduction	teaching (including multiple copies for classroom use), scholarship and research
Qualification(s)	to determine if use is fair use, consider all factors, including: (a) the purpose and character of the use, including whether such use is of a commercial nature or for non-profit educational purposes; (b) the nature of the copyright work; (c) the amount and substantially of the portion used in relation to the copyrighted work as a whole; (d) the effect of the use upon the potential market for or value of the work.
Frequency/Multiple copies and Limits	
Collective Licence/remuneration	
Attribution	

5. Educational Publications/Anthologies/Compilations/Composite Works

6. School Performances

Provision	s 2.10(1)
Scope of school performance	performance or display
Type(s) of source work(s)	a work
Entity exercising school performance	instructors or pupils
Purpose of school performance	face-to-face teaching activities of a non-profit educational institution, in a classroom or similar place devoted to instruction
Condition of school performance	proceeds of any charge for admission to the place where the recording is to be heard are applied solely for the purposes of the organization
Preclusions (not part of school performance)	in the case of a motion picture or other audiovisual work, the performance, or the display of individual images, is given by means of a copy that was not lawfully made under this title, and that the person responsible for the

¹⁰¹⁰ S 2.14 (excepting the reproduction of a computer program for its use, and for backup/archival purposes).

¹⁰¹¹ S 2.32(A)(1)(a)(i) (exempting all fixations made under s 2.7 from authorisation of performer).

	performers knew or had reason to believe was not lawfully made
Subject to Attribution	
Subject to Remuneration	

Provision	S 2.10(4)
Scope of school performance	performance, otherwise than in a transmission to the public,
Type(s) of source work(s)	a non-dramatic literary or musical work
Entity exercising school performance	
Purpose of school performance	
Condition of school performance	without any purpose of direct or indirect commercial advantage without payment of any fee or other compensation for the performance, performers, promoters, or organizers no direct or indirect admission charges proceeds, after deducting the reasonable cost of producing the performance, are used exclusively for educational, religious, or charitable purposes and not for private financial gain
Preclusions (not part of school performance)	unless copyright owner has served a duly signed notice of objection complying in form with regulatory requirements, on the person responsible for the performance at least 7 days before the date of the performance ¹⁰¹²
Subject to Attribution	
Subject to Remuneration	

7. Educational Broadcasts/Communications/Recordings

Provision	S 2.7
Scope of broadcast/communication/recording	fair use, including such use by reproduction in copies or sound recordings or by any other means
Type(s) of source work(s)	a copyrighted work, (a performance) ¹⁰¹³
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	teaching (including multiple copies for classroom use), scholarship and research
Condition of broadcast/communication/recording	to determine if use is fair use, consider all factors, including: (a) the purpose and character of the use, including whether such use is of a commercial nature or for non-profit educational purposes;

¹⁰¹² S 2.10(4) proviso.

¹⁰¹³ S 2.32(A)(1)(a)(i) (exempting all fixations made under s 2.7 from authorisation of performer).

	(b) the nature of the copyright work; (c) the amount and substantially of the portion used in relation to the copyrighted work as a whole; (d) the effect of the use upon the potential market for or value of the work.
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	
Subject to Remuneration	
Provision	S 2.10(2)
Scope of broadcast/communication/recording	performance or display, by or in the course of a transmission
Type(s) of source work(s)	a non-dramatic literary or musical work
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	regular part of the systematic instructional activities or a governmental body or a non-profit educational institution
Condition of broadcast/communication/recording	performance or display is directly related and of material assistance to the teaching content of the transmission transmission is made primarily for i) reception in classroom or similar places normally devoted to instruction; or ii) reception by person to whom the transmission is directed because ... other special circumstances prevent their attendance in classrooms or similar places normally devoted to instruction
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	
Subject to Remuneration	

Provision	s 2.16(A)
Scope of broadcast/communication/recording	use
Type(s) of source work(s)	sound recordings
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	included in educational, television and radio programs distributed, transmitted by or through public broadcasting entities
Condition of broadcast/communication/recording	copies or sound recordings are not commercially distributed by or through public broadcasting entity to the general public
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	
Subject to Remuneration	

Provision	s 2.19
Scope of broadcast/communication/recording	perform or display, by or in the course of transmission made, ¹⁰¹⁴ (including the production of a transmission program, reproduction of copies or sound recordings of such a transmission program and distribution of such copies, ¹⁰¹⁵ and the making of a reproduction of the transmission, performance or display) ¹⁰¹⁶ of
Type(s) of source work(s)	published nondramatic musical works and published pictorial, graphic and sculptural works
Entity exercising broadcast/communication/recording	a non-commercial public educational broadcasting station (as a public broadcasting entity) ¹⁰¹⁷
Purpose of broadcast/communication/recording	for its educational purposes
Condition of broadcast/communication/recording	production, reproduction or distribution made solely for purposes of performance or display of work by or in the course of transmission ¹⁰¹⁸ reproduction of the transmission to be destroyed 7 days from date of transmission ¹⁰¹⁹
Preclusions (not part of broadcast/communication/recording)	use beyond the limits of fair use provided by s 2.7 the unauthorized dramatization of a non-dramatic musical work, the production of a transmission program drawn to any substantial extent from a published compilation of pictorial, graphic, or sculptural works, or the unauthorized use of any portion of an audiovisual work ¹⁰²⁰
Subject to Attribution	
Subject to Remuneration	in accordance with the terms of any voluntary licence agreements negotiated as provided in s 2.19(b)(2) and the rates and terms established by the Copyright Board in s 2.19(b)(3) ¹⁰²¹

8. Compulsory Licences for Educational Reproductions and Translations9. TPM/RMI Exceptions for Educational Purposes

¹⁰¹⁴ S 2.19(c)(1).¹⁰¹⁵ S 2.19(c)(2).¹⁰¹⁶ S 2.19(c)(3).¹⁰¹⁷ S 2.19(f).¹⁰¹⁸ S 2.19(c)(2).¹⁰¹⁹ S 2.19(c)(3).¹⁰²⁰ S 2.19(e).¹⁰²¹ S 2.19(c).

Libya

1. Legislation Reviewed

Law No. 9 for 1968 Issuing the Copyright Protection Law

2. Private/Personal Use

Provision	Art. 12
Scope of private/personal use	copy
Type(s) of source work(s)	a published work
Entity exercising private/personal use	a person
Purpose of private/personal use	own use
Condition of private/personal use	
Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	

Provision	Art. 11
Scope of private/personal use	eurhythmy, acting, or delivery
Type(s) of source work(s)	a published work
Entity exercising private/personal use	
Purpose of private/personal use	a family gathering
Condition of private/personal use	does not yield any financial return
Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	

3. Quotations

Provision	Art. 13
Scope of quotation	analyses and short quotations
Type(s) of source work(s)	a published work
Entity exercising quotation	
Purpose of quotation	criticism, discussion, education or information
Condition of quotation	
Preclusions (not part of quotation)	
Subject to Attribution	source, name of author (if known)
Subject to Remuneration	

4. Educational Reproduction

5. Educational Publications/Anthologies/Compilations/Composite Works

Provision	Art. 17(a)
Scope of anthologies/compilations limitation/exception	copying, in school books and in literature, history, science and art books
Type(s) of source work(s)	published works
Entity exercising anthologies/compilations limitation/exception	
Purpose of anthologies/compilations limitation/exception	short quotations
Condition of anthologies/compilations	

limitation/exception	
Preclusions (not part of anthologies/compilations limitation/exception)	
Subject to Attribution	source, name of author
Subject to Remuneration	

Provision	Art. 17(b)
Scope of anthologies/compilations limitation/exception	copying, in school books and in literature, history, science and art books
Type(s) of source work(s)	published works on graphic art, sculpture and photography
Entity exercising anthologies/compilations limitation/exception	
Purpose of anthologies/compilations limitation/exception	
Condition of anthologies/compilations limitation/exception	copying to be limited to extent necessary to explain what is written
Preclusions (not part of anthologies/compilations limitation/exception)	
Subject to Attribution	source, name of author
Subject to Remuneration	

6. School Performances

Provision	Art. 11
Scope of school performance	eurhythmy, acting, or delivery
Type(s) of source work(s)	a published work
Entity exercising school performance	
Purpose of school performance	a society, a private club or school meeting
Condition of school performance	does not yield any financial return
Preclusions (not part of school performance)	
Subject to Attribution	
Subject to Remuneration	

7. Educational Broadcasts/Communications/Recordings

8. Compulsory Licences for Educational Reproductions and Translations

9. TPM/RMI Exceptions for Educational Purposes

***Liechtenstein**

1. Legislation Reviewed

Law on Copyright and Neighboring Rights (Copyright Law)

Regulation on Copyright and Neighbouring Rights (Copyright Regulation)

Lithuania

1. Legislation Reviewed

Law on Copyright and Related Rights No. VIII-1185 of May 18, 1999 (as amended on October 7, 2014 – by Law No. XII-1183)

2. Private/Personal Use

Provision	Arts. 20, 58.2
Scope of private/personal use	reproduce (not by reprography)
Type(s) of source work(s)	a work lawfully published or communicated to the public
Entity exercising private/personal use	a natural person
Purpose of private/personal use	exclusively for his individual use and not for commercial advantage
Condition of private/personal use	in a single copy
Preclusions (not part of private/personal use)	works of architecture or other construction works, electronic databases, ¹⁰²² computer programs ¹⁰²³ any limitation must “not conflict with a normal exploitation of a work/object of related rights and must not prejudice the legitimate interests of author or other owner of copyright/related rights” ¹⁰²⁴
Subject to Attribution	
Subject to Remuneration	(reproduction of audiovisual works and phonograms) compensatory remuneration to be paid for devices and analog and digital blank audio and audiovisual media, payable by sellers and collected by CMOs on behalf of performers/phonogram producers according to the compensatory remuneration rates set out in Annex I ¹⁰²⁵

Provision	Art. 20 ¹
Scope of private/personal use	reprographic reproduction (effected by the use of any kind of photocopying technique or by some other process having similar effects, where a work is reproduced on paper or any similar medium)
Type(s) of source work(s)	a lawfully published article or any other short work, or a short extract of a writing with or without illustrations, (a performance, phonogram, broadcast, fixation of audiovisual work) ¹⁰²⁶
Entity exercising private/personal use	
Purpose of private/personal use	private use but not for purposes of commercial

¹⁰²² Art. 32 (excepting use of the database that are necessary for access, and appropriate use of its contents as a legitimate user).

¹⁰²³ Arts. 30, 31 (excepting use of the computer program, for backup/archival purposes and for decompilation).

¹⁰²⁴ Arts. 19(1), 58.3.

¹⁰²⁵ Arts. 20(5)-(11).

¹⁰²⁶ Art. 58.2 (extending Art. 20 and remuneration scheme to related rights).

	advantage
Condition of private/personal use	
Preclusions (not part of private/personal use)	reproduction by means of reprography of the whole text of a book or a major part thereof, or sheet music any limitation must “not conflict with a normal exploitation of a work and must not prejudice the legitimate interests of author or other owner of copyright” ¹⁰²⁷
Subject to Attribution	
Subject to Remuneration	compensatory remuneration to be paid for services of reprographic reproduction provided to natural persons and reprographic devices, payable by service providers and sellers of reprographic devices and collected by CMOs on behalf of owners of copyright (and related rights) ¹⁰²⁸ and publishers according to the compensatory remuneration rates set out in Annex II ¹⁰²⁹

3. Quotations

Provision	Art. 21
Scope of quotation	reproduce, publish and communicate to the public (including making it available to the public via computer networks), in another work
Type(s) of source work(s)	a relatively short passage of a literary and scientific work which has been lawfully published or made available to the public, both in the original and translated language
Entity exercising quotation	
Purpose of quotation	quotation (for purposes such as criticism or review)
Condition of quotation	use is in accordance with fair practice and to the extent required by the specific purpose
Preclusions (not part of quotation)	
Subject to Attribution	source, name of author (if indicated on source, unless infeasible)
Subject to Remuneration	

4. Educational Reproduction

Provision	Arts. 22(1), 58.1(5)
Nature of educational reproduction	reproduction, communication to the public and public display

¹⁰²⁷ Art. 19(1).

¹⁰²⁸ Art. 58.2 (extending Art. 20 and remuneration scheme to related rights).

¹⁰²⁹ Arts. 20¹(3)-(10).

Type(s) of source work(s)	short works, (performances, phonograms, fixations of audiovisual works, broadcasts) ¹⁰³⁰ lawfully published or communicated to the public or short extracts of a work lawfully published or communicated to the public, either in the original language or translated into another language
Entity exercising reproduction	
Purpose of educational reproduction	non-commercial purpose of illustration for teaching or scientific research
Qualification(s)	related to study programmes any limitation must “not conflict with a normal exploitation of a work/object of related rights and must not prejudice the legitimate interests of author or other owner of copyright/related rights” ¹⁰³¹
Frequency/Multiple copies and Limits	not exceed the extent justified by the purpose to be achieved
Collective Licence/remuneration	
Attribution	source, name of author (where possible)

Provision	Art. 22(2)
Nature of educational reproduction	reproduction, communication to the public and public display, by way of illustration
Type(s) of source work(s)	works created to evaluate students’ learning achievements
Entity exercising reproduction	
Purpose of educational reproduction	non-commercial purposes
Qualification(s)	related to study programmes and teacher professional development programmes any limitation must “not conflict with a normal exploitation of a work and must not prejudice the legitimate interests of author or other owner of copyright” ¹⁰³²
Frequency/Multiple copies and Limits	to the extent justified by the purpose of teaching or teacher professional development
Collective Licence/remuneration	
Attribution	source, name of author (where possible)

Provision	Arts. 22(3), 58.1(3)
Nature of educational reproduction	use, communication to the public via terminals designated for that purpose in establishments
Type(s) of source work(s)	works, (performances, phonograms, fixations of audiovisual works, broadcasts) ¹⁰³³ held by libraries, by libraries of educational and

¹⁰³⁰ Art. 58.1(5).

¹⁰³¹ Arts. 19(1), 58.3.

¹⁰³² Arts. 19(1).

¹⁰³³ Art. 58.1(3).

	research institutions, museums or archives
Entity exercising reproduction	
Purpose of educational reproduction	non-commercial purpose of research or private study
Qualification(s)	<p>work is not publicly traded and the copyright owners do not prohibit the use of such works</p> <p>establishment may reproduce the acquired copies of the works, but only in order to make communication of a work to the public technically possible via computer networks</p> <p>establishment must ensure the use of effective technical protection measures so copies of works would not be reproduced and the content information of works would not be transferred or transmitted outside the terminals of the establishments to external networks</p> <p>any limitation must “not conflict with a normal exploitation of a work/object of related rights and must not prejudice the legitimate interests of author or other owner of copyright/related rights”¹⁰³⁴</p>
Frequency/Multiple copies and Limits	not be permitted to make accessible via computer networks more copies of a work than held by these institutions
Collective Licence/remuneration	
Attribution	

5. Educational Publications/Anthologies/Compilations/Composite Works

6. School Performances

Provision	Arts. 22(4), 58.1(6)
Scope of school performance	public performance and public display
Type(s) of source work(s)	a work, (a performance, phonogram, fixation of audiovisual works, broadcast) ¹⁰³⁵
Entity exercising school performance	
Purpose of school performance	<p>non-commercial purposes</p> <p>concerts, exhibitions of formal and non-formal education institutions and pre-school education institutions (nurseries, nursery-kindergartens, kindergartens; also nurseries, nursery-kindergartens and kindergartens for pre-school education of children with special needs)</p> <p>such concerts and exhibitions constitute a part</p>

¹⁰³⁴ Arts. 19(1), 58.3.

¹⁰³⁵ Art. 58.1(6).

	of education process carried out by these institutions any limitation must “not conflict with a normal exploitation of a work/object of related rights and must not prejudice the legitimate interests of author or other owner of copyright/related rights” ¹⁰³⁶
Condition of school performance	
Preclusions (not part of school performance)	
Subject to Attribution	
Subject to Remuneration	

7. Educational Broadcasts/Communications/Recordings

Provision	Arts. 22(1), 58.1(5)
Scope of broadcast/communication/recording	reproduction, communication to the public and public display
Type(s) of source work(s)	short works, (performances, phonograms, fixations of audiovisual works, broadcasts) ¹⁰³⁷ lawfully published or communicated to the public or short extracts of a work lawfully published or communicated to the public, either in the original language or translated into another language
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	non-commercial purpose of illustration for teaching or scientific research
Condition of broadcast/communication/recording	related to study programmes any limitation must “not conflict with a normal exploitation of a work/object of related rights and must not prejudice the legitimate interests of author or other owner of copyright/related rights” ¹⁰³⁸
Preclusions (not part of broadcast/communication/recording)	not exceed the extent justified by the purpose to be achieved
Subject to Attribution	source, name of author (where possible)
Subject to Remuneration	
Provision	Arts. 22(3), 58.1(3)
Scope of broadcast/communication/recording	use, communication to the public via terminals designated for that purpose in establishments
Type(s) of source work(s)	works, (performances, phonograms, fixations of audiovisual works, broadcasts) ¹⁰³⁹ held by libraries, by libraries of educational and research institutions, museums or archives
Entity exercising	

¹⁰³⁶ Arts. 19(1), 58.3.

¹⁰³⁷ Art. 58.1(5).

¹⁰³⁸ Arts. 19(1), 58.3.

¹⁰³⁹ Art. 58.1(3).

broadcast/communication/recording	
Purpose of broadcast/communication/recording	non-commercial purpose of research or private study
Condition of broadcast/communication/recording	<p>work is not publicly traded and the copyright owners do not prohibit the use of such works</p> <p>establishment may reproduce the acquired copies of the works, but only in order to make communication of a work to the public technically possible via computer networks</p> <p>establishment must ensure the use of effective technical protection measures so copies of works would not be reproduced and the content information of works would not be transferred or transmitted outside the terminals of the establishments to external networks</p> <p>any limitation must “not conflict with a normal exploitation of a work/object of related rights and must not prejudice the legitimate interests of author or other owner of copyright/related rights”¹⁰⁴⁰</p>
Preclusions (not part of broadcast/communication/recording)	not be permitted to make accessible via computer networks more copies of a work than held by these institutions
Subject to Attribution	
Subject to Remuneration	

8. Compulsory Licences for Educational Reproductions and Translations
9. TPM/RMI Exceptions for Educational Purposes

¹⁰⁴⁰ Arts. 19(1), 58.3.

***Luxembourg**

1. Legislation Reviewed

Law of 18 April 2001 on Copyright, Neighbouring Rights and Databases

Madagascar

1. Legislation Reviewed

Law No. 94-036 of 18 September 1995 on Literary and Artistic Property

2. Private/Personal Use

Provision	Art. 42
Scope of private/personal use	reproduction of
Type(s) of source work(s)	a work lawfully published
Entity exercising private/personal use	
Purpose of private/personal use	exclusively for the private use of the user
Condition of private/personal use	
Preclusions (not part of private/personal use)	works of architecture, reprographic reproduction of limited-edition works of fine art, musical notation, exercise manuals that are used only once, whole or substantial part of a database, computer program ¹⁰⁴¹
Subject to Attribution	
Subject to Remuneration	

Provision	Art.115(2)
Scope of private/personal use	reproduction of
Type(s) of source work(s)	a performance, phonogram, videogram, programme ¹⁰⁴²
Entity exercising private/personal use	
Purpose of private/personal use	strictly reserved for the private use of the person making them
Condition of private/personal use	not intended for collective use
Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	(works fixed on phonograms or videograms) authors, performers and producers entitled to remuneration, paid by manufacturer/importer of reproduction machines, recording media used for reproduction of private use of works and objects, collected by CMOs ¹⁰⁴³

Provision	Art. 42(1)
Scope of private/personal use	performances
Type(s) of source work(s)	a disclosed work, (a performance, phonogram, videogram, programme) ¹⁰⁴⁴
Entity exercising private/personal use	
Purpose of private/personal use	private performance
Condition of private/personal use	given free of charge and exclusively within the family circle
Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	

¹⁰⁴¹ Art. 51 (excepting use of the computer program and for backup/archival purposes).

¹⁰⁴² Art. 115(1).

¹⁰⁴³ Arts. 116-123.

¹⁰⁴⁴ Art. 115(1).

3. Quotations

Provision	Art. 44
Scope of quotation	use, in another work
Type(s) of source work(s)	a lawfully published work
Entity exercising quotation	
Purpose of quotation	analyses and short quotations
Condition of quotation	quotation is in line with good practice and provided its length is no greater than that warranted by the goal to be achieved
Preclusions (not part of quotation)	
Subject to Attribution	source, name of author (if indicated on source)
Subject to Remuneration	

Provision	Art. 115(3)
Scope of quotation	use
Type(s) of source work(s)	a performance, phonogram, videogram, programme ¹⁰⁴⁵
Entity exercising quotation	
Purpose of quotation	analyses and short quotations
Condition of quotation	warranted by the critical, polemical, pedagogical, scientific or informative nature of the work into which they are incorporated
Preclusions (not part of quotation)	
Subject to Attribution	source
Subject to Remuneration	

4. Educational Reproduction

Provision	Art. 45(2)
Nature of educational reproduction	reproduce by reprographic means
Type(s) of source work(s)	isolated articles lawfully published in a newspaper or periodical, or short extracts from a work lawfully published
Entity exercising reproduction	
Purpose of educational reproduction	for teaching or examinations in teaching establishments
Qualification(s)	activities are not directly or indirectly aimed at commercial profit,
Frequency/Multiple copies and Limits	to the extent warranted by the goal to be achieved
Collective Licence/remuneration	
Attribution	

5. Educational Publications/Anthologies/Compilations/Composite Works

Provision	Art. 45(1)
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¹⁰⁴⁵ Art. 115(1).

Scope of anthologies/compilations limitation/exception	use, as an illustration, of
Type(s) of source work(s)	lawfully published work
Entity exercising anthologies/compilations limitation/exception	
Purpose of anthologies/compilations limitation/exception	in publications intended for teaching
Condition of anthologies/compilations limitation/exception	
Preclusions (not part of anthologies/compilations limitation/exception)	
Subject to Attribution	source, name of author (if indicated on source)
Subject to Remuneration	

6. School Performances

Provision	Art. 42(3)
Scope of school performance	performance
Type(s) of source work(s)	
Entity exercising school performance	
Purpose of school performance	activities of teaching establishments, to the staff and students of such an establishment
Condition of school performance	non-lucrative activities audience is composed exclusively of the staff and students of the establishment or of parents and supervisors of the children or other persons directly connected with the activities of the establishment
Preclusions (not part of school performance)	
Subject to Attribution	
Subject to Remuneration	

7. Educational Broadcasts/Communications/Recordings

Provision	Art. 45(2)
Scope of broadcast/communication/recording	use, as an illustration, in broadcasts of sound or visual recordings
Type(s) of source work(s)	lawfully published work
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	intended for teaching
Condition of broadcast/communication/recording	
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	
Subject to Remuneration	

8. Compulsory Licences for Educational Reproductions and Translations
9. TPM/RMI Exceptions for Educational Purposes

Malawi

1. Legislation Reviewed

Copyright Act, 1989

2. Private/Personal Use

Provision	ss 10(a)(i), 39(a)
Scope of private/personal use	reproduction, translation, adaptation, arrangement or other transformation
Type(s) of source work(s)	a published work (in its original language or its translation), (a performance, sound recording, broadcast) ¹⁰⁴⁶
Entity exercising private/personal use	
Purpose of private/personal use	user's own personal or private use
Condition of private/personal use	
Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	

3. Quotations

Provision	s 10(a)(ii)
Scope of quotation	inclusion, in another work, of quotations from
Type(s) of source work(s)	a published work (in its original language or its translation), including quotations from newspaper articles and periodicals in the form of press summaries
Entity exercising quotation	
Purpose of quotation	
Condition of quotation	quotations are compatible with fair practice quotations does not exceed extent justified by the purpose
Preclusions (not part of quotation)	
Subject to Attribution	source, name of author
Subject to Remuneration	

Provision	s 39(d)
Scope of quotation	quotations, in the form of short excerpts of
Type(s) of source work(s)	a performance, sound recording or broadcast
Entity exercising quotation	
Purpose of quotation	
Condition of quotation	quotations are compatible with fair practice quotations are justified by the informative purpose of those quotations
Preclusions (not part of quotation)	
Subject to Attribution	source, name of author
Subject to Remuneration	

¹⁰⁴⁶ S 39 (referring to ss 33 – 37, but it appears to have missed out s 38, which deals with the rights of broadcasting organizations for broadcasts, though it is clear from s 39(b), (d) that s 39 is intended to apply the limitations and exceptions to all neighbouring rights).

4. Educational Reproduction

Provision	s 10(f)
Nature of educational reproduction	reproduction, photography, audiovisual work or sound recording or electronic storage
Type(s) of source work(s)	literary, dramatic, musical and artistic works (in their original language or translation) which have already been lawfully made available to the public
Entity exercising reproduction	public libraries, non-commercial documentation centres, scientific institutions and educational establishments
Purpose of educational reproduction	
Qualification(s)	reproduction etc. neither conflict with the normal uses of the work nor unreasonably prejudice the legitimate interests of the author
Frequency/Multiple copies and Limits	such reproduction, the number of copies made and the use thereof are limited to the needs of the regular activities of the body reproducing the work
Collective Licence/remuneration	
Attribution	source, name of author

5. Educational Publications/Anthologies/Compilations/Composite Works

Provision	s 10(a)(iii)
Scope of anthologies/compilations limitation/exception	use, by way of illustration in publications, of
Type(s) of source work(s)	a published work (in its original language or its translation)
Entity exercising anthologies/compilations limitation/exception	
Purpose of anthologies/compilations limitation/exception	for teaching
Condition of anthologies/compilations limitation/exception	use is compatible with fair practice to the extent justified by the purpose
Preclusions (not part of anthologies/compilations limitation/exception)	
Subject to Attribution	
Subject to Remuneration	

6. School Performances**7. Educational Broadcasts/Communications/Recordings**

Provision	s 10(a)(iii)
Scope of broadcast/communication/recording	use, by way of illustration in broadcasts, programmes distributed by cable, or audiovisual works or sound recordings or communication by cable, of
Type(s) of source work(s)	a published work (in its original language or its

	translation)
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	for teaching, or for use in schools, universities and professional training
Condition of broadcast/communication/recording	use is compatible with fair practice
Preclusions (not part of broadcast/communication/recording)	to the extent justified by the purpose
Subject to Attribution	source, name of author
Subject to Remuneration	

Provision	s 39(c)
Scope of broadcast/communication/recording	use
Type(s) of source work(s)	a performance, sound recording, broadcast ¹⁰⁴⁷
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	for teaching or research
Condition of broadcast/communication/recording	
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	
Subject to Remuneration	

Provision	s 10(f)
Scope of broadcast/communication/recording	reproduction, photography, audiovisual work or sound recording or electronic storage
Type(s) of source work(s)	literary, dramatic, musical and artistic works (in their original language or translation) which have ready been lawfully made available to the public
Entity exercising broadcast/communication/recording	public libraries, non-commercial documentation centres, scientific institutions and educational establishments
Purpose of broadcast/communication/recording	
Condition of broadcast/communication/recording	reproduction etc. neither conflict with the normal uses of the work nor unreasonably prejudice the legitimate interests of the author
Preclusions (not part of broadcast/communication/recording)	such reproduction, the number of copies made and the use thereof are limited to the needs of the regular activities of the body reproducing the work
Subject to Attribution	source, name of author
Subject to Remuneration	

¹⁰⁴⁷ S 39 (referring to ss 33 – 37, but it appears to have missed out s 38, which deals with the rights of broadcasting organizations for broadcasts, though it is clear from s 39(b), (d) that s 39 is intended to apply the limitations and exceptions to all neighbouring rights).

8. Compulsory Licences for Educational Reproductions and Translations

Provision	s 17
Nature of compulsory licence for translation for educational purposes	non-exclusive, non-transferable ¹⁰⁴⁸ compulsory licence, for translation into a foreign language or any language of Malawi, and publication of such translation in copies in Malawi ¹⁰⁴⁹
Type(s) of source work(s)	works expressed exclusively in words ¹⁰⁵⁰ (for broadcasting organisations) works expressed exclusively in words, in printed form or other form of reproduction, ¹⁰⁵¹ including any text incorporated in an audio-visual work that was itself prepared and published for the sole purpose of being used in connection with systematic instructional activities ¹⁰⁵²
Licence applicant/entity	licence applicant is a citizen of Malawi or is ordinarily resident in Malawi or a domestic broadcasting organisation ¹⁰⁵³
Purpose of licence	purpose of teaching, scholarship or research ¹⁰⁵⁴ (for broadcasting organisations) for broadcasts intended exclusively for teaching or for the dissemination of the result of specialized research to experts in a particular profession, ¹⁰⁵⁵ through broadcasts that are lawfully made and are intended for reception in Malawi, including broadcasts made from audio-visual works or sound recordings that are lawfully made for the sole purpose of such broadcasts ¹⁰⁵⁶
Qualification(s)	licence application may be made: 3 years from first publication (for translation into any language other than a language of Malawi), ¹⁰⁵⁷ or 1 year from first publication (for translation into any language of Malawi) ¹⁰⁵⁸ work has not been previously translated into the language in the licence application and published by the owner of the right of

¹⁰⁴⁸ S 18(1)(c).¹⁰⁴⁹ S 18(1)(a).¹⁰⁵⁰ S 17(1), (2).¹⁰⁵¹ S 19(1).¹⁰⁵² S 19(3).¹⁰⁵³ Paras. 2(1), 5(1), First Schedule.¹⁰⁵⁴ S 18(1)(b).¹⁰⁵⁵ S 19(1)(b).¹⁰⁵⁶ S 19(1)(c).¹⁰⁵⁷ S 17(3)(a).¹⁰⁵⁸ S 17(3)(b).

	<p>translation, or if translation has been so published, all previous editions in that language are out of print¹⁰⁵⁹</p> <p>licence applicant has requested and been denied authorisation by owner of right of translation, or was unable to find owner after due diligence, despite sending request to publisher or to any designated national or international information centre¹⁰⁶⁰</p> <p>a further period of 6/9 months has lapsed from date licence applicant complies with licence requirements¹⁰⁶¹</p> <p>no licence shall be granted if, during further period, a translation into said language has been published by or with authorisation of owner¹⁰⁶²</p> <p>if work is composed mainly of illustrations, the additional conditions in s 18 are fulfilled¹⁰⁶³</p> <p>author has not withdrawn from circulation copies of the work¹⁰⁶⁴</p> <p>on all copies of the published translation are printed: the name of author and original title,¹⁰⁶⁵ a notice in the language of the translation stating that the copy is available for distribution only in Malawi,¹⁰⁶⁶ a reprint of the original copyright notice¹⁰⁶⁷</p> <p>subject to licensee's sale of existing copies, licence terminated if translation right owner has published or authorised the publishing of translated work, at a price reasonably related to that normally charged in Malawi for comparable works¹⁰⁶⁸</p>
Compulsory licence fee(s)	beneficiary of compulsory licence to pay just compensation to owner of work, consistent with normally payable standards of royalties ¹⁰⁶⁹

¹⁰⁵⁹ S 17(4)(a).¹⁰⁶⁰ S 17(4)(c)-(d).¹⁰⁶¹ S 17(6)(a), (b) (6 months for translation into any language other than a language of Malawi, 9 months for translation into a language of Malawi).¹⁰⁶² S 17(7).¹⁰⁶³ S 17(8).¹⁰⁶⁴ S 17(9).¹⁰⁶⁵ S 18(2)(a).¹⁰⁶⁶ S 18(2)(b).¹⁰⁶⁷ S 18(2)(c).¹⁰⁶⁸ S 18(3).¹⁰⁶⁹ S 18(1)(f).

Price of publication	
Distribution conditions	copies of translated work may not be exported ¹⁰⁷⁰ (for broadcasting organisations) translations of audiovisual work or sound recording may only be exchanged between divisions/departments of broadcasting organisation ¹⁰⁷¹
Grantor of Collective Licence	Minister
Provision	S 20
Nature of compulsory licence for reproduction for educational purposes	non-exclusive, ¹⁰⁷² non-transferable ¹⁰⁷³ compulsory licence, for: reproduction and publication of reproduction in copies ¹⁰⁷⁴ in Malawi ¹⁰⁷⁵ [of work] * reproduction in audiovisual form, or translation of any text incorporated, into English [of an audiovisual fixation] ¹⁰⁷⁶
Type(s) of source work(s)	[work]: a literary, dramatic, musical or artistic work is published in printed form or other form of reproduction ¹⁰⁷⁷ [audiovisual fixation]: which have been prepared and published for the sole purpose of being used in connection with systematic instructional activities ¹⁰⁷⁸
Licence applicant/entity	licence applicant a citizen of Malawi or ordinarily resident in Malawi ¹⁰⁷⁹
Purpose of licence	systematic instructional activities ¹⁰⁸⁰
Qualification(s)	licence application may be made: works of fiction, poetry, drama, music or art - 7 years from first publication, or works of technology, natural and physical sciences, mathematics - 3 years from first publication, or any other work - 5 years from first publication ¹⁰⁸¹ work has not been previously reproduced and published by the owner/authorised person in Malawi, to the general public or in connection with systematic instructional activities, at a

¹⁰⁷⁰ S 18(1)(d), (e).¹⁰⁷¹ S 19(2).¹⁰⁷² S 20(2).¹⁰⁷³ S 21(1)(b).¹⁰⁷⁴ S 20(2).¹⁰⁷⁵ S 21(1)(a).¹⁰⁷⁶ Para. 5(a), (b), Second Schedule.¹⁰⁷⁷ S 20(1).¹⁰⁷⁸ Para. 5(a), (b), Second Schedule.¹⁰⁷⁹ S 20(2).¹⁰⁸⁰ S 21(1)(a).¹⁰⁸¹ S 20(3)(a).

	<p>price reasonably related to that charged in Malawi for comparable works, or, under the same conditions, such copies have not been on sale in Malawi for a continuous period of at least 6 months¹⁰⁸²</p> <p>licence applicant has requested and been denied authorisation by owner of right of reproduction, or was unable to owner after due diligence, despite sending request to publisher or to any designated national or international information centre¹⁰⁸³</p> <p>a “further period” of 6 months has lapsed from date licence applicant complies with licence requirements¹⁰⁸⁴</p> <p>no licence shall be granted if, during “further period”, a distribution or placing on sale has taken place by or with authorisation of owner¹⁰⁸⁵</p> <p>author has not withdrawn from circulation copies of the work¹⁰⁸⁶</p> <p>if edition for reproduction is a translation, the licence shall only be granted if the translation is in a prescribed language and published by or with authorization of the owner of the right of translation¹⁰⁸⁷</p> <p>licensee to ensure that edition of work is accurately reproduced¹⁰⁸⁸</p> <p>on all copies of the published reproduction are included: the name of author and original title,¹⁰⁸⁹ a notice in the language of the publication stating that the copy is available for distribution only in Malawi,¹⁰⁹⁰ a reprint of the original copyright notice (if available)¹⁰⁹¹</p> <p>subject to licensee’s sale of existing copies, licence terminated if reproduction right owner has distributed the reproduction in Malawi to</p>
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¹⁰⁸² S 20(3)(b)(i).

¹⁰⁸³ S 20(3)(b)(ii)-(iv).

¹⁰⁸⁴ S 20(5).

¹⁰⁸⁵ Para. 3(5), Second Schedule.

¹⁰⁸⁶ S 20(6).

¹⁰⁸⁷ Para. 3(7), Second Schedule.

¹⁰⁸⁸ S 21(2).

¹⁰⁸⁹ S 21(2)(a)

¹⁰⁹⁰ S 21(2)(b)

¹⁰⁹¹ S 21(2)(c)

	the general public or in connection with systematic instructional activities, in same language and substantially same content, at a price reasonably related to that normally charged in Malawi for comparable works ¹⁰⁹²
Compulsory licence fee(s)	beneficiary of compulsory licence to pay just compensation to owner of reproduction right in the work, consistent with normally payable standards of royalties ¹⁰⁹³
Price of publication	a price reasonably related to, or lower than, that normally charged in Malawi for comparable work ¹⁰⁹⁴
Distribution conditions	copies of reproduced work may only be published within Malawi and not be exported ¹⁰⁹⁵
Grantor of Collective Licence	Minister
Provision	S 22
Nature of compulsory licence for translation for educational purposes	compulsory licence, * for reproduction in audiovisual form, ¹⁰⁹⁶ [work] * for translation into either a foreign language or any language of Malawi ¹⁰⁹⁷ , [auxiliary work]
Type(s) of source work(s)	[work] a lawfully made audio-visual work [auxiliary work] of any text incorporated in such work
Licence applicant/entity	any person
Purpose of licence	audio-visual work is prepared or published for the sole purpose of being used in connexion with systematic instructional activities ¹⁰⁹⁸
Qualification(s)	
Compulsory licence fee(s)	
Price of publication	
Grantor of Collective Licence	Minister

9. TPM/RMI Exceptions for Educational Purposes

¹⁰⁹² S 21(3).

¹⁰⁹³ S 21(1)(e).

¹⁰⁹⁴ S 21(1)(a).

¹⁰⁹⁵ S 21(1)(c), (d), (2)(b).

¹⁰⁹⁶ S 22(1)(a)

¹⁰⁹⁷ S 22(1)(b).

¹⁰⁹⁸ S 22(2).

Malaysia

1. Legislation Reviewed

Copyright Act 1987 (Act 332, as at 1 January 2006)

Copyright (Amendment) Act 2012 (Act A1420)

2. Private/Personal Use

Provision	s 13(2)(a)
Scope of private/personal use	fair dealing
Type(s) of source work(s)	a literary, musical or artistic work, a film, or a sound recording or a derivative work, (typographical arrangement of a published edition) ¹⁰⁹⁹ , (a broadcast) ¹¹⁰⁰
Entity exercising private/personal use	
Purpose of private/personal use	research, private study
Condition of private/personal use	to determine if dealing is fair dealing, the factors to be considered shall include: (a) the purpose and character of the dealing, including whether such dealing is of a commercial nature or for non-profit educational purposes; (b) the nature of the copyright work; (c) the amount and substantially of the portion used in relation to the copyrighted work as a whole; (d) the effect of the dealing upon the potential market for or value of the work.
Preclusions (not part of private/personal use)	
Subject to Attribution	title, name of author (except where work is incidentally included in a broadcast) ¹¹⁰¹
Subject to Remuneration	

Provision	s 16A(3)(a)(ii)
Scope of private/personal use	a direct or an indirect sound recording or an indirect film of
Type(s) of source work(s)	a performance
Entity exercising private/personal use	
Purpose of private/personal use	use in scientific research
Condition of private/personal use	
Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	

Provision	s 13(2)(gg)
Scope of private/personal use	making a sound recording, in so far as it consists of sounds, of
Type(s) of source work(s)	a broadcast, or a literary, dramatic or musical work, sound recording or a film included in the

¹⁰⁹⁹ S 9(4).

¹¹⁰⁰ S 15(2).

¹¹⁰¹ S 9(4) proviso.

	broadcast, (a performance) ¹¹⁰²
Entity exercising private/personal use	
Purpose of private/personal use	private and domestic use of the person by whom the sound recording is made
Condition of private/personal use	
Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	

Provision	s 13(2)(ggg)
Scope of private/personal use	making a film, in so far as it consists of visual images, of
Type(s) of source work(s)	a broadcast, or a literary, artistic, dramatic or musical work, or a film included in the broadcast, (a performance) ¹¹⁰³
Entity exercising private/personal use	
Purpose of private/personal use	private and domestic use of the person by whom the film is made
Condition of private/personal use	
Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	

3. Quotations

Provision	s 13(2)(a)
Scope of quotation	fair dealing
Type(s) of source work(s)	a literary, musical or artistic work, a film, or a sound recording or a derivative work, (typographical arrangement of a published edition) ¹¹⁰⁴ , (a broadcast) ¹¹⁰⁵
Entity exercising quotation	
Purpose of quotation	criticism, review
Condition of quotation	to determine if dealing is fair dealing, the factors to be considered shall include: (a) the purpose and character of the dealing, including whether such dealing is of a commercial nature or for non-profit educational purposes; (b) the nature of the copyright work; (c) the amount and substantially of the portion used in relation to the copyrighted work as a whole; (d) the effect of the dealing upon the potential market for or value of the work.
Preclusions (not part of quotation)	

¹¹⁰² S 16A(3)(a)(i).

¹¹⁰³ S 16A(3)(a)(i).

¹¹⁰⁴ S 9(4).

¹¹⁰⁵ S 15(2).

Subject to Attribution	title, name of author (except where work is incidentally included in a broadcast) ¹¹⁰⁶
Subject to Remuneration	

Provision	s 16A(3)(b)(ii)
Scope of quotation	a direct or indirect sound recording or film of
Type(s) of source work(s)	a performance
Entity exercising quotation	
Purpose of quotation	criticism, review
Condition of quotation	
Preclusions (not part of quotation)	
Subject to Attribution	
Subject to Remuneration	

Provision	s 13(2)(m)
Scope of quotation	making of quotations from
Type(s) of source work(s)	a published literary, musical or artistic work, a film, or a sound recording or a derivative work, including quotations from newspaper articles and periodicals in the form of press summaries
Entity exercising quotation	
Purpose of quotation	
Condition of quotation	quotation is compatible with fair practice and extent of quotations does not exceed that justified by the purpose
Preclusions (not part of quotation)	
Subject to Attribution	source, name of author (if indicated on source)
Subject to Remuneration	

4. Educational Reproduction

Provision	s 13(2)(ff)
Nature of educational reproduction	any use
Type(s) of source work(s)	a literary, musical or artistic work, a film, or a sound recording or a derivative work
Entity exercising reproduction	
Purpose of educational reproduction	an examination by way of setting the questions, communicating the questions to the candidates or answering the questions
Qualification(s)	a reprographic copy of a musical work shall not be made for use by an examination candidate in performing the work
Frequency/Multiple copies and Limits	
Collective Licence/remuneration	
Attribution	

Provision	s 13(2)(i)
Nature of educational reproduction	use (e.g. performance, showing or playing)

¹¹⁰⁶ S 9(4) proviso.

Type(s) of source work(s)	a literary, musical or artistic work, a film, or a sound recording or a derivative work
Entity exercising reproduction	by or under the direction or control of the Government, by the National Archives or any State Archives, by the National Library, or any State library, or by such public libraries and educational, scientific or professional institutions as the Minister may by order prescribe
Purpose of educational reproduction	such use is in the public interest
Qualification(s)	use is compatible with fair practice and the provisions of any regulations no profit is derived therefrom no admission fee is charged for the performance, showing or playing, if any, to the public of the work thus used
Frequency/Multiple copies and Limits	
Collective Licence/remuneration	
Attribution	

Provision	s 13(2)(g)
Nature of educational reproduction	reproduction
Type(s) of source work(s)	a literary, musical or artistic work, a film, or a sound recording or a derivative work included in a broadcast intended for such schools, universities or educational institutions, (a broadcast) ¹¹⁰⁷
Entity exercising reproduction	schools, universities or educational institutions
Purpose of educational reproduction	
Qualification(s)	
Frequency/Multiple copies and Limits	
Collective Licence/remuneration	
Attribution	

5. Educational Publications/Anthologies/Compilations/Composite Works

Provision	s 13(2)(f)
Scope of anthologies/compilations limitation/exception	inclusion, in collection of literary or musical works, of
Type(s) of source work(s)	a literary, musical or artistic work, a film, or a sound recording or a derivative work
Entity exercising anthologies/compilations limitation/exception	
Purpose of anthologies/compilations limitation/exception	inclusion is made by way of illustration for teaching purposes
Condition of anthologies/compilations limitation/exception	inclusion is compatible with fair practice

¹¹⁰⁷ S 15(2).

Preclusions (not part of anthologies/compilations limitation/exception)	
Subject to Attribution	source, name of author (as indicated in source)
Subject to Remuneration	

6. School Performances

Provision	s 13(2)(f)
Scope of school performance	inclusion, in a performance, showing, or playing to the public, of
Type(s) of source work(s)	a literary, musical or artistic work, a film, or a sound recording or a derivative work
Entity exercising school performance	
Purpose of school performance	inclusion is made by way of illustration for teaching purposes
Condition of school performance	inclusion is compatible with fair practice
Preclusions (not part of school performance)	
Subject to Attribution	source, name of author (as indicated in source)
Subject to Remuneration	

Provision	s 13(2)(k)
Scope of school performance	performance, showing or playing
Type(s) of source work(s)	a literary, musical or artistic work, a film, or a sound recording or a derivative work
Entity exercising school performance	a non-profit making club or institution
Purpose of school performance	performance, showing or playing is for charitable or educational purpose
Condition of school performance	no admission fee is charged in respect of such performance, showing or playing
Preclusions (not part of school performance)	
Subject to Attribution	
Subject to Remuneration	

Provision	s 13(2)(i)
Scope of school performance	use (e.g. performance, showing or playing)
Type(s) of source work(s)	a literary, musical or artistic work, a film, or a sound recording or a derivative work
Entity exercising school performance	by or under the direction or control of the Government, by the National Archives or any State Archives, by the National Library, or any State library, or by such public libraries and educational, scientific or professional institutions as the Minister may by order prescribe
Purpose of school performance	such use is in the public interest
Condition of school performance	use is compatible with fair practice and the provisions of any regulations

	no profit is derived therefrom no admission fee is charged for the performance, showing or playing, if any, to the public of the work thus used
Preclusions (not part of school performance)	
Subject to Attribution	
Subject to Remuneration	

7. Educational Broadcasts/Communications/Recordings

Provision	s 13(2)(i)
Scope of broadcast/communication/recording	use (e.g. performance, showing or playing)
Type(s) of source work(s)	a literary, musical or artistic work, a film, or a sound recording or a derivative work
Entity exercising broadcast/communication/recording	by or under the direction or control of the Government, by the National Archives or any State Archives, by the National Library, or any State library, or by such public libraries and educational, scientific or professional institutions as the Minister may by order prescribe
Purpose of broadcast/communication/recording	such use is in the public interest
Condition of broadcast/communication/recording	use is compatible with fair practice and the provisions of any regulations no profit is derived therefrom no admission fee is charged for the performance, showing or playing, if any, to the public of the work thus used
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	
Subject to Remuneration	

Provision	s 16A(3)(c)
Scope of broadcast/communication/recording	indirect sound recording or film of
Type(s) of source work(s)	a performance
Entity exercising broadcast/communication/recording	by, or on behalf of, the body administering an educational institution
Purpose of broadcast/communication/recording	solely for the educational purposes of that institution or of another educational institution
Condition of broadcast/communication/recording	
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	
Subject to Remuneration	
Provision	s 13(2)(f)

Scope of broadcast/communication/recording	inclusion, broadcast, sound recording, or film, of
Type(s) of source work(s)	a literary, musical or artistic work, a film, or a sound recording or a derivative work
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	inclusion is made by way of illustration for teaching purposes
Condition of broadcast/communication/recording	inclusion is compatible with fair practice
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	source, name of author (as indicated in source)
Subject to Remuneration	

8. Compulsory Licences for Educational Reproductions and Translations

Provision	s 31
Nature of compulsory licence for translation for educational purposes	non-exclusive, ¹¹⁰⁸ non-transferable ¹¹⁰⁹ compulsory licence, for translation into the national language or other vernacular languages in Malaysia, and publication of such translation in copies in Malaysia ¹¹¹⁰
Type(s) of source work(s)	a literary work written in any other language ¹¹¹¹
Licence applicant/entity	any person
Purpose of licence	purpose of teaching, scholarship or research ¹¹¹²
Qualification(s)	work has not been previously translated into the national language of Malaysia or other vernacular languages and published by the owner of the right of translation, within 1 year of first publication, or if translation has been so published, all previous editions in that language are out of print ¹¹¹³ licence applicant has requested and been denied authorisation by owner of right of translation, or was unable to find owner after due diligence, despite sending request to any designated national or international information centre ¹¹¹⁴

¹¹⁰⁸ S 31(2).

¹¹⁰⁹ S 31(4).

¹¹¹⁰ S 31(5).

¹¹¹¹ S 31(1).

¹¹¹² S 31(3)(h).

¹¹¹³ S 31(3)(a).

¹¹¹⁴ S 31(3)(b)-(c).

	<p>a further period of 9 months has lapsed from date licence applicant complies with licence requirements¹¹¹⁵</p> <p>no licence shall be granted if, during further period, a translation into the national language of Malaysia or other vernacular languages has been published by or with authorisation of owner¹¹¹⁶</p> <p>if work is composed mainly of illustrations, no licence shall be granted¹¹¹⁷</p> <p>author has not withdrawn from circulation copies of the work¹¹¹⁸</p> <p>opportunity to be heard is given, to owner of right of translation¹¹¹⁹</p> <p>licensee is able to produce and publish a correct translation of the work and possesses the means to pay the royalties payable¹¹²⁰</p> <p>on all copies of the published translation are printed: the name of author and original title,¹¹²¹ a notice in the national language Malaysia or other vernacular languages stating that the copy is available for distribution only in Malaysia,¹¹²²</p> <p>subject to licensee's sale of existing copies, licence terminated if translation right owner has published or authorised the publishing of translated work in the national language or other vernacular languages and with substantially the same content, at a price reasonably related to that normally charged in Malaysia for comparable works¹¹²³</p>
Compulsory licence fee(s)	beneficiary of compulsory licence to pay royalties to owner of right of translation, at a rate to be determined by the Copyright Tribunal in the prescribed manner ¹¹²⁴
Price of publication	

¹¹¹⁵ S 31(3)(g).¹¹¹⁶ S 31(3)(g).¹¹¹⁷ S 31(7).¹¹¹⁸ S 31(3)(e).¹¹¹⁹ S 31(3)(f).¹¹²⁰ S 31(3)(d)(i).¹¹²¹ S 31(3)(d)(ii).¹¹²² S 31(5).¹¹²³ S 31(6).¹¹²⁴ S 31(2).

Distribution conditions	copies of translated work may not be exported, except if they are exported for Malaysian nationals, or of overseas organizations of Malaysian nationals, for purpose of teaching, scholarship or research, where the sending and distribution are without any commercial purpose, and the government of the foreign importing country has agreed to their receipt/distribution ¹¹²⁵
Grantor of Collective Licence	Copyright Tribunal

9. TPM/RMI Exceptions for Educational Purposes

Provision	s 36A(2)(f)
Scope of TPM/RMI limitation/exception	exception to enable circumvention of technological measure
Type(s) of source work(s)	a work in which copyright subsists [to which has been applied technological protection measures]
Beneficiary exercising limitation/exception	library, an archive or an educational institution
Purpose of limitation/exception	sole purpose of making an acquisition decision in relation to [the] work
Condition of limitation/exception	

Provision	s 36B(2)(b)
Scope of TPM/RMI limitation/exception	exception to enable removal or alteration of any electronic rights management information
Type(s) of source work(s)	a work in which copyright subsists [to which has been applied electronic rights management information]
Beneficiary exercising limitation/exception	library, an archive or an educational institution
Purpose of limitation/exception	sole purpose of making an acquisition decision in relation to [the] work
Condition of limitation/exception	

¹¹²⁵ S 31(4).

Maldives

1. Legislation Reviewed

The Copyright & Related Rights Act

2. Private/Personal Use

Provision	s 12(a)
Scope of private/personal use	private reproduction of
Type(s) of source work(s)	a published work, (a performance, sound recording, broadcast) ¹¹²⁶
Entity exercising private/personal use	a person
Purpose of private/personal use	exclusively for his own personal purposes
Condition of private/personal use	in a single copy
Preclusions (not part of private/personal use)	works of architecture, reproduction of whole or substantial part of book or musical notation, whole or substantial part of a database, computer program ¹¹²⁷ , any work where “reproduction would affect the normal proceedings the work may generate and could prejudice the legitimate interests of the author or other owner of the copyright”, feature films, documentary films, dramas, video songs and other audiovisual presentations created for commercial use
Subject to Attribution	
Subject to Remuneration	

Provision	s 29(b)
Scope of private/personal use	reproduction
Type(s) of source work(s)	a performance, sound recording, broadcast
Entity exercising private/personal use	
Purpose of private/personal use	solely for scientific research
Condition of private/personal use	
Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	

3. Quotations

Provision	s 14
Scope of quotation	reproduction of
Type(s) of source work(s)	a short part of a published work, (a performance, sound recording, broadcast) ¹¹²⁸
Entity exercising quotation	
Purpose of quotation	in the form of quotation
Condition of quotation	reproduction is compatible with fair practice reproduction does not exceed extent justified

¹¹²⁶ S 29(d) (applying limitations and exceptions where a work can be used without the authorization of the author or other owner of copyright to related rights).

¹¹²⁷ S 18 (excepting use of the computer program and for backup/archival purposes).

¹¹²⁸ S 29(d) (applying limitations and exceptions where a work can be used without the authorization of the author or other owner of copyright to related rights).

	by the purpose
Preclusions (not part of quotation)	
Subject to Attribution	source, name of author, form of publication (as far as practicable)
Subject to Remuneration	

4. Educational Reproduction

Provision	s 15
Nature of educational reproduction	reproduction and presentation as a quotation
Type(s) of source work(s)	a published work, (a performance, sound recording, broadcast) ¹¹²⁹
Entity exercising reproduction	
Purpose of educational reproduction	reproduction for teaching
Qualification(s)	reproduction is compatible with fair practice
Frequency/Multiple copies and Limits	a limited portion of [the published work] reproduction does not exceed the extent justified by the purpose
Collective Licence/remuneration	
Attribution	source, name of author, form of publication (as far as practicable)

5. Educational Publications/Anthologies/Compilations/Composite Works

6. School Performances

7. Educational Broadcasts/Communications/Recordings

Provision	s 15
Scope of broadcast/communication/recording	reproduction and presentation as a quotation
Type(s) of source work(s)	a published work, (a performance, sound recording, broadcast) ¹¹³⁰
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	reproduction for teaching
Condition of broadcast/communication/recording	reproduction is compatible with fair practice
Preclusions (not part of broadcast/communication/recording)	a limited portion of [the published work] reproduction does not exceed the extent justified by the purpose
Subject to Attribution	source, name of author, form of publication (as far as practicable)
Subject to Remuneration	
Provision	s 29(c)
Scope of broadcast/communication/recording	reproduction

¹¹²⁹ S 29(d) (applying limitations and exceptions where a work can be used without the authorization of the author or other owner of copyright to related rights).

¹¹³⁰ S 29(d) (applying limitations and exceptions where a work can be used without the authorization of the author or other owner of copyright to related rights).

Type(s) of source work(s)	a performance, sound recording, broadcast
Entity exercising broadcast/communication/recording	solely for the purpose of face-face teaching activities
Purpose of broadcast/communication/recording	
Condition of broadcast/communication/recording	but not performances and phonograms which have been published as teaching or instructional materials
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	
Subject to Remuneration	

8. Compulsory Licences for Educational Reproductions and Translations
9. TPM/RMI Exceptions for Educational Purposes

***Mali**

1. Legislation Reviewed

Law No. 08-024 of July 23, 2008 laying down the Regime of Literary and Artistic Property in the Republic of Mali

Malta

1. Legislation Reviewed

Copyright Act of 2000 (Chapter 415) as amended up to Act No. VIII of 2011

2. Private/Personal Use

Provision	Art. 9(1)(b)
Scope of private/personal use	reproductions on paper or any medium, effected by the use of any kind of photographic technique or by some other process having similar effects
Type(s) of source work(s)	an audiovisual work, a database, a literary work other than in the case of a computer programme, a musical or artistic work, (a performance, sound recording, phonogram, broadcast) ¹¹³¹
Entity exercising private/personal use	
Purpose of private/personal use	
Condition of private/personal use	“applied in such particular cases which do not conflict with a normal exploitation of the work or other subject-matter and do not unreasonably prejudice the legitimate interests of the rightholder” ¹¹³²
Preclusions (not part of private/personal use)	musical notation
Subject to Attribution	
Subject to Remuneration	rightholders receive fair compensation

Provision	Art. 9(1)(c)
Scope of private/personal use	reproductions on any medium
Type(s) of source work(s)	an audiovisual work, a database, a literary work other than in the case of a computer programme, a musical or artistic work, (a performance, sound recording, phonogram, broadcast) ¹¹³³
Entity exercising private/personal use	a natural person
Purpose of private/personal use	private use
Condition of private/personal use	ends that are neither directly nor indirectly commercial “applied in such particular cases which do not conflict with a normal exploitation of the work or other subject-matter and do not unreasonably prejudice the legitimate interests of the rightholder” ¹¹³⁴
Preclusions (not part of private/personal use)	musical notation
Subject to Attribution	
Subject to Remuneration	rightholders receive fair compensation, which

¹¹³¹ Art. 21 (applying the limitations and exceptions in Art. 9 mutatis mutandis to neighbouring rights).

¹¹³² Art. 9(3).

¹¹³³ Art. 21 (applying the limitations and exceptions in Art. 9 mutatis mutandis to neighbouring rights).

¹¹³⁴ Art. 9(3).

	takes account of the application or non-application or technological measures to the work or subject-matter concerned
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3. Quotations

Provision	Art. 9(1)(k)
Scope of quotation	reproduction, translation, distribution or communication to the public, of quotations of
Type(s) of source work(s)	an audiovisual work, a database, a literary work other than in the case of a computer programme, a musical or artistic work, (a performance, sound recording, phonogram, broadcast) ¹¹³⁵
Entity exercising quotation	
Purpose of quotation	such as criticism or review
Condition of quotation	relate to a work or other subject-matter which has already been lawfully made available to the public use is in accordance with fair practice, and to the extent required by the specific purposes “applied in such particular cases which do not conflict with a normal exploitation of the work or other subject-matter and do not unreasonably prejudice the legitimate interests of the rightholder” ¹¹³⁶
Preclusions (not part of quotation)	
Subject to Attribution	source, name of author (if indicated on source)
Subject to Remuneration	

4. Educational Reproduction

Provision	Art. 9(1)(d)
Nature of educational reproduction	specific acts of reproduction
Type(s) of source work(s)	an audiovisual work, a database, a literary work other than in the case of a computer programme, a musical or artistic work, (a performance, sound recording, phonogram, broadcast) ¹¹³⁷
Entity exercising reproduction	publicly accessible libraries, educational establishments or museums, or by archives
Purpose of educational reproduction	
Qualification(s)	not for direct or indirect economic or commercial advantage “applied in such particular cases which do not

¹¹³⁵ Art. 21 (applying the limitations and exceptions in Art. 9 mutatis mutandis to neighbouring rights).

¹¹³⁶ Art. 9(3).

¹¹³⁷ Art. 21 (applying the limitations and exceptions in Art. 9 mutatis mutandis to neighbouring rights).

	conflict with a normal exploitation of the work or other subject-matter and do not unreasonably prejudice the legitimate interests of the rightholder ¹¹³⁸
Frequency/Multiple copies and Limits	
Collective Licence/remuneration	
Attribution	

Provision	Art. 9(1)(h)
Nature of educational reproduction	reproduction, translation, distribution
Type(s) of source work(s)	an audiovisual work, a database, a literary work other than in the case of a computer programme, a musical or artistic work, (a performance, sound recording, phonogram, broadcast) ¹¹³⁹
Entity exercising reproduction	
Purpose of educational reproduction	sole purpose of illustration for teaching or scientific research
Qualification(s)	to the extent justified by the noncommercial purpose to be achieved “applied in such particular cases which do not conflict with a normal exploitation of the work or other subject-matter and do not unreasonably prejudice the legitimate interests of the rightholder” ¹¹⁴⁰
Frequency/Multiple copies and Limits	
Collective Licence/remuneration	
Attribution	source, name of author (unless infeasible)

5. Educational Publications/Anthologies/Compilations/Composite Works

6. School Performances

Provision	Art. 9(1)(g)
Scope of school performance	performing, playing or showing of
Type(s) of source work(s)	an audiovisual work, a database, a literary work other than in the case of a computer programme, a musical or artistic work, (a performance, sound recording, phonogram, broadcast) ¹¹⁴¹
Entity exercising school performance	any club
Purpose of school performance	act by club whose aim is not profit making no admission fee is charged
Condition of school performance	“applied in such particular cases which do not conflict with a normal exploitation of the work

¹¹³⁸ Art. 9(3).

¹¹³⁹ Art. 21 (applying the limitations and exceptions in Art. 9 mutatis mutandis to neighbouring rights).

¹¹⁴⁰ Art. 9(3).

¹¹⁴¹ Art. 21 (applying the limitations and exceptions in Art. 9 mutatis mutandis to neighbouring rights).

	or other subject-matter and do not unreasonably prejudice the legitimate interests of the rightholder ¹¹⁴²
Preclusions (not part of school performance)	
Subject to Attribution	
Subject to Remuneration	

7. Educational Broadcasts/Communications/Recordings

Provision	Art. 9(1)(d)
Scope of broadcast/communication/recording	specific acts of reproduction
Type(s) of source work(s)	an audiovisual work, a database, a literary work other than in the case of a computer programme, a musical or artistic work, (a performance, sound recording, phonogram, broadcast) ¹¹⁴³
Entity exercising broadcast/communication/recording	publicly accessible libraries, educational establishments or museums, or by archives
Purpose of broadcast/communication/recording	
Condition of broadcast/communication/recording	not for direct or indirect economic or commercial advantage “applied in such particular cases which do not conflict with a normal exploitation of the work or other subject-matter and do not unreasonably prejudice the legitimate interests of the rightholder” ¹¹⁴⁴
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	
Subject to Remuneration	

Provision	Art. 9(1)(h)
Scope of broadcast/communication/recording	reproduction, translation, distribution
Type(s) of source work(s)	an audiovisual work, a database, a literary work other than in the case of a computer programme, a musical or artistic work, (a performance, sound recording, phonogram, broadcast) ¹¹⁴⁵
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	sole purpose of illustration for teaching or scientific research
Condition of broadcast/communication/recording	to the extent justified by the noncommercial purpose to be achieved

¹¹⁴² Art. 9(3).

¹¹⁴³ Art. 21 (applying the limitations and exceptions in Art. 9 mutatis mutandis to neighbouring rights).

¹¹⁴⁴ Art. 9(3).

¹¹⁴⁵ Art. 21 (applying the limitations and exceptions in Art. 9 mutatis mutandis to neighbouring rights).

	“applied in such particular cases which do not conflict with a normal exploitation of the work or other subject-matter and do not unreasonably prejudice the legitimate interests of the rightholder” ¹¹⁴⁶
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	source, name of author (unless infeasible)
Subject to Remuneration	
Provision	Art. 9(1)(h)
Scope of broadcast/communication/recording	communication to the public
Type(s) of source work(s)	an audiovisual work, a database, a literary work other than in the case of a computer programme, a musical or artistic work, (a performance, sound recording, phonogram, broadcast) ¹¹⁴⁷
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	sole purpose of illustration for teaching or scientific research
Condition of broadcast/communication/recording	to the extent justified by the noncommercial purpose to be achieved “applied in such particular cases which do not conflict with a normal exploitation of the work or other subject-matter and do not unreasonably prejudice the legitimate interests of the rightholder” ¹¹⁴⁸
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	source, name of author (unless infeasible)
Subject to Remuneration	
Provision	Art. 9(1)(v)
Scope of broadcast/communication/recording	communication to the public
Type(s) of source work(s)	an audiovisual work, a database, a literary work other than in the case of a computer programme, a musical or artistic work, (a performance, sound recording, phonogram, broadcast) ¹¹⁴⁹
Entity exercising broadcast/communication/recording	publicly accessible libraries, educational establishments or museums, or by archives ¹¹⁵⁰
Purpose of broadcast/communication/recording	research or private study, to individual members of the public by dedicated terminals on the premises of establishments
Condition of broadcast/communication/recording	works/subject-matter not subject to purchase or licensing terms, which are contained in their collections

¹¹⁴⁶ Art. 9(3).

¹¹⁴⁷ Art. 21 (applying the limitations and exceptions in Art. 9 mutatis mutandis to neighbouring rights).

¹¹⁴⁸ Art. 9(3).

¹¹⁴⁹ Art. 21 (applying the limitations and exceptions in Art. 9 mutatis mutandis to neighbouring rights).

¹¹⁵⁰ Art. 9(1)(d). Art. 9(1)(v) complements Art. 9(1)(d) in giving such establishments the exception or limitation to communicate works in their collection for educational purposes.

	“applied in such particular cases which do not conflict with a normal exploitation of the work or other subject-matter and do not unreasonably prejudice the legitimate interests of the rightholder” ¹¹⁵¹
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	
Subject to Remuneration	

8. Compulsory Licences for Educational Reproductions and Translations

9. TPM/RMI Exceptions for Educational Purposes

Provision	Art. 42(2)(a)
Scope of TPM/RMI limitation/exception	exception to require rightholder who used effective technological measures in respect of copyright work to make available means to ensure for the “beneficiaries” the benefit of the exception/limitation
Type(s) of source work(s)	protected work/subject-matter
Beneficiary exercising limitation/exception	users who use work/subject-matter for, <i>inter alia</i> , private use (Art. 9(1)(c)), educational establishments (Art. 9(1)(d)), teaching or scientific research (Art. 9(1)(h))
Purpose of limitation/exception	to the extent necessary to benefit from exception/limitation
Condition of limitation/exception	beneficiary to have legal access to protected work/subject-matter no voluntary measure taken by the rightholder or exclusive licensee or agreement between the rightholder and the other party concerned, the purpose of which is to enable the beneficiary (or persons of a class to which the beneficiary belongs) to benefit from the exceptions specified in the above paragraph exception not applicable to copyright works made available to the public on agreed contractual terms in such a way that members of the public may access them from a place and at a time individually chosen by them.

¹¹⁵¹ Art. 9(3).

*Mauritania

1. Legislation Reviewed

Mauritius

1. Legislation Reviewed

Copyright Act 2014

2. Private/Personal Use

Provision	s 16
Scope of private/personal use	private reproduction of
Type(s) of source work(s)	a legally obtained published work, (a broadcast, performance/phonogram, sound recording) ¹¹⁵²
Entity exercising private/personal use	a natural person
Purpose of private/personal use	for his own personal use
Condition of private/personal use	in a single copy
Preclusions (not part of private/personal use)	works of architecture, reprographic reproduction of whole or substantial part of book or musical notation, whole or substantial part of a digital database, computer program ¹¹⁵³
Subject to Attribution	
Subject to Remuneration	equitable remuneration shall be paid to the author or copyright owner or to the Rights Management Society ¹¹⁵⁴ , as applicable, for private/personal use of work, performance, phonogram, videogram, publisher's edition ¹¹⁵⁵

3. Quotations

Provision	s 18
Scope of quotation	quotation
Type(s) of source work(s)	a work, (a broadcast, performance/phonogram, sound recording) ¹¹⁵⁶ , that has lawfully been made available to the public
Entity exercising quotation	
Purpose of quotation	
Condition of quotation	quotation is compatible with fair practice quotation does not exceed extent justified by the purpose

¹¹⁵² S 36(d) (applying limitations and exceptions for copyright works to broadcasts, performances/phonograms, and sound recordings).

¹¹⁵³ S 22 (excepting use of the computer program and for backup/archival purposes).

¹¹⁵⁴ S 43 (establishing the Rights Management Society, to collectively management rights of authors and owners of copyright and related rights).

¹¹⁵⁵ S 45(1)(a)(vi), (viii)(G), (ix)(E), (x)(B), (xi) (spelling out the rights of private/personal use of work/performance/phonogram/videogram/publisher's edition for which the Rights Management Society will collectively management).

¹¹⁵⁶ S 36(d) (applying limitations and exceptions for copyright works to broadcasts, performances/phonograms, and sound recordings).

	quotation is used for the purpose of caricature, parody or pastiche
Preclusions (not part of quotation)	
Subject to Attribution	source, name of author (if indicated on source)
Subject to Remuneration	

4. Educational Reproduction

Provision	s 19(1)(a)
Nature of educational reproduction	utilization (including making available of such works in computer networks, where access to the works is only available to enrolled pupils or students and their teachers) ¹¹⁵⁷ or by way of illustration, in publications, broadcasting or sound or visual recordings,
Type(s) of source work(s)	a work that has lawfully been made available to the public, (a broadcast, performance/phonogram, sound recording) ¹¹⁵⁸
Entity exercising reproduction	
Purpose of educational reproduction	for scientific research purposes, or for teaching
Qualification(s)	utilization is compatible with fair practice
Frequency/Multiple copies and Limits	utilization does not exceed the extent justified by the purpose
Collective Licence/remuneration	
Attribution	source, name of author (if practicable) ¹¹⁵⁹

Provision	s 19(1)(b)
Nature of educational reproduction	reprographic reproduction, of
Type(s) of source work(s)	published articles, other short works or short extracts of works,
Entity exercising reproduction	
Purpose of educational reproduction	for face-to-face teaching in educational institutions
Qualification(s)	activities do not serve direct or indirect commercial gain no collective licence available by collective administration organisation of which educational institution is or should be aware
Frequency/Multiple copies and Limits	reproduction of any particular work is an isolated one; if repeated, each occurrence on separate and unrelated occasions no more than a single copy for each pupil or

¹¹⁵⁷ S 19(3).

¹¹⁵⁸ S 36(b), (c) (except for performances and phonograms which have been published as teaching or instructional materials).

¹¹⁵⁹ S 19(2).

	student and the teacher is made
Collective Licence/remuneration	
Attribution	source, name of author (if practicable) ¹¹⁶⁰

5. Educational Publications/Anthologies/Compilations/Composite Works

Provision	s 19(1)(a)
Scope of anthologies/compilations limitation/exception	utilization (including making available of such works in computer networks, where access to the works is only available to enrolled pupils or students and their teachers) ¹¹⁶¹ or by way of illustration, in publications, broadcasting or sound or visual recordings,
Type(s) of source work(s)	a work that has lawfully been made available to the public, (a broadcast, performance/phonogram, sound recording) ¹¹⁶²
Entity exercising anthologies/compilations limitation/exception	
Purpose of anthologies/compilations limitation/exception	for scientific research purposes, or for teaching
Condition of anthologies/compilations limitation/exception	utilization is compatible with fair practice
Preclusions (not part of anthologies/compilations limitation/exception)	utilization does not exceed the extent justified by the purpose
Subject to Attribution	source, name of author (if practicable) ¹¹⁶³
Subject to Remuneration	

6. School Performances

7. Educational Broadcasts/Communications/Recordings

Provision	s 19(1)(a)
Scope of broadcast/communication/recording	utilization (including making available of such works in computer networks, where access to the works is only available to enrolled pupils or students and their teachers) ¹¹⁶⁴ or by way of illustration, in publications, broadcasting or sound or visual recordings,
Type(s) of source work(s)	a work that has lawfully been made available to the public, (a broadcast, performance/phonogram, sound recording) ¹¹⁶⁵
Entity exercising broadcast/communication/recording	

¹¹⁶⁰ S 19(2).

¹¹⁶¹ S 19(3).

¹¹⁶² S 36(b), (c) (except for performances and phonograms which have been published as teaching or instructional materials).

¹¹⁶³ S 19(2).

¹¹⁶⁴ S 19(3).

¹¹⁶⁵ S 36(b), (c) (except for performances and phonograms which have been published as teaching or instructional materials).

Purpose of broadcast/communication/recording	for scientific research purposes, or for teaching
Condition of broadcast/communication/recording	utilization is compatible with fair practice
Preclusions (not part of broadcast/communication/recording)	utilization does not exceed the extent justified by the purpose
Subject to Attribution	source, name of author (if practicable) ¹¹⁶⁶
Subject to Remuneration	

8. Compulsory Licences for Educational Reproductions and Translations

9. TPM/RMI Exceptions for Educational Purposes

Provision	s 37(3)
Scope of TPM/RMI limitation/exception	exception to require rightholder who used technological protection measures in respect of his work to lift technological protection measures to ensure for the “beneficiaries” the benefit of the exception /limitation
Type(s) of source work(s)	work/subject-matter (but not applicable to works/subject-matter available to the public on agreed contractual terms in such a way that members of the public may access them from a place and at a time individually chosen by them ¹¹⁶⁷)
Beneficiary exercising limitation/exception	users who reproduce work/subject-matter for, <i>inter alia</i> , private/personal use (s 16), for quotations (s 18), for teaching/scientific purposes (s 19)
Purpose of limitation/exception	to the extent necessary for the beneficiary to fully benefit from the limitation/exception
Condition of limitation/exception	

¹¹⁶⁶ S 19(2).

¹¹⁶⁷ S 37(4), taken from EU Copyright Directive 2001/29, Art. 6(4).

***Mexico**

1. Legislation Reviewed

Federal Law on Copyright (as amended up to July 14, 2014)

***Monaco**

1. Legislation Reviewed

Law No. 491 of 24 November 1948 on the Protection of Literary and Artistic Property

Mongolia

1. Legislation Reviewed

Law of Mongolia on Copyright and Related Rights (as last amended on January 19, 2006)

2. Private/Personal Use

Provision	Art. 24.1.8
Scope of private/personal use	reproduction
Type(s) of source work(s)	a work
Entity exercising private/personal use	a natural person
Purpose of private/personal use	for private use
Condition of private/personal use	circumstances of use to be considered: to have a non-profit purpose, the extent of use and importance of the used parts, and value of the work and effect of the used part on the market ¹¹⁶⁸ “works were used without contradicting the normal exploitation of published works and without affecting the legal interests of the right holders” ¹¹⁶⁹
Preclusions (not part of private/personal use)	
Subject to Attribution	source, name of author
Subject to Remuneration	

3. Quotations

Provision	Art. 24.1.2
Scope of quotation	quote from, and to use parts of,
Type(s) of source work(s)	published works
Entity exercising quotation	
Purpose of quotation	for research works, criticisms and information
Condition of quotation	circumstances of use to be considered: to have a non-profit purpose, the extent of use and importance of the used parts, and value of the work and effect of the used part on the market ¹¹⁷⁰ “works were used without contradicting the normal exploitation of published works and without affecting the legal interests of the right holders” ¹¹⁷¹
Preclusions (not part of quotation)	
Subject to Attribution	source, name of author
Subject to Remuneration	

¹¹⁶⁸ Art. 24.2.

¹¹⁶⁹ Art. 24.1.

¹¹⁷⁰ Art. 24.2.

¹¹⁷¹ Art. 24.1.

4. Educational Reproduction
5. Educational Publications/Anthologies/Compilations/Composite Works
6. School Performances
7. Educational Broadcasts/Communications/Recordings
8. Compulsory Licences for Educational Reproductions and Translations
9. TPM/RMI Exceptions for Educational Purposes

Montenegro

1. Legislation Reviewed

Law No. 07-1/11-1/15 of July 12, 2011, on Copyright and Related Rights (promulgated by Decree No. 01-933/2 of July 25, 2011)

2. Private/Personal Use

Provision	Art. 52(1)
Scope of private/personal use	reproduction
Type(s) of source work(s)	a disclosed work, (a performance, ¹¹⁷² phonogram, ¹¹⁷³ film ¹¹⁷⁴ and published work ¹¹⁷⁵)
Entity exercising private/personal use	a natural person
Purpose of private/personal use	
Condition of private/personal use	not more than 3 copies on paper or other similar medium: by the use of an appropriate photographic technique or by other process producing similar effects on other medium: if the reproduction is done for private use, if the copies are not available to the public and if the reproduction is not done for direct or indirect economic advantage
Preclusions (not part of private/personal use)	architectural objects, reproduction of entire book or musical notation (unless copies of such book have been out of print for at least 2 years, or if reproduction of entire book/musical notation is done on “other medium”, ¹¹⁷⁶ or reproduction of musical notation is made in handwriting), electronic database, computer program ¹¹⁷⁷ , any work where “reproduction would conflict with a normal exploitation of the work or would otherwise unreasonably prejudice the legitimate interests of the owner of copyright”
Subject to Attribution	
Subject to Remuneration	author of work, (performer, phonogram producer, film producer and publisher) ¹¹⁷⁸ have right to a portion of a remuneration for making a photocopy of his work, or for making a sound or visual fixation of his work, with remuneration for sound/visual fixation liable from manufacturer/importer ¹¹⁷⁹ and paid to a

¹¹⁷² Art. 122.

¹¹⁷³ Art. 129.

¹¹⁷⁴ Art. 133.

¹¹⁷⁵ Art. 138.

¹¹⁷⁶ Art. 52 para. 1(1) subpara. 2 (providing for reproduction “on other medium if the reproduction is done for private use, if the copies are not available to the public and if the reproduction is not done for direct or indirect economic advantage”).

¹¹⁷⁷ Art. 52 para. 2.

¹¹⁷⁸ Arts. 122, 129, 133, 138.

¹¹⁷⁹ Art. 37.

	mandatory collective management organization ¹¹⁸⁰ on first sale/importation of new appliances for sound/visual fixation and blank audio/video fixation media, and new appliances for photocopying and appliances with other technical reproduction procedures ¹¹⁸¹
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Provision	Art. 58(1), (3)
Scope of private/personal use	adapt
Type(s) of source work(s)	a disclosed work
Entity exercising private/personal use	
Purpose of private/personal use	
Condition of private/personal use	adaptation is of private or other internal nature, not intended for or available to the public, or adaptation is indispensable, according to purpose and use of the work
Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	

Provision	Art. 60
Scope of private/personal use	use
Type(s) of source work(s)	copyright works contained in collections of archives and libraries, museums and educational or scientific establishments, through dedicated terminals on their premises
Entity exercising private/personal use	a natural person
Purpose of private/personal use	research or personal study
Condition of private/personal use	use of such works is not subject to purchase or licensing terms
Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	

3. Quotations

Provision	Art. 53
Scope of quotation	quotations, in another main work, of
Type(s) of source work(s)	a disclosed work
Entity exercising quotation	
Purpose of quotation	quotation is used for the purpose of criticism, recognition, or reference
Condition of quotation	quotation is in accordance with fair practice quotation is used to extent required by the purpose
Preclusions (not part of quotation)	

¹¹⁸⁰ Art. 155.

¹¹⁸¹ Art. 36.

Subject to Attribution	
Subject to Remuneration	

Provision	Art. 58(2)
Scope of quotation	adapt
Type(s) of source work(s)	a disclosed work
Entity exercising quotation	
Purpose of quotation	work has been adapted into parody, cartoon, or pastiche
Condition of quotation	adapted work does not cause confusion as to the source of the work
Preclusions (not part of quotation)	
Subject to Attribution	
Subject to Remuneration	

4. Educational Reproduction

Provision	Art. 52(2)
Nature of educational reproduction	reproduction, on any medium,
Type(s) of source work(s)	a disclosed work, (a performance, ¹¹⁸² phonogram, ¹¹⁸³ film ¹¹⁸⁴ and published work ¹¹⁸⁵)
Entity exercising reproduction	a public archive, library, museum and educational or scientific establishment
Purpose of educational reproduction	
Qualification(s)	not more than 3 copies reproduction is done from the copy owned by that legal entity for internal use reproduction is not done for direct or indirect economic advantage
Frequency/Multiple copies and Limits	
Collective Licence/remuneration	author of work, (performer, phonogram producer, film producer and publisher) ¹¹⁸⁶ have right to a portion of a remuneration for making a photocopy of his work, or for making a sound or visual fixation of his work, with remuneration for sound/visual fixation liable from manufacturer/importer ¹¹⁸⁷ and paid to a mandatory collective management organization ¹¹⁸⁸ on first sale/importation of new appliances for sound/visual fixation and blank audio/video fixation media, and new appliances for photocopying and appliances

¹¹⁸² Art. 122.

¹¹⁸³ Art. 129.

¹¹⁸⁴ Art. 133.

¹¹⁸⁵ Art. 138.

¹¹⁸⁶ Arts. 122, 129, 133, 138.

¹¹⁸⁷ Art. 37.

¹¹⁸⁸ Art. 155.

	with other technical reproduction procedures ¹¹⁸⁹
Attribution	

5. Educational Publications/Anthologies/Compilations/Composite Works

Provision	Art. 46(1)
Scope of anthologies/compilations limitation/exception	use parts, in readers and textbooks that comprise works of several authors, of
Type(s) of source work(s)	disclosed copyright works
Entity exercising anthologies/compilations limitation/exception	
Purpose of anthologies/compilations limitation/exception	solely as illustrations intended for teaching according to a public curriculum or for scientific research
Condition of anthologies/compilations limitation/exception	limitation only permitted "provided they do not conflict with a normal exploitation of the work and do not unreasonably prejudice the legitimate interests of the author." ¹¹⁹⁰
Preclusions (not part of anthologies/compilations limitation/exception)	
Subject to Attribution	source, name of author (unless infeasible) ¹¹⁹¹
Subject to Remuneration	remuneration to be made

Provision	Art. 46(2)
Scope of anthologies/compilations limitation/exception	use, in readers and textbooks that comprise works of a number of several authors,
Type(s) of source work(s)	a single disclosed copyright work of photography, fine arts, architecture, applied art, industrial design, and cartography
Entity exercising anthologies/compilations limitation/exception	
Purpose of anthologies/compilations limitation/exception	as illustrations intended for teaching according to a public curriculum or for scientific research
Condition of anthologies/compilations limitation/exception	limitation only permitted "provided they do not conflict with a normal exploitation of the work and do not unreasonably prejudice the legitimate interests of the author." ¹¹⁹²
Preclusions (not part of anthologies/compilations limitation/exception)	
Subject to Attribution	source, name of author (unless infeasible) ¹¹⁹³
Subject to Remuneration	remuneration to be made

6. School Performances

Provision	Art. 51(2)
Scope of school performance	publicly perform

¹¹⁸⁹ Art. 36.

¹¹⁹⁰ Art. 45 para. 1.

¹¹⁹¹ Art. 45 para. 4.

¹¹⁹² Art. 45 para. 1.

¹¹⁹³ Art. 45 para. 4.

Type(s) of source work(s)	a disclosed work
Entity exercising school performance	
Purpose of school performance	at school events for the purpose of teaching (pre-school and school teaching, research, examination) and illustration
Condition of school performance	free admission performers receive no payment for their performance without any direct or indirect economic advantage
Preclusions (not part of school performance)	
Subject to Attribution	
Subject to Remuneration	

7. Educational Broadcasts/Communications/Recordings

Provision	Art. 46(1)
Scope of broadcast/communication/recording	communicate to the public of, parts, in readers and textbooks that comprise works of several authors, of
Type(s) of source work(s)	disclosed copyright works
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	solely as illustrations intended for teaching according to a public curriculum or for scientific research
Condition of broadcast/communication/recording	limitation only permitted "provided they do not conflict with a normal exploitation of the work and do not unreasonably prejudice the legitimate interests of the author." ¹¹⁹⁴
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	source, name of author (unless infeasible) ¹¹⁹⁵
Subject to Remuneration	remuneration to be made

Provision	Art. 46(2)
Scope of broadcast/communication/recording	communicate to the public, in readers and textbooks that comprise works of a number of several authors, of
Type(s) of source work(s)	a single disclosed copyright work of photography, fine arts, architecture, applied art, industrial design, and cartography
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	as illustrations intended for teaching according to a public curriculum or for scientific research
Condition of	limitation only permitted "provided they do not

¹¹⁹⁴ Art. 45 para. 1.

¹¹⁹⁵ Art. 45 para. 4.

broadcast/communication/recording	conflict with a normal exploitation of the work and do not unreasonably prejudice the legitimate interests of the author.” ¹¹⁹⁶
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	source, name of author (unless infeasible) ¹¹⁹⁷
Subject to Remuneration	remuneration to be made

Provision	Art. 51(1)
Scope of broadcast/communication/recording	communication to the public, in the form of direct teaching
Type(s) of source work(s)	a disclosed work
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	teaching (pre-school and school teaching, research, examination) and illustration
Condition of broadcast/communication/recording	done without any direct or indirect economic advantage
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	
Subject to Remuneration	

Provision	Art. 51(3)
Scope of broadcast/communication/recording	communication to the public,
Type(s) of source work(s)	school radio or television broadcasts
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	teaching (pre-school and school teaching, research, examination) and illustration
Condition of broadcast/communication/recording	done without any direct or indirect economic advantage
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	
Subject to Remuneration	

Provision	Art. 52(2)
Scope of broadcast/communication/recording	reproduction, on any medium,
Type(s) of source work(s)	a disclosed work, (a performance, ¹¹⁹⁸ phonogram, ¹¹⁹⁹ film ¹²⁰⁰ and published work ¹²⁰¹)
Entity exercising broadcast/communication/recording	a public archive, library, museum and educational or scientific establishment
Purpose of	

¹¹⁹⁶ Art. 45 para. 1.

¹¹⁹⁷ Art. 45 para. 4.

¹¹⁹⁸ Art. 122.

¹¹⁹⁹ Art. 129.

¹²⁰⁰ Art. 133.

¹²⁰¹ Art. 138.

broadcast/communication/recording	
Condition of broadcast/communication/recording	not more than 3 copies reproduction is done from the copy owned by that legal entity for internal use reproduction is not done for direct or indirect economic advantage
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	author of work, (performer, phonogram producer, film producer and publisher) ¹²⁰² have right to a portion of a remuneration for making a photocopy of his work, or for making a sound or visual fixation of his work, with remuneration for sound/visual fixation liable from manufacturer/importer ¹²⁰³ and paid to a mandatory collective management organization ¹²⁰⁴ on first sale/importation of new appliances for sound/visual fixation and blank audio/video fixation media, and new appliances for photocopying and appliances with other technical reproduction procedures ¹²⁰⁵
Subject to Remuneration	

8. Compulsory Licences for Educational Reproductions and Translations

9. TPM/RMI Exceptions for Educational Purposes

Provision	Art. 188
Scope of TPM/RMI limitation/exception	exception to require rightholder who used effective technological measures in respect of his work to make available appropriate means, to enforce limitations
Type(s) of source work(s)	work/subject-matter (but not applicable to technological measures which rightholders apply voluntarily, including the technological measures applied in implementation of agreements on the enforcement of limitations between rightholders and users or for the implementation of decisions in a collective dispute)
Beneficiary exercising limitation/exception	users who reproduce work/subject-matter for [purpose]
Purpose of limitation/exception	teaching in schools ¹²⁰⁶ , private and other internal reproduction ¹²⁰⁷
Condition of limitation/exception	upon request and without undue delay

¹²⁰² Arts. 122, 129, 133, 138.

¹²⁰³ Art. 37.

¹²⁰⁴ Art. 155.

¹²⁰⁵ Art. 36.

¹²⁰⁶ E.g., Arts. 46, 51, 52.

¹²⁰⁷ E.g., Arts. 52, 58, 60.

	if rightholder fails to secure the necessary means, users may initiate a collective dispute
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Morocco

1. Legislation Reviewed

Law No. 2-00 on Copyright and Related Rights (promulgated by Dahir No. 1-00-20 of 9 Kaada 1420 (15 February 2000))

2. Private/Personal Use

Provision	Art. 12
Scope of private/personal use	reproduction
Type(s) of source work(s)	a lawfully published work, (a performance, phonogram, broadcast) ¹²⁰⁸
Entity exercising private/personal use	
Purpose of private/personal use	private use of user
Condition of private/personal use	
Preclusions (not part of private/personal use)	works of architecture, reprographic reproduction of whole or substantial part of book or musical notation, whole or substantial part of a digital database, computer program ¹²⁰⁹ , “any other reproduction of a work which appears to hamper the normal use of the work or would unjustifiably prejudice the author's legitimate interests”
Subject to Attribution	sufficient acknowledgment: title of work (or other description), name of author (unless work is anonymous, pseudonymous or author has previously agreed or directed that an acknowledgment is not to be made)
Subject to Remuneration	

Provision	Art. 54(b)
Scope of private/personal use	reproduction
Type(s) of source work(s)	a performance, phonogram, broadcast
Entity exercising private/personal use	
Purpose of private/personal use	solely for the purposes of scientific research
Condition of private/personal use	
Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	

3. Quotations

Provision	Art. 14
Scope of quotation	cite, in another work,
Type(s) of source work(s)	a lawfully published work
Entity exercising quotation	

¹²⁰⁸ Art. 54(e) (applying all other uses representing exceptions in relation to protected works to related rights).

¹²⁰⁹ Art. 21 (excepting use of the computer program and for backup/archival purposes).

Purpose of quotation	
Condition of quotation	citation complies with correct use and scope if citation does not exceed that justified by the aim to be achieved
Preclusions (not part of quotation)	
Subject to Attribution	source, name of author (if indicated on source)
Subject to Remuneration	

Provision	Art. 54(d)
Scope of quotation	citation
Type(s) of source work(s)	a performance, phonogram, broadcast
Entity exercising quotation	
Purpose of quotation	short fragments
Condition of quotation	citations are properly used and are justified by their information aim
Preclusions (not part of quotation)	
Subject to Attribution	
Subject to Remuneration	

4. Educational Reproduction

Provision	Art. 15(b)
Nature of educational reproduction	reprographic reproduction
Type(s) of source work(s)	individual articles lawfully published in a journal or periodical, short extracts of a lawfully published work or a lawfully published short work
Entity exercising reproduction	
Purpose of educational reproduction	for educational purposes or for examinations in educational institutions whose activities are not designed directly or indirectly to generate commercial profit
Qualification(s)	to the extent justified by the aim to be achieved
Frequency/Multiple copies and Limits	to a reasonable extent
Collective Licence/remuneration	
Attribution	source, name of author (if indicated on source)

5. Educational Publications/Anthologies/Compilations/Composite Works

Provision	Art. 15(a)
Scope of anthologies/compilations limitation/exception	use, as an illustration in publications, broadcasts, or sound or visual recordings
Type(s) of source work(s)	lawfully published work, (a performance, phonogram, broadcast) ¹²¹⁰
Entity exercising anthologies/compilations limitation/exception	
Purpose of anthologies/compilations	educational purposes

¹²¹⁰ Art. 54(e) (applying all other uses representing exceptions in relation to protected works to related rights).

limitation/exception	
Condition of anthologies/compilations limitation/exception	
Preclusions (not part of anthologies/compilations limitation/exception)	
Subject to Attribution	source, name of author (if indicated on source)
Subject to Remuneration	

6. School Performances

Provision	Art. 23(b)
Scope of school performance	publicly perform
Type(s) of source work(s)	a work, (a performance, phonogram, broadcast) ¹²¹¹
Entity exercising school performance	
Purpose of school performance	as part of the activities of an educational institution for the staff and students of such an institution
Condition of school performance	provided the public [audience of the performance] consists solely of staff and students of the institution, or parents and supervisors, or other persons directly linked to the institution's activities
Preclusions (not part of school performance)	
Subject to Attribution	
Subject to Remuneration	

7. Educational Broadcasts/Communications/Recordings

Provision	Art. 15(a)
Scope of broadcast/communication/recording	use, as an illustration in broadcasts, or sound or visual recordings
Type(s) of source work(s)	lawfully published work, (a performance, phonogram, broadcast) ¹²¹²
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	educational purposes
Condition of broadcast/communication/recording	
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	source, name of author (if indicated on source)
Subject to Remuneration	

¹²¹¹ Art. 54(e) (applying all other uses representing exceptions in relation to protected works to related rights).

¹²¹² Art. 54(e) (applying all other uses representing exceptions in relation to protected works to related rights).

Provision	Art. 54(c)
Scope of broadcast/communication/recording	reproduction
Type(s) of source work(s)	a performance, phonogram, broadcast
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	as part of teaching activities
Condition of broadcast/communication/recording	but not when performances or phonograms have been published as material intended for educational purposes
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	
Subject to Remuneration	

8. Compulsory Licences for Educational Reproductions and Translations

9. TPM/RMI Exceptions for Educational Purposes

Provision	Art. 65.1
Scope of TPM/RMI limitation/exception	exception for, <i>inter alia</i> , circumventing technological protection measures and rights management information, and exempting beneficiaries from damages under Art. 62 if they provide proof that they were not aware or had no reason to think that their acts constituted a prohibited activity
Type(s) of source work(s)	
Beneficiary exercising limitation/exception	libraries, archive services, educational institutions or public broadcasting organizations
Purpose of limitation/exception	
Condition of limitation/exception	

Mozambique

1. Legislation Reviewed

Law No. 4/2001 of February 27, 2001 (Copyright Law, approved by Decree-Law No. 46.980 of April 27, 1966)

2. Private/Personal Use

Provision	Art. 9
Scope of private/personal use	reproduce
Type(s) of source work(s)	a lawfully published work
Entity exercising private/personal use	
Purpose of private/personal use	exclusively for the user's private purposes
Condition of private/personal use	
Preclusions (not part of private/personal use)	works of architecture, reprographic reproduction of limited-edition 3D art, musical notation, exercise manuals and other publications, even if they are used only once, whole or large parts of a database, computer program ¹²¹³ , any other "reproduction of a work that might prejudice its normal exploitation or cause unjustified harm to the legitimate interests of the author."
Subject to Attribution	
Subject to Remuneration	

Provision	Art. 21
Scope of private/personal use	reproduce
Type(s) of source work(s)	a legitimately published audiovisual work or the soundtrack of a work
Entity exercising private/personal use	
Purpose of private/personal use	exclusively for the private purposes of the user
Condition of private/personal use	
Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	equitable remuneration by way of payment by producers/importers of equipment and physical [media] used for reproduction, and received and distributed by CMOs, to be paid to authors, performers and phonogram producers ¹²¹⁴

Provision	Art. 46
Scope of private/personal use	reproduction
Type(s) of source work(s)	a phonogram
Entity exercising private/personal use	
Purpose of private/personal use	solely for the purposes of the user
Condition of private/personal use	

¹²¹³ Art. 16 (excepting use of the computer program and for backup/archival purposes).

¹²¹⁴ Art. 21(2)-(5) (providing also that in the absence of agreement bet the representatives of producers and importers and CMOs, the amount of equitable remuneration and conditions of its payment shall be fixed as provided in the regulations).

Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	equitable remuneration by way of payment by producers/importers of equipment and physical [media] used for reproduction, and received and distributed by CMOs, to be paid to performers and phonogram producers ¹²¹⁵
Provision	Art. 47(a)
Scope of private/personal use	private use
Type(s) of source work(s)	a performance, phonogram, broadcast
Entity exercising private/personal use	
Purpose of private/personal use	
Condition of private/personal use	
Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	(if equitable remuneration if a phonogram is reproduced ¹²¹⁶)

3. Quotations

Provision	Art. 10
Scope of quotation	quote, in another work,
Type(s) of source work(s)	a legitimately published work
Entity exercising quotation	
Purpose of quotation	in the form of quotation
Condition of quotation	quotation conforms to normal custom and practice and its extent does not exceed what is necessary to achieve its purpose
Preclusions (not part of quotation)	
Subject to Attribution	source, name of author (if indicated on source)
Subject to Remuneration	

Provision	Art. 47(d)
Scope of quotation	quotations,
Type(s) of source work(s)	short extracts from a performance, a phonogram or a broadcast program
Entity exercising quotation	
Purpose of quotation	
Condition of quotation	quotations conform to custom and practice and are justified by their informative purpose
Preclusions (not part of quotation)	
Subject to Attribution	
Subject to Remuneration	

4. Educational Reproduction

¹²¹⁵ Art. 46(2) (extending Art. 21(2)-(4) to the equitable remuneration of performers and producers of phonograms).

¹²¹⁶ To the extent that Art. 47(a) permits the private use of a performance, phonogram or broadcast, without remuneration, it must, by the rule of statutory interpretation, *generalia specialibus non derogant*, be displaced by Art. 46, which subjects the private use of a phonogram to remuneration by the producers and importers.

Provision	Art. 11(b)
Nature of educational reproduction	reprographic reproduction
Type(s) of source work(s)	isolated articles lawfully published in a newspaper or magazine or short extracts from a lawfully published work or short work
Entity exercising reproduction	
Purpose of educational reproduction	for educational purposes or for examinations within educational establishments whose activities are not directly or indirectly profit-making
Qualification(s)	such use conforms to normal custom and practice
Frequency/Multiple copies and Limits	to the extent justified by the aim to be achieved
Collective Licence/remuneration	
Attribution	source, name of author (if indicated on source)

5. Educational Publications/Anthologies/Compilations/Composite Works

Provision	Art. 11(a)
Scope of anthologies/compilations limitation/exception	use, by way of illustration in publications, broadcasts or audio or video recordings, of
Type(s) of source work(s)	a lawfully published work, (a performance, phonogram, broadcast) ¹²¹⁷
Entity exercising anthologies/compilations limitation/exception	
Purpose of anthologies/compilations limitation/exception	educational purposes
Condition of anthologies/compilations limitation/exception	
Preclusions (not part of anthologies/compilations limitation/exception)	
Subject to Attribution	source, name of author (if indicated on source)
Subject to Remuneration	

6. School Performances

Provision	Art. 19(b)
Scope of school performance	present or perform
Type(s) of source work(s)	a work that has been publicly disclosed and is not restricted, , (a performance, phonogram, broadcast) ¹²¹⁸
Entity exercising school performance	performance is by the staff and students of an educational establishment
Purpose of school performance	in the context of the activities of the educational establishment
Condition of school performance	audience is composed exclusively of its staff and students, parents, tutors, those

¹²¹⁷ Art. 47(e) (applying exceptions in relation to works to related rights).

¹²¹⁸ Art. 47(e) (applying exceptions in relation to works to related rights).

	responsible for the education of children or other persons linked to the activities of the establishment
Preclusions (not part of school performance)	
Subject to Attribution	
Subject to Remuneration	

7. Educational Broadcasts/Communications/Recordings

Provision	Art. 11(a)
Scope of broadcast/communication/recording	use, by way of illustration in publications, broadcasts or audio or video recordings, of
Type(s) of source work(s)	a lawfully published work, (a performance, phonogram, broadcast) ¹²¹⁹
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	educational purposes
Condition of broadcast/communication/recording	
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	source, name of author (if indicated on source)
Subject to Remuneration	
Provision	Art. 47(c)
Scope of broadcast/communication/recording	use
Type(s) of source work(s)	a performance, phonogram, broadcast
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	exclusively for education and scientific research
Condition of broadcast/communication/recording	
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	
Subject to Remuneration	

8. Compulsory Licences for Educational Reproductions and Translations

9. TPM/RMI Exceptions for Educational Purposes

¹²¹⁹ Art. 47(e) (applying exceptions in relation to works to related rights).

Myanmar

1. Legislation Reviewed

Burma Copyright Act of 1911 (based on the U.K. Copyright Act, 1911 (1 & 2 Geo. 5, Ch. 46))

2. Private/Personal Use

Provision	s 2(1)(i)
Scope of private/personal use	fair dealing
Type(s) of source work(s)	any work
Entity exercising private/personal use	
Purpose of private/personal use	private study, research
Condition of private/personal use	
Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	

3. Quotations

Provision	s 2(1)(i)
Scope of quotation	fair dealing
Type(s) of source work(s)	any work
Entity exercising quotation	
Purpose of quotation	criticism, review
Condition of quotation	
Preclusions (not part of quotation)	
Subject to Attribution	
Subject to Remuneration	

4. Educational Reproduction

5. Educational Publications/Anthologies/Compilations/Composite Works

Provision	s 2(1)(iv)
Scope of anthologies/compilations limitation/exception	publication in a collection,
Type(s) of source work(s)	short passages from published literary works not themselves published for the use of schools in which copyright subsists
Entity exercising anthologies/compilations limitation/exception	
Purpose of anthologies/compilations limitation/exception	bona fide intended for the use of schools
Condition of anthologies/compilations limitation/exception	collection is so described in its title and in any publisher's advertisement collection is mainly composed of non-copyright matter
Preclusions (not part of anthologies/compilations limitation/exception)	more than 2 of such passages from works by same author are contained in collections by same publisher within 5 year period
Subject to Attribution	source
Subject to Remuneration	

6. School Performances
7. Educational Broadcasts/Communications/Recordings
8. Compulsory Licences for Educational Reproductions and Translations
9. TPM/RMI Exceptions for Educational Purposes

Namibia

1. Legislation Reviewed

Copyright and Neighbouring Rights Protection Act, 1994 (Act No. 6 of 1994)

2. Private/Personal Use

Provision	s 15(1)(a)
Scope of private/personal use	fair dealing
Type(s) of source work(s)	a literary or musical work, (an artistic work, ¹²²⁰ a film, ¹²²¹ a sound recording, ¹²²² a broadcast, ¹²²³ a published edition, ¹²²⁴ a computer program ¹²²⁵)
Entity exercising private/personal use	a natural person
Purpose of private/personal use	research or private study by, or the personal or private use of, the person using the work
Condition of private/personal use	
Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	

Provision	s 50(2)(a)
Scope of private/personal use	use of
Type(s) of source work(s)	a performance, a fixation of a performance or reproduction of such a fixation
Entity exercising private/personal use	
Purpose of private/personal use	private study or personal and private use
Condition of private/personal use	
Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	

Provision	s 16
Scope of private/personal use	reproduction
Type(s) of source work(s)	a work
Entity exercising private/personal use	
Purpose of private/personal use	in such circumstances as are prescribed
Condition of private/personal use	"in such a manner that the reproduction is not in conflict with a normal exploitation of the work and is not unreasonably prejudicial to the legitimate interests of the owner of the copyright"
Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	

¹²²⁰ S 18(4) (applying s 15 exceptions *mutatis mutandis*).

¹²²¹ S 19(1) (applying s 15 exceptions *mutatis mutandis*).

¹²²² S 20 (applying s 15 exceptions *mutatis mutandis*).

¹²²³ S 21 (applying s 15 exceptions *mutatis mutandis*).

¹²²⁴ S 23 (applying s 15 exceptions *mutatis mutandis*).

¹²²⁵ S 24(1) (applying s 15 exceptions *mutatis mutandis*).

3. Quotations

Provision	s 15(1)(b)
Scope of quotation	fair dealing
Type(s) of source work(s)	a literary or musical work, (an artistic work, ¹²²⁶ a film, ¹²²⁷ a sound recording, ¹²²⁸ a broadcast, ¹²²⁹ a published edition, ¹²³⁰ a computer program ¹²³¹)
Entity exercising quotation	
Purpose of quotation	criticism or review of the work or of another work
Condition of quotation	
Preclusions (not part of quotation)	
Subject to Attribution	
Subject to Remuneration	

Provision	s 50(2)(b)
Scope of quotation	criticism or review
Type(s) of source work(s)	a performance, a fixation of a performance or reproduction of such a fixation
Entity exercising quotation	
Purpose of quotation	of the performance or any other performance
Condition of quotation	only short excerpts from the performance, to the extent justified by the purpose, are used
Preclusions (not part of quotation)	
Subject to Attribution	performer's name or names of the leading performers (where available)
Subject to Remuneration	

Provision	s 15(3)
Scope of quotation	quotation of
Type(s) of source work(s)	a literary or musical work which is lawfully available to the public, including a quotation from an article in a newspaper, magazine or similar periodical that is in the form of a summary of that work, (a film, ¹²³² a sound recording, ¹²³³ a broadcast, ¹²³⁴ a computer program ¹²³⁵)
Entity exercising quotation	
Purpose of quotation	
Condition of quotation	quotation is compatible with fair practice

¹²²⁶ S 18(4) (applying s 15 exceptions *mutatis mutandis*).

¹²²⁷ S 19(1) (applying s 15 exceptions *mutatis mutandis*).

¹²²⁸ S 20 (applying s 15 exceptions *mutatis mutandis*).

¹²²⁹ S 21 (applying s 15 exceptions *mutatis mutandis*).

¹²³⁰ S 23 (applying s 15 exceptions *mutatis mutandis*).

¹²³¹ S 24(1) (applying s 15 exceptions *mutatis mutandis*).

¹²³² S 19(1) (applying s 15 exceptions *mutatis mutandis*).

¹²³³ S 20 (applying s 15 exceptions *mutatis mutandis*).

¹²³⁴ S 21 (applying s 15 exceptions *mutatis mutandis*).

¹²³⁵ S 24(1) (applying s 15 exceptions *mutatis mutandis*).

	quotation does not exceed extent justified by the purpose
Preclusions (not part of quotation)	
Subject to Attribution	source, name of author (if indicated on source)
Subject to Remuneration	

4. Educational Reproduction5. Educational Publications/Anthologies/Compilations/Composite Works

Provision	s 15(4)
Scope of anthologies/compilations limitation/exception	use, by way of illustration, in a publication
Type(s) of source work(s)	a literary or musical work, (an artistic work, ¹²³⁶ a film, ¹²³⁷ a sound recording, ¹²³⁸ a broadcast, ¹²³⁹ a published edition, ¹²⁴⁰ a computer program ¹²⁴¹)
Entity exercising anthologies/compilations limitation/exception	
Purpose of anthologies/compilations limitation/exception	for teaching purposes
Condition of anthologies/compilations limitation/exception	use is compatible with fair practice extent of such use does not exceed that justified by the purpose
Preclusions (not part of anthologies/compilations limitation/exception)	
Subject to Attribution	source, name of author (if indicated on source)
Subject to Remuneration	

6. School Performances7. Educational Broadcasts/Communications/Recordings

Provision	s 15(4)
Scope of broadcast/communication/recording	use, by way of illustration, in a broadcast or sound or visual recording
Type(s) of source work(s)	a literary or musical work, (an artistic work, ¹²⁴² a film, ¹²⁴³ a sound recording, ¹²⁴⁴ a broadcast, ¹²⁴⁵ a published edition, ¹²⁴⁶ a computer program ¹²⁴⁷)

¹²³⁶ S 18(4) (applying s 15 exceptions *mutatis mutandis*).¹²³⁷ S 19(1) (applying s 15 exceptions *mutatis mutandis*).¹²³⁸ S 20 (applying s 15 exceptions *mutatis mutandis*).¹²³⁹ S 21 (applying s 15 exceptions *mutatis mutandis*).¹²⁴⁰ S 23 (applying s 15 exceptions *mutatis mutandis*).¹²⁴¹ S 24(1) (applying s 15 exceptions *mutatis mutandis*).¹²⁴² S 18(4) (applying s 15 exceptions *mutatis mutandis*).¹²⁴³ S 19(1) (applying s 15 exceptions *mutatis mutandis*).¹²⁴⁴ S 20 (applying s 15 exceptions *mutatis mutandis*).¹²⁴⁵ S 21 (applying s 15 exceptions *mutatis mutandis*).¹²⁴⁶ S 23 (applying s 15 exceptions *mutatis mutandis*).¹²⁴⁷ S 24(1) (applying s 15 exceptions *mutatis mutandis*).

Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	for teaching purposes
Condition of broadcast/communication/recording	use is compatible with fair practice extent of such use does not exceed that justified by the purpose
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	source, name of author (if indicated on source)
Subject to Remuneration	

Provision	s 50(2)(c)
Scope of broadcast/communication/recording	use
Type(s) of source work(s)	a performance, a fixation of a performance or reproduction of such a fixation
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	teaching or scientific research
Condition of broadcast/communication/recording	
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	
Subject to Remuneration	

8. Compulsory Licences for Educational Reproductions and Translations

9. TPM/RMI Exceptions for Educational Purposes

Nepal

1. Legislation Reviewed

Copyright Act, 2059 (2002)

2. Private/Personal Use

Provision	s 16(1)
Scope of private/personal use	reproduction
Type(s) of source work(s)	any published work
Entity exercising private/personal use	
Purpose of private/personal use	for personal use
Condition of private/personal use	some portion of [source work]
Preclusions (not part of private/personal use)	works of architecture, significant portion of any book or musical notation, all or significant portion of database through digital transmission, computer program ¹²⁴⁸ , “in a manner to be prejudicial to the economic right of the author or the copyright owner”
Subject to Attribution	
Subject to Remuneration	

3. Quotations

Provision	s 17
Scope of quotation	citing for fair use
Type(s) of source work(s)	a published work
Entity exercising quotation	
Purpose of quotation	
Condition of quotation	some portions of a published work cited in a manner not to be prejudicial to the economic right of such author or owner
Preclusions (not part of quotation)	
Subject to Attribution	source, name of author (if indicated on source)
Subject to Remuneration	

4. Educational Reproduction

Provision	s 18(1)(a)
Nature of educational reproduction	reproduction, by way of citation, writing or audio-visual aid
Type(s) of source work(s)	any published work
Entity exercising reproduction	
Purpose of educational reproduction	for teaching and learning activities
Qualification(s)	
Frequency/Multiple copies and Limits	a small portion [of work] “in a manner not to be prejudicial to the economic right of such author or owner”
Collective Licence/remuneration	

¹²⁴⁸ S 17 (excepting use of the computer program and for backup/archival purposes).

Attribution	source, name of author
Provision	s 18(1)(b)
Nature of educational reproduction	reproduction
Type(s) of source work(s)	any published work
Entity exercising reproduction	
Purpose of educational reproduction	for teaching and learning activities, for purposes of educational activities to be performed in the classroom
Qualification(s)	
Frequency/Multiple copies and Limits	some portions [of work] “in a manner not to be prejudicial to the economic right of such author or owner”
Collective Licence/remuneration	
Attribution	source, name of author

5. Educational Publications/Anthologies/Compilations/Composite Works

6. School Performances

Provision	s 18(1)(b)
Scope of school performance	exhibit
Type(s) of source work(s)	any published work
Entity exercising school performance	
Purpose of school performance	for teaching and learning activities, for purposes of educational activities to be performed in the classroom
Condition of school performance	some portions [of work] “in a manner not to be prejudicial to the economic right of such author or owner”
Preclusions (not part of school performance)	
Subject to Attribution	source, name of author
Subject to Remuneration	

7. Educational Broadcasts/Communications/Recordings

Provision	s 18(1)(b)
Scope of broadcast/communication/recording	broadcast and exhibit
Type(s) of source work(s)	any published work
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	for teaching and learning activities, for purposes of educational activities to be performed in the classroom
Condition of broadcast/communication/recording	
Preclusions (not part of broadcast/communication/recording)	some portions [of work]

	“in a manner not to be prejudicial to the economic right of such author or owner”
Subject to Attribution	source, name of author
Subject to Remuneration	

- 8. Compulsory Licences for Educational Reproductions and Translations
- 9. TPM/RMI Exceptions for Educational Purposes

***Netherlands**

1. Legislation Reviewed

Act of September 23, 1912, containing New Regulation for Copyright (Copyright Act 1912, as last amended in 2008)

New Zealand

1. Legislation Reviewed

New Zealand Copyright Act 1994 (No. 143) (reprint as at 1 January 2014)

2. Private/Personal Use

Provision	s 43
Scope of private/personal use	fair dealing, by means of a reprographic process or by any other means,
Type(s) of source work(s)	a work (including a published edition)
Entity exercising private/personal use	
Purpose of private/personal use	research or private study
Condition of private/personal use	to determine if copying is fair dealing, a court to have regard to: (a) the purpose of the copying; (b) the nature of work copied; (c) whether the work could have been obtained within a reasonable time at an ordinary commercial price; (d) the effect of the use upon the potential market for or value of the work. (c) where part of a work is copied, the amount and substantiality of the part copied taken in relation to the whole work.
Preclusions (not part of private/personal use)	more than 1 copy of the same work, or the same part of a work, on any one occasion
Subject to Attribution	
Subject to Remuneration	

Provision	s 81A
Scope of private/personal use	copying
Type(s) of source work(s)	a sound recording (and the literary or musical work contained in it) – not a communication work or part of a communication work
Entity exercising private/personal use	owner of the sound recording
Purpose of private/personal use	used only for that owner's personal use or personal use of a member of the household in which owner lives, or both
Condition of private/personal use	sound recording is acquired by owner legitimately, is not an infringing copy, and is not borrowed or hired no more than 1 copy is made for each playing device owned by owner of sound recording sound recording owner retains ownership of both sound recording and any copy made
Preclusions (not part of private/personal use)	owner of sound recording is bound by contract that specifies the circumstances in which the sound recording may be copied
Subject to Attribution	
Subject to Remuneration	

3. Quotations

Provision	s 42(1)
Scope of quotation	fair dealing
Type(s) of source work(s)	a work
Entity exercising quotation	
Purpose of quotation	criticism or review, of that or another work or of a performance of a work
Condition of quotation	reproduction is compatible with fair practice reproduction does not exceed extent justified by the purpose
Preclusions (not part of quotation)	
Subject to Attribution	title, name of author (unless anonymous or not possible to ascertain identity for unpublished work) ¹²⁴⁹
Subject to Remuneration	

Provision	s 176
Scope of quotation	fair dealing
Type(s) of source work(s)	a performance or recording
Entity exercising quotation	
Purpose of quotation	purposes of criticism or review, of that or another performance or recording, or of a work
Condition of quotation	
Preclusions (not part of quotation)	
Subject to Attribution	
Subject to Remuneration	

4. Educational Reproduction

Provision	s 44(1)
Nature of educational reproduction	copying, by means of a reprographic process or by any other means, of
Type(s) of source work(s)	a literary, dramatic, musical, or artistic work or the typographical arrangement of a published edition
Entity exercising reproduction	done by or on behalf of the person who is to give, or who is giving,
Purpose of educational reproduction	a lesson at an educational establishment, in the course of preparation for instruction, for use in the course of instruction, or in the course of instruction
Qualification(s)	copies made cannot be dealt with (i.e. sold, let for hire or offered or exposed for sale or hire) ¹²⁵⁰
Frequency/Multiple copies and Limits	the whole or part of the work or edition no more than 1 copy of the whole or part of the

¹²⁴⁹ S 2(1) (defining “sufficient acknowledgment”).

¹²⁵⁰ S 93(2).

	work or edition is made on any one occasion
Collective Licence/remuneration	
Attribution	

Provision	s 44(2)
Nature of educational reproduction	copying, <i>not</i> by means of a reprographic process, of
Type(s) of source work(s)	a literary, dramatic, musical, or artistic work or the typographical arrangement of a published edition
Entity exercising reproduction	by a person who is to give, is giving, or has given the lesson or by a person who is to receive, is receiving, or has received the lesson
Purpose of educational reproduction	in the course of preparation for instruction, for use in the course of instruction, or in the course of instruction, or after the course of instruction
Qualification(s)	copies made cannot be dealt with (i.e. sold, let for hire or offered or exposed for sale or hire) ¹²⁵¹
Frequency/Multiple copies and Limits	the whole or part of the work or edition 1 or more copies of the whole or part of the work or edition is or are made on any one occasion
Collective Licence/remuneration	
Attribution	

Provision	s 44(3)
Nature of educational reproduction	copying, by means of a reprographic process or by any other means, of
Type(s) of source work(s)	a literary, dramatic, or musical work or the typographical arrangement of a published edition, (or an artistic work is included as part of aforesaid work) ¹²⁵²
Entity exercising reproduction	by or on behalf of an educational establishment
Purpose of educational reproduction	an educational purpose
Qualification(s)	no charge is made for the supply of a copy to any student or other person who is to receive, is receiving, or has received a lesson copies made cannot be dealt with (i.e. sold, let for hire or offered or exposed for sale or hire) ¹²⁵³
Frequency/Multiple copies and Limits	part of the work or edition

¹²⁵¹ S 93(2).

¹²⁵² S 44(5).

¹²⁵³ S 93(2).

	<p>1 or more copies of part of the work or edition is or are made on any one occasion</p> <p>(on or after Jan. 1, 1998) no more than the greater of 3% of the work or edition or (3 pages of the work or edition or 50% of the whole work or edition, whichever is less)¹²⁵⁴</p> <p>no copying under this exception of that part or any other part of same work within 14 days of previous copying¹²⁵⁵</p>
Collective Licence/remuneration	
Attribution	

Provision	s 177(1)
Nature of educational reproduction	copying
Type(s) of source work(s)	a recording of a performance
Entity exercising reproduction	by or on behalf of a person who is to give, is giving, or has given the lesson or by or on behalf of a person who is to receive, is receiving, or has received the lesson
Purpose of educational reproduction	<p>in the learning of a language, or is conducted by correspondence</p> <p>copying is done in the course of preparation for instruction; or for use in the course of instruction; or in the course of instruction; or after the course of instruction</p>
Qualification(s)	<p>no charge is made for the supply of a copy to any student or other person who is to receive, is receiving, or has received the lesson</p> <p>copies made cannot be dealt with (i.e. sold, let for hire or offered or exposed for sale or hire)¹²⁵⁶</p>
Frequency/Multiple copies and Limits	
Collective Licence/remuneration	
Attribution	
Provision	s 49
Nature of educational reproduction	anything done
Type(s) of source work(s)	
Entity exercising reproduction	
Purpose of educational reproduction	an examination, whether by way of setting the questions, communicating the questions to the candidates, or answering the questions
Qualification(s)	copies made cannot be dealt with (i.e. sold, let for hire or offered or exposed for sale or hire) ¹²⁵⁷

¹²⁵⁴ S 44(4) (qualifying the “greater of 3% of the work or 3 pages” rule).

¹²⁵⁵ S 44(6).

¹²⁵⁶ S 177(1).

¹²⁵⁷ S 93(2).

Frequency/Multiple copies and Limits	
Collective Licence/remuneration	
Attribution	

5. Educational Publications/Anthologies/Compilations/Composite Works

Provision	s 46
Scope of anthologies/compilations limitation/exception	copying, in a collection, of a short passage from
Type(s) of source work(s)	a published work (being a literary, dramatic, or musical work), not a computer program ¹²⁵⁸
Entity exercising anthologies/compilations limitation/exception	
Purpose of anthologies/compilations limitation/exception	collection for (any use for educational purposes) ¹²⁵⁹ in educational establishments
Condition of anthologies/compilations limitation/exception	collection is so described in its title and in any publisher's advertisement collection consists mainly of material in which no copyright subsists or in which copyright is owned by the publisher or the Crown publisher of source work did not intend it to be used in educational establishments
Preclusions (not part of anthologies/compilations limitation/exception)	more than 2 passages from works by same author ¹²⁶⁰ in collections by same publisher over any 5 year period ¹²⁶¹
Subject to Attribution	title, name of author (unless anonymous or not possible to ascertain identity for unpublished work) ¹²⁶²
Subject to Remuneration	

6. School Performances

Provision	s 47(1)
Scope of school performance	performance
Type(s) of source work(s)	a literary, dramatic, or musical work
Entity exercising school performance	by a student or staff member in the course of the activities of the establishment; or by any person for the purposes of instruction at the establishment,
Purpose of school performance	
Condition of school performance	an audience consisting of persons who are

¹²⁵⁸ S 46(5).

¹²⁵⁹ S 46(4).

¹²⁶⁰ S 46(3) (explaining that author includes works of joint authorship, and works by any of the authors will count towards the preclusion).

¹²⁶¹ S 46(2).

¹²⁶² S 2(1) (defining "sufficient acknowledgment").

	students or staff members at an educational establishment or are “directly connected” ¹²⁶³ with the activities of the establishment
Preclusions (not part of school performance)	
Subject to Attribution	
Subject to Remuneration	

Provision	ss 47(2), 178
Scope of school performance	playing or showing
Type(s) of source work(s)	a sound recording, film, communication work
Entity exercising school performance	
Purpose of school performance	for the purpose of instruction
Condition of school performance	an audience consisting of persons who are students or staff members at an educational establishment or are “directly connected” ¹²⁶⁴ with the activities of the establishment
Preclusions (not part of school performance)	
Subject to Attribution	
Subject to Remuneration	

Provision	ss 81, 186
Scope of school performance	play
Type(s) of source work(s)	a sound recording
Entity exercising school performance	a club, society or other organization not established or conducted for profit and its main objects are charitable or are otherwise concerned with the advancement of religion, education or social welfare
Purpose of school performance	as part of the activities of, or for the benefit of [entity]
Condition of school performance	proceeds of any charge for admission to the place where the recording is to be heard are applied solely for the purposes of the organization
Preclusions (not part of school performance)	
Subject to Attribution	
Subject to Remuneration	

7. Educational Broadcasts/Communications/Recordings

Provision	s 44(4A)
Scope of broadcast/communication/recording	communication of
Type(s) of source work(s)	a work copied pursuant to s 44(3)
Entity exercising	

¹²⁶³ S 47(3) (“For the purposes of this section, a person shall not be treated as a person directly connected with the activities of an educational establishment by reason only that the person is a parent or guardian of a student at that educational establishment.”).

¹²⁶⁴ Ss 47(3), 178(2) (“For the purposes of this section, a person shall not be treated as a person directly connected with the activities of an educational establishment by reason only that the person is a parent or guardian of a student at that educational establishment.”).

broadcast/communication/recording	
Purpose of broadcast/communication/recording	to a person who is a student or other person who is to receive, is receiving, or has received, a lesson that relates to the work
Condition of broadcast/communication/recording	
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	
Subject to Remuneration	

Provision	s 44A
Scope of broadcast/communication/recording	storing, pursuant to making available on a website or other electronic retrieval system,
Type(s) of source work(s)	a copy of the page(s) in which work appears ["the material"]
Entity exercising broadcast/communication/recording	educational establishment
Purpose of broadcast/communication/recording	for an educational purpose
Condition of broadcast/communication/recording	<p>the material—</p> <p>(i) is displayed under a separate frame or identifier; and</p> <p>(ii) identifies the author (if known) and source of the work; and</p> <p>(iii) states the name of the educational establishment and the date on which the work was stored</p> <p>the material is restricted to use by "authenticated users"¹²⁶⁵</p> <p>educational establishment to delete the stored material within a reasonable time after the material becomes no longer relevant to the course of instruction for which it was stored¹²⁶⁶</p> <p>copies made cannot be dealt with (i.e. sold, let for hire or offered or exposed for sale or hire)¹²⁶⁷</p>
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	
Subject to Remuneration	

¹²⁶⁵ S 44A(3) (defining "authenticated user" as a person who is a participant in the course of instruction for which the material is stored, and can access the stored material only through a verification process).

¹²⁶⁶ S 44A(2) (providing that exception does not apply and educational establishment will infringe copyright if the educational establishment knowingly fails to delete the stored material within a reasonable time after the material becomes no longer relevant to the course of instruction for which it was stored).

¹²⁶⁷ S 93(2).

Provision	s 48(1)(a)
Scope of broadcast/communication/recording	making or communication of a copy of, and subsequent communication (within the establishment) of the copy of,
Type(s) of source work(s)	a “communication work” ¹²⁶⁸
Entity exercising broadcast/communication/recording	by or on behalf of an educational establishment
Purpose of broadcast/communication/recording	copy is made or communication for the educational establishment’s educational purposes
Condition of broadcast/communication/recording	no making/communication if licences under licensing scheme are available authorizing copying/communication and educational establishment knows of licences ¹²⁶⁹ copies made cannot be dealt with (i.e. sold, let for hire or offered or exposed for sale or hire) ¹²⁷⁰
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	
Subject to Remuneration	

Provision	s 48(1)(b)
Scope of broadcast/communication/recording	making and supply of a copy of
Type(s) of source work(s)	a “communication work” ¹²⁷¹
Entity exercising broadcast/communication/recording	by educational resource supplier
Purpose of broadcast/communication/recording	copy is made and supplied for the educational establishment’s educational purposes
Condition of broadcast/communication/recording	no making/supply if licences under licensing scheme are available authorizing copying/supply and educational resource supplier knows of licences ¹²⁷²
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	
Subject to Remuneration	
Provision	s 179
Scope of broadcast/communication/recording	recording, or [making] a copy of such a recording, of
Type(s) of source work(s)	a communication work
Entity exercising	by or on behalf of an educational

¹²⁶⁸ S 2(1) (defining a “communication work” as a transmission of sounds, visual images, or other information, or a combination of any of those, for reception by members of the public, and includes a broadcast or a cable programme).

¹²⁶⁹ S 48(4)(a), (b).

¹²⁷⁰ S 93(2).

¹²⁷¹ S 2(1) (defining a “communication work” as a transmission of sounds, visual images, or other information, or a combination of any of those, for reception by members of the public, and includes a broadcast or a cable programme).

¹²⁷² S 48(4)(a), (c).

broadcast/communication/recording	establishment
Purpose of broadcast/communication/recording	for its educational purposes
Condition of broadcast/communication/recording	
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	
Subject to Remuneration	

Provision	ss 45(1), 177(1)
Scope of broadcast/communication/recording	copying
Type(s) of source work(s)	a film, sound recording, or communication work, or any work included in a film, sound recording, or communication work, (a recording of a performance) ¹²⁷³
Entity exercising broadcast/communication/recording	by or on behalf of a person who is to give, is giving, or has given the lesson or by or on behalf of a person who is to receive, is receiving, or has received the lesson, in
Purpose of broadcast/communication/recording	making of a film or film soundtrack
Condition of broadcast/communication/recording	in the course of preparation for instruction; or for use in the course of instruction; or in the course of instruction; or after the course of instruction, no charge is made for the supply of a copy to any student or other person who is to receive, is receiving, or has received the lesson copies made cannot be dealt with (i.e. sold, let for hire or offered or exposed for sale or hire) ¹²⁷⁴
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	
Subject to Remuneration	

Provision	s 45(3)
Scope of broadcast/communication/recording	copying
Type(s) of source work(s)	any work that is a sound recording; or any work included in a sound recording
Entity exercising broadcast/communication/recording	by or on behalf of a person who is to give, is giving, or has given the lesson or by or on behalf of a person who is to receive, is receiving, or has received the lesson
Purpose of broadcast/communication/recording	in the learning of a language, or the lesson is conducted by correspondence

¹²⁷³ S 177(1).

¹²⁷⁴ Ss 93(2), 180(1).

	copying is done in the course of preparation for instruction; or for use in the course of instruction; or in the course of instruction; or after the course of instruction
Condition of broadcast/communication/recording	no charge is made for the supply of a copy to any student or other person who is to receive, is receiving, or has received the lesson no copying if licences under licensing scheme are available authorizing copying and person making copies knows of licences ¹²⁷⁵ copies made cannot be dealt with (i.e. sold, let for hire or offered or exposed for sale or hire) ¹²⁷⁶
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	
Subject to Remuneration	

Provision	s 177(2)(a)
Scope of broadcast/communication/recording	copying
Type(s) of source work(s)	a recording of a performance
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	setting or answering the questions in an examination
Condition of broadcast/communication/recording	
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	
Subject to Remuneration	

Provision	s 177(2)(b)
Scope of broadcast/communication/recording	anything done
Type(s) of source work(s)	a recording of a performance
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	for purposes of an examination by way of communicating the questions to the candidates
Condition of broadcast/communication/recording	
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	

¹²⁷⁵ S 45(5).

¹²⁷⁶ S 93(2).

Subject to Remuneration	
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8. Compulsory Licences for Educational Reproductions and Translations9. TPM/RMI Exceptions for Educational Purposes

Provision	s 226D
Scope of TPM/RMI limitation/exception	exception for circumventing technological protection measure, and for making, importing, selling or letting for hire of a TPM circumvention device
Type(s) of source work(s)	TPM work (a copyright work that is protected by a technological protection measure) ¹²⁷⁷
Beneficiary exercising limitation/exception	an educational establishment as user of a TPM work
Purpose of limitation/exception	to enable beneficiary to exercise “permitted act” (e.g. copying and communication for educational purposes: ss 44, 45, 48, 179; for examinations: ss 49, 177; for school performances: ss 47, 178)
Condition of limitation/exception	

Provision	s 226D
Scope of TPM/RMI limitation/exception	exception for circumventing technological protection measure, and for making, importing, selling or letting for hire of a TPM circumvention device
Type(s) of source work(s)	TPM work (a copyright work that is protected by a technological protection measure) ¹²⁷⁸
Beneficiary exercising limitation/exception	a librarian of a prescribed library, an archivist of an archive, an educational establishment or any other person specified by the Governor-General as a qualified person
Purpose of limitation/exception	to undertake encryption research ¹²⁷⁹ on behalf of the user of a TPM work
Condition of limitation/exception	

¹²⁷⁷ S 226.

¹²⁷⁸ S 226.

¹²⁷⁹ S 226D(2)(b).

***Nicaragua**

1. Legislation Reviewed

Law on Copyright and Neighboring Rights (Law No.312)

Niger

1. Legislation Reviewed

Decree No. 93-027 of March 30, 1993, on Copyright, Neighbouring Rights and Folklore

2. Private/Personal Use

Provision	Art. 9
Scope of private/personal use	reproduce
Type(s) of source work(s)	a lawfully published work, (audiovisual work or soundtrack of a work ¹²⁸⁰ or phonogram ¹²⁸¹)
Entity exercising private/personal use	
Purpose of private/personal use	exclusively for the private use of the user
Condition of private/personal use	
Preclusions (not part of private/personal use)	works of architecture, reproduction of works of fine art in a limited quantity, musical notation, exercise manuals and other publications used once only, whole or significant parts of databases, computer programs ¹²⁸² , any work where reproduction “would prejudice the normal exploitation of the work or would cause unwarranted prejudice to the legitimate interests of the author.”
Subject to Attribution	
Subject to Remuneration	(audiovisual work or soundtrack of a work or phonogram) equitable remuneration by way of payment made by producers and importers of equipment and physical material used for reproduction, to Copyright Office of Niger, for payment to authors, performers and phonogram producers ¹²⁸³

Provision	Art. 47(i)
Scope of private/personal use	use
Type(s) of source work(s)	a performance/phonogram, a broadcast
Entity exercising private/personal use	
Purpose of private/personal use	private use
Condition of private/personal use	
Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	(audiovisual work or soundtrack of a work or phonogram) equitable remuneration by way of payment made by producers and importers of equipment and physical material used for reproduction, to Copyright Office of Niger, for

¹²⁸⁰ Art. 21.

¹²⁸¹ Art. 46.

¹²⁸² Art. 16 (excepting use of the computer program and for backup/archival purposes).

¹²⁸³ Arts. 21 (providing that in the absence of agreement between the representatives of the producers and importers and the Copyright Office of Niger, the amount of equitable remuneration and conditions of payment shall be fixed by the ordinary courts), 46 (equitable remuneration for private reproduction payable to performer and phonogram producer).

	payment to authors, performers and phonogram producers ¹²⁸⁴
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3. Quotations

Provision	Art. 10
Scope of quotation	quote, in another work,
Type(s) of source work(s)	lawfully published work
Entity exercising quotation	
Purpose of quotation	
Condition of quotation	quotation is compatible with fair practice quotation extent does not exceed that justified by the intended purpose
Preclusions (not part of quotation)	
Subject to Attribution	source, name of author (if indicated on source)
Subject to Remuneration	

Provision	Art. 47(iv)
Scope of quotation	quotations
Type(s) of source work(s)	short fragments from a performance, a phonogram or a broadcast program
Entity exercising quotation	
Purpose of quotation	
Condition of quotation	quotations comply with fair use and are justified by their informatory aim
Preclusions (not part of quotation)	
Subject to Attribution	
Subject to Remuneration	

4. Educational Reproduction

Provision	Art. 11(ii)
Nature of educational reproduction	reproduce, by reprographic means,
Type(s) of source work(s)	lawfully published individual articles from a newspaper or periodical, and short extracts from a lawfully published work or such a work, (a performance, a phonogram, a broadcast) ¹²⁸⁵
Entity exercising reproduction	
Purpose of educational reproduction	for teaching, or for examinations within teaching establishments
Qualification(s)	activities are not directly or indirectly profit-making

¹²⁸⁴ Arts. 21 (providing that in the absence of agreement between the representatives of the producers and importers and the Copyright Office of Niger, the amount of equitable remuneration and conditions of payment shall be fixed by the ordinary courts), 46 (equitable remuneration for private reproduction payable to performer and phonogram producer).

¹²⁸⁵ Art. 47(v) (applying all other users that constitute exceptions with respect to works to related rights).

	to the extent justified by the intended purpose such use is compatible with fair practice.
Frequency/Multiple copies and Limits	
Collective Licence/remuneration	
Attribution	source, name of author (if indicated on source)

5. Educational Publications/Anthologies/Compilations/Composite Works

Provision	Art. 11(i)
Scope of anthologies/compilations limitation/exception	use, as an illustration in publications, broadcasts or sound or visual recordings
Type(s) of source work(s)	a lawfully published work, (a performance, a phonogram, a broadcast) ¹²⁸⁶
Entity exercising anthologies/compilations limitation/exception	
Purpose of anthologies/compilations limitation/exception	intended for teaching
Condition of anthologies/compilations limitation/exception	
Preclusions (not part of anthologies/compilations limitation/exception)	
Subject to Attribution	source, name of author (if indicated on source)
Subject to Remuneration	

6. School Performances

Provision	Art. 19(ii)
Scope of school performance	publicly perform
Type(s) of source work(s)	a work, (a performance, a phonogram, a broadcast) ¹²⁸⁷
Entity exercising school performance	
Purpose of school performance	as part of the activities of a teaching establishment for the staff and students of such an establishment
Condition of school performance	audience consists exclusively of the staff and students of the establishment or of the parents and supervisors of the students or other persons directly related to the activities of the establishment
Preclusions (not part of school performance)	
Subject to Attribution	
Subject to Remuneration	

7. Educational Broadcasts/Communications/Recordings

Provision	Art. 11(i)
Scope of broadcast/communication/recording	use, as an illustration in publications,

¹²⁸⁶ Art. 47(v) (applying all other users that constitute exceptions with respect to works to related rights).

¹²⁸⁷ Art. 47(v) (applying all other users that constitute exceptions with respect to works to related rights).

	broadcasts or sound or visual recordings
Type(s) of source work(s)	a lawfully published work, (a performance, a phonogram, a broadcast) ¹²⁸⁸
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	intended for teaching
Condition of broadcast/communication/recording	
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	source, name of author (if indicated on source)
Subject to Remuneration	
Provision	Art. 47(iii)
Scope of broadcast/communication/recording	use
Type(s) of source work(s)	a performance/phonogram, broadcast
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	solely for purposes of teaching or scientific research
Condition of broadcast/communication/recording	
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	
Subject to Remuneration	

8. Compulsory Licences for Educational Reproductions and Translations
9. TPM/RMI Exceptions for Educational Purposes

¹²⁸⁸ Art. 47(v) (applying all other users that constitute exceptions with respect to works to related rights).

Nigeria

1. Legislation Reviewed

Copyright Act (Chapter C.28, as codified 2004)

2. Private/Personal Use

Provision	Second Schedule, para. (a)
Scope of private/personal use	fair dealing
Type(s) of source work(s)	a work
Entity exercising private/personal use	
Purpose of private/personal use	research, private use
Condition of private/personal use	
Preclusions (not part of private/personal use)	
Subject to Attribution	if use is public: title, name of author (unless incidentally included in a broadcast)
Subject to Remuneration	levy payable on materials (storage media and equipment/devices used or capable of being used for infringement of copyright ¹²⁸⁹), payable by importer, manufacturer, to account of Nigerian Copyright commission to be distributed among approved copyright societies ¹²⁹⁰

Provision	Second Schedule, para. (r)
Scope of private/personal use	reproduction
Type(s) of source work(s)	an unpublished literary or musical work kept in a library, museum or other institutions to which the public has access
Entity exercising private/personal use	
Purpose of private/personal use	research or private study
Condition of private/personal use	
Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	levy payable on materials (storage media and equipment/devices used or capable of being used for infringement of copyright ¹²⁹¹), payable by importer, manufacturer, to account of Nigerian Copyright commission to be distributed among approved copyright societies ¹²⁹²

3. Quotations

Provision	Second Schedule, para. (a)
Scope of quotation	fair dealing
Type(s) of source work(s)	a work
Entity exercising quotation	
Purpose of quotation	criticism or review

¹²⁸⁹ Art. 40(5) (defining "materials").

¹²⁹⁰ Art. 40; Copyright (Levy on Materials) Order 2012.

¹²⁹¹ Art. 40(5) (defining "materials").

¹²⁹² Art. 40; Copyright (Levy on Materials) Order 2012.

Condition of quotation	
Preclusions (not part of quotation)	
Subject to Attribution	if use is public: title, name of author (unless incidentally included in a broadcast)
Subject to Remuneration	levy payable on materials (storage media and equipment/devices used or capable of being used for infringement of copyright ¹²⁹³), payable by importer, manufacturer, to account of Nigerian Copyright commission to be distributed among approved copyright societies ¹²⁹⁴

4. Educational Reproduction

Provision	Second Schedule, para. (h)
Nature of educational reproduction	any use made of,
Type(s) of source work(s)	a work
Entity exercising reproduction	an approved educational institution
Purpose of educational reproduction	for the educational purposes of that institution
Qualification(s)	if a reproduction is made for any such purpose it shall be destroyed before the end of the prescribed period, or if there is no prescribed period, before the end of the period of twelve months after it was made
Frequency/Multiple copies and Limits	
Collective Licence/remuneration	levy payable on materials (storage media and equipment/devices used or capable of being used for infringement of copyright ¹²⁹⁵), payable by importer, manufacturer, to account of Nigerian Copyright commission to be distributed among approved copyright societies ¹²⁹⁶
Attribution	

5. Educational Publications/Anthologies/Compilations/Composite Works

Provision	Second Schedule, para. (f)
Scope of anthologies/compilations limitation/exception	inclusion, in a collection of literary or musical work
Type(s) of source work(s)	a literary or musical work
Entity exercising anthologies/compilations limitation/exception	
Purpose of anthologies/compilations limitation/exception	collection designed for educational use
Condition of anthologies/compilations limitation/exception	collection is so described (in a statement on collection)
Preclusions (not part of	more than 2 excerpts from the work

¹²⁹³ Art. 40(5) (defining "materials").

¹²⁹⁴ Art. 40; Copyright (Levy on Materials) Order 2012.

¹²⁹⁵ Art. 40(5) (defining "materials").

¹²⁹⁶ Art. 40; Copyright (Levy on Materials) Order 2012.

anthologies/compilations limitation/exception)	
Subject to Attribution	title of work, author
Subject to Remuneration	levy payable on materials (storage media and equipment/devices used or capable of being used for infringement of copyright ¹²⁹⁷), payable by importer, manufacturer, to account of Nigerian Copyright commission to be distributed among approved copyright societies ¹²⁹⁸

6. School Performances7. Educational Broadcasts/Communications/Recordings

Provision	Second Schedule, para. (g)
Scope of broadcast/communication/recording	broadcasting
Type(s) of source work(s)	a work
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	broadcast is approved by the broadcasting authority as an educational broadcast
Condition of broadcast/communication/recording	
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	
Subject to Remuneration	levy payable on materials (storage media and equipment/devices used or capable of being used for infringement of copyright ¹²⁹⁹), payable by importer, manufacturer, to account of Nigerian Copyright commission to be distributed among approved copyright societies ¹³⁰⁰

Provision	Second Schedule, para. (g)
Scope of broadcast/communication/recording	communication to the public
Type(s) of source work(s)	a work
Entity exercising broadcast/communication/recording	any club whose aim is not profit making
Purpose of broadcast/communication/recording	in a place where no admission fee is charged in respect of the communication
Condition of broadcast/communication/recording	
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	
Subject to Remuneration	levy payable on materials (storage media and

¹²⁹⁷ Art. 40(5) (defining "materials").¹²⁹⁸ Art. 40; Copyright (Levy on Materials) Order 2012.¹²⁹⁹ Art. 40(5) (defining "materials").¹³⁰⁰ Art. 40; Copyright (Levy on Materials) Order 2012.

	equipment/devices used or capable of being used for infringement of copyright ¹³⁰¹), payable by importer, manufacturer, to account of Nigerian Copyright commission to be distributed among approved copyright societies ¹³⁰²
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8. Compulsory Licences for Educational Reproductions and Translations
9. TPM/RMI Exceptions for Educational Purposes

¹³⁰¹ Art. 40(5) (defining “materials”).

¹³⁰² Art. 40; Copyright (Levy on Materials) Order 2012.

***Niue**

1. Legislation Reviewed

***Norway**

1. Legislation Reviewed

Copyright Act (Act No. 2 of May 12, 1961, relating to Copyright in Literary, Scientific and Artistic Works, as last amended by Act No. 103 of June 19, 2009)

Oman

1. Legislation Reviewed

Royal Decree No. 65/2008 promulgating the Law on Copyright and Related Rights

2. Private/Personal Use

Provision	Art. 20.2
Scope of private/personal use	use
Type(s) of source work(s)	a work
Entity exercising private/personal use	
Purpose of private/personal use	in meetings within family
Condition of private/personal use	within limits justified by such goal done with no direct or indirect compensation free use disallowed “if the use conflicts with the normal exploitation of the work, performance, or phonogram or unreasonably prejudices the legitimate interests of the author, performer, or producer of phonograms” ¹³⁰³
Preclusions (not part of private/personal use)	
Subject to Attribution	source, name of author (if on source) ¹³⁰⁴
Subject to Remuneration	

3. Quotations

Provision	Art. 20.1
Scope of quotation	quoting paragraphs, in another work
Type(s) of source work(s)	a protected work lawfully made available to the public
Entity exercising quotation	
Purpose of quotation	for clarification, explanation, or criticism purposes
Condition of quotation	quotation to the extent of the desired purpose and justified by such goal free use disallowed “if the use conflicts with the normal exploitation of the work, performance, or phonogram or unreasonably prejudices the legitimate interests of the author, performer, or producer of phonograms” ¹³⁰⁵
Preclusions (not part of quotation)	
Subject to Attribution	source, name of author (if on source) ¹³⁰⁶
Subject to Remuneration	

¹³⁰³ Art. 20 proviso.

¹³⁰⁴ Art. 20 proviso.

¹³⁰⁵ Art. 20 proviso.

¹³⁰⁶ Art. 20 proviso.

4. Educational Reproduction

Provision	Art. 20.2
Nature of educational reproduction	use
Type(s) of source work(s)	a work
Entity exercising reproduction	
Purpose of educational reproduction	through an educational institution for clarification during face-to-face educational or teaching purposes
Qualification(s)	within limits justified by such goal done with no direct or indirect compensation free use disallowed "if the use conflicts with the normal exploitation of the work, performance, or phonogram or unreasonably prejudices the legitimate interests of the author, performer, or producer of phonograms" ¹³⁰⁷
Frequency/Multiple copies and Limits	
Collective Licence/remuneration	
Attribution	source, name of author (if on source) ¹³⁰⁸

Provision	Art. 20.3
Nature of educational reproduction	reproduction, by reprographic means, of
Type(s) of source work(s)	protected works: a published article or short work
Entity exercising reproduction	public libraries, non-commercial documentation centers, educational establishments and scientific and cultural institutions,
Purpose of educational reproduction	meet the need of a natural person for use in a study or research
Qualification(s)	a single copy to the extent justified by the purpose and without the purpose of direct or indirect financial gain free use disallowed "if the use conflicts with the normal exploitation of the work, performance, or phonogram or unreasonably prejudices the legitimate interests of the author, performer, or producer of phonograms" ¹³⁰⁹
Frequency/Multiple copies and Limits	reproduction shall be for one time, or at varying intervals repeated reproduction (on separate and

¹³⁰⁷ Art. 20 proviso.¹³⁰⁸ Art. 20 proviso.¹³⁰⁹ Art. 20 proviso.

	unrelated occasions), only where there is no collective license available under which such reproduction can be made
Collective Licence/remuneration	
Attribution	source, name of author (if on source) ¹³¹⁰

5. Educational Publications/Anthologies/Compilations/Composite Works6. School Performances

Provision	Art. 20.6(b)
Scope of school performance	public performance
Type(s) of source work(s)	a dramatic, musical or dramatic musical, choreographic, pantomime works or any other work, created for dramatic performance
Entity exercising school performance	
Purpose of school performance	face-to-face learning activities
Condition of school performance	in approved non-profit educational institutions, in classrooms or similar places dedicated to education performance not for direct or indirect financial gain free use disallowed "if the use conflicts with the normal exploitation of the work, performance, or phonogram or unreasonably prejudices the legitimate interests of the author, performer, or producer of phonograms" ¹³¹¹
Preclusions (not part of school performance)	
Subject to Attribution	source, name of author (if on source) ¹³¹²
Subject to Remuneration	

7. Educational Broadcasts/Communications/Recordings8. Compulsory Licences for Educational Reproductions and Translations9. TPM/RMI Exceptions for Educational Purposes¹³¹⁰ Art. 20 proviso.¹³¹¹ Art. 20 proviso.¹³¹² Art. 20 proviso.

Pakistan

1. Legislation Reviewed

The Copyright Ordinance, 1962 (Act No. XXXIV) (as amended by Copyright (Amendment) Ordinance, 2000 dated 29 September 2000), (incorporating the Copyright (Amendment) Act 1992)

2. Private/Personal Use

Provision	s 57(1)(a)(i)
Scope of private/personal use	fair dealing
Type(s) of source work(s)	a literary, dramatic, musical or artistic work (or translation) ¹³¹³
Entity exercising private/personal use	
Purpose of private/personal use	research or private study
Condition of private/personal use	deemed fair dealing with such work: <ul style="list-style-type: none"> • literary or dramatic work in prose: a single extract up to four hundred words, or a series of extracts (with comments interposed) up to a total of eight hundred words with no one extract exceeding three hundred words • a literary or dramatic work in poetry: an extract or extracts up to a total of forty lines and in no case exceeding one-fourth of the whole of any poem
Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	

Provision	s 57(1)(p)
Scope of private/personal use	reproduction
Type(s) of source work(s)	an unpublished literary, dramatic or musical work (or translation) ¹³¹⁴
Entity exercising private/personal use	
Purpose of private/personal use	research or private study or with a view to publication of
Condition of private/personal use	work kept in a library, museum or other institution to which the public has access (if identity of author/any of the authors is known) reproduction can only be made more than 50 years from death of author/author whose identity is known/author who dies last
Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	

¹³¹³ S 57(2).

¹³¹⁴ S 57(2).

3. Quotations

Provision	s 57(1)(a)(ii)
Scope of quotation	fair dealing, whether of that work or of any other work,
Type(s) of source work(s)	a literary, dramatic, musical or artistic work (or translation) ¹³¹⁵
Entity exercising quotation	
Purpose of quotation	criticism or review
Condition of quotation	deemed fair dealing with such work: <ul style="list-style-type: none"> • literary or dramatic work in prose: a single extract up to four hundred words, or a series of extracts (with comments interposed) up to a total of eight hundred words with no one extract exceeding three hundred words • a literary or dramatic work in poetry: an extract or extracts up to a total of forty lines and in no case exceeding one-fourth of the whole of any poem unless review is of a newly published work, whereupon reasonably longer extracts may be deemed fair dealing with such a work ¹³¹⁶
Preclusions (not part of quotation)	
Subject to Attribution	title of work (or other description), name of author (unless anonymous or author agreed that no acknowledgement be made) ¹³¹⁷
Subject to Remuneration	

4. Educational Reproduction

Provision	s 57(1)(h)
Nature of educational reproduction	reproduction or adaptation
Type(s) of source work(s)	a literary, dramatic, musical or artistic work (or translation) ¹³¹⁸
Entity exercising reproduction	a teacher or a pupil
Purpose of educational reproduction	
Qualification(s)	in the course and for the sole purpose of instruction, whether at an educational institution or elsewhere reproduction or adaptation otherwise than by the use of a printing process
Frequency/Multiple copies and Limits	
Collective Licence/remuneration	
Attribution	

¹³¹⁵ S 57(2).

¹³¹⁶ S 57(1) explanation.

¹³¹⁷ S 57(1) proviso.

¹³¹⁸ S 57(2).

Provision	s 57(1)(h)(i), (ii)
Nature of educational reproduction	reproduction or adaptation
Type(s) of source work(s)	a literary, dramatic, musical or artistic work (or translation) ¹³¹⁹
Entity exercising reproduction	
Purpose of educational reproduction	as part of the questions to be answered in an examination, or in answers to such questions
Qualification(s)	
Frequency/Multiple copies and Limits	
Collective Licence/remuneration	
Attribution	

5. Educational Publications/Anthologies/Compilations/Composite Works

Provision	s 57(1)(g)
Scope of anthologies/compilations limitation/exception	publication, in a collection,
Type(s) of source work(s)	short passages from published literary or dramatic works (or translation) ¹³²⁰
Entity exercising anthologies/compilations limitation/exception	NA
Purpose of anthologies/compilations limitation/exception	bona fide intended for the use of educational institutions
Condition of anthologies/compilations limitation/exception	collection is so described in its title and in any publisher's advertisement collection mainly composed of non-copyright matter works not themselves published for use in educational institutions
Preclusions (not part of anthologies/compilations limitation/exception)	more than 2 excerpts from works by same author by same publisher within 5 year period ¹³²¹
Subject to Attribution	
Subject to Remuneration	

6. School Performances

Provision	s 57(1)(i)
Scope of school performance	performance,
Type(s) of source work(s)	a literary, dramatic or musical work, or a cinematographic work or a record (or translation) ¹³²²
Entity exercising school performance	(performance a literary, dramatic or musical work by) staff and students of the institution
Purpose of school performance	course of the activities of an educational

¹³¹⁹ S 57(2).

¹³²⁰ S 57(2).

¹³²¹ S 57(1)(g) (proviso, explanation).

¹³²² S 57(2).

	institution
Condition of school performance	audience is limited to such staff and students, the parents and guardians of the students and persons directly connected with the activities of the institution
Preclusions (not part of school performance)	
Subject to Attribution	
Subject to Remuneration	

Provision	s 57(1)(l)
Scope of school performance	performance
Type(s) of source work(s)	a literary, dramatic or musical work (or translation) ¹³²³
Entity exercising school performance	an amateur club or society
Purpose of school performance	
Condition of school performance	non-paying audience, or for the benefit of a religious, charitable or educational institution
Preclusions (not part of school performance)	
Subject to Attribution	
Subject to Remuneration	

7. Educational Broadcasts/Communications/Recordings

8. Compulsory Licences for Educational Reproductions and Translations

Provision	s 37
Nature of compulsory licence for translation for educational purposes	non-exclusive, non-transferable ¹³²⁴ compulsory licence, for production and publication of a translation in any Pakistani language or a language ordinarily used in Pakistan not being English, French or Spanish,
Type(s) of source work(s)	a literary or dramatic work
Licence applicant/entity	licence applicant is a citizen of Pakistan or domiciled in Pakistan ¹³²⁵
Purpose of licence	
Qualification(s)	work has not been previously translated into the language in the licence application and published by the copyright owner within 1 year of first publication, or if translation has been so published, it is out of print ¹³²⁶ licence applicant has requested and been denied authorisation by copyright owner, or was unable to find owner after due diligence, and more than 2 months had lapsed ¹³²⁷

¹³²³ S 57(2).

¹³²⁴ S 37(4).

¹³²⁵ S 37(1).

¹³²⁶ S 37(4)(a).

¹³²⁷ S 37(4)(b)-(c).

	<p>where practicable, an opportunity of copyright owner to be heard before a licence can be granted¹³²⁸</p> <p>licence applicant is competent to produce and publish a correct translation and possess the means to pay the copyright royalties due¹³²⁹</p> <p>Copyright Board to be satisfied that grant of licence will be in the public interest¹³³⁰</p>
Compulsory licence fee(s)	licence applicant to pay copyright owner royalties payable, in respect of copies of translation sold to the public, calculated at such rate as the Copyright Board may determine ¹³³¹
Price of publication	licence application shall state the proposed retail price of a copy of the translation ¹³³²
Distribution conditions	
Grantor of Collective Licence	Copyright Board directing Registrar of Copyrights

9. TPM/RMI Exceptions for Educational Purposes

¹³²⁸ S 37(4)(f)
¹³²⁹ S 37(4)(d).
¹³³⁰ S 37(4)(g).
¹³³¹ S 37(4).
¹³³² S 37(2).

***Panama**

1. Legislation Reviewed

Law No. 64 of October 10, 2012, on Copyright and Neighboring Rights

Papua New Guinea

1. Legislation Reviewed

Copyright and Neighbouring Rights Act 2000

2. Private/Personal Use

Provision	s 8
Scope of private/personal use	private reproduction of
Type(s) of source work(s)	a published work, (a performance, recording or broadcast) ¹³³³
Entity exercising private/personal use	a person
Purpose of private/personal use	exclusively for his own personal purposes
Condition of private/personal use	in a single copy
Preclusions (not part of private/personal use)	works of architecture, reprographic reproduction of whole or substantial part of book or musical notation, whole or substantial part of a digital database, computer program ¹³³⁴ , any work 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 copyright” ¹³³⁵
Subject to Attribution	sufficient acknowledgment: title of work (or other description), name of author (unless work is anonymous, pseudonymous or author has previously agreed or directed that an acknowledgment is not to be made)
Subject to Remuneration	

Provision	s 25(b)
Scope of private/personal use	reproduction
Type(s) of source work(s)	a performance, recording or broadcast
Entity exercising private/personal use	
Purpose of private/personal use	solely for scientific research
Condition of private/personal use	
Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	

3. Quotations

Provision	s 10
Scope of quotation	reproduction of
Type(s) of source work(s)	a short part of a published work, (a performance, recording or broadcast) ¹³³⁶

¹³³³ S 25(d) (applying the limitations and exceptions in Part II to neighbouring rights).

¹³³⁴ S 14 (excepting use of the computer program and for backup/archival purposes). s 8 erroneously refers to this provision as s 13.

¹³³⁵ S 8(2)(e).

¹³³⁶ S 25(d) (applying the limitations and exceptions in Part II to neighbouring rights).

Entity exercising quotation	
Purpose of quotation	in the form of quotation
Condition of quotation	reproduction is compatible with fair practice reproduction does not exceed extent justified by the purpose
Preclusions (not part of quotation)	
Subject to Attribution	source, name of author (if indicated on source)
Subject to Remuneration	

4. Educational Reproduction

Provision	s 11(1)(b)
Nature of educational reproduction	reproduction
Type(s) of source work(s)	published articles, short works or short extracts of works
Entity exercising reproduction	
Purpose of educational reproduction	face-to-face teaching in educational institutions
Qualification(s)	activities of which do not serve direct or indirect commercial gain
Frequency/Multiple copies and Limits	reproduction to the extent justified by the purposes reproduction is isolated; if repeated, each occurrence should be on separate and unrelated occasions no licence or other copyright available under which approval for reproduction can be made
Collective Licence/remuneration	
Attribution	source, name of author (on all copies if practicable) ¹³³⁷

Provision	s 12(a)
Nature of educational reproduction	reprographic reproduction
Type(s) of source work(s)	a published article, other short work or short extract of a work
Entity exercising reproduction	a "public institution" ¹³³⁸ whose activities does not serve direct or indirect commercial gain
Purpose of educational reproduction	satisfy the request of a person for purposes of study, scholarship or private research, which the public institution must be satisfied ¹³³⁹
Qualification(s)	
Frequency/Multiple copies and Limits	act of reproduction is an isolated one; if repeated, on separate and unrelated occasions ¹³⁴⁰

¹³³⁷ S 11(2).

¹³³⁸ S 2 (defining a "public institution" as *including* a public library or archive, which means that an educational institution may be a public institution).

¹³³⁹ S 12(a)(i).

	no licence or other authority available under which approval for such copies can be made ¹³⁴¹
Collective Licence/remuneration	
Attribution	

5. Educational Publications/Anthologies/Compilations/Composite Works

Provision	s 11(1)(a)
Scope of anthologies/compilations limitation/exception	reproduction, by way of illustration, in writings or sound or visual recordings
Type(s) of source work(s)	a short part of a published work
Entity exercising anthologies/compilations limitation/exception	
Purpose of anthologies/compilations limitation/exception	teaching purposes
Condition of anthologies/compilations limitation/exception	reproduction is compatible with fair practice and does not exceed the extent justified by the purpose
Preclusions (not part of anthologies/compilations limitation/exception)	
Subject to Attribution	source, name of author (on all copies if practicable) ¹³⁴²
Subject to Remuneration	

6. School Performances7. Educational Broadcasts/Communications/Recordings

Provision	s 11(1)(a)
Scope of broadcast/communication/recording	reproduction, by way of illustration, in writings or sound or visual recordings
Type(s) of source work(s)	a short part of a published work
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	teaching purposes
Condition of broadcast/communication/recording	reproduction is compatible with fair practice and does not exceed the extent justified by the purpose
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	source, name of author (on all copies if practicable) ¹³⁴³
Subject to Remuneration	
Provision	s 25(c)
Scope of broadcast/communication/recording	reproduction

¹³⁴⁰ S 12(a)(ii).¹³⁴¹ S 12(a)(iii).¹³⁴² S 11(2).¹³⁴³ S 11(2).

Type(s) of source work(s)	a performance, recording or broadcast, except for performances and phonograms which have been published as teaching or instructional materials
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	face-to-face teaching activities
Condition of broadcast/communication/recording	
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	
Subject to Remuneration	

8. Compulsory Licences for Educational Reproductions and Translations
9. TPM/RMI Exceptions for Educational Purposes

Paraguay

1. Legislation Reviewed

Law No. 1328/1998 on Copyright and Related Rights

2. Private/Personal Use

Provision	Art. 34
Scope of private/personal use	personal use (reproduction (or other form of use))
Type(s) of source work(s)	a work
Entity exercising private/personal use	an individual
Purpose of private/personal use	exclusively for an individual's own use, in cases such as research and personal entertainment
Condition of private/personal use	in a single copy
Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	owners of (works in graphic form, videograms, phonograms, sound or audiovisual recording) entitled to compensatory remuneration, payable to CMOs, for equipment, apparatus and materials used for making the reproduction ¹³⁴⁴

Provision	Art. 38(1)
Scope of private/personal use	communication
Type(s) of source work(s)	a work
Entity exercising private/personal use	
Purpose of private/personal use	exclusively domestic environment
Condition of private/personal use	no direct or indirect profit-making purpose
Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	

3. Quotations

Provision	Art. 40
Scope of quotation	make quotations
Type(s) of source work(s)	lawfully disclosed works
Entity exercising quotation	
Purpose of quotation	
Condition of quotation	quotations are made in accordance with proper practice and to the extent justified by the aim pursued
Preclusions (not part of quotation)	
Subject to Attribution	source, name of author
Subject to Remuneration	

¹³⁴⁴ Art. 34.

4. Educational Reproduction

Provision	Art. 38(3)
Nature of educational reproduction	copying
Type(s) of source work(s)	a work
Entity exercising reproduction	
Purpose of educational reproduction	solely for teaching purposes by teaching staff at educational establishments
Qualification(s)	single, personal copies
Frequency/Multiple copies and Limits	
Collective Licence/remuneration	
Attribution	

Provision	Art. 39(1)
Nature of educational reproduction	reproduction by reprographic means
Type(s) of source work(s)	articles or short extracts from lawfully published works
Entity exercising reproduction	
Purpose of educational reproduction	teaching or the holding of examinations at educational establishments
Qualification(s)	no gainful intent use is in keeping with proper practice reproduction allowed insofar as it “does not conflict with a normal exploitation of the work or does not unreasonably prejudice the legitimate interests of the author” ¹³⁴⁵
Frequency/Multiple copies and Limits	only to the extent justified by the objective pursued
Collective Licence/remuneration	
Attribution	

5. Educational Publications/Anthologies/Compilations/Composite Works
6. School Performances
7. Educational Broadcasts/Communications/Recordings
8. Compulsory Licences for Educational Reproductions and Translations
9. TPM/RMI Exceptions for Educational Purposes

¹³⁴⁵ Art. 39(1) proviso.

Peru

1. Legislation Reviewed

Copyright Law (Legislative Decree No. 822 of April 23, 1996)

Law No. 30276 of November 13, 2014, amending the Copyright Law (Legislative Decree No. 822 of April 23, 1996)

2. Private/Personal Use

Provision	Art. 41(a)
Scope of private/personal use	communication
Type(s) of source work(s)	a work, (a performance, a phonogram, a broadcast) ¹³⁴⁶
Entity exercising private/personal use	
Purpose of private/personal use	exclusively domestic environment
Condition of private/personal use	no direct or indirect economic interest communication is not deliberately relayed outside by any means, either in its entirety or in part
Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	

Provision	Art. 43(b)
Scope of private/personal use	reprographic reproduction
Type(s) of source work(s)	short fragments or of works, (performances, phonograms, broadcasts) ¹³⁴⁷ published in graphic form that are out of print
Entity exercising private/personal use	
Purpose of private/personal use	exclusively personal use
Condition of private/personal use	
Preclusions (not part of private/personal use)	“any use of works that competes with the author’s exclusive right to exploit his work shall be equivalent to unlawful use” ¹³⁴⁸
Subject to Attribution	
Subject to Remuneration	

Provision	Art. 48
Scope of private/personal use	copies
Type(s) of source work(s)	works, performances, productions published as sound or audiovisual recordings
Entity exercising private/personal use	
Purpose of private/personal use	exclusively personal use of works
Condition of private/personal use	
Preclusions (not part of private/personal use)	works of architecture, reproduction of whole of book or musical notation or original or copy of 3-D work made and signed by author, a database or compilation

¹³⁴⁶ Art. 129.

¹³⁴⁷ Art. 129.

¹³⁴⁸ Art. 43 proviso.

Subject to Attribution	
Subject to Remuneration	

3. Quotations

Provision	Art. 44
Scope of quotation	quotations
Type(s) of source work(s)	lawfully disclosed works, (performances, phonograms, broadcasts) ¹³⁴⁹
Entity exercising quotation	
Purpose of quotation	
Condition of quotation	quotations are made in accordance with proper practice quotations only to the extent justified by the aim pursued
Preclusions (not part of quotation)	
Subject to Attribution	source, name of author
Subject to Remuneration	

4. Educational Reproduction

Provision	Art. 42
Nature of educational reproduction	annotation
Type(s) of source work(s)	public or private lectures by lecturers of universities, higher institutes of learning and colleges
Entity exercising reproduction	those to whom lectures are addressed
Purpose of educational reproduction	
Qualification(s)	no person may disclose them or reproduce them in either a complete or a partial collection without the prior written consent of the authors
Frequency/Multiple copies and Limits	
Collective Licence/remuneration	
Attribution	

Provision	Art. 43(a)
Nature of educational reproduction	reprographic reproduction
Type(s) of source work(s)	articles or brief extracts from lawfully published works
Entity exercising reproduction	
Purpose of educational reproduction	teaching or the holding of examinations at educational institutions
Qualification(s)	no gainful intent use made of them is consistent with proper practice use involves no sale or other transaction for

¹³⁴⁹ Art. 129.

	consideration use has no direct or indirect profit-making purpose “any use of works that competes with the author’s exclusive right to exploit his work shall be equivalent to unlawful use” ¹³⁵⁰
Frequency/Multiple copies and Limits	to the extent justified by the aim pursued
Collective Licence/remuneration	
Attribution	

5. Educational Publications/Anthologies/Compilations/Composite Works6. School Performances

Provision	Art. 41(c)
Scope of school performance	communication
Type(s) of source work(s)	a work, (a performance, a phonogram, a broadcast) ¹³⁵¹
Entity exercising school performance	staff and students of educational institution
Purpose of school performance	exclusively educational purpose, being performed in the course of the activities of a teaching institution
Condition of school performance	communication pursues no direct or indirect profit-making purpose audience is composed solely of the staff and students of the institution or parents or teachers of students and other persons directly associated with the institution’s activities
Preclusions (not part of school performance)	
Subject to Attribution	
Subject to Remuneration	

7. Educational Broadcasts/Communications/Recordings8. Compulsory Licences for Educational Reproductions and Translations9. TPM/RMI Exceptions for Educational Purposes

¹³⁵⁰ Art. 43 proviso.

¹³⁵¹ Art. 129.

Philippines

1. Legislation Reviewed

Republic Act No. 8293, Intellectual Property Code of the Philippines, as amended by Republic Act No. 10372, entitled 'An Act Amending Certain Provisions of Republic Act No. 8293, otherwise known as the 'Intellectual Property Code of the Philippines', and for other purposes'

2. Private/Personal Use

Provision	s 184.1(a)
Scope of private/personal use	recitation or performance
Type(s) of source work(s)	a lawfully published work, (a performance, ¹³⁵² sound recording, ¹³⁵³ broadcast ¹³⁵⁴), made accessible to the public
Entity exercising private/personal use	
Purpose of private/personal use	done privately
Condition of private/personal use	free of charge
Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	

3. Quotations

Provision	s 184.1(b)
Scope of quotation	quotations
Type(s) of source work(s)	a published work, (a performance, ¹³⁵⁵ sound recording, ¹³⁵⁶ broadcast ¹³⁵⁷), including quotations from newspaper articles and periodicals in the form of press summaries
Entity exercising quotation	
Purpose of quotation	
Condition of quotation	quotation is compatible with fair practice quotation is only to the extent justified for the purpose
Preclusions (not part of quotation)	
Subject to Attribution	source, name of author (if indicated on source)
Subject to Remuneration	
Provision	s 185.1
Scope of quotation	fair use
Type(s) of source work(s)	a copyrighted work, (a performance, ¹³⁵⁸ sound recording, ¹³⁵⁹ broadcast ¹³⁶⁰),

¹³⁵² S 205.2 (applying ss 184, 185 mutatis mutandis to performers).

¹³⁵³ S 210 (applying ss 184, 185 mutatis mutandis to producer of sound recordings).

¹³⁵⁴ S 212 (applying Chapter VIII mutatis mutandis to performers, producer of sound recordings and broadcasting organisations).

¹³⁵⁵ S 205.2 (applying ss 184, 185 mutatis mutandis to performers).

¹³⁵⁶ S 210 (applying ss 184, 185 mutatis mutandis to producer of sound recordings).

¹³⁵⁷ S 212 (applying Chapter VIII mutatis mutandis to performers, producer of sound recordings and broadcasting organisations).

¹³⁵⁸ S 205.2 (applying ss 184, 185 mutatis mutandis to performers).

¹³⁵⁹ S 210 (applying ss 184, 185 mutatis mutandis to producer of sound recordings).

¹³⁶⁰ S 212 (applying Chapter VIII mutatis mutandis to performers, producer of sound recordings and broadcasting organisations).

Entity exercising quotation	
Purpose of quotation	criticism, comment
Condition of quotation	to determine if use is fair use, consider all factors, including: (a) the purpose and character of the use, including whether such use is of a commercial nature or for non-profit educational purposes; (b) the nature of the copyright work; (c) the amount and substantially of the portion used in relation to the copyrighted work as a whole; (d) the effect of the use upon the potential market for or value of the work. that work is unpublished is not by itself a bar to a finding of fair use
Preclusions (not part of quotation)	
Subject to Attribution	
Subject to Remuneration	

4. Educational Reproduction

Provision	s 184.1(h)
Nature of educational reproduction	use
Type(s) of source work(s)	a work, (a performance, ¹³⁶¹ sound recording, ¹³⁶² broadcast ¹³⁶³),
Entity exercising reproduction	by or under the direction or control of the Government, by the National Library or by educational, scientific or professional institutions
Purpose of educational reproduction	public interest
Qualification(s)	compatible with fair use
Frequency/Multiple copies and Limits	
Collective Licence/remuneration	
Attribution	

Provision	s 185.1
Nature of educational reproduction	fair use
Type(s) of source work(s)	a copyrighted work, (a performance, ¹³⁶⁴ sound recording, ¹³⁶⁵ broadcast ¹³⁶⁶),
Entity exercising reproduction	
Purpose of educational reproduction	teaching, including limited number of copies for classroom use, scholarship, research, and similar purposes
Qualification(s)	to determine if use is fair use, consider all

¹³⁶¹ S 205.2 (applying ss 184, 185 mutatis mutandis to performers).

¹³⁶² S 210 (applying ss 184, 185 mutatis mutandis to producer of sound recordings).

¹³⁶³ S 212 (applying Chapter VIII mutatis mutandis to performers, producer of sound recordings and broadcasting organisations).

¹³⁶⁴ S 205.2 (applying ss 184, 185 mutatis mutandis to performers).

¹³⁶⁵ S 210 (applying ss 184, 185 mutatis mutandis to producer of sound recordings).

¹³⁶⁶ S 212 (applying Chapter VIII mutatis mutandis to performers, producer of sound recordings and broadcasting organisations).

	<p>factors, including:</p> <p>(a) the purpose and character of the use, including whether such use is of a commercial nature or for non-profit educational purposes;</p> <p>(b) the nature of the copyright work;</p> <p>(c) the amount and substantially of the portion used in relation to the copyrighted work as a whole;</p> <p>(d) the effect of the use upon the potential market for or value of the work.</p> <p>that work is unpublished is not by itself a bar to a finding of fair use</p>
Frequency/Multiple copies and Limits	
Collective Licence/remuneration	
Attribution	

5. Educational Publications/Anthologies/Compilations/Composite Works

Provision	s 184.1(e)
Scope of anthologies/compilations limitation/exception	inclusion, in a publication, broadcast, or other communication to the public, sound recording or film, of
Type(s) of source work(s)	a work, (a performance, ¹³⁶⁷ sound recording, ¹³⁶⁸ broadcast ¹³⁶⁹),
Entity exercising anthologies/compilations limitation/exception	
Purpose of anthologies/compilations limitation/exception	illustration for teaching purposes
Condition of anthologies/compilations limitation/exception	compatible with fair use
Preclusions (not part of anthologies/compilations limitation/exception)	
Subject to Attribution	source, name of author (if indicated on source)
Subject to Remuneration	

6. School Performances

Provision	s 184.1(a)
Scope of school performance	recitation or performance
Type(s) of source work(s)	a lawfully published work, (a performance, ¹³⁷⁰ sound recording, ¹³⁷¹ broadcast ¹³⁷²), made accessible to the public
Entity exercising school performance	
Purpose of school performance	made strictly for a charitable or religious

¹³⁶⁷ S 205.2 (applying ss 184, 185 mutatis mutandis to performers).

¹³⁶⁸ S 210 (applying ss 184, 185 mutatis mutandis to producer of sound recordings).

¹³⁶⁹ S 212 (applying Chapter VIII mutatis mutandis to performers, producer of sound recordings and broadcasting organisations).

¹³⁷⁰ S 205.2 (applying ss 184, 185 mutatis mutandis to performers).

¹³⁷¹ S 210 (applying ss 184, 185 mutatis mutandis to producer of sound recordings).

¹³⁷² S 212 (applying Chapter VIII mutatis mutandis to performers, producer of sound recordings and broadcasting organisations).

	institution or society
Condition of school performance	
Preclusions (not part of school performance)	
Subject to Attribution	
Subject to Remuneration	

Provision	s 184.1(i)
Scope of school performance	public performance or communication to the public of
Type(s) of source work(s)	a work, (a performance, ¹³⁷³ sound recording, ¹³⁷⁴ broadcast ¹³⁷⁵),
Entity exercising school performance	a club or institution for charitable or educational purpose only, whose aim is not profit making
Purpose of school performance	
Condition of school performance	a place where no admission fee is charged in respect of such public performance or communication subject to such other limitations as may be provided in Regulations
Preclusions (not part of school performance)	
Subject to Attribution	
Subject to Remuneration	

7. Educational Broadcasts/Communications/Recordings

Provision	s 184.1(e)
Scope of broadcast/communication/recording	inclusion, in a publication, broadcast, or other communication to the public, sound recording or film, of
Type(s) of source work(s)	a work, (a performance, ¹³⁷⁶ sound recording, ¹³⁷⁷ broadcast ¹³⁷⁸),
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	illustration for teaching purposes
Condition of broadcast/communication/recording	compatible with fair use
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	source, name of author (if indicated on source)
Subject to Remuneration	
Provision	s 184.1(f)

¹³⁷³ S 205.2 (applying ss 184, 185 mutatis mutandis to performers).

¹³⁷⁴ S 210 (applying ss 184, 185 mutatis mutandis to producer of sound recordings).

¹³⁷⁵ S 212 (applying Chapter VIII mutatis mutandis to performers, producer of sound recordings and broadcasting organisations).

¹³⁷⁶ S 205.2 (applying ss 184, 185 mutatis mutandis to performers).

¹³⁷⁷ S 210 (applying ss 184, 185 mutatis mutandis to producer of sound recordings).

¹³⁷⁸ S 212 (applying Chapter VIII mutatis mutandis to performers, producer of sound recordings and broadcasting organisations).

Scope of broadcast/communication/recording	recording
Type(s) of source work(s)	a work, (a performance, ¹³⁷⁹ sound recording, ¹³⁸⁰ broadcast ¹³⁸¹), included in a broadcast
Entity exercising broadcast/communication/recording	schools, universities, or educational institutions
Purpose of broadcast/communication/recording	use of such schools, universities or educational institutions
Condition of broadcast/communication/recording	recording must be deleted within a reasonable period after they were first broadcast
Preclusions (not part of broadcast/communication/recording)	recording may not be made from audiovisual works which are part of the general cinema repertoire of feature films except for brief excerpts of the work
Subject to Attribution	
Subject to Remuneration	
Provision	s 184.1(h)
Scope of broadcast/communication/recording	use
Type(s) of source work(s)	a work, (a performance, ¹³⁸² sound recording, ¹³⁸³ broadcast ¹³⁸⁴),
Entity exercising broadcast/communication/recording	by or under the direction or control of the Government, by the National Library or by educational, scientific or professional institutions
Purpose of broadcast/communication/recording	public interest
Condition of broadcast/communication/recording	compatible with fair use
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	
Subject to Remuneration	

Provision	s 185.1
Scope of broadcast/communication/recording	fair use
Type(s) of source work(s)	a copyrighted work, (a performance, ¹³⁸⁵ sound recording, ¹³⁸⁶ broadcast ¹³⁸⁷),
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	teaching, including limited number of copies for classroom use, scholarship, research, and

¹³⁷⁹ S 205.2 (applying ss 184, 185 mutatis mutandis to performers).

¹³⁸⁰ S 210 (applying ss 184, 185 mutatis mutandis to producer of sound recordings).

¹³⁸¹ S 212 (applying Chapter VIII mutatis mutandis to performers, producer of sound recordings and broadcasting organisations).

¹³⁸² S 205.2 (applying ss 184, 185 mutatis mutandis to performers).

¹³⁸³ S 210 (applying ss 184, 185 mutatis mutandis to producer of sound recordings).

¹³⁸⁴ S 212 (applying Chapter VIII mutatis mutandis to performers, producer of sound recordings and broadcasting organisations).

¹³⁸⁵ S 205.2 (applying ss 184, 185 mutatis mutandis to performers).

¹³⁸⁶ S 210 (applying ss 184, 185 mutatis mutandis to producer of sound recordings).

¹³⁸⁷ S 212 (applying Chapter VIII mutatis mutandis to performers, producer of sound recordings and broadcasting organisations).

	similar purposes
Condition of broadcast/communication/recording	to determine if use is fair use, consider all factors, including: (a) the purpose and character of the use, including whether such use is of a commercial nature or for non-profit educational purposes; (b) the nature of the copyright work; (c) the amount and substantially of the portion used in relation to the copyrighted work as a whole; (d) the effect of the use upon the potential market for or value of the work. that work is unpublished is not by itself a bar to a finding of fair use
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	
Subject to Remuneration	

8. Compulsory Licences for Educational Reproductions and Translations

9. TPM/RMI Exceptions for Educational Purposes

Poland

1. Legislation Reviewed

Act No. 83 of February 4, 1994, on Copyright and Neighboring Rights (as amended up to October 21, 2010)

2. Private/Personal Use

Provision	Art. 23.1
Scope of private/personal use	use
Type(s) of source work(s)	a work, (performance, phonogram, videogram and programme broadcast, first edition or scientific and critical edition), ¹³⁸⁸ having been already disseminated
Entity exercising private/personal use	
Purpose of private/personal use	personal use
Condition of private/personal use	includes single copies of works by a circle of people having personal relationships, and in particular any consanguinity, affinity or social relationship permissible use “must not infringe the normal use of the work or violate the rightful interests of the author” ¹³⁸⁹
Preclusions (not part of private/personal use)	works of architecture, electronic databases (unless this applies to one's own scientific use not connected with any profit-gaining purposes)
Subject to Attribution	
Subject to Remuneration	

3. Quotations

Provision	Art. 26
Scope of quotation	quote, in the reports of current events
Type(s) of source work(s)	works, (performances, phonograms, videograms and programme broadcasts, first editions or scientific and critical editions), ¹³⁹⁰ made available in the course of such events
Entity exercising quotation	
Purpose of quotation	
Condition of quotation	within the limits justified by the purpose of the information permissible use “must not infringe the normal use of the work or violate the rightful interests of the author” ¹³⁹¹
Preclusions (not part of quotation)	
Subject to Attribution	
Subject to Remuneration	

¹³⁸⁸ Art. 100.

¹³⁸⁹ Art. 35.

¹³⁹⁰ Art. 100.

¹³⁹¹ Art. 35.

Provision	Art. 29.1
Scope of quotation	quote, in works constituting an independent whole
Type(s) of source work(s)	fragments of disseminated works or minor works, (performances, phonograms, videograms and programme broadcasts, first editions or scientific and critical editions), ¹³⁹² in full
Entity exercising quotation	
Purpose of quotation	
Condition of quotation	within the scope justified by explanation, critical analysis, teaching or the rights governing a given kind of creative activity permissible use “must not infringe the normal use of the work or violate the rightful interests of the author” ¹³⁹³
Preclusions (not part of quotation)	
Subject to Attribution	
Subject to Remuneration	

4. Educational Reproduction

Provision	Art. 27
Nature of educational reproduction	use, and make copies of fragments of,
Type(s) of source work(s)	disseminated works, (performances, phonograms, videograms and programme broadcasts, first editions or scientific and critical editions), ¹³⁹⁴ in original and in translation
Entity exercising reproduction	research and educational institutions
Purpose of educational reproduction	teaching purposes or in order to conduct their own research permissible use “must not infringe the normal use of the work or violate the rightful interests of the author” ¹³⁹⁵
Qualification(s)	
Frequency/Multiple copies and Limits	
Collective Licence/remuneration	
Attribution	

5. Educational Publications/Anthologies/Compilations/Composite Works

Provision	Art. 29.2
Scope of anthologies/compilations	include, in textbooks and reading books

¹³⁹² Art. 100.

¹³⁹³ Art. 35.

¹³⁹⁴ Art. 100.

¹³⁹⁵ Art. 35.

limitation/exception	
Type(s) of source work(s)	disseminated minor works or excerpts from larger works, (performances, phonograms, videograms and programme broadcasts, first editions or scientific and critical editions), ¹³⁹⁶
Entity exercising anthologies/compilations limitation/exception	
Purpose of anthologies/compilations limitation/exception	for teaching and research reasons permissible use “must not infringe the normal use of the work or violate the rightful interests of the author” ¹³⁹⁷
Condition of anthologies/compilations limitation/exception	
Preclusions (not part of anthologies/compilations limitation/exception)	
Subject to Attribution	
Subject to Remuneration	author has right to remuneration

Provision	Art. 29.2 ¹
Scope of anthologies/compilations limitation/exception	include, in anthologies,
Type(s) of source work(s)	minor works of fragments or larger works which have already been disseminated, (performances, phonograms, videograms and programme broadcasts, first editions or scientific and critical editions), ¹³⁹⁸
Entity exercising anthologies/compilations limitation/exception	
Purpose of anthologies/compilations limitation/exception	for teaching or research purposes permissible use “must not infringe the normal use of the work or violate the rightful interests of the author” ¹³⁹⁹
Condition of anthologies/compilations limitation/exception	
Preclusions (not part of anthologies/compilations limitation/exception)	
Subject to Attribution	
Subject to Remuneration	author has right to remuneration ¹⁴⁰⁰

6. School Performances

Provision	Art. 31
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¹³⁹⁶ Art. 100.

¹³⁹⁷ Art. 35.

¹³⁹⁸ Art. 100.

¹³⁹⁹ Art. 35.

¹⁴⁰⁰ Art. 110¹².5 provides that CMOs shall specify lower remuneration rates for entities conducting cultural activities and for educational institutions using works and objects of related rights as part of their statutory activity, unless such use results in obtaining material profits. These rates in tables of remuneration have to be approved by the Copyright Commission.

Scope of school performance	perform in public
Type(s) of source work(s)	any disseminated works, (performances, phonograms, videograms and programme broadcasts, first editions or scientific and critical editions), ¹⁴⁰¹
Entity exercising school performance	
Purpose of school performance	school and academic events
Condition of school performance	perform gratuitously not, directly or indirectly, connected with any material benefits artists do not receive any remuneration, except for any advertising, promotional or election events permissible use “must not infringe the normal use of the work or violate the rightful interests of the author” ¹⁴⁰²
Preclusions (not part of school performance)	
Subject to Attribution	
Subject to Remuneration	

7. Educational Broadcasts/Communications/Recordings

Provision	Art. 27
Scope of broadcast/communication/recording	use, and make copies of fragments of,
Type(s) of source work(s)	disseminated works, (performances, phonograms, videograms and programme broadcasts, first editions or scientific and critical editions), ¹⁴⁰³ in original and in translation
Entity exercising broadcast/communication/recording	research and educational institutions
Purpose of broadcast/communication/recording	teaching purposes or in order to conduct their own research permissible use “must not infringe the normal use of the work or violate the rightful interests of the author” ¹⁴⁰⁴
Condition of broadcast/communication/recording	
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	
Subject to Remuneration	

¹⁴⁰¹ Art. 100.

¹⁴⁰² Art. 35.

¹⁴⁰³ Art. 100.

¹⁴⁰⁴ Art. 35.

8. Compulsory Licences for Educational Reproductions and Translations
9. TPM/RMI Exceptions for Educational Purposes

***Portugal**

1. Legislation Reviewed

Code of Copyright and Related Rights (as last amended by Law No. 16/2008 of April 1, 2008)

Qatar

1. Legislation Reviewed

Law No. 7 of 2002 on the Protection of Copyright and Related Rights

2. Private/Personal Use

Provision	Art. 18(1)
Scope of private/personal use	using, through reproduction, translation, quotation, musical arrangement, acting, broadcast listening, television viewing, photography or by any other means
Type(s) of source work(s)	a work, (a performance, sound recording, broadcast) ¹⁴⁰⁵
Entity exercising private/personal use	
Purpose of private/personal use	exclusively for personal use
Condition of private/personal use	
Preclusions (not part of private/personal use)	use "shall not conflict with a normal exploitation of the work or unreasonably prejudice the legitimate interests of the author" ¹⁴⁰⁶
Subject to Attribution	
Subject to Remuneration	

3. Quotations

Provision	Art. 18(2)
Scope of quotation	citing, in another work
Type(s) of source work(s)	paragraph of a work, (a performance, sound recording, broadcast) ¹⁴⁰⁷
Entity exercising quotation	
Purpose of quotation	illustration, demonstration or criticism
Condition of quotation	within the acceptable practice and as justified by the purpose
Preclusions (not part of quotation)	
Subject to Attribution	source, name of author
Subject to Remuneration	

4. Educational Reproduction

Provision	Art. 21(1)
Nature of educational reproduction	reproduction
Type(s) of source work(s)	articles, short works or extracts of works, (performances, sound recordings, broadcasts) ¹⁴⁰⁸
Entity exercising reproduction	
Purpose of educational reproduction	teaching purposes in educational institutions

¹⁴⁰⁵ Art. 26 (applying restrictions on economic rights mutatis mutandis to the rights of performers, producers of sound recordings and broadcasting organisations).

¹⁴⁰⁶ Art. 18(2) proviso.

¹⁴⁰⁷ Art. 26 (applying restrictions on economic rights mutatis mutandis to the rights of performers, producers of sound recordings and broadcasting organisations).

¹⁴⁰⁸ Art. 26 (applying restrictions on economic rights mutatis mutandis to the rights of performers, producers of sound recordings and broadcasting organisations).

Qualification(s)	activities of which do not serve direct or indirect commercial gain no collective licence available by competent authority in the collective management of rights of which educational institution is or should be aware
Frequency/Multiple copies and Limits	to the extent justified by the purpose reproduction is isolated; if repeated, on separate and unrelated occasions
Collective Licence/remuneration	
Attribution	title, name of author (on all copies if feasible)

5. Educational Publications/Anthologies/Compilations/Composite Works

Provision	Art. 18(2)
Scope of anthologies/compilations limitation/exception	use, by way of illustration, through publications, broadcasts, sound or visual recordings, films or by any other means
Type(s) of source work(s)	a work, (a performance, sound recording, broadcast) ¹⁴⁰⁹
Entity exercising anthologies/compilations limitation/exception	
Purpose of anthologies/compilations limitation/exception	for teaching
Condition of anthologies/compilations limitation/exception	use is nonprofit making
Preclusions (not part of anthologies/compilations limitation/exception)	the extent justified by the purpose use "shall not conflict with a normal exploitation of the work or unreasonably prejudice the legitimate interests of the author" ¹⁴¹⁰
Subject to Attribution	source, name of author
Subject to Remuneration	

6. School Performances

7. Educational Broadcasts/Communications/Recordings

Provision	Art. 18(2)
Scope of broadcast/communication/recording	use, by way of illustration, through publications, broadcasts, sound or visual recordings, films or by any other means
Type(s) of source work(s)	a work, (a performance, sound recording, broadcast) ¹⁴¹¹
Entity exercising	

¹⁴⁰⁹ Art. 26 (applying restrictions on economic rights mutatis mutandis to the rights of performers, producers of sound recordings and broadcasting organisations).

¹⁴¹⁰ Art. 18(2) proviso.

¹⁴¹¹ Art. 26 (applying restrictions on economic rights mutatis mutandis to the rights of performers, producers of sound recordings and broadcasting organisations).

broadcast/communication/recording	
Purpose of broadcast/communication/recording	for teaching
Condition of broadcast/communication/recording	use is nonprofit making
Preclusions (not part of broadcast/communication/recording)	the extent justified by the purpose use "shall not conflict with a normal exploitation of the work or unreasonably prejudice the legitimate interests of the author" ¹⁴¹²
Subject to Attribution	source, name of author
Subject to Remuneration	
Provision	Art. 21(1)
Scope of broadcast/communication/recording	reproduction
Type(s) of source work(s)	articles, short works or extracts of works, (performances, sound recordings, broadcasts) ¹⁴¹³
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	teaching purposes in educational institutions
Condition of broadcast/communication/recording	activities of which do not serve direct or indirect commercial gain no collective licence available by competent authority in the collective management of rights of which educational institution is or should be aware
Preclusions (not part of broadcast/communication/recording)	to the extent justified by the purpose reproduction is isolated; if repeated, on separate and unrelated occasions
Subject to Attribution	title, name of author (on all copies if feasible)
Subject to Remuneration	

8. Compulsory Licences for Educational Reproductions and Translations

Provision	Art. 27(a)
Nature of compulsory licence for translation for educational purposes	non-exclusive, non-transferable ¹⁴¹⁴ compulsory licence, for translation into Arabic of a foreign work, and publication of such translation in printed form or any other form
Type(s) of source work(s)	foreign work published in a printed form or any other form
Licence applicant/entity	a Qatari citizen ¹⁴¹⁵
Purpose of licence	school and university education or research ¹⁴¹⁶

¹⁴¹² Art. 18(2) proviso.

¹⁴¹³ Art. 26 (applying restrictions on economic rights mutatis mutandis to the rights of performers, producers of sound recordings and broadcasting organisations).

¹⁴¹⁴ Art. 27(a).

¹⁴¹⁵ Art. 27(a).

Qualification(s)	licence application may be made: 3 years from first publication work has not been previously translated into Arabic and published in Qatar by the owner of the translation right or with his consent, or if translation has been so published, all editions in that language are out of print
Compulsory licence fee(s)	beneficiary of compulsory licence to pay fair compensation to author of original translated work, in conformity with the criteria of economic rights applied for voluntary licenses between persons in Qatar and persons in the author's country ¹⁴¹⁷
Price of publication	
Distribution conditions	
Grantor of Collective Licence	Minister or his delegate ¹⁴¹⁸

Provision	Art. 27(b)
Nature of compulsory licence for translation for educational purposes	exclusive, non-transferable ¹⁴¹⁹ compulsory licence, for reproduction and publication of
Type(s) of source work(s)	any published work
Licence applicant/entity	a Qatari citizen ¹⁴²⁰
Purpose of licence	only for the use in school or university education ¹⁴²¹
Qualification(s)	licence application may be made: 3 years from first publication (for work related to technology, natural science, physics or mathematics) 7 years from first publication (for works of poetry, theatre, music, art books and novels) 5 years from first publication (for other published works) ¹⁴²² work has not been distributed in Qatar to satisfy the needs of the public or for school or university education by the owner or with his consent and for a price similar to the prices of similar works in Qatar ¹⁴²³
Compulsory licence fee(s)	beneficiary of compulsory licence to pay fair compensation to author of original translated work, in conformity with the criteria of

¹⁴¹⁶ Art. 27(c).¹⁴¹⁷ Art. 27(d).¹⁴¹⁸ Art. 27(a).¹⁴¹⁹ Art. 27(b).¹⁴²⁰ Art. 27(b).¹⁴²¹ Art. 27(c).¹⁴²² Art. 27(b)(1).¹⁴²³ Art. 27(b)(2).

	economic rights applied for voluntary licenses between persons in Qatar and persons in the author's country ¹⁴²⁴
Price of publication	for a price similar or less than the price of reproduced edition ¹⁴²⁵
Distribution conditions	
Grantor of Collective Licence	Minister or his delegate ¹⁴²⁶

9. TPM/RMI Exceptions for Educational Purposes

¹⁴²⁴ Art. 27(d).

¹⁴²⁵ Art. 27(b)(3).

¹⁴²⁶ Art.27(b).

***Republic of Korea**

1. Legislation Reviewed

Copyright Act (Act No. 432 of January 28, 1957, as amended up to Act No. 12137 of December 30, 2013)

2. Private/Personal Use

3. Quotations

4. Educational Reproduction

5. Educational Publications/Anthologies/Compilations/Composite Works

6. School Performances

7. Educational Broadcasts/Communications/Recordings

8. Compulsory Licences for Educational Reproductions and Translations

9. TPM/RMI Exceptions for Educational Purposes

***Republic of Moldova**

1. Legislation Reviewed

Law No. 139 of July 2, 2010, on Copyright and Neighbouring Rights

Romania

1. Legislation Reviewed

Law No. 8 of March 14, 1996 on Copyright and Neighboring Rights

2. Private/Personal Use

Provision	Art. 34
Scope of private/personal use	reproduction
Type(s) of source work(s)	a work that has already been disclosed to the public
Entity exercising private/personal use	
Purpose of private/personal use	personal use or for use by a normal family circle
Condition of private/personal use	“reproduction does not contravene [...] the normal use of the work or prejudice the author or the owner of the utilization rights”
Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	compensatory remuneration to authors, performers, publishers, producers by levy on manufacturer/importer ¹⁴²⁷ of media on which reproductions of sound/audiovisual recordings and works graphically expressed can be made and apparatus dedicated for copying ¹⁴²⁸ , payable to CMOs ¹⁴²⁹

3. Quotations

Provision	Art. 33(1)(b)
Scope of quotation	use of brief quotations
Type(s) of source work(s)	a work already disclosed to the public
Entity exercising quotation	
Purpose of quotation	analysis, commentary or criticism
Condition of quotation	to the extent justified by use
Preclusions (not part of quotation)	
Subject to Attribution	source, name of author (unless infeasible) ¹⁴³⁰
Subject to Remuneration	

4. Educational Reproduction

Provision	Art. 33(1)(b)
Nature of educational reproduction	use of brief quotations
Type(s) of source work(s)	a work already disclosed to the public
Entity exercising reproduction	
Purpose of educational reproduction	for illustration
Qualification(s)	to the extent justified by use

¹⁴²⁷ Art. 107.

¹⁴²⁸ Art. 34(2).

¹⁴²⁹ Art. 107¹ (one CMO for works reproduced by sound and audiovisual recording and another for works reproduced from paper). The distribution mechanisms are spelt out in Art. 107².

¹⁴³⁰ Art. 33(4).

Frequency/Multiple copies and Limits	
Collective Licence/remuneration	
Attribution	source, name of author (unless infeasible) ¹⁴³¹

Provision	Art. 33(2)(d)
Nature of educational reproduction	reproduction, "distribution" ¹⁴³²
Type(s) of source work(s)	works
Entity exercising reproduction	
Purpose of educational reproduction	illustration for teaching or scientific research
Qualification(s)	neither direct nor indirect commercial or economic advantage
Frequency/Multiple copies and Limits	
Collective Licence/remuneration	
Attribution	source, name of author (unless infeasible) ¹⁴³³

Provision	Art. 33(1)(e)
Nature of educational reproduction	specific acts of reproduction
Type(s) of source work(s)	
Entity exercising reproduction	educational establishments
Purpose of educational reproduction	not for direct or indirect economic or commercial advantage
Qualification(s)	
Frequency/Multiple copies and Limits	
Collective Licence/remuneration	
Attribution	source, name of author (unless infeasible) ¹⁴³⁴

Provision	Art. 35(d)
Nature of educational reproduction	alteration
Type(s) of source work(s)	a work
Entity exercising reproduction	
Purpose of educational reproduction	a short review of the work by didactic purpose
Qualification(s)	
Frequency/Multiple copies and Limits	
Collective Licence/remuneration	
Attribution	name of author

5. Educational Publications/Anthologies/Compilations/Composite Works

Provision	Art. 33(1)(c)
Scope of anthologies/compilations limitation/exception	use, in publications
Type(s) of source work(s)	isolated articles or brief excerpts from works
Entity exercising anthologies/compilations	

¹⁴³¹ Art. 33(4).

¹⁴³² Art. 14¹(1) (defining "distribution" as the sale or any other manner of transmittal, for a consideration or free of charge, of the original or of copies of a work, as well as their offering to the public).

¹⁴³³ Art. 33(4).

¹⁴³⁴ Art. 33(4).

limitation/exception	
Purpose of anthologies/compilations limitation/exception	exclusively intended for teaching purposes and also the reproduction for teaching purposes, within the framework of public education or social welfare institutions
Condition of anthologies/compilations limitation/exception	extent justified by the intended purpose
Preclusions (not part of anthologies/compilations limitation/exception)	
Subject to Attribution	source, name of author (unless infeasible) ¹⁴³⁵
Subject to Remuneration	

6. School Performances

Provision	Art. 33(1)(g)
Scope of school performance	representation and execution of
Type(s) of source work(s)	a work
Entity exercising school performance	
Purpose of school performance	as part of the activities of educational establishments exclusively for specific purposes
Condition of school performance	both the representation or execution and the public's access are free of charge
Preclusions (not part of school performance)	
Subject to Attribution	
Subject to Remuneration	

7. Educational Broadcasts/Communications/Recordings

Provision	Art. 33(1)(c)
Scope of broadcast/communication/recording	use, in television or radio broadcasts or sound or audiovisual recordings
Type(s) of source work(s)	isolated articles or brief excerpts from works
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	exclusively intended for teaching purposes and also the reproduction for teaching purposes, within the framework of public education or social welfare institutions
Condition of broadcast/communication/recording	extent justified by the intended purpose
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	source, name of author (unless infeasible) ¹⁴³⁶
Subject to Remuneration	

Provision	Art. 33(2)(d)
Scope of broadcast/communication/recording	broadcasting or communication to the public
Type(s) of source work(s)	works

¹⁴³⁵ Art. 33(4).

¹⁴³⁶ Art. 33(4).

Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	illustration for teaching or scientific research
Condition of broadcast/communication/recording	neither direct nor indirect commercial or economic advantage
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	source, name of author (unless infeasible) ¹⁴³⁷
Subject to Remuneration	

8. Compulsory Licences for Educational Reproductions and Translations
9. TPM/RMI Exceptions for Educational Purposes

¹⁴³⁷ Art. 33(4).

***Russian Federation**

1. Legislation Reviewed

Rwanda

1. Legislation Reviewed

Law No. 31/2009 of 26/10/2009 on the Protection of Intellectual Property

2. Private/Personal Use

Provision	Art. 203
Scope of private/personal use	private reproduction
Type(s) of source work(s)	a published work
Entity exercising private/personal use	a natural person
Purpose of private/personal use	exclusively for his own personal purposes
Condition of private/personal use	in a single copy
Preclusions (not part of private/personal use)	works of architecture, reprographic reproduction of whole or substantial part of book or musical notation, whole or substantial part of a digital database, computer program ¹⁴³⁸ , any work where “reproduction would conflict with a normal exploitation of the work or would otherwise unreasonably prejudice the legitimate interests of the owner of copyright”
Subject to Attribution	sufficient acknowledgment: title of work (or other description), name of author (unless work is anonymous, pseudonymous or author has previously agreed or directed that an acknowledgment is not to be made)
Subject to Remuneration	

Provision	Art. 247(1)
Scope of private/personal use	use
Type(s) of source work(s)	a performance, phonogram or broadcast
Entity exercising private/personal use	
Purpose of private/personal use	personal purposes
Condition of private/personal use	
Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	

3. Quotations

Provision	Arts. 205, 247(5)
Scope of quotation	reproduction of
Type(s) of source work(s)	a short part of a published work, (a performance, phonogram, broadcast) ¹⁴³⁹
Entity exercising quotation	
Purpose of quotation	in the form of quotation
Condition of quotation	reproduction is compatible with fair practice

¹⁴³⁸ Art. 211 (excepting use of the computer program and for backup/archival purposes; Art. 203 referring to Art. 178 [sic]).

¹⁴³⁹ Art. 247(5).

	reproduction does not exceed extent justified by the purpose
Preclusions (not part of quotation)	
Subject to Attribution	published work: source, name of author (if indicated on source)
Subject to Remuneration	

4. Educational Reproduction

Provision	Art. 206(1)
Nature of educational reproduction	use, by way of illustration
Type(s) of source work(s)	a lawfully published work, (a performance, phonogram, broadcast) ¹⁴⁴⁰
Entity exercising reproduction	
Purpose of educational reproduction	teaching purposes
Qualification(s)	
Frequency/Multiple copies and Limits	
Collective Licence/remuneration	
Attribution	source, name of author (if practicable)

Provision	Art. 206(2)
Nature of educational reproduction	reprographic reproduction
Type(s) of source work(s)	various articles lawfully published in magazines or gazettes, short extracts of works obtained lawfully or a short creative work lawfully published
Entity exercising reproduction	
Purpose of educational reproduction	teaching or for examinations in educational institutions
Qualification(s)	do not serve direct or indirect commercial gain
Frequency/Multiple copies and Limits	to the extent justified by the purpose
Collective Licence/remuneration	
Attribution	source, name of author (if practicable)

5. Educational Publications/Anthologies/Compilations/Composite Works

6. School Performances

Provision	Art. 213(2)
Scope of school performance	publicly perform
Type(s) of source work(s)	a work, (a performance, phonogram, broadcast) ¹⁴⁴¹
Entity exercising school performance	
Purpose of school performance	teaching activities of a teaching establishment
Condition of school performance	only the staff and students or the parents of students or other people so linked directly to

¹⁴⁴⁰ Art. 247(6) (applying exceptions or limitations to enable a work to be used without the authorisation of author or copyright owner to free use of related rights).

¹⁴⁴¹ Art. 247(6) (applying exceptions or limitations to enable a work to be used without the authorisation of author or copyright owner to free use of related rights).

	activities of the establishment are entitled to attend to a such performance
Preclusions (not part of school performance)	
Subject to Attribution	
Subject to Remuneration	

7. Educational Broadcasts/Communications/Recordings

Provision	Art. 206(1)
Scope of broadcast/communication/recording	use, by way of broadcasting or sound or visual recordings
Type(s) of source work(s)	lawfully published work, (a performance, phonogram, broadcast) ¹⁴⁴²
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	teaching purposes
Condition of broadcast/communication/recording	
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	source, name of author (if practicable)
Subject to Remuneration	
Provision	Art. 247(3)
Scope of broadcast/communication/recording	reproduction
Type(s) of source work(s)	a performance, phonogram, broadcast
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	scientific research
Condition of broadcast/communication/recording	
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	
Subject to Remuneration	

Provision	Art. 247(4)
Scope of broadcast/communication/recording	reproduction
Type(s) of source work(s)	a performance, phonogram, broadcast
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	solely for face-to-face teaching activities
Condition of broadcast/communication/recording	except for performances and phonograms published as teaching or instructional materials
Preclusions (not part of	

¹⁴⁴² Art. 247(6) (applying exceptions or limitations to enable a work to be used without the authorisation of author or copyright owner to free use of related rights).

broadcast/communication/recording)	
Subject to Attribution	
Subject to Remuneration	

8. Compulsory Licences for Educational Reproductions and Translations

Provision	Arts. 238, 239
Nature of compulsory licence for translation for educational purposes	non-exclusive, non-transferable ¹⁴⁴³ compulsory licence, for translation into one or two (Kinyarwanda, French and English) languages, and publication in printed or analogous forms of reproduction in Rwanda ¹⁴⁴⁴
Type(s) of source work(s)	works published in printed or analogous forms of reproduction ¹⁴⁴⁵
Licence applicant/entity	any person ¹⁴⁴⁶
Purpose of licence	purpose of teaching, scholarship or research ¹⁴⁴⁷
Qualification(s)	<p>licence application may be made: 3 years from first publication (where translation of work has not been published in Rwanda in Kinyarwanda, French and English by owner of translation right or with his authorisation), or if all editions of translation in language concerned are out of print¹⁴⁴⁸</p> <p>licence applicant has requested and been denied authorisation by owner of right of translation, or was unable to find owner after due diligence, despite sending request to Minister in charge of culture, publisher or to the empowered authority¹⁴⁴⁹</p> <p>a further period of 6 months has lapsed from date licence applicant complies with licence requirements¹⁴⁵⁰</p> <p>no licence shall be granted if, during further period, a translation into said language has been published by or with authorisation of owner¹⁴⁵¹</p> <p>author has not withdrawn from circulation copies of the work¹⁴⁵²</p>

¹⁴⁴³ Art. 238.

¹⁴⁴⁴ Art. 239 para. 7 (possibly erroneously referring to Arts. 241 and 242 when it should refer to Arts. 239 and 241).

¹⁴⁴⁵ Art. 238 para. 1.

¹⁴⁴⁶ Art. 238 paras. 1, 2.

¹⁴⁴⁷ Art. 238 para. 3.

¹⁴⁴⁸ Art. 238 para. 2.

¹⁴⁴⁹ Art. 239 para. 1.

¹⁴⁵⁰ Art. 239 para. 2.

¹⁴⁵¹ Art. 239 para. 2.

¹⁴⁵² Art. 239 para. 4.

	<p>on all copies of the published translation are printed: the name of author and original title¹⁴⁵³</p> <p>empowered authority to ensure a correct translation of work¹⁴⁵⁴</p> <p>subject to licensee's sale of existing copies, licence terminated if translation right owner has published or authorised the publishing of translated work, at a price reasonably related to that normally charged for comparable works¹⁴⁵⁵</p>
Compulsory licence fee(s)	beneficiary of compulsory licence to pay just compensation to owner of right, consistent with normally payable standards of royalties ¹⁴⁵⁶
Price of publication	
Distribution conditions	copies of translated work may not be exported ¹⁴⁵⁷
Grantor of Collective Licence	Minister

Provision	Arts. 240, 241
Nature of compulsory licence for translation for educational purposes	non-exclusive, non-transferable ¹⁴⁵⁸ compulsory licence, for reproduction in printed or analogous forms of reproduction in Rwanda ¹⁴⁵⁹
Type(s) of source work(s)	works (including translations, but only if they are published by owner of right of translation or with his authorization) ¹⁴⁶⁰ published in printed or analogous forms of reproduction ¹⁴⁶¹
Licence applicant/entity	any person ¹⁴⁶²
Purpose of licence	general public interest, university teaching or in connection with systematic instructional activities ¹⁴⁶³
Qualification(s)	<p>licence application may be made:</p> <p>3 years from first publication (works of the natural and physical sciences and of technology)¹⁴⁶⁴</p> <p>7 years from first publication (works of fiction, poetry, drama and music, and for art books)¹⁴⁶⁵</p> <p>5 year from first publication (all other</p>

¹⁴⁵³ Art. 239 para. 5.¹⁴⁵⁴ Art. 239 para. 6.¹⁴⁵⁵ Art. 239 para. 3.¹⁴⁵⁶ Art. 239 para. 6.¹⁴⁵⁷ Art. 239 para. 7.¹⁴⁵⁸ Art. 240 para. 1.¹⁴⁵⁹ Art. 239 para. 7 (possibly erroneously referring to Arts. 241 and 242 when it should refer to Arts. 239 and 241).¹⁴⁶⁰ Art. 241 para. 4.¹⁴⁶¹ Art. 240 para. 1.¹⁴⁶² Art. 240 paras. 1, 3.¹⁴⁶³ Art. 240 para. 5.¹⁴⁶⁴ Art. 240 para. 2 (a).¹⁴⁶⁵ Art. 240 para. 2 (b).

	<p>works)¹⁴⁶⁶, or after expiration of above period, no authorized copies of that edition have been on sale for 6 months at a price reasonably related to that normally charged for comparable works¹⁴⁶⁷</p> <p>licence applicant has requested and been denied authorisation by owner of right of translation [sic], or was unable to find owner after due diligence, despite sending request to publisher, Minister in charge of culture or to any empowered authority¹⁴⁶⁸</p> <p>a further period of 6 months has lapsed from date licence applicant complies with licence requirements¹⁴⁶⁹</p> <p>no licence shall be granted if, during further period, copies of work have been distributed by or with authorisation of owner [of right of translation [sic]]¹⁴⁷⁰</p> <p>author has not withdrawn from circulation copies of the work¹⁴⁷¹</p> <p>on all copies of the published translation are printed: the name of author and original title¹⁴⁷²</p> <p>subject to licensee's sale of existing copies, licence terminated if reproduction right owner has published or authorised the publishing of work, at a price reasonably related to that normally charged for comparable works¹⁴⁷³</p>
Compulsory licence fee(s)	
Price of publication	at a price reasonably related to that normally charged for comparable works or a lower price ¹⁴⁷⁴
Distribution conditions	copies of translated work may not be exported ¹⁴⁷⁵
Grantor of Collective Licence	empowered authority

9. TPM/RMI Exceptions for Educational Purposes

¹⁴⁶⁶ Art. 240 para. 2(c).

¹⁴⁶⁷ Art. 240 para. 4.

¹⁴⁶⁸ Art. 241 para. 1.

¹⁴⁶⁹ Art. 241 para. 2.

¹⁴⁷⁰ Art. 241 para. 2.

¹⁴⁷¹ Art. 241 para. 4.

¹⁴⁷² Art. 239 para. 5 (possibly erroneous in that it referred to a grant of license under Arts. 238 and 239, when it probably meant Arts. 239 and 241).

¹⁴⁷³ Art. 241 para. 3.

¹⁴⁷⁴ Art. 240 para. 3.

¹⁴⁷⁵ S 18(1)(d), (e).

Saint Kitts and Nevis

1. Legislation Reviewed

Copyright Act (Cap. 18.08)

2. Private/Personal Use

Provision	s 54
Scope of private/personal use	fair dealing
Type(s) of source work(s)	a literary, dramatic, musical or artistic work, published edition
Entity exercising private/personal use	
Purpose of private/personal use	research or private study
Condition of private/personal use	to determine if act done in relation to a work is fair dealing, court to consider all factors, including: (a) the purpose and character of the use; (b) the nature of the work in question; (c) the extent and substantially of the part of the work affected by the act in relation to the whole of the work; (d) the effect of the act upon the potential market for or commercial value of the work.
Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	

3. Quotations

Provision	ss 53(1), 118(a)
Scope of quotation	fair dealing
Type(s) of source work(s)	a protected work
Entity exercising quotation	
Purpose of quotation	criticism or review of that or another work, (performance or recording,) or of a performance of a work
Condition of quotation	to determine if act done in relation to a work is fair dealing, court to consider all factors, including: (a) the purpose and character of the use; (b) the nature of the work in question; (c) the extent and substantially of the part of the work affected by the act in relation to the whole of the work; (d) the effect of the act upon the potential market for or commercial value of the work.
Preclusions (not part of quotation)	
Subject to Attribution	work: title, name of author (unless anonymous or author unascertainable by reasonable inquiry for unpublished work) ¹⁴⁷⁶
Subject to Remuneration	

¹⁴⁷⁶ S 51 (defining “sufficient acknowledgment”).

4. Educational Reproduction

Provision	s 56(1)
Nature of educational reproduction	copying a work (non-reprographic process)
Type(s) of source work(s)	a literary, dramatic, musical or artistic work
Entity exercising reproduction	a person giving or receiving instruction
Purpose of educational reproduction	in the course of instruction or of preparation for instruction
Qualification(s)	copies made cannot be dealt with (i.e. sold, let for hire or offered or exposed for sale or hire) ¹⁴⁷⁷
Frequency/Multiple copies and Limits	
Collective Licence/remuneration	
Attribution	

Provision	s 56(3)
Nature of educational reproduction	anything done
Type(s) of source work(s)	
Entity exercising reproduction	
Purpose of educational reproduction	purposes of an examination by way of setting the questions, communicating the questions to candidates or answering the questions
Qualification(s)	copies made cannot be dealt with (i.e. sold, let for hire or offered or exposed for sale or hire) ¹⁴⁷⁸
Frequency/Multiple copies and Limits	
Collective Licence/remuneration	
Attribution	

Provision	s 59
Nature of educational reproduction	reprographic copies
Type(s) of source work(s)	passages from published literary, dramatic or musical works
Entity exercising reproduction	made by or on behalf of an educational establishment
Purpose of educational reproduction	purposes of instruction
Qualification(s)	no copying if, or to extent that, licences are available authorizing copying and person making copies knows or ought to have been aware of licences ¹⁴⁷⁹ copies made cannot be dealt with (i.e. sold, let for hire or offered or exposed for sale or hire) ¹⁴⁸⁰
Frequency/Multiple copies and Limits	not more than 5% in any quarter of the year ¹⁴⁸¹

¹⁴⁷⁷ S 60.¹⁴⁷⁸ S 60.¹⁴⁷⁹ S 59(3).¹⁴⁸⁰ S 60.¹⁴⁸¹ S 59(2).

Collective Licence/remuneration	any collective licence granted not to derogate from this provision ¹⁴⁸²
Attribution	

5. Educational Publications/Anthologies/Compilations/Composite Works

Provision	s 57
Scope of anthologies/compilations limitation/exception	inclusion, in a collection
Type(s) of source work(s)	a short passage from a published literary or dramatic work
Entity exercising anthologies/compilations limitation/exception	
Purpose of anthologies/compilations limitation/exception	for use in educational establishments
Condition of anthologies/compilations limitation/exception	collection is so described in its title and in any publisher's advertisement collection consists mainly of material in which no copyright subsists work itself is not intended for use in educational establishments
Preclusions (not part of anthologies/compilations limitation/exception)	more than 2 excerpts from works by same author ¹⁴⁸³ are contained in collections by same publisher within 5 year period ¹⁴⁸⁴
Subject to Attribution	title, name of author (unless anonymous or author unascertainable by reasonable inquiry for unpublished work) ¹⁴⁸⁵
Subject to Remuneration	

6. School Performances

Provision	ss 79, 125
Scope of school performance	play
Type(s) of source work(s)	a sound recording
Entity exercising school performance	a club, society or other organization not established or conducted for profit and its main objects are charitable or are otherwise concerned with the advancement of religion, education or social welfare
Purpose of school performance	as part of the activities of, or for the benefit of [entity]
Condition of school performance	proceeds of any charge for admission to the place where the recording is to be heard are applied solely for the purposes of the organization

¹⁴⁸² S 59(4).

¹⁴⁸³ S 57(3) (explaining that author includes works of joint authorship, and works by any of the authors will count towards the preclusion).

¹⁴⁸⁴ S 57(2).

¹⁴⁸⁵ S 51 (defining "sufficient acknowledgment").

Preclusions (not part of school performance)	
Subject to Attribution	
Subject to Remuneration	

7. Educational Broadcasts/Communications/Recordings

Provision	s 56(2)
Scope of broadcast/communication/recording	making a film or film soundtrack
Type(s) of source work(s)	a sound recording, film, broadcast or cable programme
Entity exercising broadcast/communication/recording	a person giving or receiving instruction
Purpose of broadcast/communication/recording	making a film or film soundtrack in the course of instruction
Condition of broadcast/communication/recording	copies made cannot be dealt with (i.e. sold, let for hire or offered or exposed for sale or hire) ¹⁴⁸⁶
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	
Subject to Remuneration	
Provision	s 58
Scope of broadcast/communication/recording	making a recording or a copy of a recording, of a broadcast or cable programme
Type(s) of source work(s)	by or on behalf of an educational establishment
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	
Condition of broadcast/communication/recording	no recording if certified licensing scheme under s 102 providing for grant of licences ¹⁴⁸⁷ copies made cannot be dealt with (i.e. sold, let for hire or offered or exposed for sale or hire) ¹⁴⁸⁸
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	
Subject to Remuneration	

Provision	s 121
Scope of broadcast/communication/recording	recording
Type(s) of source work(s)	a broadcast or cable programme or a copy of the recording
Entity exercising broadcast/communication/recording	by or on behalf of an educational establishment

¹⁴⁸⁶ S 60.

¹⁴⁸⁷ S 104 goes on to provide that in considering what charges, if any, are to be paid for a licence for the recording by or on behalf of educational establishments of broadcasts or cable programmes which includes copyright works, or the making of copies of such recordings, for educational purposes, the High Court shall have regard to the extent to which the owners of copyright in the works included in the broadcast or cable programme have already received, or are entitled to receive, payment in respect of their inclusion.

¹⁴⁸⁸ S 60.

Purpose of broadcast/communication/recording	for its educational purposes
Condition of broadcast/communication/recording	
Preclusions (not part of broadcast/communication/recording)	reprographic copies made cannot be dealt with (i.e. sold, let for hire or offered or exposed for sale or hire) ¹⁴⁸⁹
Subject to Attribution	
Subject to Remuneration	

Provision	s 120(1)(a)
Scope of broadcast/communication/recording	copying of a recording of
Type(s) of source work(s)	a performance
Entity exercising broadcast/communication/recording	person giving or receiving instructions
Purpose of broadcast/communication/recording	course of instruction, or of preparation for instruction, in the making of films or film soundtracks
Condition of broadcast/communication/recording	copies made cannot be dealt with (i.e. sold, let for hire or offered or exposed for sale or hire) ¹⁴⁹⁰
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	
Subject to Remuneration	

Provision	s 120(1)(b), (c)
Scope of broadcast/communication/recording	copying of a recording, or anything done
Type(s) of source work(s)	a performance
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	purpose of setting or answering the questions in an examination communicating the questions to candidates
Condition of broadcast/communication/recording	copies made cannot be dealt with (i.e. sold, let for hire or offered or exposed for sale or hire) ¹⁴⁹¹
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	
Subject to Remuneration	

8. Compulsory Licences for Educational Reproductions and Translations

9. TPM/RMI Exceptions for Educational Purposes

¹⁴⁸⁹ S 120(2).

¹⁴⁹⁰ S 120(2), (3).

¹⁴⁹¹ S 120(2), (3).

***Saint Lucia**

1. Legislation Reviewed

Saint Vincent and the Grenadines

1. Legislation Reviewed

Copyright Act 2003 (Act No. 21 of 2003)

2. Private/Personal Use

Provision	s 50(1)
Scope of private/personal use	fair dealing with
Type(s) of source work(s)	a literary, dramatic, musical or artistic work (or published edition)
Entity exercising private/personal use	
Purpose of private/personal use	research or private study
Condition of private/personal use	court to take into account all factors to determine if act done in relation to a work constitutes fair dealing, including: (a) the nature of the work in question; (b) the extent and substantiality of that part of the work affected by the act in relation to the whole of the work; (c) the purpose and character of the use; and (d) the effect of the act upon the potential market for, or the commercial value of, the work. ¹⁴⁹²
Preclusions (not part of private/personal use)	person (not researcher or student) ¹⁴⁹³ doing the copying knows or has reason to believe that it will result in copies of substantially the same material being provided to more than one person at substantially the same time and for substantially the same purpose ¹⁴⁹⁴
Subject to Attribution	
Subject to Remuneration	

3. Quotations

Provision	ss 51, 110
Scope of quotation	fair dealing with
Type(s) of source work(s)	a work, (performance, recording) ¹⁴⁹⁵
Entity exercising quotation	
Purpose of quotation	for purposes of criticism or review of that work, (performance, recording,) or of performance of a work
Condition of quotation	court to take into account all factors to determine if act done in relation to a work constitutes fair dealing, including: (a) the nature of the work in question; (b) the extent and substantiality of that part of the work affected by the act in relation to the whole of the work; (c) the purpose and character of the use; and

¹⁴⁹² S 52.

¹⁴⁹³ Copying by a person other than the researcher or student under s 50 will trigger the preclusion from the exception.

¹⁴⁹⁴ S 50(2)(b).

¹⁴⁹⁵ S 110.

	(d) the effect of the act upon the potential market for, or the commercial value of, the work. ¹⁴⁹⁶
Preclusions (not part of quotation)	
Subject to Attribution	title of work (or other description), name of author (unless anonymous or author agreed or required that no acknowledgement be made) ¹⁴⁹⁷
Subject to Remuneration	

4. Educational Reproduction

Provision	s 50(1)
Nature of educational reproduction	fair dealing with
Type(s) of source work(s)	a literary, dramatic, musical or artistic work (or published edition)
Entity exercising reproduction	
Purpose of educational reproduction	research or private study
Qualification(s)	court to take into account all factors to determine if act done in relation to a work constitutes fair dealing, including: (a) the nature of the work in question; (b) the extent and substantiality of that part of the work affected by the act in relation to the whole of the work; (c) the purpose and character of the use; and (d) the effect of the act upon the potential market for, or the commercial value of, the work. ¹⁴⁹⁸
Frequency/Multiple copies and Limits	person (not researcher or student) ¹⁴⁹⁹ doing the copying knows or has reason to believe that it will result in copies of substantially the same material being provided to more than one person at substantially the same time and for substantially the same purpose ¹⁵⁰⁰
Collective Licence/remuneration	
Attribution	
Provision	s 56(1)
Nature of educational reproduction	copying (not by means of a reprographic process)
Type(s) of source work(s)	a literary, dramatic, musical or artistic work
Entity exercising reproduction	a person giving or receiving instruction
Purpose of educational reproduction	in the course of instruction or of preparation for instruction

¹⁴⁹⁶ S 58.

¹⁴⁹⁷ S 55 (defining "sufficient acknowledgment").

¹⁴⁹⁸ S 52.

¹⁴⁹⁹ Copying by a person other than the researcher or student under s 50 will trigger the preclusion from the exception.

¹⁵⁰⁰ S 50(2)(b).

Qualification(s)	copies made cannot be dealt with (i.e. sold, let for hire or offered or exposed for sale or hire) ¹⁵⁰¹
Frequency/Multiple copies and Limits	
Collective Licence/remuneration	
Attribution	
Provision	s 56(3)
Nature of educational reproduction	anything done
Type(s) of source work(s)	
Entity exercising reproduction	
Purpose of educational reproduction	an examination by way of setting the questions, communicating the questions to candidates or answering the questions
Qualification(s)	copies made cannot be dealt with (i.e. sold, let for hire or offered or exposed for sale or hire) ¹⁵⁰²
Frequency/Multiple copies and Limits	
Collective Licence/remuneration	
Attribution	
Provision	s 60
Nature of educational reproduction	reprographic copies ¹⁵⁰³
Type(s) of source work(s)	passages from published literary, dramatic or musical works
Entity exercising reproduction	by or on behalf of an educational establishment
Purpose of educational reproduction	instruction
Qualification(s)	no copying if licences under licensing scheme are available authorizing copying and person making copies knows or ought to have been aware of licences ¹⁵⁰⁴ copies made cannot be dealt with (i.e. sold, let for hire or offered or exposed for sale or hire) ¹⁵⁰⁵
Frequency/Multiple copies and Limits	not more than 1% in any quarter of the year ¹⁵⁰⁶
Collective Licence/remuneration	any collective licence ¹⁵⁰⁷ granted not to derogate from this provision ¹⁵⁰⁸
Attribution	

5. Educational Publications/Anthologies/Compilations/Composite Works

Provision	s 57
Scope of anthologies/compilations	inclusion in collection of

¹⁵⁰¹ S 61.

¹⁵⁰² S 61.

¹⁵⁰³ S 2(1) (defining “reprographic process” as a process (a) for making facsimile copies, or (b) involving the use of an appliance for making multiple copies, and, in relation to a work held in electronic form, includes any copying by electronic means, but does not include the making of a film or sound recording).

¹⁵⁰⁴ S 60(3).

¹⁵⁰⁵ S 61.

¹⁵⁰⁶ S 60(2).

¹⁵⁰⁷ S 97 (prescribing the considerations by a court in relation to licensing of reprographic copying of published literary, dramatic, musical or artistic works, or typographical arrangements of published editions).

¹⁵⁰⁸ S 60(4).

limitation/exception	
Type(s) of source work(s)	a short passage from a published literary or dramatic work
Entity exercising anthologies/compilations limitation/exception	
Purpose of anthologies/compilations limitation/exception	for use in educational establishments
Condition of anthologies/compilations limitation/exception	collection to be described and advised as being for use in educational establishments work was not itself published for use of educational establishments collection consists mainly of material in which no copyright subsists not more than 1 other such passage/part from works by same author is published by same publisher within 5 year period ¹⁵⁰⁹
Preclusions (not part of anthologies/compilations limitation/exception)	more than 2 extracts from works by same author ¹⁵¹⁰ are contained in collections by same publisher within 5 year period ¹⁵¹¹
Subject to Attribution	title, name of author (unless anonymous or author has previously agreed/required no acknowledgement) ¹⁵¹²
Subject to Remuneration	

6. School Performances

Provision	s 58(1)
Scope of school performance	performance of
Type(s) of source work(s)	a literary, dramatic or musical work
Entity exercising school performance	by a teacher or pupil, or at the institution by any person for the purposes of instruction
Purpose of school performance	in the course of the activities of the establishment or for the purposes of instruction
Condition of school performance	audience consisting of teachers and pupils at an educational institution and other “persons directly connected” ¹⁵¹³ with the activities of the establishment
Preclusions (not part of school performance)	
Subject to Attribution	
Subject to Remuneration	

Provision	s 58(2)
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¹⁵⁰⁹ S 57(1)(e).

¹⁵¹⁰ S 57(3) (explaining that author includes works of joint authorship, and works by any of the authors will count towards the preclusion).

¹⁵¹¹ S 57(2).

¹⁵¹² S 49 (defining “sufficient acknowledgment”).

¹⁵¹³ S 58(3) (excluding parents of pupils per se from “persons directly connected with the activities of the educational establishment”).

Scope of school performance	playing or showing of
Type(s) of source work(s)	a sound recording, film, broadcast or cable program
Entity exercising school performance	
Purpose of school performance	for the purposes of instruction
Condition of school performance	audience consisting of teachers and pupils at an educational institution and other “persons directly connected” ¹⁵¹⁴ with the activities of the establishment
Preclusions (not part of school performance)	
Subject to Attribution	
Subject to Remuneration	
Provision	s 116
Scope of school performance	play
Type(s) of source work(s)	a sound recording
Entity exercising school performance	a club, society or other organization not established or conducted for profit and its main objects are charitable or are otherwise concerned with the advancement of religion, education or social welfare
Purpose of school performance	as part of the activities of, or for the benefit of [entity]
Condition of school performance	proceeds of any charge for admission to the place where the recording is to be heard are applied solely for the purposes of the organization
Preclusions (not part of school performance)	
Subject to Attribution	
Subject to Remuneration	

7. Educational Broadcasts/Communications/Recordings

Provision	s 56(2)
Scope of broadcast/communication/recording	copying by making a film or film sound-track
Type(s) of source work(s)	a sound recording, film, broadcast or cable programme
Entity exercising broadcast/communication/recording	a person giving or receiving instruction
Purpose of broadcast/communication/recording	in the course of instruction or of preparation for instruction, in the making of films or film sound-tracks
Condition of broadcast/communication/recording	copies made cannot be dealt with (i.e. sold, let for hire or offered or exposed for sale or hire) ¹⁵¹⁵
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	
Subject to Remuneration	

¹⁵¹⁴ S 58(3) (excluding parents of pupils per se from “persons directly connected with the activities of the educational establishment”).

¹⁵¹⁵ S 61.

Provision	ss 59, 112 ¹⁵¹⁶
Scope of broadcast/communication/recording	recording of
Type(s) of source work(s)	broadcast or cable programme or copy of such a recording
Entity exercising broadcast/communication/recording	by or on behalf of educational institution
Purpose of broadcast/communication/recording	for educational purposes of educational institution
Condition of broadcast/communication/recording	copies of recording made cannot be dealt with (i.e. sold, let for hire or offered or exposed for sale or hire) ¹⁵¹⁷
Preclusions (not part of broadcast/communication/recording)	no recording if, or to extent that, licensing scheme under which licences are available authorising making of such recordings or copies, and person making recordings knows or ought to have been aware ¹⁵¹⁸ special considerations by Court regarding the licence charges payable by educational establishments ¹⁵¹⁹
Subject to Attribution	
Subject to Remuneration	
Provision	s 111(1)
Scope of broadcast/communication/recording	copying
Type(s) of source work(s)	a recording of a performance
Entity exercising broadcast/communication/recording	a person giving or receiving instruction
Purpose of broadcast/communication/recording	in the course of instruction, or of preparation for instruction, in the making of films or film sound-tracks
Condition of broadcast/communication/recording	copies made cannot be dealt with (i.e. sold, let for hire or offered or exposed for sale or hire) ¹⁵²⁰
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	
Subject to Remuneration	

Provision	s 111(2)(a), (b)
Scope of broadcast/communication/recording	copying of a recording of, or anything done
Type(s) of source work(s)	a performance, (a recording)
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	setting or answering questions in an examination, or for purposes of an examination by way of communicating the

¹⁵¹⁶ S 59 exempts from infringement the copyright in the broadcast or cable programme and any work included in it; s 112 exempts from infringement the rights of performance and recording.

¹⁵¹⁷ Ss 61, 112(2).

¹⁵¹⁸ S 63(2).

¹⁵¹⁹ S 98.

¹⁵²⁰ S 111(3).

	questions to the candidates
Condition of broadcast/communication/recording	copies made cannot be dealt with (i.e. sold, let for hire or offered or exposed for sale or hire) ¹⁵²¹
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	
Subject to Remuneration	

8. Compulsory Licences for Educational Reproductions and Translations
9. TPM/RMI Exceptions for Educational Purposes

¹⁵²¹ S 111(3).

Samoa

1. Legislation Reviewed

Copyright Act 1998 (as consolidated in 2011)

2. Private/Personal Use

Provision	ss 8, 24(a)
Scope of private/personal use	private reproduction of
Type(s) of source work(s)	a published work, (a performance, a sound recording) ¹⁵²²
Entity exercising private/personal use	a physical person
Purpose of private/personal use	exclusively for his own personal purposes
Condition of private/personal use	work: in a single copy
Preclusions (not part of private/personal use)	works of architecture, whole or substantial part of a database, computer program ¹⁵²³ , any work 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 copyright”
Subject to Attribution	
Subject to Remuneration	

Provision	ss 8A, 24(c)
Scope of private/personal use	reproduction
Type(s) of source work(s)	a work, (a performance, a sound recording) ¹⁵²⁴
Entity exercising private/personal use	
Purpose of private/personal use	(scientific) ¹⁵²⁵ research or private study
Condition of private/personal use	
Preclusions (not part of private/personal use)	if person reproducing the work knows or has reason to believe that it will result in copies of substantially the same material being provided to more than one person at substantially the same time
Subject to Attribution	
Subject to Remuneration	

3. Quotations

Provision	s 9
Scope of quotation	reproduction of
Type(s) of source work(s)	a short part of a published work, (a performance, a sound recording) ¹⁵²⁶
Entity exercising quotation	
Purpose of quotation	in the form of quotation
Condition of quotation	reproduction is compatible with fair practice

¹⁵²² S 24(a).

¹⁵²³ S 13 (excepting use of the computer program and for backup/archival purposes).

¹⁵²⁴ S 24(a).

¹⁵²⁵ S 24(c).

¹⁵²⁶ S 24(d).

	reproduction does not exceed extent justified by the purpose
Preclusions (not part of quotation)	
Subject to Attribution	source, name of author (if indicated on source)
Subject to Remuneration	

4. Educational Reproduction

Provision	s 10(1)(b)
Nature of educational reproduction	reproduction
Type(s) of source work(s)	published articles, other short works or short extracts of works
Entity exercising reproduction	
Purpose of educational reproduction	face-to-face teaching in educational institutions
Qualification(s)	activities of which do not serve direct or indirect commercial gain
Frequency/Multiple copies and Limits	reproduction to the extent justified by the purpose reproduction is an isolated one; if repeated, each occurrence be separate and unrelated no collective licence available by competent authority in the collective management of rights under which such reproduction can be made of which educational institution is or should be aware
Collective Licence/remuneration	
Attribution	source, name of author (all copies if practicable)

5. Educational Publications/Anthologies/Compilations/Composite Works

Provision	s 10(1)(a)
Scope of anthologies/compilations limitation/exception	reproduction, by way of illustration, in writings or sound or visual recordings
Type(s) of source work(s)	a short part of a published work, (a performance, a sound recording) ¹⁵²⁷
Entity exercising anthologies/compilations limitation/exception	
Purpose of anthologies/compilations limitation/exception	teaching purposes
Condition of anthologies/compilations limitation/exception	reproduction is compatible with fair practice reproduction does not exceed the extent justified by the purpose
Preclusions (not part of anthologies/compilations limitation/exception)	
Subject to Attribution	source, name of author (all copies if practicable)
Subject to Remuneration	

¹⁵²⁷ S 24(d).

6. School Performances7. Educational Broadcasts/Communications/Recordings

Provision	s 10(1)(a)
Scope of broadcast/communication/recording	reproduction, by way of illustration, in writings or sound or visual recordings
Type(s) of source work(s)	a short part of a published work, (a performance, a sound recording) ¹⁵²⁸
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	teaching purposes
Condition of broadcast/communication/recording	reproduction is compatible with fair practice reproduction does not exceed the extent justified by the purpose
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	source, name of author (all copies if practicable)
Subject to Remuneration	
Provision	s 24(c)
Scope of broadcast/communication/recording	use
Type(s) of source work(s)	a performance, a sound recording
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	face-to-face teaching activities or for scientific research
Condition of broadcast/communication/recording	
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	
Subject to Remuneration	

8. Compulsory Licences for Educational Reproductions and Translations9. TPM/RMI Exceptions for Educational Purposes

¹⁵²⁸ S 24(d).

***San Marino**

1. Legislation Reviewed

Law No. 8 of 25 January 1991 - Protection of Copyright

***Sao Tome and Principe**

1. Legislation Reviewed

Copyright Code (approved by Decree-Law No. 46 980 of April 27, 1966)

Saudi Arabia

1. Legislation Reviewed

Copyright Law (promulgated by Royal Decree No. M/41 of 2 Rajab, 1424 (August 30th,2003))

2. Private/Personal Use

Provision	Art. 15(1)
Scope of private/personal use	copying
Type(s) of source work(s)	a work, in its original language or in translation
Entity exercising private/personal use	
Purpose of private/personal use	for personal use
Condition of private/personal use	
Preclusions (not part of private/personal use)	audio and audio-visual works, computer software
Subject to Attribution	
Subject to Remuneration	

3. Quotations

Provision	Art. 15(2)
Scope of quotation	quoting, in another work
Type(s) of source work(s)	a work, in its original language or in translation, including journalistic summaries abstracted from newspapers and periodicals
Entity exercising quotation	
Purpose of quotation	
Condition of quotation	quotation be consistent with the conventional practice quotation is within the limits justified by the intended objective
Preclusions (not part of quotation)	
Subject to Attribution	source, name of author
Subject to Remuneration	
Provision	Art. 15(11)
Scope of quotation	citing
Type(s) of source work(s)	parts of scientific articles and works
Entity exercising quotation	research institutions
Purpose of quotation	internal use or to fulfil the requirements of those who are conducting studies and research
Condition of quotation	
Preclusions (not part of quotation)	
Subject to Attribution	source
Subject to Remuneration	

4. Educational Reproduction

Provision	Art. 15(3)
Nature of educational reproduction	using, by way of clarification,
Type(s) of source work(s)	a work, in its original language or in translation
Entity exercising reproduction	
Purpose of educational reproduction	educational purposes
Qualification(s)	

Frequency/Multiple copies and Limits	within the limits justified by the intended objective ¹⁵²⁹
Collective Licence/remuneration	
Attribution	

5. Educational Publications/Anthologies/Compilations/Composite Works

Provision	Art. 15(9)
Scope of anthologies/compilations limitation/exception	copying, in school books prepared for educational curricula or in books of history, literature and art
Type(s) of source work(s)	published works, drawings, pictures, designs or maps
Entity exercising anthologies/compilations limitation/exception	
Purpose of anthologies/compilations limitation/exception	
Condition of anthologies/compilations limitation/exception	copying is within the limits of necessity
Preclusions (not part of anthologies/compilations limitation/exception)	
Subject to Attribution	title, name of author
Subject to Remuneration	

6. School Performances

Provision	Art. 15(8)
Scope of school performance	music playing, acting, performing or showing
Type(s) of source work(s)	any work, in its original language or in translation, after publication
Entity exercising school performance	school theatre
Purpose of school performance	
Condition of school performance	such playing, performance or acting does not lead to direct or indirect financial gains
Preclusions (not part of school performance)	
Subject to Attribution	
Subject to Remuneration	

7. Educational Broadcasts/Communications/Recordings

8. Compulsory Licences for Educational Reproductions and Translations

Provision	Art. 16
Nature of compulsory licence for translation for educational purposes	licence, for publication (and optionally translation)
Type(s) of source work(s)	the published work
Licence applicant/entity	
Purpose of licence	publication: publication of work serves the public interest translation: purpose is to make use of translation in educational curricula

¹⁵²⁹ Art. 15(3) conditions apply only to making copies for public libraries or non-commercial documentation centres.

Qualification(s)	<p>licence application may be made:</p> <ul style="list-style-type: none"> * no copies of published work in its original language are made available in Saudi Arabia by the copyright owner to satisfy the general needs of the public/school/university education, at a price comparable to similar works in Saudi Arabia, upon the author's declining to make them so available * all editions of the original work or its Arabic translation are out of print, and copyright owner failed to make it available upon request * no translation has been published for work by owner of translation copyright or with his permission * heirs, successors of Saudi author decline to exercise the copyrights inherited by them, within 1 year of request by licence applicant <p>licence terminated if owner has published or authorised the publishing of work/translation¹⁵³⁰</p>
Compulsory licence fee(s)	Minister to specify remuneration payable by licensee to copyright owners for every license issued ¹⁵³¹
Price of publication	
Distribution conditions	
Grantor of Collective Licence	Minister

9. TPM/RMI Exceptions for Educational Purposes

¹⁵³⁰ Art. 16(2).

¹⁵³¹ Art. 15(3).

Senegal

1. Legislation Reviewed

Law No. 2008-09 of January 25, 2008 on Copyright and Related Rights

2. Private/Personal Use

Provision	Art. 38
Scope of private/personal use	communication
Type(s) of source work(s)	a work
Entity exercising private/personal use	
Purpose of private/personal use	within a family circle
Condition of private/personal use	free of charge
Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	

Provision	Art. 40
Scope of private/personal use	reproduction
Type(s) of source work(s)	a work
Entity exercising private/personal use	
Purpose of private/personal use	intended for strictly personal and private use
Condition of private/personal use	
Preclusions (not part of private/personal use)	works of architecture, reprographic reproduction of textbooks, musical notation, works of visual art in limited editions, electronic database, computer program
Subject to Attribution	
Subject to Remuneration	levy ¹⁵³² payable on blank recording media (whether removable or not) and recording equipment ¹⁵³³ , payable by importer, manufacturer, ¹⁵³⁴ to account of CMOs ¹⁵³⁵ to be distributed among approved authors, performers and producers of phonograms and videograms ¹⁵³⁶

3. Quotations

Provision	Art. 44
Scope of quotation	analyses of and short quotations from
Type(s) of source work(s)	a work
Entity exercising quotation	
Purpose of quotation	
Condition of quotation	compatible with fair practice
Preclusions (not part of quotation)	
Subject to Attribution	title, name of author
Subject to Remuneration	

¹⁵³² Art. 105 (providing that basis of remuneration, amount and payment procedure is determined by Private Copying Commission).

¹⁵³³ Art. 105(a).

¹⁵³⁴ Art. 107(1).

¹⁵³⁵ Art. 108.

¹⁵³⁶ Art. 104.

4. Educational Reproduction

Provision	Art. 42
Nature of educational reproduction	reproduction
Type(s) of source work(s)	a work
Entity exercising reproduction	
Purpose of educational reproduction	purposes of illustration for teaching
Qualification(s)	without the purpose of making a profit
Frequency/Multiple copies and Limits	
Collective Licence/remuneration	
Attribution	source, name of author

5. Educational Publications/Anthologies/Compilations/Composite Works6. School Performances7. Educational Broadcasts/Communications/Recordings

Provision	Art. 42
Scope of broadcast/communication/recording	communication
Type(s) of source work(s)	a work
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	purposes of illustration for teaching
Condition of broadcast/communication/recording	without the purpose of making a profit
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	source, name of author
Subject to Remuneration	

8. Compulsory Licences for Educational Reproductions and Translations9. TPM/RMI Exceptions for Educational Purposes

Serbia

1. Legislation Reviewed

Law on Copyright and Related Rights

Regulation on establishing the list of devices and objects for which there is liability to pay

2. Private/Personal Use

Provision	Art. 46
Scope of private/personal use	reproduce
Type(s) of source work(s)	a disclosed work, (a performance, phonogram, videogram)
Entity exercising private/personal use	a natural person
Purpose of private/personal use	personal noncommercial purposes
Condition of private/personal use	in a single copy copies made shall not be placed on the market or be used for any other form of public communication of that work ¹⁵³⁷
Preclusions (not part of private/personal use)	works of architecture and new building constructions, three-dimensional realizations of drawings for works of fine arts, reproduction of whole of book (unless copies have been sold out for at least two years), musical notation (except by manual copying), electronic databases, computer programs, scope of limitation of exclusive rights may not conflict with a normal exploitation of the work nor may unreasonably prejudice the legitimate interests of the author ¹⁵³⁸
Subject to Attribution	source, name of author ¹⁵³⁹
Subject to Remuneration	fair compensatory remuneration ¹⁵⁴⁰ to authors, (performers, producers of phonograms and videograms) ¹⁵⁴¹ by levy on manufacturer/importer ¹⁵⁴² of empty carriers of sound, picture and text, new devices for sound or visual recording and new devices for photocopying or other devices with similar technology of copying ¹⁵⁴³ , and commercial photocopying service providers, ¹⁵⁴⁴ payable to CMOs ¹⁵⁴⁵

¹⁵³⁷ Art. 46(2).

¹⁵³⁸ Art. 41(2) (applying this restriction to “any specific case” of limitations on copyright).

¹⁵³⁹ Art. 41(1) (requiring acknowledgment for the provisions dealing with limitations on copyright).

¹⁵⁴⁰ Art. 39(8) (describing this as fair compensation which must take into account “the probable damage suffered by the author when his work is copied without his permission for personal non commercial use, [and] the application of technical measures of protection and other circumstances that can influence the correct calculation of the amount of this special remuneration”).

¹⁵⁴¹ Art. 146.

¹⁵⁴² Art. 39(2), (3).

¹⁵⁴³ Art. 39(4).

¹⁵⁴⁴ Art. 39(5).

¹⁵⁴⁵ Art. 39(9).

3. Quotations

Provision	Art. 49
Scope of quotation	reproduction (or communicated to the public) of
Type(s) of source work(s)	short excerpts of a work of authorship, or individual short copyright protected works, which have been disclosed, or (a performance, phonogram, videogram) ¹⁵⁴⁶
Entity exercising quotation	
Purpose of quotation	for the sake of illustration, confirmation or reference
Condition of quotation	mentioned parts or short works are integrated into another work without alterations clear indication that a reference is involved and in compliance with the fair practices
Preclusions (not part of quotation)	
Subject to Attribution	title, name of author, when and where quoted work was disclosed or published (if indicated on source)
Subject to Remuneration	

4. Educational Reproduction

Provision	Art. 45
Nature of educational reproduction	multiply
Type(s) of source work(s)	works or (performances, phonograms, videograms) ¹⁵⁴⁷
Entity exercising reproduction	public libraries, educational institutions, museums and archives
Purpose of educational reproduction	only for the own archive needs
Qualification(s)	work is copied from the copy in their possession by such copying these institutions have no intention to realize direct or indirect economic or commercial benefit scope of limitation of exclusive rights may not conflict with a normal exploitation of the work nor may unreasonably prejudice the legitimate interests of the author ¹⁵⁴⁸
Frequency/Multiple copies and Limits	
Collective Licence/remuneration	
Attribution	source, name of author ¹⁵⁴⁹

¹⁵⁴⁶ Art. 144 (applying limitations and exhaustion of copyright to related rights).

¹⁵⁴⁷ Art. 144 (applying limitations and exhaustion of copyright to related rights).

¹⁵⁴⁸ Art. 41(2) (applying this restriction to "any specific case" of limitations on copyright).

¹⁵⁴⁹ Art. 41(1) (requiring acknowledgment for the provisions dealing with limitations on copyright).

5. Educational Publications/Anthologies/Compilations/Composite Works

Provision	Art. 55
Scope of anthologies/compilations limitation/exception	copy, on paper or similar carrier, by photocopying or some other form of photographic or similar technology which gives similar results,
Type(s) of source work(s)	parts of the published copyright protected works, individual short published copyright protected works in the field of science, literature and music or individual published copyright protected works in the field of photography, industrial and graphic design and cartography, if it concerns published works of several different authors, or (performances, phonograms, videograms) ¹⁵⁵⁰
Entity exercising anthologies/compilations limitation/exception	
Purpose of anthologies/compilations limitation/exception	manual for tuition, examination or scientific research
Condition of anthologies/compilations limitation/exception	unless author explicitly prohibits scope of limitation of exclusive rights may not conflict with a normal exploitation of the work nor may unreasonably prejudice the legitimate interests of the author ¹⁵⁵¹
Preclusions (not part of anthologies/compilations limitation/exception)	sheet music ¹⁵⁵²
Subject to Attribution	source, name of author ¹⁵⁵³
Subject to Remuneration	obligation of payment/remuneration for copyright

6. School Performances

Provision	Art. 44(1)
Scope of school performance	perform publicly or represent, in the shape of direct presentation of a lecture in the process of tuition
Type(s) of source work(s)	published works or (performances, phonograms, videograms) ¹⁵⁵⁴
Entity exercising school performance	
Purpose of school performance	non commercial purposes of education
Condition of school performance	scope of limitation of exclusive rights may not conflict with a normal exploitation of the work nor may unreasonably prejudice the legitimate interests of the author ¹⁵⁵⁵
Preclusions (not part of school performance)	

¹⁵⁵⁰ Art. 144 (applying limitations and exhaustion of copyright to related rights).¹⁵⁵¹ Art. 41(2) (applying this restriction to "any specific case" of limitations on copyright).¹⁵⁵² Art. 55(2).¹⁵⁵³ Art. 41(1) (requiring acknowledgment for the provisions dealing with limitations on copyright).¹⁵⁵⁴ Art. 144 (applying limitations and exhaustion of copyright to related rights).¹⁵⁵⁵ Art. 41(2) (applying this restriction to "any specific case" of limitations on copyright).

Subject to Attribution	source, name of author ¹⁵⁵⁶
Subject to Remuneration	

Provision	Art. 44(2)
Scope of school performance	public performance or representation at the school festivals
Type(s) of source work(s)	published works or (performances, phonograms, videograms) ¹⁵⁵⁷
Entity exercising school performance	
Purpose of school performance	non commercial purposes of education
Condition of school performance	interpreters are not given compensation for their performance entrance is not charged scope of limitation of exclusive rights may not conflict with a normal exploitation of the work nor may unreasonably prejudice the legitimate interests of the author ¹⁵⁵⁸
Preclusions (not part of school performance)	
Subject to Attribution	source, name of author ¹⁵⁵⁹
Subject to Remuneration	

7. Educational Broadcasts/Communications/Recordings

Provision	Art. 45
Scope of broadcast/communication/recording	multiply
Type(s) of source work(s)	works or (performances, phonograms, videograms) ¹⁵⁶⁰
Entity exercising broadcast/communication/recording	public libraries, educational institutions, museums and archives
Purpose of broadcast/communication/recording	only for the own archive needs
Condition of broadcast/communication/recording	work is copied from the copy in their possession by such copying these institutions have no intention to realize direct or indirect economic or commercial benefit scope of limitation of exclusive rights may not conflict with a normal exploitation of the work nor may unreasonably prejudice the legitimate interests of the author ¹⁵⁶¹
Preclusions (not part of broadcast/communication/recording)	

¹⁵⁵⁶ Art. 41(1) (requiring acknowledgment for the provisions dealing with limitations on copyright).

¹⁵⁵⁷ Art. 144 (applying limitations and exhaustion of copyright to related rights).

¹⁵⁵⁸ Art. 41(2) (applying this restriction to "any specific case" of limitations on copyright).

¹⁵⁵⁹ Art. 41(1) (requiring acknowledgment for the provisions dealing with limitations on copyright).

¹⁵⁶⁰ Art. 144 (applying limitations and exhaustion of copyright to related rights).

¹⁵⁶¹ Art. 41(2) (applying this restriction to "any specific case" of limitations on copyright).

Subject to Attribution	source, name of author ¹⁵⁶²
Subject to Remuneration	
Provision	Art. 44(3)
Scope of broadcast/communication/recording	communication to the public, of
Type(s) of source work(s)	broadcasted school emissions, or (performances, phonograms, videograms) ¹⁵⁶³
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	non commercial purposes of education
Condition of broadcast/communication/recording	by means of technical devices internally within the educational establishment scope of limitation of exclusive rights may not conflict with a normal exploitation of the work nor may unreasonably prejudice the legitimate interests of the author ¹⁵⁶⁴
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	
Subject to Remuneration	

8. Compulsory Licences for Educational Reproductions and Translations

9. TPM/RMI Exceptions for Educational Purposes

Provision	Art. 208a
Scope of TPM/RMI limitation/exception	exception to require rightholder who used effective technological measures in respect of his work to alter or remove technological measures to ensure for the “beneficiaries” legal access to copy of
Type(s) of source work(s)	work/subject-matter (but not applicable to works/subject-matter available to the public on agreed contractual conditions in a manner enabling members of the public to access them from a place and at a time individually chosen by them ¹⁵⁶⁵)
Beneficiary exercising limitation/exception	“beneficiaries”: persons who have, on the basis of this law on the limitations of copyright, a legal access to a copy of the work/subject- matter
Purpose of limitation/exception	to enable beneficiaries to realize the material limitations of rights, in the shortest term possible
Condition of limitation/exception	right holder/importer/person who applied technological measure or has authority to remove them must clearly and visibly notify, on

¹⁵⁶² Art. 41(1) (requiring acknowledgment for the provisions dealing with limitations on copyright).

¹⁵⁶³ Art. 144 (applying limitations and exhaustion of copyright to related rights).

¹⁵⁶⁴ Art. 41(2) (applying this restriction to “any specific case” of limitations on copyright).

¹⁵⁶⁵ Art. 208a(2), taken from EU Copyright Directive 2001/29, Art. 6(4).

	every copy of the work or subject matter of related rights, data on the used technological measures, and his name or title and contact address ¹⁵⁶⁶
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¹⁵⁶⁶ Art. 208a(3).

Seychelles

1. Legislation Reviewed

Copyright Act, 2014 (Act No. 5 of 2014)

2. Private/Personal Use

Provision	s 9
Scope of private/personal use	private reproduction of
Type(s) of source work(s)	a published work, (a performance, phonogram, broadcast) ¹⁵⁶⁷
Entity exercising private/personal use	a natural person
Purpose of private/personal use	exclusively for his own personal purposes
Condition of private/personal use	in a single copy
Preclusions (not part of private/personal use)	works of architecture, reprographic reproduction of whole or substantial part of book or musical notation, whole or substantial part of a database, computer program ¹⁵⁶⁸ , any work 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”
Subject to Attribution	
Subject to Remuneration	

3. Quotations

Provision	s 11
Scope of quotation	quotation
Type(s) of source work(s)	a work that has lawfully been made available to the public, (a performance, phonogram, broadcast) ¹⁵⁶⁹
Entity exercising quotation	
Purpose of quotation	
Condition of quotation	quotation is compatible with fair practice quotation does not exceed extent justified by the purpose
Preclusions (not part of quotation)	
Subject to Attribution	source, name of author (if indicated on source)
Subject to Remuneration	

4. Educational Reproduction

Provision	s 12(1)(c)
Nature of educational reproduction	reprographic reproduction
Type(s) of source work(s)	published articles, other short works or short

¹⁵⁶⁷ S 27(d) (applying cases where a work can be used without the authorisation of the author or other owner of copyright to performances, phonograms and broadcasts).

¹⁵⁶⁸ S 15 (excepting use of the computer program and for backup/archival purposes).

¹⁵⁶⁹ S 27(d) (applying cases where a work can be used without the authorisation of the author or other owner of copyright to performances, phonograms and broadcasts).

	extracts of works
Entity exercising reproduction	
Purpose of educational reproduction	face-to- face teaching in educational institutions
Qualification(s)	activities of which do not serve direct or indirect commercial gain no collective licence, under which such reproduction can be made, is available by collective administration organisation of which educational institution is or should be aware ¹⁵⁷⁰
Frequency/Multiple copies and Limits	reproduction of any particular work is an isolated one; if repeated, each occurrence be separate and unrelated not more than a single copy for each pupil or student and the teacher is made
Collective Licence/remuneration	
Attribution	source, name of author (on all copies if feasible) ¹⁵⁷¹

Provision	s 27(c)
Nature of educational reproduction	reproduction
Type(s) of source work(s)	a performance, phonogram, broadcast (except performances and phonograms published as teaching or instructional materials)
Entity exercising reproduction	
Purpose of educational reproduction	solely for face-to- face teaching or distance teaching activities
Qualification(s)	
Frequency/Multiple copies and Limits	
Collective Licence/remuneration	
Attribution	

5. Educational Publications/Anthologies/Compilations/Composite Works

Provision	s 12(1)(a)
Scope of anthologies/compilations limitation/exception	utilisation, by way of illustration, in publications, broadcasting or sound or visual recordings
Type(s) of source work(s)	a work that has lawfully been made available to the public
Entity exercising anthologies/compilations limitation/exception	
Purpose of anthologies/compilations limitation/exception	teaching or scientific research
Condition of anthologies/compilations limitation/exception	utilisation is compatible with fair practice

¹⁵⁷⁰ S 12(1)(c)(iii).

¹⁵⁷¹ S 12(2).

Preclusions (not part of anthologies/compilations limitation/exception)	utilisation not exceed the extent justified by the purpose
Subject to Attribution	source, name of author (on all copies if feasible) ¹⁵⁷²
Subject to Remuneration	

6. School Performances7. Educational Broadcasts/Communications/Recordings

Provision	s 12(1)(a)
Scope of broadcast/communication/recording	utilisation, by way of illustration, in publications, broadcasting or sound or visual recordings
Type(s) of source work(s)	a work that has lawfully been made available to the public
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	teaching or scientific research
Condition of broadcast/communication/recording	utilisation is compatible with fair practice
Preclusions (not part of broadcast/communication/recording)	utilisation not exceed the extent justified by the purpose
Subject to Attribution	source, name of author (on all copies if feasible) ¹⁵⁷³
Subject to Remuneration	
Provision	s 12(1)(b)
Scope of broadcast/communication/recording	utilisation by making available, in computer networks
Type(s) of source work(s)	a work that has lawfully been made available to the public, (a performance, phonogram, broadcast) ¹⁵⁷⁴
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	teaching or scientific research
Condition of broadcast/communication/recording	access to the works is only available to enrolled pupils or students and their teachers
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	source, name of author (on all copies if feasible) ¹⁵⁷⁵
Subject to Remuneration	

Provision	s 27(b)
Scope of broadcast/communication/recording	reproduction

¹⁵⁷² S 12(2).¹⁵⁷³ S 12(2).¹⁵⁷⁴ S 27(d) (applying cases where a work can be used without the authorisation of the author or other owner of copyright to performances, phonograms and broadcasts).¹⁵⁷⁵ S 12(2).

Type(s) of source work(s)	a performance, phonogram, broadcast
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	solely for scientific research
Condition of broadcast/communication/recording	
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	
Subject to Remuneration	

8. Compulsory Licences for Educational Reproductions and Translations

9. TPM/RMI Exceptions for Educational Purposes

Provision	s 32
Scope of TPM/RMI limitation/exception	exception that notwithstanding effective technological measures applied to work/ other subject-matter, necessary means be ordered by Registrar or court to be made available to beneficiaries
Type(s) of source work(s)	work/other subject-matter (but not applicable to works/subject-matter made available to the public on agreed contractual terms in such a way that members of the public may access them from a place and at a time individually chosen by them ¹⁵⁷⁶)
Beneficiary exercising limitation/exception	“beneficiaries”: users who seek to exercise an exception or limitation in, <i>inter alia</i> , teaching or scientific research (s 12)
Purpose of limitation/exception	to the extent required for beneficiaries to benefit from the exceptions/limitations
Condition of limitation/exception	

¹⁵⁷⁶ S 32(4), taken from EU Copyright Directive 2001/29, Art. 6(4).

Sierra Leone

1. Legislation Reviewed

The Copyright Act, 2011 (Act No. 8 of 2011)

2. Private/Personal Use

Provision	s 27
Scope of private/personal use	private reproduction of
Type(s) of source work(s)	a published work
Entity exercising private/personal use	an individual
Purpose of private/personal use	exclusively for his own personal purposes
Condition of private/personal use	in a single copy
Preclusions (not part of private/personal use)	works of architecture, reprographic reproduction of whole or substantial part of book or musical notation, whole or substantial part of a digital database, computer program ¹⁵⁷⁷ , any work 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” ¹⁵⁷⁸
Subject to Attribution	sufficient acknowledgment: title of work (or other description), name of author (unless work is anonymous, pseudonymous or author has previously agreed or directed that an acknowledgment is not to be made)
Subject to Remuneration	

Provision	s 42(a)
Scope of private/personal use	use
Type(s) of source work(s)	a performance, a broadcast
Entity exercising private/personal use	a natural person
Purpose of private/personal use	private use
Condition of private/personal use	
Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	

3. Quotations

Provision	s 29
Scope of quotation	reproduction of
Type(s) of source work(s)	a short part of a published work
Entity exercising quotation	
Purpose of quotation	in the form of quotation
Condition of quotation	reproduction is compatible with fair practice

¹⁵⁷⁷ S 34 (excepting use of the computer program and for backup/archival purposes; provision refers to s 28, which appears to be erroneous).

¹⁵⁷⁸ S 27(2)(e).

	reproduction does not exceed extent justified by the purpose
Preclusions (not part of quotation)	
Subject to Attribution	source, name of author (if indicated on source)
Subject to Remuneration	

Provision	s 42(d)
Scope of quotation	quotations
Type(s) of source work(s)	short excerpts of a performance, sound recording, audiovisual work or broadcast
Entity exercising quotation	
Purpose of quotation	
Condition of quotation	quotations are compatible with fair practice quotations are justified by informative purpose of those quotations
Preclusions (not part of quotation)	
Subject to Attribution	source, name of author (if indicated on source)
Subject to Remuneration	

4. Educational Reproduction

Provision	s 30(1)(b)
Nature of educational reproduction	reprographic reproduction
Type(s) of source work(s)	a short part of a published work
Entity exercising reproduction	
Purpose of educational reproduction	face-to-face teaching in educational institutions
Qualification(s)	activities of which do not serve direct or indirect commercial gain
Frequency/Multiple copies and Limits	reproduction is an isolated one; if repeated, each occurrence be separate and unrelated no collective licence available by Collecting Society of which educational institution is or should be aware, under which reproduction can be made
Collective Licence/remuneration	
Attribution	source, name of author (if indicated on source)

5. Educational Publications/Anthologies/Compilations/Composite Works

Provision	s 30(1)(a)
Scope of anthologies/compilations limitation/exception	reproduction, by way of illustration, in writing or sound or visual recording, of
Type(s) of source work(s)	a short part of a published work
Entity exercising anthologies/compilations limitation/exception	
Purpose of anthologies/compilations limitation/exception	teaching purposes

Condition of anthologies/compilations limitation/exception	reproduction is compatible with fair practice reproduction does not exceed extent justified by the purpose
Preclusions (not part of anthologies/compilations limitation/exception)	
Subject to Attribution	source, name of author (if indicated on source)
Subject to Remuneration	

6. School Performances7. Educational Broadcasts/Communications/Recordings

Provision	s 30(1)(a)
Scope of broadcast/communication/recording	reproduction, by way of illustration, in writing or sound or visual recording, of
Type(s) of source work(s)	a short part of a published work
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	teaching purposes
Condition of broadcast/communication/recording	reproduction is compatible with fair practice reproduction does not exceed extent justified by the purpose
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	source, name of author (if indicated on source)
Subject to Remuneration	
Provision	s 42(c)
Scope of broadcast/communication/recording	use
Type(s) of source work(s)	a performance, a broadcast
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	teaching or scientific research
Condition of broadcast/communication/recording	
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	
Subject to Remuneration	

8. Compulsory Licences for Educational Reproductions and Translations9. TPM/RMI Exceptions for Educational Purposes

Singapore

1. Legislation Reviewed

Copyright Act (Cap. 63, 2006 Rev. Ed.) (consolidated as of 31 March 2015)

2. Private/Personal Use

Provision	ss 35, 109
Scope of private/personal use	fair dealing with a literary, dramatic, musical or artistic work, or adaptation of
Type(s) of source work(s)	a literary, dramatic or musical work, published edition, ¹⁵⁷⁹ or “audio-visual item” ¹⁵⁸⁰
Entity exercising private/personal use	
Purpose of private/personal use	(literary, dramatic, musical or artistic work) fair dealing shall include research and study ¹⁵⁸¹ (audio-visual item) fair dealing shall include research and study ¹⁵⁸²
Condition of private/personal use	in determining whether a dealing is fair dealing, the matters to have regard shall include: (a) the purpose and character of the dealing, including whether such dealing is of a commercial nature or is for non-profit educational purposes; (b) the nature of the work/adaptation/audio-visual item in question; (c) the amount and substantiality of the part copied taken in relation to the whole work/adaptation/audio-visual item; (d) the effect of the dealing upon the potential market for, or value of, the work/adaptation/audio-visual item; (e) the possibility of obtaining the work/adaptation/audio-visual item within a reasonable time at an ordinary commercial price.
Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	

Provision	s 246
Scope of private/personal use	direct or indirect recording of
Type(s) of source work(s)	a performance ¹⁵⁸³ as an “exempt recording” ¹⁵⁸⁴ (exemption from performance rights)
Entity exercising private/personal use	(for the educational purposes of educational institution) recording by, or on behalf of, body

¹⁵⁷⁹ S 116 (permitting reproductions of the whole or part of editions of works where dealing does not infringe copyright by virtue of ss 35, 36, 37, 38 or 40).

¹⁵⁸⁰ S 102 (defining “audiovisual item” as a sound recording, cinematographic work, sound and television broadcast or a cable programme).

¹⁵⁸¹ S 35(1A).

¹⁵⁸² S 109(1A).

¹⁵⁸³ “Performance” excludes performance and communication of works or other subject-matter in the course of educational instruction under s 23. See s 246(2)(a).

¹⁵⁸⁴ S 246 (defining a “recording” of a performance as excluding an “exempt recording”).

	administering an educational institution (for course of cinematographic instruction) recording by a person giving or receiving such instruction
Purpose of private/personal use	<ul style="list-style-type: none"> • solely for the purpose of the private and domestic use of the person who made it¹⁵⁸⁵ • solely for the purpose of use in scientific research¹⁵⁸⁶ • solely for the educational purposes of “educational institution”¹⁵⁸⁷ or of another educational institution¹⁵⁸⁸ • solely for the purposes of setting or answering the questions in an examination or communicating the questions to the candidates¹⁵⁸⁹ • in the course of instruction, or preparation for instruction, in the making of a cinematograph film or a sound-track associated with the visual images forming part of a cinematograph film¹⁵⁹⁰ • for the purpose of criticism or review¹⁵⁹¹
Condition of private/personal use	
Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	

Note: s 246(f) and (g) exemptions for recordings made by, or on behalf of, institutions assisting persons with reading disabilities or intellectually handicapped persons.

Provision	s 40(3)
Scope of private/personal use	reproduction as fair dealing of
Type(s) of source work(s)	a literary, dramatic or musical work, , published edition, ¹⁵⁹² or an adaptation of such a work/edition
Entity exercising private/personal use	
Purpose of private/personal use	for the purpose of research or study

¹⁵⁸⁵ S 246 (defining an “exempt recording”, definition (a)).

¹⁵⁸⁶ S 246 (defining an “exempt recording”, definition (b)).

¹⁵⁸⁷ S 7(1) (defining an “educational institution” as a primary, secondary, pre-university or full-time school, a junior college, a university, a college of advanced education or a technical and further education institution, an institution that conducts courses of primary, secondary, pre-university or tertiary education by correspondence or on an external study basis, a school of nursing, an undertaking within a hospital that conducts courses of study, a teacher education centre, a general institution or preparatory or continuing education institution for a particular occupation or profession, such other institutions declared by regulations, an undertaking for the provision of teacher training for the aforesaid institutions, and an undertaking for the furnishing of materials for the aforesaid institutions).

¹⁵⁸⁸ S 246 (defining an “exempt recording”, definition (c)). S 247 (defining a cinematograph film of a performance as being made for the educational purposes of an educational instruction if is made for use in connection with a particular course of instruction provided by the institution, or for inclusion in the collection of a library of the institution).

¹⁵⁸⁹ S 246 (defining an “exempt recording”, definition (d)).

¹⁵⁹⁰ S 246 (defining an “exempt recording”, definition (e)).

¹⁵⁹¹ S 246 (defining an “exempt recording”, definition (h)).

¹⁵⁹² S 116 (permitting reproductions of the whole or part of editions of works where dealing does not infringe copyright by virtue of ss 35, 36, 37, 38 or 40).

Condition of private/personal use	<ul style="list-style-type: none"> • if work/adaptation comprises an article in a periodical publication: whole or a part of work/adaptation • otherwise, a “reasonable portion”: <ul style="list-style-type: none"> ○ if published edition has 10 pages or more: not more than 10% of number of pages in edition, or if more than 10% of number of pages, a single chapter if work/adaptation is divided into chapters¹⁵⁹³ ○ if published edition is not divided into pages: not more than 10% of total bytes, 10% of total number of words, or 10% of edition contents, or if these are exceeded, a single chapter if work/adaptation is divided into chapters¹⁵⁹⁴
Preclusions (not part of private/personal use)	any subsequent reproduction of whole or part of another article in same publication dealing with a different subject-matter ¹⁵⁹⁵
Subject to Attribution	
Subject to Remuneration	

3. Quotations

Provision	ss 36, 110
Scope of quotation	fair dealing with, or with an adaptation of,
Type(s) of source work(s)	a literary, dramatic or musical work, , published edition, ¹⁵⁹⁶ “audio-visual item” ¹⁵⁹⁷
Entity exercising quotation	
Purpose of quotation	for the purpose of criticism or review, whether of that work/audio-visual item or of another work/audio-visual item
Condition of quotation	
Preclusions (not part of quotation)	
Subject to Attribution	sufficient acknowledgment: title of work/ audio-visual item (or other description), name of author (unless work is anonymous, pseudonymous or author has previously agreed or directed that an acknowledgment is not to be made) ¹⁵⁹⁸
Subject to Remuneration	

¹⁵⁹³ S 10(2).

¹⁵⁹⁴ S 10(2A).

¹⁵⁹⁵ S 35(4).

¹⁵⁹⁶ S 116 (permitting reproductions of the whole or part of editions of works where dealing does not infringe copyright by virtue of ss 35, 36, 37, 38 or 40).

¹⁵⁹⁷ S 102 (defining “audiovisual item” as a sound recording, cinematographic work, sound and television broadcast or a cable programme).

¹⁵⁹⁸ S 7(1) (defining “sufficient acknowledgment”).

4. Educational Reproduction

Provision	ss 35, 109
Nature of educational reproduction	fair dealing with a literary, dramatic, musical or artistic work, or adaptation of
Type(s) of source work(s)	a literary, dramatic or musical work, published edition, ¹⁵⁹⁹ or “audio-visual item” ¹⁶⁰⁰
Entity exercising reproduction	
Purpose of educational reproduction	(literary, dramatic, musical or artistic work) fair dealing shall include research and study ¹⁶⁰¹ (audio-visual item) fair dealing shall include research and study ¹⁶⁰²
Qualification(s)	in determining whether a dealing is fair dealing, the matters to have regard shall include: (a) the purpose and character of the dealing, including whether such dealing is of a commercial nature or is for non-profit educational purposes; (b) the nature of the work/adaptation/audio-visual item in question; (c) the amount and substantiality of the part copied taken in relation to the whole work/adaptation/audio-visual item; (d) the effect of the dealing upon the potential market for, or value of, the work/adaptation/audio-visual item; (e) the possibility of obtaining the work/adaptation/audio-visual item within a reasonable time at an ordinary commercial price.
Frequency/Multiple copies and Limits	
Collective Licence/remuneration	
Attribution	
Provision	Part III, Division 6, s 50A
Nature of educational reproduction	copying
Type(s) of source work(s)	works
Entity exercising reproduction	person conducting or undergoing the course of education
Purpose of educational reproduction	for the purposes of a course of education
Qualification(s)	reproduction is not by means of a reprographic process ¹⁶⁰³
Frequency/Multiple copies and Limits	
Collective Licence/remuneration	

¹⁵⁹⁹ S 116 (permitting reproductions of the whole or part of editions of works where dealing does not infringe copyright by virtue of ss 35, 36, 37, 38 or 40).

¹⁶⁰⁰ S 102 (defining “audiovisual item” as a sound recording, cinematographic work, sound and television broadcast or a cable programme).

¹⁶⁰¹ S 35(1A).

¹⁶⁰² S 109(1A).

¹⁶⁰³ S 50A(2) (defining a “reprographic process” as a process for making facsimile copies or an appliance for making multiple copies, and includes any copying by electronic means, but does not include the making of a cinematograph film or sound recording).

Attribution	
Provision	Part III, Division 6, s 51
Nature of educational reproduction	multiple copies or communication of part of (“insubstantial portions”, not whole of ¹⁶⁰⁴)
Type(s) of source work(s)	work in an edition of the work
Entity exercising reproduction	by any person
Purpose of educational reproduction	for purposes of a course of education provided by institution
Qualification(s)	on the premises of an educational institution (including making a copy of part of work on network operated or controlled by educational institution to enable persons undertaking a course of education provided by the educational institution to access the work – “distance learning” ¹⁶⁰⁵)
Frequency/Multiple copies and Limits	<ul style="list-style-type: none"> • (for non-electronic edition of work or electronic edition divided into pages) not more than 5 pages of work in an edition of work, or not more than 5% of total number of pages if edition has more than 500 pages¹⁶⁰⁶ • (for electronic edition of work not divided into pages) not more than 5% of total number of bytes, 5% of total number of words or 5% of contents of edition¹⁶⁰⁷ no reproduction/communication under this exception of any other part of same work within 14 days of previous reproduction/communication ¹⁶⁰⁸
Collective Licence/remuneration	
Attribution	

Provision	Part III, Division 6, s 52
Nature of educational reproduction	multiple reproductions (including an electronic form) ¹⁶⁰⁹ of the whole or part of
Type(s) of source work(s)	<ul style="list-style-type: none"> • an article in a periodical publication¹⁶¹⁰ • a work (other than an article contained in a periodical publication)¹⁶¹¹ including artistic works included for purposes of explaining or illustrating the article or other work ¹⁶¹²
Entity exercising reproduction	by, or on behalf of, a body administering an

¹⁶⁰⁴ S 51(2).

¹⁶⁰⁵ S 51(6)(b).

¹⁶⁰⁶ S 51(3).

¹⁶⁰⁷ S 51(4).

¹⁶⁰⁸ S 51(5), (5A).

¹⁶⁰⁹ S 52(14), (15).

¹⁶¹⁰ S 52(1).

¹⁶¹¹ S 52(2).

¹⁶¹² S 53.

	educational institution
Purpose of educational reproduction	for the educational purposes of the institution or of another educational institution for the educational purposes of an educational institution for distribution to persons undertaking a correspondence course, or an external study course (otherwise than as a part of the lecture notes prepared in connection with that course) ¹⁶¹³
Qualification(s)	prescribed record of copying made, by or on behalf of educational institution, as soon as practicable ¹⁶¹⁴
Frequency/Multiple copies and Limits	- provision does not apply to copies of, or parts of, 2 or more articles contained in same periodical publication unless they relate to same subject-matter ¹⁶¹⁵ - provision does not apply to copies of, or parts of, more than a reasonable portion of a work that has been separately published unless person making the reproductions or causes them to be made, is satisfied, after reasonable investigations, that copies (not secondhand copies) are not available within a reasonable time at an ordinary commercial price ¹⁶¹⁶
Collective Licence/remuneration	body administering educational institution shall make equitable remuneration to copyright owner, upon request, for making of copies; remuneration as agreed upon between owner and body or as determined by Copyright Tribunal ¹⁶¹⁷
Attribution	

Provision	ss 52A, 115B
Nature of educational reproduction	anything done
Type(s) of source work(s)	a work, "audio-visual item" ¹⁶¹⁸
Entity exercising reproduction	
Purpose of educational reproduction	purposes of an examination, whether by way of setting the questions, communicating the questions to the candidates or answering the questions
Qualification(s)	
Frequency/Multiple copies and Limits	
Collective Licence/remuneration	
Attribution	

¹⁶¹³ S 52(9), (10).

¹⁶¹⁴ S 52(6), (7), (7C), (7D), (11A), (11B). Records of copying or communication to be kept in writing and in accordance with prescribed form. S 52(8).

¹⁶¹⁵ S 52(4), (7A).

¹⁶¹⁶ S 52(5), (7B).

¹⁶¹⁷ S 52(11), (11C).

¹⁶¹⁸ S 102 (defining "audiovisual item" as a sound recording, cinematographic work, sound and television broadcast or a cable programme).

5. Educational Publications/Anthologies/Compilations/Composite Works

Provision	s 40
Scope of anthologies/compilations limitation/exception	inclusion of a short extract from
Type(s) of source work(s)	a published work/published edition, ¹⁶¹⁹ or adaptation in a collection of literary, dramatic, musical or artistic works contained in a book, sound recording or cinematograph film
Entity exercising anthologies/compilations limitation/exception	
Purpose of anthologies/compilations limitation/exception	for use by educational institutions
Condition of anthologies/compilations limitation/exception	collection is described as being intended for use by places of education in an appropriate place/label in book, record, film work or adaptation was not published for the purpose of being used by educational institutions
Preclusions (not part of anthologies/compilations limitation/exception)	2 or more extracts from works/adaptations by same author ¹⁶²⁰ are contained in collection or similar collection by same publisher within 5 year period ¹⁶²¹
Subject to Attribution	sufficient acknowledgment: title of work (or other description), name of author (unless work is anonymous, pseudonymous or author has previously agreed or directed that an acknowledgment is not to be made) ¹⁶²²
Subject to Remuneration	

6. School Performances

Provision	s 23
Scope of school performance	performance, or causing sounds/visual images to be heard and seen ¹⁶²³ , of
Type(s) of source work(s)	a musical work ¹⁶²⁴ , a literary or dramatic work ¹⁶²⁵ , a cinematograph film, a broadcast, a cable programme, a recording of performance
Entity exercising school performance	performed by students or staff ¹⁶²⁶ of an educational institution
Purpose of school performance	in the course of activities of an educational

¹⁶¹⁹ S 116 (permitting reproductions of the whole or part of editions of works where dealing does not infringe copyright by virtue of ss 35, 36, 37, 38 or 40).

¹⁶²⁰ S 83 (explaining that author includes works of joint authorship, so that works by any one or more of the authors of the extract concerned will count towards the preclusion).

¹⁶²¹ S 40(2).

¹⁶²² S 10(1) (defining "sufficient acknowledgment").

¹⁶²³ S 23(4).

¹⁶²⁴ S 23(1).

¹⁶²⁵ S 23(2).

¹⁶²⁶ S 23(5) (extending the definition of "staff" to include any adjunct staff and person engaged by the educational institution to conduct any course of instruction, activity or programme of or offered by the educational institution).

	institution
Condition of school performance	performed in premises of institution or elsewhere in presence of an audience (for literary or dramatic work) audience is limited to persons who are taking part in the instruction or are otherwise “directly connected” ¹⁶²⁷ with the place where the instruction is given
Preclusions (not part of school performance)	
Subject to Attribution	
Subject to Remuneration	

7. Educational Broadcasts/Communications/Recordings

Provision	Part III, Division 6, s 52
Scope of broadcast/communication/recording	communication (including an electronic form) ¹⁶²⁸ of the whole or part of
Type(s) of source work(s)	<ul style="list-style-type: none"> an article in a periodical publication¹⁶²⁹ a work (other than an article contained in a periodical publication)¹⁶³⁰ including artistic works included for purposes of explaining or illustrating the article or other work ¹⁶³¹
Entity exercising broadcast/communication/recording	by, or on behalf of, a body administering an educational institution
Purpose of broadcast/communication/recording	for the educational purposes of the institution or of another educational institution for the educational purposes of an educational institution for distribution to persons undertaking a correspondence course, or an external study course (otherwise than as a part of the lecture notes prepared in connection with that course) ¹⁶³²
Condition of broadcast/communication/recording	prescribed record of communication made, by or on behalf of educational institution, as soon as practicable ¹⁶³³
Preclusions (not part of broadcast/communication/recording)	<ul style="list-style-type: none"> provision does not apply to communication of, or parts of, 2 or more articles contained in same periodical publication unless they relate to same subject-matter¹⁶³⁴ provision does not apply to communication of, or parts of, more than a reasonable portion of a work that has been separately

¹⁶²⁷ S 23(3) (“a person shall be deemed to be directly connected with a place where instruction is given if he is a parent, guardian, brother or sister of a student who receives instruction at that place”).

¹⁶²⁸ S 52(14), (15).

¹⁶²⁹ S 52(1).

¹⁶³⁰ S 52(2).

¹⁶³¹ S 53.

¹⁶³² S 52(9), (10).

¹⁶³³ S 52(6), (7), (7C), (7D), (11A), (11B). Records of copying or communication to be kept in writing and in accordance with prescribed form. S 52(8).

¹⁶³⁴ S 52(4), (7A).

	published unless person making the communication or causes them to be made, is satisfied, after reasonable investigations, that copies (not secondhand copies) are not available within a reasonable time at an ordinary commercial price ¹⁶³⁵
Subject to Attribution	
Subject to Remuneration	body administering educational institution shall make equitable remuneration to copyright owner, upon request, for making of copies; remuneration as agreed upon between owner and body or as determined by Copyright Tribunal ¹⁶³⁶
Provision	s 115
Scope of broadcast/communication/recording	making of a record or cinematograph film (not an infringement of copyright in work, sound recording or cinematograph film included in broadcast/programme, or in broadcast/programme), of
Type(s) of source work(s)	a sound broadcast, TV broadcast or cable programme
Entity exercising broadcast/communication/recording	made by, or on behalf of, person or authority in charge of educational institution
Purpose of broadcast/communication/recording	record/film used in the course of instruction at educational institution
Condition of broadcast/communication/recording	
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	
Subject to Remuneration	

Provision	s 115A
Scope of broadcast/communication/recording	making of a cinematograph film, or a sound-track associated with the visual images forming part of a cinematograph film,
Type(s) of source work(s)	a sound recording, cinematograph film, television broadcast, sound broadcast or cable programme
Entity exercising broadcast/communication/recording	a person giving or receiving such instruction
Purpose of broadcast/communication/recording	course of instruction, or preparation for instruction, in the making of a cinematograph film or sound-track associated with the visual images forming part of a cinematograph film
Condition of broadcast/communication/recording	

¹⁶³⁵ S 52(5), (7B).

¹⁶³⁶ S 52(11), (11C).

Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	
Subject to Remuneration	

8. Compulsory Licences for Educational Reproductions and Translations9. TPM/RMI Exceptions for Educational Purposes

Provision	s 261D(1)(e)
Scope of TPM/RMI limitation/exception	exception for circumventing technological access control measure
Type(s) of source work(s)	
Beneficiary exercising limitation/exception	person is engaged in a legitimate course of study, or employee is trained or experienced, in the field of encryption technology, or is doing so on behalf of someone so engaged, employed, trained, or experienced ¹⁶³⁷
Purpose of limitation/exception	research on any encryption technology ¹⁶³⁸
Condition of limitation/exception	circumvention relates to lawfully obtained copy of work/subject-matter/performance circumvention is done in good faith and necessary to conduct such research person has made reasonable effort to obtain such permission from copyright owner/performer

Provision	s 261D(1)(a)
Scope of TPM/RMI limitation/exception	exception for circumventing access control technological protection measure
Type(s) of source work(s)	
Beneficiary exercising limitation/exception	educational institution
Purpose of limitation/exception	sole purpose of making an acquisition decision in relation to the work, subject-matter or recording ¹⁶³⁹
Condition of limitation/exception	work/subject-matter will not be otherwise available to the educational institution for making its acquisition decision if the circumvention is not done ¹⁶⁴⁰

¹⁶³⁷ S 261D(1)(e).¹⁶³⁸ S 261D(1)(e).¹⁶³⁹ S 261D(1)(a).¹⁶⁴⁰ S 261D(1)(a).

Slovakia

1. Legislation Reviewed

Act No. 618/2003 on Copyright and Related Rights (as amended up to Act No. 283/2014 Coll.)

2. Private/Personal Use

Provision	Art. 24(1)
Scope of private/personal use	directly or indirectly make a copy of
Type(s) of source work(s)	a released work
Entity exercising private/personal use	a natural person
Purpose of private/personal use	for his personal use and for non-commercial purposes
Condition of private/personal use	a copy
Preclusions (not part of private/personal use)	works of architecture, whole or essential part of literary work or cartographic work, musical notation written on paper, an electronic database, computer program ¹⁶⁴¹
Subject to Attribution	
Subject to Remuneration	levy (remuneration) ¹⁶⁴² payable on blank recording media, technical device designated for making of reproductions of phonograms or audiovisual recordings, reprographic equipment, personal computer and paid reproduction services ¹⁶⁴³ , payable by importer, manufacturer, service provider, etc. to account of CMOs ¹⁶⁴⁴ to be distributed among authors, ¹⁶⁴⁵ (performers and producers of phonograms, audiovisual recording producers and broadcasters) ¹⁶⁴⁶

Provision	Art. 24(2)
Scope of private/personal use	a copy, by transferring the work to paper or another similar basis by means of a technical device for making printed reproductions or other technical equipment, of
Type(s) of source work(s)	a copy of a work
Entity exercising private/personal use	a natural person or legal entity
Purpose of private/personal use	such a copy may be publicly distributed by sale or other form of transfer of title
Condition of private/personal use	a copy
Preclusions (not part of private/personal use)	works of architecture, whole or essential part of literary work or cartographic work, musical notation written on paper, an electronic database, computer program ¹⁶⁴⁷
Subject to Attribution	

¹⁶⁴¹ Art. 24(3). Art 35 (excepting use of the computer program, backup/archival purposes and study or verification of functionality).

¹⁶⁴² Art. 24(6) (providing that basis of remuneration, amount and payment procedure).

¹⁶⁴³ Art. 24(6)(a)-(e).

¹⁶⁴⁴ Art. 24(8).

¹⁶⁴⁵ Art. 24(4).

¹⁶⁴⁶ Art. 69(1).

¹⁶⁴⁷ Art. 24(3). Art 35 (excepting use of the computer program, backup/archival purposes and study or verification of functionality).

Subject to Remuneration	levy (remuneration) ¹⁶⁴⁸ payable on blank recording media, technical device designated for making of reproductions of phonograms or audiovisual recordings, reprographic equipment, personal computer and paid reproduction services ¹⁶⁴⁹ , payable by importer, manufacturer, service provider, etc. ¹⁶⁵⁰ to account of CMOs ¹⁶⁵¹ to be distributed among authors ¹⁶⁵²
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3. Quotations

Provision	Art. 25
Scope of quotation	use, in another work, in the form of quotation
Type(s) of source work(s)	a short part of a released work, (a performance, phonogram, audiovisual recording, broadcast) ¹⁶⁵³
Entity exercising quotation	
Purpose of quotation	exclusively for the purpose of the review or critique of the released work
Condition of quotation	use must be in accordance with customs scope does not exceed extent justified by the purpose
Preclusions (not part of quotation)	
Subject to Attribution	title of work, source, name of author/performer (if not anonymous)
Subject to Remuneration	

4. Educational Reproduction

Provision	Art. 25
Nature of educational reproduction	use
Type(s) of source work(s)	a short part of a released work, (a performance, phonogram, audiovisual recording, broadcast) ¹⁶⁵⁴
Entity exercising reproduction	
Purpose of educational reproduction	teaching, scientific and research purposes or artistic purposes
Qualification(s)	use must be in accordance with customs scope does not exceed extent justified by the purpose
Frequency/Multiple copies and Limits	
Collective Licence/remuneration	

¹⁶⁴⁸ Art. 24(6) (providing that basis of remuneration, amount and payment procedure).

¹⁶⁴⁹ Art. 24(6)(a)-(e).

¹⁶⁵⁰ Art. 107(1).

¹⁶⁵¹ Art. 24(8).

¹⁶⁵² Art. 24(5).

¹⁶⁵³ Art. 69(1).

¹⁶⁵⁴ Art. 69(1).

Attribution	title of work, source, name of author/performer (if not anonymous)
Provision	Art. 28(2)
Nature of educational reproduction	a copy, by reprographic equipment, of
Type(s) of source work(s)	a short part of a released work, a short released work or a work of fine art
Entity exercising reproduction	
Purpose of educational reproduction	teaching purposes at "school" ¹⁶⁵⁵
Qualification(s)	purpose is not to acquire direct or indirect property benefit
Frequency/Multiple copies and Limits	use does not exceed the scope justified by teaching purposes at school
Collective Licence/remuneration	
Attribution	title of work, source, name of author/performer (if not anonymous) ¹⁶⁵⁶

5. Educational Publications/Anthologies/Compilations/Composite Works

Provision	Art. 28(1)
Scope of anthologies/compilations limitation/exception	creation of a copy, for its public distribution by other forms of assignment of title such as its sale, of
Type(s) of source work(s)	a short part of a released work, (a performance, phonogram, audiovisual recording, broadcast) ¹⁶⁵⁷
Entity exercising anthologies/compilations limitation/exception	
Purpose of anthologies/compilations limitation/exception	teaching purposes at "school" ¹⁶⁵⁸
Condition of anthologies/compilations limitation/exception	use does not exceed the scope justified by teaching purposes at school purpose is not to acquire direct or indirect property benefit
Preclusions (not part of anthologies/compilations limitation/exception)	
Subject to Attribution	title of work, source, name of author/performer (if not anonymous) ¹⁶⁵⁹
Subject to Remuneration	

Provision	Art. 28(2)
Scope of anthologies/compilations limitation/exception	a copy, for its public distribution by other forms of assignment of title such as its sale, of
Type(s) of source work(s)	a short part of a released work, a short released work or a work of fine art

¹⁶⁵⁵ Art. 5(12) (defining "school" as kindergarten, elementary school, secondary school, university/institution of higher education or interest or educational establishment).

¹⁶⁵⁶ Art. 28(3) referring to Art. 25 para. 3, which deals with attribution.

¹⁶⁵⁷ Art. 69(1).

¹⁶⁵⁸ Art. 5(12) (defining "school" as kindergarten, elementary school, secondary school, university/institution of higher education or interest or educational establishment).

¹⁶⁵⁹ Art. 28(3) referring to Art. 25 para. 3, which deals with attribution.

Entity exercising anthologies/compilations limitation/exception	
Purpose of anthologies/compilations limitation/exception	teaching purposes at "school" ¹⁶⁶⁰
Condition of anthologies/compilations limitation/exception	purpose is not to acquire direct or indirect property benefit
Preclusions (not part of anthologies/compilations limitation/exception)	use does not exceed the scope justified by teaching purposes at school
Subject to Attribution	title of work, source, name of author/performer (if not anonymous) ¹⁶⁶¹
Subject to Remuneration	

6. School Performances

Provision	Art. 30(1)(b)
Scope of school performance	use, at school exhibitions,
Type(s) of source work(s)	a work, (a performance, phonogram, audiovisual recording, broadcast) ¹⁶⁶²
Entity exercising school performance	
Purpose of school performance	children, pupils, students or "school" ¹⁶⁶³ teachers are performing
Condition of school performance	exhibitions are free of charge
Preclusions (not part of school performance)	
Subject to Attribution	title of work, source, name of author/performer (if not anonymous) ¹⁶⁶⁴
Subject to Remuneration	

Provision	Art. 30(1)(c)
Scope of school performance	use
Type(s) of source work(s)	school works, (performances, phonograms, audiovisual recordings, broadcasts) ¹⁶⁶⁵
Entity exercising school performance	
Purpose of school performance	performance of tasks pertaining to the subject of activities of the "school" ¹⁶⁶⁶
Condition of school performance	performance is free of charge
Preclusions (not part of school performance)	
Subject to Attribution	title of work, source, name of author/performer (if not anonymous) ¹⁶⁶⁷
Subject to Remuneration	

¹⁶⁶⁰ Art. 5(12) (defining "school" as kindergarten, elementary school, secondary school, university/institution of higher education or interest or educational establishment).

¹⁶⁶¹ Art. 28(3) referring to Art. 25 para. 3, which deals with attribution.

¹⁶⁶² Art. 69(1).

¹⁶⁶³ Art. 5(12) (defining "school" as kindergarten, elementary school, secondary school, university/institution of higher education or interest or educational establishment).

¹⁶⁶⁴ Art. 30(2) referring to Art. 25 para. 3, which deals with attribution.

¹⁶⁶⁵ Art. 69(1).

¹⁶⁶⁶ Art. 5(12) (defining "school" as kindergarten, elementary school, secondary school, university/institution of higher education or interest or educational establishment).

¹⁶⁶⁷ Art. 30(2) referring to Art. 25 para. 3, which deals with attribution.

7. Educational Broadcasts/Communications/Recordings

Provision	Art. 25
Scope of broadcast/communication/recording	use
Type(s) of source work(s)	a short part of a released work, (a performance, phonogram, audiovisual recording, broadcast) ¹⁶⁶⁸
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	teaching, scientific and research purposes or artistic purposes
Condition of broadcast/communication/recording	use must be in accordance with customs scope does not exceed extent justified by the purpose
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	title of work, source, name of author/performer (if not anonymous)
Subject to Remuneration	
Provision	Art. 28(1)
Scope of broadcast/communication/recording	creation of a copy, for the communication to the public of
Type(s) of source work(s)	a short part of a released work, (a performance, phonogram, audiovisual recording, broadcast) ¹⁶⁶⁹
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	teaching purposes at "school" ¹⁶⁷⁰
Condition of broadcast/communication/recording	use does not exceed the scope justified by teaching purposes at school purpose is not to acquire direct or indirect property benefit
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	title of work, source, name of author/performer (if not anonymous) ¹⁶⁷¹
Subject to Remuneration	

8. Compulsory Licences for Educational Reproductions and Translations9. TPM/RMI Exceptions for Educational Purposes¹⁶⁶⁸ Art. 69(1).¹⁶⁶⁹ Art. 69(1).¹⁶⁷⁰ Art. 5(12) (defining "school" as kindergarten, elementary school, secondary school, university/institution of higher education or interest or educational establishment).¹⁶⁷¹ Art. 28(3) referring to Art. 25 para. 3, which deals with attribution.

Slovenia

1. Legislation Reviewed

Copyright and Related Rights Act of 30 March 1995 as last amended on December 15, 2006

2. Private/Personal Use

Provision	Art. 50(2)
Scope of private/personal use	reproduction
Type(s) of source work(s)	a disclosed work, (a performance, phonogram, film, broadcast, published edition) ¹⁶⁷²
Entity exercising private/personal use	a natural person
Purpose of private/personal use	
Condition of private/personal use	no more than 3 copies * on paper or similar medium by photographic or similar technique, or * on any other medium if for private use, if copies are not available to the public and not done for direct or indirect economic advantage “extent of such exploitation of copyright works is limited by the intended purpose, is compatible with fair practice, does not conflict with normal use of the work, and does not unreasonably prejudice the legitimate interests of the author” ¹⁶⁷³
Preclusions (not part of private/personal use)	works of architecture, whole book (unless out of print for at least 2 years), ¹⁶⁷⁴ musical notation (unless by handwritten transcription), ¹⁶⁷⁵ electronic database, computer program
Subject to Attribution	
Subject to Remuneration	levy (equitable remuneration) for making a sound or visual fixation, and for photocopying of work ¹⁶⁷⁶ payable on blank audio or video fixation media, appliances for sound or visual fixation or for photocopying and photocopies made for sale, ¹⁶⁷⁷ payable by manufacturer, importer, paid photocopy service providers, ¹⁶⁷⁸ to account of CMOs, to be distributed among approved authors, ¹⁶⁷⁹ performers, ¹⁶⁸⁰ producers of phonograms, ¹⁶⁸¹ film producers ¹⁶⁸² and publishers ¹⁶⁸³

¹⁶⁷² Art. 4(2).

¹⁶⁷³ Art. 46.

¹⁶⁷⁴ Art. 46(5).

¹⁶⁷⁵ Art. 46(5).

¹⁶⁷⁶ Art. 37.

¹⁶⁷⁷ Art. 37.

¹⁶⁷⁸ Art. 38.

¹⁶⁷⁹ Art. 37.

¹⁶⁸⁰ Art. 123.

¹⁶⁸¹ Art. 131.

¹⁶⁸² Art. 135.

¹⁶⁸³ Art. 139.

3. Quotations

Provision	Art. 51
Scope of quotation	quotations, of parts of
Type(s) of source work(s)	a disclosed work and of single disclosed photographs, works of fine arts, architecture, applied art, industrial design and cartography, (a performance, phonogram, film, broadcast, published edition) ¹⁶⁸⁴
Entity exercising quotation	
Purpose of quotation	illustration, argumentation or referral
Condition of quotation	“extent of such exploitation of copyright works is limited by the intended purpose, is compatible with fair practice, does not conflict with normal use of the work, and does not unreasonably prejudice the legitimate interests of the author” ¹⁶⁸⁵
Preclusions (not part of quotation)	
Subject to Attribution	source, name of author (if indicated)
Subject to Remuneration	

4. Educational Reproduction

Provision	Art. 50(3)
Nature of educational reproduction	reproduction
Type(s) of source work(s)	a disclosed work, (a performance, phonogram, film, broadcast, published edition) ¹⁶⁸⁶ from their own copies
Entity exercising reproduction	publicly accessible archives and libraries, museums and educational or scientific establishments
Purpose of educational reproduction	for internal use
Qualification(s)	not done for direct or indirect economic advantage “extent of such exploitation of copyright works is limited by the intended purpose, is compatible with fair practice, does not conflict with normal use of the work, and does not unreasonably prejudice the legitimate interests of the author” ¹⁶⁸⁷
Frequency/Multiple copies and Limits	no more than 3 copies
Collective Licence/remuneration	levy (equitable remuneration) for making a sound or visual fixation, and for photocopying of work ¹⁶⁸⁸ payable on blank audio or video fixation media, appliances for sound or visual

¹⁶⁸⁴ Art. 4(2).¹⁶⁸⁵ Art. 46.¹⁶⁸⁶ Art. 4(2).¹⁶⁸⁷ Art. 46.¹⁶⁸⁸ Art. 37.

	fixation or for photocopying and photocopies made for sale, ¹⁶⁸⁹ payable by manufacturer, importer, paid photocopy service providers, ¹⁶⁹⁰ to account of CMOs, to be distributed among approved authors, ¹⁶⁹¹ performers, ¹⁶⁹² producers of phonograms, ¹⁶⁹³ film producers ¹⁶⁹⁴ and publishers ¹⁶⁹⁵
Attribution	

5. Educational Publications/Anthologies/Compilations/Composite Works

Provision	Art. 47(1).1
Scope of anthologies/compilations limitation/exception	reproduce, in readers and textbooks
Type(s) of source work(s)	parts of works, as well as single works of photography, fine arts, architecture, applied art, industrial design and cartography, as already disclosed works of a number of authors, (a performance, phonogram, film, broadcast, published edition) ¹⁶⁹⁶
Entity exercising anthologies/compilations limitation/exception	
Purpose of anthologies/compilations limitation/exception	intended for teaching
Condition of anthologies/compilations limitation/exception	“extent of such exploitation of copyright works is limited by the intended purpose, is compatible with fair practice, does not conflict with normal use of the work, and does not unreasonably prejudice the legitimate interests of the author” ¹⁶⁹⁷
Preclusions (not part of anthologies/compilations limitation/exception)	
Subject to Attribution	source, name of author (if indicated) ¹⁶⁹⁸
Subject to Remuneration	on payment of equitable remuneration ¹⁶⁹⁹

Provision	Art. 47(1).2
Scope of anthologies/compilations limitation/exception	reproduce, in periodical publications
Type(s) of source work(s)	articles on current topics of general interest published in other periodicals
Entity exercising anthologies/compilations limitation/exception	

¹⁶⁸⁹ Art. 37.

¹⁶⁹⁰ Art. 38.

¹⁶⁹¹ Art. 37.

¹⁶⁹² Art. 123.

¹⁶⁹³ Art. 131.

¹⁶⁹⁴ Art. 135.

¹⁶⁹⁵ Art. 139.

¹⁶⁹⁶ Art. 4(2).

¹⁶⁹⁷ Art. 46.

¹⁶⁹⁸ Art. 47(3).

¹⁶⁹⁹ Art. 47(1).

Purpose of anthologies/compilations limitation/exception	
Condition of anthologies/compilations limitation/exception	author did not expressly prohibit [such reproductions] “extent of such exploitation of copyright works is limited by the intended purpose, is compatible with fair practice, does not conflict with normal use of the work, and does not unreasonably prejudice the legitimate interests of the author” ¹⁷⁰⁰
Preclusions (not part of anthologies/compilations limitation/exception)	
Subject to Attribution	source, name of author (if indicated) ¹⁷⁰¹
Subject to Remuneration	on payment of equitable remuneration ¹⁷⁰²

6. School Performances

Provision	Art. 49(1).1
Scope of school performance	publicly perform
Type(s) of source work(s)	a disclosed work, (a performance, phonogram, film, broadcast, published edition) ¹⁷⁰³
Entity exercising school performance	
Purpose of school performance	direct teaching
Condition of school performance	“extent of such exploitation of copyright works is limited by the intended purpose, is compatible with fair practice, does not conflict with normal use of the work, and does not unreasonably prejudice the legitimate interests of the author” ¹⁷⁰⁴
Preclusions (not part of school performance)	
Subject to Attribution	source, name of author (if indicated) ¹⁷⁰⁵
Subject to Remuneration	

Provision	Art. 49(1).2
Scope of school performance	publicly perform, at school events
Type(s) of source work(s)	a disclosed work, (a performance, phonogram, film, broadcast, published edition) ¹⁷⁰⁶
Entity exercising school performance	
Purpose of school performance	
Condition of school performance	free admission performers receive no payment for their performance

¹⁷⁰⁰ Art. 46.

¹⁷⁰¹ Art. 47(3).

¹⁷⁰² Art. 47(1).

¹⁷⁰³ Art. 4(2).

¹⁷⁰⁴ Art. 46.

¹⁷⁰⁵ Art. 49(2).

¹⁷⁰⁶ Art. 4(2).

	“extent of such exploitation of copyright works is limited by the intended purpose, is compatible with fair practice, does not conflict with normal use of the work, and does not unreasonably prejudice the legitimate interests of the author” ¹⁷⁰⁷
Preclusions (not part of school performance)	
Subject to Attribution	source, name of author (if indicated) ¹⁷⁰⁸
Subject to Remuneration	

7. Educational Broadcasts/Communications/Recordings

Provision	Art. 50(3)
Scope of broadcast/communication/recording	reproduction
Type(s) of source work(s)	a disclosed work, (a performance, phonogram, film, broadcast, published edition) ¹⁷⁰⁹ from their own copies
Entity exercising broadcast/communication/recording	publicly accessible archives and libraries, museums and educational or scientific establishments
Purpose of broadcast/communication/recording	for internal use
Condition of broadcast/communication/recording	not done for direct or indirect economic advantage “extent of such exploitation of copyright works is limited by the intended purpose, is compatible with fair practice, does not conflict with normal use of the work, and does not unreasonably prejudice the legitimate interests of the author” ¹⁷¹⁰
Preclusions (not part of broadcast/communication/recording)	no more than 3 copies
Subject to Attribution	
Subject to Remuneration	levy (equitable remuneration) for making a sound or visual fixation, and for photocopying of work ¹⁷¹¹ payable on blank audio or video fixation media, appliances for sound or visual fixation or for photocopying and photocopies made for sale, ¹⁷¹² payable by manufacturer, importer, paid photocopy service providers, ¹⁷¹³ to account of CMOs, to be distributed among approved authors, ¹⁷¹⁴ performers, ¹⁷¹⁵

¹⁷⁰⁷ Art. 46.

¹⁷⁰⁸ Art. 49(2).

¹⁷⁰⁹ Art. 4(2).

¹⁷¹⁰ Art. 46.

¹⁷¹¹ Art. 37.

¹⁷¹² Art. 37.

¹⁷¹³ Art. 38.

¹⁷¹⁴ Art. 37.

¹⁷¹⁵ Art. 123.

	producers of phonograms, ¹⁷¹⁶ film producers ¹⁷¹⁷ and publishers ¹⁷¹⁸
Provision	Art. 47(2)
Scope of broadcast/communication/recording	communication of readers and textbooks, which reproduce
Type(s) of source work(s)	parts of works, as well as single works of photography, fine arts, architecture, applied art, industrial design and cartography, as already disclosed works of a number of authors, (performances, phonograms, films, broadcasts, published editions) ¹⁷¹⁹
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	intended for teaching
Condition of broadcast/communication/recording	“extent of such exploitation of copyright works is limited by the intended purpose, is compatible with fair practice, does not conflict with normal use of the work, and does not unreasonably prejudice the legitimate interests of the author” ¹⁷²⁰
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	source, name of author (if indicated) ¹⁷²¹
Subject to Remuneration	on payment of equitable remuneration ¹⁷²²

Provision	Art. 49(1).3
Scope of broadcast/communication/recording	rebroadcast
Type(s) of source work(s)	a radio or television school broadcast
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	
Condition of broadcast/communication/recording	“extent of such exploitation of copyright works is limited by the intended purpose, is compatible with fair practice, does not conflict with normal use of the work, and does not unreasonably prejudice the legitimate interests of the author” ¹⁷²³
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	source, name of author (if indicated) ¹⁷²⁴
Subject to Remuneration	

¹⁷¹⁶ Art. 131.¹⁷¹⁷ Art. 135.¹⁷¹⁸ Art. 139.¹⁷¹⁹ Art. 4(2).¹⁷²⁰ Art. 46.¹⁷²¹ Art. 47(3).¹⁷²² Art. 47(1).¹⁷²³ Art. 46.¹⁷²⁴ Art. 47(3).

8. Compulsory Licences for Educational Reproductions and Translations9. TPM/RMI Exceptions for Educational Purposes

Provision	Art. 166c
Scope of TPM/RMI limitation/exception	request to require rightholder, who used technological measures in respect of his work, to take appropriate means (except for agreements implemented by rightholder for this purpose) ¹⁷²⁵
Type(s) of source work(s)	work/subject-matter (but not applicable to works/subject-matter available to the public on agreed contractual terms in such a way that members of the public may access them from a place and at a time individually chosen by them ¹⁷²⁶)
Beneficiary exercising limitation/exception	“beneficiaries”: users who have legal access to work/subject-matter for, <i>inter alia</i> , teaching (Art. 49), private and other internal reproduction (Art. 50)
Purpose of limitation/exception	means to enable “beneficiaries” to enforce the copyright and related rights limitations
Condition of limitation/exception	

¹⁷²⁵ Art. 166c(4).1.

¹⁷²⁶ Arts. 166c(4).2, 32a, taken from EU Copyright Directive 2001/29, Art. 6(4).

***Somalia**

1. Legislation Reviewed

South Africa

1. Legislation Reviewed

Copyright Act, 1978 (Act No. 98 of 1978, as amended up to Copyright Amendment Act 2002)

2. Private/Personal Use

Provision	s 12(1)(a)
Scope of private/personal use	fair dealing
Type(s) of source work(s)	a literary or musical work, (and its adaptation), ¹⁷²⁷ (in its original language or in a different language) ¹⁷²⁸ , an artistic work, ¹⁷²⁹ a broadcast, ¹⁷³⁰ a published edition ¹⁷³¹
Entity exercising private/personal use	
Purpose of private/personal use	research or private study by, or the personal or private use of, the person using the work
Condition of private/personal use	
Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	

3. Quotations

Provision	s 12(1)(b)
Scope of quotation	criticism or review
Type(s) of source work(s)	a literary or musical work, (and its adaptation), ¹⁷³² (in its original language or in a different language) ¹⁷³³ , an artistic work, ¹⁷³⁴ a cinematograph film, ¹⁷³⁵ a sound recording, ¹⁷³⁶ a broadcast, ¹⁷³⁷ a published edition ¹⁷³⁸
Entity exercising quotation	
Purpose of quotation	of that work or of another work
Condition of quotation	
Preclusions (not part of quotation)	
Subject to Attribution	source, name of author (if indicated)
Subject to Remuneration	

Provision	s 12(3)
Scope of quotation	quotation
Type(s) of source work(s)	a literary or musical work, (and its adaptation), ¹⁷³⁹ (in its original language or in a

¹⁷²⁷ S 12(9) (applying to s 12(1) to (7)).

¹⁷²⁸ S 12(11) (applying to s 12(1) to (4), (6), (7) and (10)).

¹⁷²⁹ S 15(4) (applying s 12(1), (2), (4), (5), (9), (10), (12) and (13), mutatis mutandis, to artistic works).

¹⁷³⁰ S 18 (applying s 12(1) to (5), (12), (13), mutatis mutandis, to broadcasts).

¹⁷³¹ S 19A (sections 12 (1), (2), (4), (5), (8), (12) and (13), mutatis mutandis, to published editions).

¹⁷³² S 12(9) (applying to s 12(1) to (7)).

¹⁷³³ S 12(11) (applying to s 12(1) to (4), (6), (7) and (10)).

¹⁷³⁴ S 15(4) (applying s 12(1), (2), (4), (5), (9), (10), (12) and (13), mutatis mutandis, to artistic works).

¹⁷³⁵ S 16(1) (applying s 12(1)(b) and (c), (2), (3), (4), (12), (13), mutatis mutandis, to cinematograph films).

¹⁷³⁶ S 17 (applying s 12(1)(b) and (c), (2), (3), (4), (5), (12) and (13), mutatis mutandis, to sound recordings).

¹⁷³⁷ S 18 (applying s 12(1) to (5), (12), (13), mutatis mutandis, to broadcasts).

¹⁷³⁸ S 19A (sections 12 (1), (2), (4), (5), (8), (12) and (13), mutatis mutandis, to published editions).

¹⁷³⁹ S 12(9) (applying to s 12(1) to (7)).

	different language) ¹⁷⁴⁰ which is lawfully available to the public, articles in newspapers or periodicals that are in the form of summaries of any such work, a cinematograph film, ¹⁷⁴¹ a sound recording, ¹⁷⁴² a broadcast ¹⁷⁴³
Entity exercising quotation	
Purpose of quotation	
Condition of quotation	quotation is compatible with fair practice quotation does not exceed extent justified by the purpose
Preclusions (not part of quotation)	
Subject to Attribution	source, name of author (if indicated)
Subject to Remuneration	

4. Educational Reproduction5. Educational Publications/Anthologies/Compilations/Composite Works

Provision	s 12(4)
Scope of anthologies/compilations limitation/exception	use, by way of illustration in any publication, broadcast or sound or visual record
Type(s) of source work(s)	a literary or musical work, (and its adaptation), ¹⁷⁴⁴ (in its original language or in a different language) ¹⁷⁴⁵ , an artistic work, ¹⁷⁴⁶ a cinematograph film, ¹⁷⁴⁷ a sound recording, ¹⁷⁴⁸ a broadcast, ¹⁷⁴⁹ a published edition ¹⁷⁵⁰
Entity exercising anthologies/compilations limitation/exception	
Purpose of anthologies/compilations limitation/exception	for teaching
Condition of anthologies/compilations limitation/exception	
Preclusions (not part of anthologies/compilations limitation/exception)	use to extent justified by the purpose use is compatible with fair practice
Subject to Attribution	source, name of author (if indicated)
Subject to Remuneration	

¹⁷⁴⁰ S 12(11) (applying to s 12(1) to (4), (6), (7) and (10)).

¹⁷⁴¹ S 16(1) (applying s 12(1)(b) and (c), (2), (3), (4), (12), (13), mutatis mutandis, to cinematograph films).

¹⁷⁴² S 17 (applying s 12(1)(b) and (c), (2), (3), (4), (5), (12) and (13), mutatis mutandis, to sound recordings).

¹⁷⁴³ S 18 (applying s 12(1) to (5), (12), (13), mutatis mutandis, to broadcasts).

¹⁷⁴⁴ S 12(9) (applying to s 12(1) to (7)).

¹⁷⁴⁵ S 12(11) (applying to s 12(1) to (4), (6), (7) and (10)).

¹⁷⁴⁶ S 15(4) (applying s 12(1), (2), (4), (5), (9), (10), (12) and (13), mutatis mutandis, to artistic works).

¹⁷⁴⁷ S 16(1) (applying s 12(1)(b) and (c), (2), (3), (4), (12), (13), mutatis mutandis, to cinematograph films).

¹⁷⁴⁸ S 17 (applying s 12(1)(b) and (c), (2), (3), (4), (5), (12) and (13), mutatis mutandis, to sound recordings).

¹⁷⁴⁹ S 18 (applying s 12(1) to (5), (12), (13), mutatis mutandis, to broadcasts).

¹⁷⁵⁰ S 19A (sections 12 (1), (2), (4), (5), (8), (12) and (13), mutatis mutandis, to published editions).

6. School Performances7. Educational Broadcasts/Communications/Recordings

Provision	s 12(4)
Scope of broadcast/communication/recording	use, by way of illustration in any publication, broadcast or sound or visual record
Type(s) of source work(s)	a literary or musical work, (and its adaptation), ¹⁷⁵¹ (in its original language or in a different language) ¹⁷⁵² , an artistic work, ¹⁷⁵³ a cinematograph film, ¹⁷⁵⁴ a sound recording, ¹⁷⁵⁵ a broadcast, ¹⁷⁵⁶ a published edition ¹⁷⁵⁷
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	for teaching
Condition of broadcast/communication/recording	
Preclusions (not part of broadcast/communication/recording)	use to extent justified by the purpose use is compatible with fair practice
Subject to Attribution	source, name of author (if indicated)
Subject to Remuneration	

8. Compulsory Licences for Educational Reproductions and Translations9. TPM/RMI Exceptions for Educational Purposes¹⁷⁵¹ S 12(9) (applying to s 12(1) to (7)).¹⁷⁵² S 12(11) (applying to s 12(1) to (4), (6), (7) and (10)).¹⁷⁵³ S 15(4) (applying s 12(1), (2), (4), (5), (9), (10), (12) and (13), mutatis mutandis, to artistic works).¹⁷⁵⁴ S 16(1) (applying s 12(1)(b) and (c), (2), (3), (4), (12), (13), mutatis mutandis, to cinematograph films).¹⁷⁵⁵ S 17 (applying s 12(1)(b) and (c), (2), (3), (4), (5), (12) and (13), mutatis mutandis, to sound recordings).¹⁷⁵⁶ S 18 (applying s 12(1) to (5), (12), (13), mutatis mutandis, to broadcasts).¹⁷⁵⁷ S 19A (sections 12 (1), (2), (4), (5), (8), (12) and (13), mutatis mutandis, to published editions).

***Spain**

1. Legislation Reviewed

Consolidated text of the Law on Intellectual Property, regularizing, clarifying and harmonizing the Applicable Statutory Provisions (approved by Royal Legislative Decree No. 1/1996 of April 12, 1996, and last amended by Royal Decree-Law No. 20/2011 of December 30, 2011)

Sri Lanka

1. Legislation Reviewed

Intellectual Property Act, No. 36 of 2003

2. Private/Personal Use

Provision	s 12(1)
Scope of private/personal use	private reproduction of
Type(s) of source work(s)	a lawful copy of a published work, (a performance, sound recording, broadcast) ¹⁷⁵⁸
Entity exercising private/personal use	a physical person
Purpose of private/personal use	exclusively for his own personal purposes
Condition of private/personal use	in a single copy
Preclusions (not part of private/personal use)	works of architecture, reprographic reproduction of whole or substantial part of book or musical notation, whole or substantial part of a database, computer program ¹⁷⁵⁹ , any work where “reproduction would conflict with a normal exploitation of the work or would otherwise unreasonably prejudice the legitimate interests of the owner of the copyright” ¹⁷⁶⁰
Subject to Attribution	
Subject to Remuneration	

3. Quotations

Provision	s 11(1)
Scope of quotation	fair use, including such use by reproduction in copies or by any other means specified by s 9,
Type(s) of source work(s)	a work, (a performance, sound recording, broadcast) ¹⁷⁶¹
Entity exercising quotation	
Purpose of quotation	criticism, comment
Condition of quotation	to determine if use is fair use, consider following factors: (a) the purpose and character of the use, including whether such use is of a commercial nature or for non-profit educational purposes; (b) the nature of the copyright work; (c) the amount and substantially of the portion used in relation to the copyrighted work as a whole; (d) the effect of the use upon the potential market for or value of the work. acts of fair use shall include the circumstances specified in s 12

¹⁷⁵⁸ S 21(a) (enabling the use by a physical person of related rights subject matter exclusively for his own personal purposes).

¹⁷⁵⁹ S 12(7) (excepting use of the computer program and for backup/archival purposes).

¹⁷⁶⁰ S 12(2)(e).

¹⁷⁶¹ S 21(d) (applying copyright limitations and exceptions to related rights).

Preclusions (not part of quotation)	
Subject to Attribution	
Subject to Remuneration	
Provision	s 12(3)
Scope of quotation	reproduction of
Type(s) of source work(s)	a short part of a published work, (a performance, sound recording, broadcast) ¹⁷⁶²
Entity exercising quotation	
Purpose of quotation	in the form of quotation
Condition of quotation	reproduction is compatible with fair practice reproduction does not exceed extent justified by the purpose
Preclusions (not part of quotation)	
Subject to Attribution	source, name of author (if indicated on source)
Subject to Remuneration	

4. Educational Reproduction

Provision	s 11(1)
Nature of educational reproduction	fair use, including such use by reproduction in copies or by any other means specified by s 9,
Type(s) of source work(s)	a work, (a performance, sound recording, broadcast) ¹⁷⁶³
Entity exercising reproduction	
Purpose of educational reproduction	teaching (including multiple copies for classroom use), scholarship or research
Qualification(s)	to determine if use is fair use, consider following factors: (a) the purpose and character of the use, including whether such use is of a commercial nature or for non-profit educational purposes; (b) the nature of the copyright work; (c) the amount and substantially of the portion used in relation to the copyrighted work as a whole; (d) the effect of the use upon the potential market for or value of the work. acts of fair use shall include the circumstances specified in s 12
Frequency/Multiple copies and Limits	
Collective Licence/remuneration	
Attribution	

Provision	s 12(4)(b)
Nature of educational reproduction	reprographic reproduction
Type(s) of source work(s)	published articles, other short works or short

¹⁷⁶² S 21(d) (applying copyright limitations and exceptions to related rights).

¹⁷⁶³ S 21(d) (applying copyright limitations and exceptions to related rights). This however may be subject to an interpretation as to whether s 21(c) excludes the extension of this copyright limitation and exception to the broader class of "teaching" and "research" as opposed to "face-to-face teaching" and "scientific research".

	extracts of works, (performances, sound recordings, broadcasts) ¹⁷⁶⁴
Entity exercising reproduction	
Purpose of educational reproduction	face to face teaching in any educational institution
Qualification(s)	activities of which do not serve direct or indirect commercial gain
Frequency/Multiple copies and Limits	reproduction does not exceed the extent justified by the purpose reproduction is an isolated act; if repeated, each occurrence should be separate and unrelated
Collective Licence/remuneration	
Attribution	source, name of author (if indicated on source, on all copies if practicable)

5. Educational Publications/Anthologies/Compilations/Composite Works

Provision	s 12(4)(a)
Scope of anthologies/compilations limitation/exception	reproduction, by way of illustration, in writing or sound or visual recordings,
Type(s) of source work(s)	a short part of a published work, (a performance, sound recording, broadcast) ¹⁷⁶⁵
Entity exercising anthologies/compilations limitation/exception	
Purpose of anthologies/compilations limitation/exception	teaching purposes
Condition of anthologies/compilations limitation/exception	reproduction is compatible with fair practice
Preclusions (not part of anthologies/compilations limitation/exception)	reproduction does not exceed the extent justified by the purpose
Subject to Attribution	source, name of author (if indicated on source, on all copies if practicable)
Subject to Remuneration	

6. School Performances

Provision	s 12(10)(a)
Scope of school performance	performance or display
Type(s) of source work(s)	a work, (a performance, sound recording, broadcast) ¹⁷⁶⁶
Entity exercising school performance	government or non profit educational institutions, in classrooms or similar places set aside for education
Purpose of school performance	educational or teaching purposes
Condition of school performance	audiovisual work: performance or display of individual images, is given by means of a lawfully made copy, or the person responsible

¹⁷⁶⁴ S 21(d) (applying copyright limitations and exceptions to related rights).

¹⁷⁶⁵ S 21(d) (applying copyright limitations and exceptions to related rights).

¹⁷⁶⁶ S 21(d) (applying copyright limitations and exceptions to related rights).

	for the performance did not know or had no reason to believe that the copy was not lawfully made
Preclusions (not part of school performance)	
Subject to Attribution	
Subject to Remuneration	

7. Educational Broadcasts/Communications/Recordings

Provision	s 11(1)
Scope of broadcast/communication/recording	fair use, including such use by reproduction in copies or by any other means specified by s 9,
Type(s) of source work(s)	a work, (a performance, sound recording, broadcast) ¹⁷⁶⁷
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	teaching (including multiple copies for classroom use), scholarship or research
Condition of broadcast/communication/recording	to determine if use is fair use, consider following factors: (a) the purpose and character of the use, including whether such use is of a commercial nature or for non-profit educational purposes; (b) the nature of the copyright work; (c) the amount and substantially of the portion used in relation to the copyrighted work as a whole; (d) the effect of the use upon the potential market for or value of the work. acts of fair use shall include the circumstances specified in s 12
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	
Subject to Remuneration	

Provision	s 12(4)(a)
Scope of broadcast/communication/recording	reproduction, by way of illustration, in writing or sound or visual recordings,
Type(s) of source work(s)	a short part of a published work, (a performance, sound recording, broadcast) ¹⁷⁶⁸
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	teaching purposes
Condition of	reproduction is compatible with fair practice

¹⁷⁶⁷ S 21(d) (applying copyright limitations and exceptions to related rights). This however may be subject to an interpretation as to whether s 21(c) excludes the extension of this copyright limitation and exception to the broader class of “teaching” and “research” as opposed to “face-to-face teaching” and “scientific research”.

¹⁷⁶⁸ S 21(d) (applying copyright limitations and exceptions to related rights).

broadcast/communication/recording	
Preclusions (not part of broadcast/communication/recording)	reproduction does not exceed the extent justified by the purpose
Subject to Attribution	source, name of author (if indicated on source, on all copies if practicable)
Subject to Remuneration	

Provision	s 21(c)
Scope of broadcast/communication/recording	use
Type(s) of source work(s)	performances, sound recordings, broadcasts
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	solely for face-to-face teaching activities or for scientific research
Condition of broadcast/communication/recording	
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	
Subject to Remuneration	

8. Compulsory Licences for Educational Reproductions and Translations
9. TPM/RMI Exceptions for Educational Purposes

Sudan

1. Legislation Reviewed

The Copyright and Neighboring Rights Protection Act 1996

2. Private/Personal Use

Provision	s 14(4)
Scope of private/personal use	reproduce, translate or adapt
Type(s) of source work(s)	a published work, (a performance, sound recording, audiovisual recording, broadcast) ¹⁷⁶⁹
Entity exercising private/personal use	
Purpose of private/personal use	personal and private use
Condition of private/personal use	
Preclusions (not part of private/personal use)	musical notation, database, computer program
Subject to Attribution	
Subject to Remuneration	

Provision	s 33(1)(a)
Scope of private/personal use	use
Type(s) of source work(s)	a performance, sound recording, audiovisual recording, broadcast ¹⁷⁷⁰
Entity exercising private/personal use	
Purpose of private/personal use	personal or private use
Condition of private/personal use	
Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	

3. Quotations

4. Educational Reproduction

Provision	s 14(6)
Nature of educational reproduction	reproduce
Type(s) of source work(s)	short works, articles or short part of a published work
Entity exercising reproduction	educational institutions
Purpose of educational reproduction	illustrating in the teaching process
Qualification(s)	non-commercial purpose of illustrating/teaching
Frequency/Multiple copies and Limits	
Collective Licence/remuneration	
Attribution	

Provision	s 14(7)
Nature of educational reproduction	reproduction
Type(s) of source work(s)	scientific articles, short scientific works or short

¹⁷⁶⁹ S 33(1)(d) (applying a restriction in respect of a copyright under s 14 to related rights viz. ss 26 (performance), 31 (sound recording, audiovisual recording), 32 (broadcasts)).

¹⁷⁷⁰ Ss 26 (performance), 31 (sound recording, audiovisual recording), 32 (broadcasts).

	parts thereof
Entity exercising reproduction	private commercial research institutions
Purpose of educational reproduction	internal purposes to satisfy the requirements of persons studying or carrying out research work
Qualification(s)	
Frequency/Multiple copies and Limits	
Collective Licence/remuneration	
Attribution	

5. Educational Publications/Anthologies/Compilations/Composite Works

Provision	s 14(3)
Scope of anthologies/compilations limitation/exception	make/reproduce, in connection with publication of school textbooks or books prepared for educational purposes or books of history, literature or art, from
Type(s) of source work(s)	* short quotations from works already published * any published drawing, photograph, design, inscription or map * (a performance, sound recording, audiovisual recording, broadcast) ¹⁷⁷¹
Entity exercising anthologies/compilations limitation/exception	
Purpose of anthologies/compilations limitation/exception	
Condition of anthologies/compilations limitation/exception	drawing, photograph, design, inscription or map: reproduction is restricted to what is necessary for the purpose of illustrating the written text
Preclusions (not part of anthologies/compilations limitation/exception)	
Subject to Attribution	title of work, name of author ¹⁷⁷²
Subject to Remuneration	

6. School Performances

7. Educational Broadcasts/Communications/Recordings

Provision	s 14(6)
Scope of broadcast/communication/recording	incorporation in school broadcasts or sound recordings,
Type(s) of source work(s)	short works, articles or short part of a published work, (performances, sound

¹⁷⁷¹ S 33(1)(d) (applying a restriction in respect of a copyright under s 14 to related rights viz. ss 26 (performance), 31 (sound recording, audiovisual recording), 32 (broadcasts)).

¹⁷⁷² S 14(3)(c).

	recordings, audiovisual recordings, broadcasts) ¹⁷⁷³
Entity exercising broadcast/communication/recording	educational institutions
Purpose of broadcast/communication/recording	illustrating in the teaching process
Condition of broadcast/communication/recording	non-commercial purpose of illustrating/teaching
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	
Subject to Remuneration	

Provision	s 33(1)(c)
Scope of broadcast/communication/recording	use
Type(s) of source work(s)	a performance, sound recording, audiovisual recording, broadcast ¹⁷⁷⁴
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	solely for teaching or scientific research
Condition of broadcast/communication/recording	
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	
Subject to Remuneration	

8. Compulsory Licences for Educational Reproductions and Translations

9. TPM/RMI Exceptions for Educational Purposes

¹⁷⁷³ S 33(1)(d) (applying a restriction in respect of a copyright under s 14 to related rights viz. ss 26 (performance), 31 (sound recording, audiovisual recording), 32 (broadcasts)).

¹⁷⁷⁴ Ss 26 (performance), 31 (sound recording, audiovisual recording), 32 (broadcasts).

***Suriname**

1. Legislation Reviewed

Law of 22 March 1913 laying down new rules on Copyright (G.B. 1913 No. 15), as it stands after the amendments thereto in G.B. 1915 No. 78, G.B. 1946 No. 2, G.B. 1946 No. 77, G.B. 1959 No. 76, S.B. 1980 No. 116, S.B. 23, 1981.

Swaziland

1. Legislation Reviewed

Copyright Act, 1912 (based on the U.K. Copyright Act, 1911 (1 & 2 Geo. 5, Ch. 46))

2. Private/Personal Use

Provision	s 4(1)(a)
Scope of private/personal use	fair dealing
Type(s) of source work(s)	any work
Entity exercising private/personal use	
Purpose of private/personal use	private study, research
Condition of private/personal use	
Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	

3. Quotations

Provision	s 4(1)(a)
Scope of quotation	fair dealing
Type(s) of source work(s)	any work
Entity exercising quotation	
Purpose of quotation	criticism, review
Condition of quotation	
Preclusions (not part of quotation)	
Subject to Attribution	
Subject to Remuneration	

4. Educational Reproduction

5. Educational Publications/Anthologies/Compilations/Composite Works

Provision	s 4(1)(d)
Scope of anthologies/compilations limitation/exception	publication in a collection,
Type(s) of source work(s)	short passages from published literary works not themselves published for the use of schools in which copyright subsists
Entity exercising anthologies/compilations limitation/exception	
Purpose of anthologies/compilations limitation/exception	bona fide intended for the use of schools
Condition of anthologies/compilations limitation/exception	collection is so described in its title and in any publisher's advertisement collection is mainly composed of non-copyright matter
Preclusions (not part of anthologies/compilations limitation/exception)	more than 2 of such passages from works by same author are contained in collections by same publisher within 5 year period
Subject to Attribution	source
Subject to Remuneration	

6. School Performances
7. Educational Broadcasts/Communications/Recordings
8. Compulsory Licences for Educational Reproductions and Translations
9. TPM/RMI Exceptions for Educational Purposes

Sweden

1. Legislation Reviewed

Act on Copyright in Literary and Artistic Works (1960:729), as amended up to April 1, 2011

2. Private/Personal Use

Provision	Art. 12
Scope of private/personal use	make copies of
Type(s) of source work(s)	a work that has been made public, (a performance, ¹⁷⁷⁵ sound and image recording, ¹⁷⁷⁶ broadcast, ¹⁷⁷⁷ catalogue, ¹⁷⁷⁸ photograph ¹⁷⁷⁹)
Entity exercising private/personal use	anybody
Purpose of private/personal use	for private purposes
Condition of private/personal use	one or a few copies copies must not be used for purposes other than private use literary works in written form: making of copies concern only limited parts of works, or such works of limited scope no right to engage, for private purposes, another person to make copies of musical works, cinematograph works, utilitarian articles or sculptures, another person's work of fine art by means of artistic reproduction
Preclusions (not part of private/personal use)	works of architecture, digital compilations, computer programs, source work has been prepared or made available to the public in violation of copyright rights in Art. 2
Subject to Attribution	
Subject to Remuneration	levy as remuneration ¹⁷⁸⁰ payable on digital/analogue recording media ¹⁷⁸¹ (on which sounds or moving images may be recorded and which are especially suitable for the making of copies of works for private purposes), ¹⁷⁸² payable by importer, manufacturer, ¹⁷⁸³ to account of CMOs ¹⁷⁸⁴ to be distributed among approved authors, ¹⁷⁸⁵

¹⁷⁷⁵ Art. 45.

¹⁷⁷⁶ Art. 46.

¹⁷⁷⁷ Art. 48.

¹⁷⁷⁸ Art. 49.

¹⁷⁷⁹ Art. 49a.

¹⁷⁸⁰ Art. 26 k. The remuneration amounts are set out in Art. 26 l.

¹⁷⁸¹ Art. 26 l.

¹⁷⁸² Art. 26 k.

¹⁷⁸³ Art. 26 k.

¹⁷⁸⁴ Art. 26 m.

¹⁷⁸⁵ Art. 26 k.

	performers, ¹⁷⁸⁶ producers of sound and image recordings, ¹⁷⁸⁷ photographers ¹⁷⁸⁸
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3. Quotations

Provision	Art. 22
Scope of quotation	quote
Type(s) of source work(s)	works which have been made available to the public, (a performance, ¹⁷⁸⁹ sound and image recording, ¹⁷⁹⁰ broadcast, ¹⁷⁹¹ catalogue ¹⁷⁹²)
Entity exercising quotation	anyone
Purpose of quotation	
Condition of quotation	quotation in accordance with proper usage quotation to the extent necessary for the purpose
Preclusions (not part of quotation)	
Subject to Attribution	
Subject to Remuneration	

4. Educational Reproduction

Provision	Art. 42 c
Nature of educational reproduction	copies
Type(s) of source work(s)	works which have been made public, (a performance, ¹⁷⁹³ sound and image recording, ¹⁷⁹⁴ catalogue, ¹⁷⁹⁵ photograph ¹⁷⁹⁶)
Entity exercising reproduction	an entity who carries out educational activities in organised forms ¹⁷⁹⁷
Purpose of educational reproduction	for educational purposes
Qualification(s)	copies may be used only in such educational activities that are covered by extended collective licence author has not filed a prohibition against the reproduction with any of the contracting parties (to the extended collective licence)
Frequency/Multiple copies and Limits	
Collective Licence/remuneration	through extended collective license, ¹⁷⁹⁸ remuneration payable to account of CMOs to

¹⁷⁸⁶ Art. 45.

¹⁷⁸⁷ Art. 46.

¹⁷⁸⁸ Art. 49 a.

¹⁷⁸⁹ Art. 45.

¹⁷⁹⁰ Art. 46.

¹⁷⁹¹ Art. 48.

¹⁷⁹² Art. 49.

¹⁷⁹³ Art. 45.

¹⁷⁹⁴ Art. 46.

¹⁷⁹⁵ Art. 49.

¹⁷⁹⁶ Art. 49a.

¹⁷⁹⁷ Art. 42 a.

	be distributed among authors (including authors not represented by the CMO) ¹⁷⁹⁹
Attribution	

5. Educational Publications/Anthologies/Compilations/Composite Works

Provision	Art. 18
Scope of anthologies/compilations limitation/exception	preparing a composite work, consisting of
Type(s) of source work(s)	minor portions of literary or musical works by a comparatively large number of authors and such works of a limited scope, including works of fine art in connection with the text, (a catalogue, ¹⁸⁰⁰ photograph ¹⁸⁰¹)
Entity exercising anthologies/compilations limitation/exception	
Purpose of anthologies/compilations limitation/exception	for use in educational activities
Condition of anthologies/compilations limitation/exception	lapse of five years from first publication of works no right to prepare composite works for commercial purposes
Preclusions (not part of anthologies/compilations limitation/exception)	works that have been created for use in educational activities
Subject to Attribution	
Subject to Remuneration	authors have a right to remuneration

6. School Performances

Provision	Art. 21(2)
Scope of school performance	publicly perform
Type(s) of source work(s)	works, with the exception of cinematographic works and works made for the stage, that have been made public, (a performance, ¹⁸⁰² sound and image recording, ¹⁸⁰³ broadcast, ¹⁸⁰⁴ catalogue ¹⁸⁰⁵)
Entity exercising school performance	
Purpose of school performance	in the course of educational activities
Condition of school performance	
Preclusions (not part of school performance)	no right to publicly perform , for commercial purposes, compilations in the course of

¹⁷⁹⁸ Art. 42 a (providing that an agreement concluded regarding such exploitation of works with an organisation representing a substantial number of Swedish authors in the field concerned, confers on the user the right to exploit works of the kind referred to in the agreement despite the fact that authors of those works are not represented by the organisation).

¹⁷⁹⁹ Art. 42 a.

¹⁸⁰⁰ Art. 49.

¹⁸⁰¹ Art. 49a.

¹⁸⁰² Art. 45.

¹⁸⁰³ Art. 46.

¹⁸⁰⁴ Art. 48.

¹⁸⁰⁵ Art. 49.

	educational activities
Subject to Attribution	
Subject to Remuneration	

7. Educational Broadcasts/Communications/Recordings

Provision	Art. 14
Scope of broadcast/communication/recording	recordings
Type(s) of source work(s)	teachers' and pupils' own performances of works, (catalogues ¹⁸⁰⁶)
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	for educational purposes
Condition of broadcast/communication/recording	recordings may not be used for other purposes
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	if recordings are used publicly: source (as required by proper usage) ¹⁸⁰⁷
Subject to Remuneration	

Provision	Art. 42 c
Scope of broadcast/communication/recording	copies
Type(s) of source work(s)	works which have been made public, (a performance, ¹⁸⁰⁸ sound and image recording, ¹⁸⁰⁹ catalogue, ¹⁸¹⁰ photograph ¹⁸¹¹)
Entity exercising broadcast/communication/recording	an entity who carries out educational activities in organised forms ¹⁸¹²
Purpose of broadcast/communication/recording	for educational purposes
Condition of broadcast/communication/recording	copies may be used only in such educational activities that are covered by extended collective licence author has not filed a prohibition against the reproduction with any of the contracting parties (to the extended collective licence)
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	
Subject to Remuneration	through extended collective license, ¹⁸¹³ remuneration payable to account of CMOs to

¹⁸⁰⁶ Art. 49.

¹⁸⁰⁷ Art. 11 para. 2.

¹⁸⁰⁸ Art. 45.

¹⁸⁰⁹ Art. 46.

¹⁸¹⁰ Art. 49.

¹⁸¹¹ Art. 49a.

¹⁸¹² Art. 42 a.

¹⁸¹³ Art. 42 a (providing that an agreement concluded regarding such exploitation of works with an organisation representing a substantial number of Swedish authors in the field concerned, confers on the user the right to exploit

	be distributed among authors (including authors not represented by the CMO) ¹⁸¹⁴
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8. Compulsory Licences for Educational Reproductions and Translations9. TPM/RMI Exceptions for Educational Purposes

Provision	Art. 52 c
Scope of TPM/RMI limitation/exception	protection of technological measures do not apply
Type(s) of source work(s)	
Beneficiary exercising limitation/exception	
Purpose of limitation/exception	research into cryptography
Condition of limitation/exception	

Provision	Art. 52 d
Scope of TPM/RMI limitation/exception	no probation against circumvention of any digital or analogue lock or a technological process or measure that prevents or limits the making of copies or making available to the public of a work, for beneficiary
Type(s) of source work(s)	
Beneficiary exercising limitation/exception	“beneficiaries”: someone, who in a lawful way, has access to a copy of a work protected by copyright
Purpose of limitation/exception	in order to be able to watch or listen to the work
Condition of limitation/exception	

works of the kind referred to in the agreement despite the fact that authors of those works are not represented by the organisation).
¹⁸¹⁴ Art. 42 a.

Switzerland

1. Legislation Reviewed

Federal Act of October 9, 1992 on Copyright and Related Rights (status as of January 1, 2011)

2. Private/Personal Use

Provision	Art. 19.1.a
Scope of private/personal use	“private use” ¹⁸¹⁵
Type(s) of source work(s)	a published work, (a performance, phonogram, audiovisual fixation, broadcast) ¹⁸¹⁶
Entity exercising private/personal use	persons entitled to make copies may also have them made by “third parties” ¹⁸¹⁷
Purpose of private/personal use	“private use” as any personal use of a work or use within a circle of persons closely connected to each other, such as relatives or friends
Condition of private/personal use	
Preclusions (not part of private/personal use)	complete or substantial copying of a work obtainable commercially reproduction of works of art, musical notation, fixation of recitations, performances or presentations of a work on blank media, computer programs ¹⁸¹⁸
Subject to Attribution	
Subject to Remuneration	, ¹⁸¹⁹ unless reproduction made by third party, whereupon levy as remuneration is payable by “third party” ¹⁸²⁰ and on blank media suitable for the fixation of works by manufacturer, importer, ¹⁸²¹ to account of CMOs ¹⁸²² to be distributed among authors, ¹⁸²³ (performers, producers and broadcasters) ¹⁸²⁴

3. Quotations

Provision	Art. 25
Scope of quotation	quotations
Type(s) of source work(s)	published works, (performances, phonograms, audiovisual fixations, broadcasts) ¹⁸²⁵
Entity exercising quotation	
Purpose of quotation	if quotation serves as an explanation, a

¹⁸¹⁵ Art. 19.3bis (excluding from the “private use” exception, copies of works that are created “on demand” when accessing lawfully available works).

¹⁸¹⁶ Art. 38 (applying exceptions and limitations to copyright protection mutatis mutandis to related rights).

¹⁸¹⁷ Art. 19.2 (including libraries, other public institutions and businesses that make copying apparatus available to their users as third parties).

¹⁸¹⁸ Art. 19.4.

¹⁸¹⁹ Art. 20.1.

¹⁸²⁰ Art. 20.2.

¹⁸²¹ Art. 20.3.

¹⁸²² Art. 20.4.

¹⁸²³ Art. 20.2, 20.3.

¹⁸²⁴ Art. 38 (applying Art. 20 mutatis mutandis to the rights of performers, phonogram and audiovisual fixation producers and broadcasting organisations).

¹⁸²⁵ Art. 38 (applying exceptions and limitations to copyright protection mutatis mutandis to related rights).

	reference or an illustration
Condition of quotation	extent of quotation is justified by the purpose quotation designated as such
Preclusions (not part of quotation)	
Subject to Attribution	source, name of author (if indicated on source)
Subject to Remuneration	

4. Educational Reproduction

Provision	Art. 19.1.b
Nature of educational reproduction	“private use” ¹⁸²⁶
Type(s) of source work(s)	a published work, (a performance, phonogram, audiovisual fixation, broadcast) ¹⁸²⁷
Entity exercising reproduction	a teacher and his class, who may also have copies made by third parties ¹⁸²⁸
Purpose of educational reproduction	“private use” as any use for educational purposes
Qualification(s)	no reproduction works of art, musical notation, fixation of recitations, performances or presentations of a work on blank media, computer programs ¹⁸²⁹
Frequency/Multiple copies and Limits	no complete or substantial copying of a work obtainable commercially
Collective Licence/remuneration	levy as remuneration is payable by entity (teacher/his class) ¹⁸³⁰ and “third party” ¹⁸³¹ and on blank media suitable for the fixation of works by manufacturer, importer, ¹⁸³² to the account of CMOs, ¹⁸³³ to be distributed among authors, ¹⁸³⁴ (performers, producers and broadcasters) ¹⁸³⁵
Attribution	

5. Educational Publications/Anthologies/Compilations/Composite Works

6. School Performances

Provision	Art. 19.1.b
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¹⁸²⁶ Art. 19.3bis (excluding from the “private use” exception, copies of works that are created “on demand” when accessing lawfully available works).

¹⁸²⁷ Art. 38 (applying exceptions and limitations to copyright protection mutatis mutandis to related rights).

¹⁸²⁸ Art. 19.2 (including libraries, other public institutions and businesses that make copying apparatus available to their users as third parties).

¹⁸²⁹ Art. 19.4.

¹⁸³⁰ Art. 20.2.

¹⁸³¹ Art. 20.2.

¹⁸³² Art. 20.3.

¹⁸³³ Art. 20.4.

¹⁸³⁴ Art. 20.2, 20.3.

¹⁸³⁵ Art. 38 (applying Art. 20 mutatis mutandis to the rights of performers, phonogram and audiovisual fixation producers and broadcasting organisations).

Scope of school performance	“private use” ¹⁸³⁶
Type(s) of source work(s)	a published work, (a performance, phonogram, audiovisual fixation, broadcast) ¹⁸³⁷
Entity exercising school performance	a teacher and his class, who may also have copies made by third parties ¹⁸³⁸
Purpose of school performance	“private use” as any use for educational purposes
Condition of school performance	
Preclusions (not part of school performance)	[not relevant - preclusions in Art. 19.3 refer to copying or fixation]
Subject to Attribution	
Subject to Remuneration	[not relevant – remuneration provisions in Art. 20 refer to reproduction of works, not to performances]

7. Educational Broadcasts/Communications/Recordings
8. Compulsory Licences for Educational Reproductions and Translations
9. TPM/RMI Exceptions for Educational Purposes

¹⁸³⁶ Art. 19.3bis (excluding from the “private use” exception, copies of works that are created “on demand” when accessing lawfully available works).

¹⁸³⁷ Art. 38 (applying exceptions and limitations to copyright protection mutatis mutandis to related rights).

¹⁸³⁸ Art. 19.2 (including libraries, other public institutions and businesses that make copying apparatus available to their users as third parties).

Syrian Arab Republic

1. Legislation Reviewed

Law No. 12/2001 Copyright Law of Syria

2. Private/Personal Use

Provision	Art. 37 First a)
Scope of private/personal use	reproduction, translation
Type(s) of source work(s)	a legitimately published work, its excerpts, its (musical) compositions and its adaptation
Entity exercising private/personal use	
Purpose of private/personal use	personal use
Condition of private/personal use	in a single copy
Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	

3. Quotations

Provision	Art. 9
Scope of quotation	quotations or analysis
Type(s) of source work(s)	a published work
Entity exercising quotation	
Purpose of quotation	intended for criticism, discussion, education or information
Condition of quotation	
Preclusions (not part of quotation)	
Subject to Attribution	source, name of author (if indicated on source)
Subject to Remuneration	

Provision	Art. 37 First b)
Scope of quotation	quotation
Type(s) of source work(s)	a legitimately published work, its excerpts, including texts transcribed from press articles and periodicals in the form of press extracts
Entity exercising quotation	
Purpose of quotation	
Condition of quotation	quotation complies with prevailing customs quotation is justified
Preclusions (not part of quotation)	
Subject to Attribution	title of work, name of author/creator
Subject to Remuneration	

4. Educational Reproduction

5. Educational Publications/Anthologies/Compilations/Composite Works

Provision	Art. 37 First c)
Scope of anthologies/compilations limitation/exception	use, in the form of publications
Type(s) of source work(s)	a legitimately published work

Entity exercising anthologies/compilations limitation/exception	
Purpose of anthologies/compilations limitation/exception	for educational, pedagogical or vocational training purposes
Condition of anthologies/compilations limitation/exception	utilization complies with customary practice
Preclusions (not part of anthologies/compilations limitation/exception)	
Subject to Attribution	title of work, author
Subject to Remuneration	

6. School Performances7. Educational Broadcasts/Communications/Recordings

Provision	Art. 37 First c)
Scope of broadcast/communication/recording	use, in the form of broadcasts or televised programs, audiovisual recordings
Type(s) of source work(s)	a legitimately published work
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	for educational, pedagogical or vocational training purposes
Condition of broadcast/communication/recording	utilization complies with customary practice
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	title of work, author
Subject to Remuneration	

8. Compulsory Licences for Educational Reproductions and Translations9. TPM/RMI Exceptions for Educational Purposes

***Tajikistan**

1. Legislation Reviewed

Law of the Republic of Tajikistan on Copyright and Related Rights (as amended up to 2009)

***Thailand**

1. Legislation Reviewed

Copyright Act (No. 2) B.E. 2558 (2015)

Copyright Act (No. 3) B.E. 2558 (2015)

The former Yugoslav Republic of Macedonia

1. Legislation Reviewed

Law on Copyright and Related Rights

2. Private/Personal Use

Provision	Art. 46
Scope of private/personal use	reproduction
Type(s) of source work(s)	work, performance, phonogram, videogram/film
Entity exercising private/personal use	
Purpose of private/personal use	private purpose ¹⁸³⁹
Condition of private/personal use	
Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	fair compensation payable by providers of (photocopying services), producers/importers of (equipment for photocopying, sound and visual fixation, blank sound or sound/image carriers) at first sale/import/provision of photocopy services, to be collected by CMOs ¹⁸⁴⁰ on behalf of author, ¹⁸⁴¹ performer, ¹⁸⁴² phonogram producer, ¹⁸⁴³ film producer, ¹⁸⁴⁴ publisher ¹⁸⁴⁵

Provision	Art. 54
Scope of private/personal use	reproduction on any medium
Type(s) of source work(s)	work
Entity exercising private/personal use	
Purpose of private/personal use	private use
Condition of private/personal use	without direct or indirect commercial advantage
Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	use subject to fair compensation

3. Quotations

Provision	Art. 51(1).7
Scope of quotation	use
Type(s) of source work(s)	parts of disclosed copyrighted works ¹⁸⁴⁶
Entity exercising quotation	
Purpose of quotation	scientific research, education, criticism, polemics, or review
Condition of quotation	in a scope and to the extent required by the

¹⁸³⁹ Art. 39(3) (noting that author has right of compensation for reproduction for private use).

¹⁸⁴⁰ Art. 131 (providing for the collective management of rights of authors and owners of related rights).

¹⁸⁴¹ Arts. 46-48 (prescribing the entities obliged to make payment and amount of the compensation).

¹⁸⁴² Art. 105(3).

¹⁸⁴³ Art. 111(5).

¹⁸⁴⁴ Art. 114.

¹⁸⁴⁵ Art. 116. The distribution ratios between authors and owners of related rights are set out in Art. 145.

¹⁸⁴⁶ Art. 51(1).

	specific purpose
Preclusions (not part of quotation)	
Subject to Attribution	source, name of author (if indicated on source)
Subject to Remuneration	

4. Educational Reproduction

Provision	Art. 52(1).2
Nature of educational reproduction	reproduction
Type(s) of source work(s)	a disclosed copyrighted work ¹⁸⁴⁷
Entity exercising reproduction	by public libraries, educational establishments or museums, or by archives
Purpose of educational reproduction	carrying out their activity
Qualification(s)	activities without direct or indirect economic or commercial advantage use “can be carried out only in certain special cases, provided that the use does not conflict with the normal exploitation of the work, and does not unreasonably prejudice the legitimate interests of the author” ¹⁸⁴⁸
Frequency/Multiple copies and Limits	
Collective Licence/remuneration	reproduction on paper or any similar medium, <i>by way of photocopying or any other analogous technique or other process having similar effects</i> , with the exception of graphic editions of a musical work (sheet music), to be subject to fair compensation ¹⁸⁴⁹
Attribution	

Provision	Art. 52(1).4
Nature of educational reproduction	use of
Type(s) of source work(s)	a disclosed copyrighted work ¹⁸⁵⁰
Entity exercising reproduction	
Purpose of educational reproduction	for illustration for teaching or scientific research
Qualification(s)	to the extent justified by the non-commercial purpose to be achieved use “can be carried out only in certain special cases, provided that the use does not conflict with the normal exploitation of the work, and

¹⁸⁴⁷ Art. 51(1).

¹⁸⁴⁸ Art. 51(2).

¹⁸⁴⁹ Art. 54 (providing for fair compensation for reprographic reproduction or analogous techniques). Cf. Art. 52(1).2 provides for reproduction by educational establishments “without remuneration”. Interpreting these provisions consistently with the requirement that the limitations and exceptions “do not conflict with the normal exploitation of the work, and does not unreasonably prejudice the legitimate interests of the author”, reproduction by reprographic reproduction must be interpreted as the exception to the rule against reproduction by educational establishments “without remuneration”.

¹⁸⁵⁰ Art. 51(1).

	does not unreasonably prejudice the legitimate interests of the author ¹⁸⁵¹
Frequency/Multiple copies and Limits	
Collective Licence/remuneration	
Attribution	source, name of author (unless infeasible)

5. Educational Publications/Anthologies/Compilations/Composite Works

6. School Performances

7. Educational Broadcasts/Communications/Recordings

Provision	Art. 52(1).17
Scope of broadcast/communication/recording	public communication and making available
Type(s) of source work(s)	a disclosed copyrighted work ¹⁸⁵²
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	for the purpose of research or private study in certain locations within the public scientific, cultural, educational and other establishments of similar nature
Condition of broadcast/communication/recording	work is not subject to purchase, or its use is not subject to having an authorization work is contained in the collections/fonds of these establishments
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	
Subject to Remuneration	

8. Compulsory Licences for Educational Reproductions and Translations

9. TPM/RMI Exceptions for Educational Purposes

¹⁸⁵¹ Art. 51(2).

¹⁸⁵² Art. 51(1).

Togo

1. Legislation Reviewed

Law No. 91-12 of June 10, 1991 on the Protection of Copyright, Folklore and Related Rights

2. Private/Personal Use

Provision	Art. 20.1(a)
Scope of private/personal use	communication such as performance or broadcast
Type(s) of source work(s)	a work lawfully made accessible to the public, (a performance, phonogram, broadcast) ¹⁸⁵³
Entity exercising private/personal use	
Purpose of private/personal use	private, carried out exclusively within the family circle
Condition of private/personal use	give rise to no form of revenue
Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	
Provision	Art. 20.2
Scope of private/personal use	reproduction, translations and adaptations
Type(s) of source work(s)	a published work, (a performance, phonogram, broadcast) ¹⁸⁵⁴
Entity exercising private/personal use	
Purpose of private/personal use	designed for strictly personal and private use
Condition of private/personal use	
Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	

Provision	Art. 109(a)
Scope of private/personal use	use
Type(s) of source work(s)	a performance, phonogram, broadcast
Entity exercising private/personal use	
Purpose of private/personal use	private use
Condition of private/personal use	
Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	

3. Quotations

Provision	Art. 21
Scope of quotation	short quotations and analyses
Type(s) of source work(s)	a work already lawfully made available to the public, including quotations from articles from newspapers and periodicals in the form of press reviews (in original version or in

¹⁸⁵³ Art. 109(e) (applying exceptions relating to copyright works to related rights).

¹⁸⁵⁴ Art. 109(e) (applying exceptions relating to copyright works to related rights).

	translation)
Entity exercising quotation	
Purpose of quotation	
Condition of quotation	quotation is compatible with fair practice quotation is to the extent justified by the scientific, critical, polemical, teaching or information purpose
Preclusions (not part of quotation)	
Subject to Attribution	title, name of author
Subject to Remuneration	

Provision	Art. 109(d)
Scope of quotation	quotations
Type(s) of source work(s)	short fragments of a performance, phonogram, broadcast
Entity exercising quotation	
Purpose of quotation	
Condition of quotation	quotations are in accordance with proper practice quotations are justified by their information purpose
Preclusions (not part of quotation)	
Subject to Attribution	
Subject to Remuneration	

4. Educational Reproduction5. Educational Publications/Anthologies/Compilations/Composite Works6. School Performances7. Educational Broadcasts/Communications/Recordings

Provision	Art. 109(c)
Scope of broadcast/communication/recording	use
Type(s) of source work(s)	a performance, phonogram, broadcast
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	single usage for exclusively teaching or scientific research purposes
Condition of broadcast/communication/recording	
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	
Subject to Remuneration	phonograms: Minister for Culture shall issue licences for the production of copies of phonograms when such reproduction is carried out and distributed in Togo to the

	exclusion of any export of copies; fair remuneration set by Ministry for phonogram producer, taking particular account of number of copies made and distributed ¹⁸⁵⁵
Provision	Art. 20.1(b)
Scope of broadcast/communication/recording	communication such as performance or broadcast
Type(s) of source work(s)	a work lawfully made accessible to the public, (a performance, phonogram, broadcast) ¹⁸⁵⁶
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	strictly educational or teaching purposes
Condition of broadcast/communication/recording	communication is carried out free of charge
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	
Subject to Remuneration	

8. Compulsory Licences for Educational Reproductions and Translations

Provision	Art. 25
Nature of compulsory licence for translation for educational purposes	authorisation from competent authority, for translation into French and into the national languages and publication of such translation in Togo
Type(s) of source work(s)	
Licence applicant/entity	
Purpose of licence	
Qualification(s)	
Compulsory licence fee(s)	
Price of publication	
Distribution conditions	
Grantor of Collective Licence	competent authority

Provision	Art. 26
Nature of compulsory licence for translation for educational purposes	licence granted by competent authority, for reproduction and publication of a specific edition of work on Togolese territory
Type(s) of source work(s)	
Licence applicant/entity	
Purpose of licence	
Qualification(s)	
Compulsory licence fee(s)	beneficiary of compulsory licence to pay just compensation to owner of work, consistent with normally payable standards of royalties ¹⁸⁵⁷

¹⁸⁵⁵ Art. 110.

¹⁸⁵⁶ Art. 109(e) (applying exceptions relating to copyright works to related rights).

¹⁸⁵⁷ S 18(1)(f).

Price of publication	
Distribution conditions	
Grantor of Collective Licence	competent authority

9. TPM/RMI Exceptions for Educational Purposes

Tonga

1. Legislation Reviewed

Copyright Act (Act No. 12 of 2002)

2. Private/Personal Use

Provision	ss 8, 26(d)
Scope of private/personal use	private reproduction of
Type(s) of source work(s)	a published work, (a performance, phonogram, broadcast) ¹⁸⁵⁸
Entity exercising private/personal use	a person
Purpose of private/personal use	exclusively for his own personal purposes
Condition of private/personal use	work: in a single copy
Preclusions (not part of private/personal use)	works of architecture, reprographic reproduction of whole or substantial part of a book or musical notation, whole or substantial part of a digital database, computer program ¹⁸⁵⁹ , any work 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 copyright”
Subject to Attribution	
Subject to Remuneration	
Provision	s 26(b)
Scope of private/personal use	reproduction
Type(s) of source work(s)	a performance, phonogram, broadcast
Entity exercising private/personal use	
Purpose of private/personal use	solely for scientific research
Condition of private/personal use	
Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	

3. Quotations

Provision	s 10
Scope of quotation	reproduction of
Type(s) of source work(s)	a short part of a published work, (a performance, phonogram, broadcast) ¹⁸⁶⁰
Entity exercising quotation	
Purpose of quotation	in the form of quotation
Condition of quotation	reproduction is compatible with fair practice reproduction does not exceed extent justified by the purpose
Preclusions (not part of quotation)	
Subject to Attribution	source, name of author (if indicated on source)

¹⁸⁵⁸ S 26(d) (applying cases where a work can be used without authorization of the author or other owner of copyright to related rights).

¹⁸⁵⁹ S 14 (excepting use of the computer program and for backup/archival purposes).

¹⁸⁶⁰ S 26(d) (applying cases where a work can be used without authorization of the author or other owner of copyright to related rights).

Subject to Remuneration	
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4. Educational Reproduction

Provision	s 11(1)(b)
Nature of educational reproduction	reprographic reproduction
Type(s) of source work(s)	published articles, other short works or short extracts of works
Entity exercising reproduction	
Purpose of educational reproduction	face-to-face teaching in educational institutions
Qualification(s)	activities of which do not serve direct or indirect commercial gain
Frequency/Multiple copies and Limits	reproduction to the extent justified by the purpose reproduction is an isolated one; if repeated, each occurrence be separate and unrelated no collective licence available by CMO under which such reproduction can be made of which educational institution is or should be aware
Collective Licence/remuneration	
Attribution	source, name of author (all copies if practicable)

5. Educational Publications/Anthologies/Compilations/Composite Works

Provision	s 11(1)(a)
Scope of anthologies/compilations limitation/exception	reproduction, by way of illustration, in writings or sound or visual recordings
Type(s) of source work(s)	a short part of a published work, (a performance, phonogram, broadcast) ¹⁸⁶¹
Entity exercising anthologies/compilations limitation/exception	
Purpose of anthologies/compilations limitation/exception	teaching purposes
Condition of anthologies/compilations limitation/exception	reproduction is compatible with fair practice reproduction does not exceed the extent justified by the purpose
Preclusions (not part of anthologies/compilations limitation/exception)	
Subject to Attribution	source, name of author (all copies if practicable)
Subject to Remuneration	

¹⁸⁶¹ S 26(d) (applying cases where a work can be used without authorization of the author or other owner of copyright to related rights), though noting s 26(c) applies to reproduction solely for the purpose of face-to-face teaching activities, but s 11(1)(a) is broader as it applies to all “teaching purposes”.

6. School Performances7. Educational Broadcasts/Communications/Recordings

Provision	s 11(1)(a)
Scope of broadcast/communication/recording	reproduction, by way of illustration, in writings or sound or visual recordings
Type(s) of source work(s)	a short part of a published work, (a performance, phonogram, broadcast) ¹⁸⁶²
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	teaching purposes
Condition of broadcast/communication/recording	reproduction is compatible with fair practice reproduction does not exceed the extent justified by the purpose
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	source, name of author (all copies if practicable)
Subject to Remuneration	
Provision	s 26(c)
Scope of broadcast/communication/recording	reproduction
Type(s) of source work(s)	a performance, phonogram, broadcast
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	solely for the purposes of face-to-face teaching activities
Condition of broadcast/communication/recording	except for performances and phonograms which have been published as teaching or instructional materials
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	
Subject to Remuneration	

8. Compulsory Licences for Educational Reproductions and Translations9. TPM/RMI Exceptions for Educational Purposes

¹⁸⁶² S 26(d) (applying cases where a work can be used without authorization of the author or other owner of copyright to related rights), though noting s 26(c) applies to reproduction solely for the purpose of face-to-face teaching activities, but s 11(1)(a) is broader as it applies to all “teaching purposes”.

Trinidad and Tobago

1. Legislation Reviewed

Copyright Act, Cap. 82:80 (Act 8 of 1997, Amended by Act 18 of 2000 and Act 5 of 2008)

2. Private/Personal Use

Provision	ss 9, 25(1)(a)
Scope of private/personal use	private reproduction of
Type(s) of source work(s)	a published work, (a performance, sound recording, broadcast) ¹⁸⁶³
Entity exercising private/personal use	a natural person
Purpose of private/personal use	exclusively for his own personal purposes
Condition of private/personal use	work: in a single copy
Preclusions (not part of private/personal use)	works of architecture, reprographic reproduction of whole or substantial part of a book or musical notation, whole or substantial part of a database, computer program ¹⁸⁶⁴ , any work, (performance, sound recording, broadcast) where “reproduction would conflict with a normal exploitation of the work, (performance, sound recording, broadcast) or would otherwise unreasonably prejudice the legitimate interests of the owner of copyright” ¹⁸⁶⁵
Subject to Attribution	
Subject to Remuneration	

3. Quotations

Provision	s 10
Scope of quotation	reproduction of
Type(s) of source work(s)	a short part of a published work, (a performance, sound recording, broadcast) ¹⁸⁶⁶
Entity exercising quotation	
Purpose of quotation	in the form of quotation
Condition of quotation	reproduction is compatible with fair practice reproduction does not exceed extent justified by the purpose
Preclusions (not part of quotation)	
Subject to Attribution	source, name of author (if indicated on source)
Subject to Remuneration	

4. Educational Reproduction

Provision	s 11(1)(b)
Nature of educational reproduction	reprographic reproduction

¹⁸⁶³ S 25(1)(a) (applying cases where a work can be used without authorization of the author or other owner of copyright to related rights).

¹⁸⁶⁴ S 14 (excepting use of the computer program and for backup/archival purposes).

¹⁸⁶⁵ Ss 9, 25(2).

¹⁸⁶⁶ S 25(1)(d) (applying cases where a work can be used without authorization of the author or other owner of copyright to related rights).

Type(s) of source work(s)	published articles, other short works or short extracts of works
Entity exercising reproduction	
Purpose of educational reproduction	face-to-face teaching in educational institutions
Qualification(s)	activities of which do not serve direct or indirect commercial gain
Frequency/Multiple copies and Limits	reproduction to the extent justified by the purpose reproduction is an isolated one; if repeated, each occurrence be separate and unrelated no collective licence available by CMO under which such reproduction can be made of which educational institution is or should be aware
Collective Licence/remuneration	
Attribution	source, name of author (all copies if practicable)

5. Educational Publications/Anthologies/Compilations/Composite Works

Provision	s 11(1)(a)
Scope of anthologies/compilations limitation/exception	reproduction, by way of illustration, in writings or sound or visual recordings
Type(s) of source work(s)	a short part of a published work, (a performance, phonogram, broadcast) ¹⁸⁶⁷
Entity exercising anthologies/compilations limitation/exception	
Purpose of anthologies/compilations limitation/exception	teaching purposes
Condition of anthologies/compilations limitation/exception	reproduction is compatible with fair practice reproduction does not exceed the extent justified by the purpose
Preclusions (not part of anthologies/compilations limitation/exception)	
Subject to Attribution	source, name of author (all copies if practicable)
Subject to Remuneration	

6. School Performances

7. Educational Broadcasts/Communications/Recordings

Provision	s 11(1)(a)
Scope of broadcast/communication/recording	reproduction, by way of illustration, in writings or sound or visual recordings
Type(s) of source work(s)	a short part of a published work, (a

¹⁸⁶⁷ S 25(1)(d) (applying cases where a work can be used without authorization of the author or other owner of copyright to related rights), though noting s 25(1)(c) applies to reproduction solely for the purpose of face-to-face teaching activities, but s 11(1)(a) is broader as it applies to all “teaching purposes”.

	performance, phonogram, broadcast) ¹⁸⁶⁸
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	teaching purposes
Condition of broadcast/communication/recording	reproduction is compatible with fair practice reproduction does not exceed the extent justified by the purpose
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	source, name of author (all copies if practicable)
Subject to Remuneration	
Provision	s 25(c)
Scope of broadcast/communication/recording	use
Type(s) of source work(s)	a performance, sound recording, broadcast
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	solely for the purposes of face-to-face teaching activities or for scientific research
Condition of broadcast/communication/recording	
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	
Subject to Remuneration	

8. Compulsory Licences for Educational Reproductions and Translations9. TPM/RMI Exceptions for Educational Purposes

¹⁸⁶⁸ S 25(1)(d) (applying cases where a work can be used without authorization of the author or other owner of copyright to related rights), though noting s 25(1)(c) applies to reproduction solely for the purpose of face-to-face teaching activities, but s 11(1)(a) is broader as it applies to all “teaching purposes”.

Tunisia

1. Legislation Reviewed

Law No. 94-36 of February 24, 1994, on Literary and Artistic Property

2. Private/Personal Use

Provision	Art. 10(a)
Scope of private/personal use	making available to the public
Type(s) of source work(s)	a work that is lawfully made available to the public
Entity exercising private/personal use	
Purpose of private/personal use	private purposes
Condition of private/personal use	free of charge organizers of theatrical performances, whether free of charge or against payment, shall be required to inform beforehand either the author, his successors in title or the Copyright Protection Agency
Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	

Provision	Art. 10(b)
Scope of private/personal use	reproductions, translations and adaptations
Type(s) of source work(s)	a work that is lawfully made available to the public
Entity exercising private/personal use	strictly personal and private use
Purpose of private/personal use	
Condition of private/personal use	
Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	

3. Quotations

Provision	Art. 11
Scope of quotation	quotations and borrowings
Type(s) of source work(s)	a work already lawfully made available to the public, including articles in the form of press summaries (in original version or in translation)
Entity exercising quotation	
Purpose of quotation	
Condition of quotation	quotations and borrowings are compatible with fair practice quotations and borrowings are justified by a scientific, educational or informational purpose
Preclusions (not part of quotation)	
Subject to Attribution	source, name of author (if indicated on source)
Subject to Remuneration	

4. Educational Reproduction

Provision	Art. 13
Nature of educational reproduction	reproduction
Type(s) of source work(s)	literary, scientific or artistic works
Entity exercising reproduction	public libraries, the non-commercial documentation centers, the scientific institutes and teaching establishments, the youth centers and culture centers
Purpose of educational reproduction	
Qualification(s)	
Frequency/Multiple copies and Limits	in the necessary quantity and limited to the needs of their activities
Collective Licence/remuneration	remuneration to be laid down by Tunisian Copyright Protection Agency, failing amicable agreement between the parties
Attribution	

5. Educational Publications/Anthologies/Compilations/Composite Works6. School Performances

Provision	Art. 10(a)
Scope of school performance	making available to the public
Type(s) of source work(s)	a work that is lawfully made available to the public
Entity exercising school performance	
Purpose of school performance	educational, teaching or cultural purposes
Condition of school performance	organizers of theatrical performances, whether free of charge or against payment, shall be required to inform beforehand either the author, his successors in title or the Copyright Protection Agency
Preclusions (not part of school performance)	
Subject to Attribution	
Subject to Remuneration	

7. Educational Broadcasts/Communications/Recordings

Provision	Art. 10(a)
Scope of broadcast/communication/recording	making available to the public
Type(s) of source work(s)	a work that is lawfully made available to the public
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	educational, teaching or cultural purposes
Condition of broadcast/communication/recording	organizers of theatrical performances, whether free of charge or against payment, shall be required to inform beforehand either the author, his successors in title or the Copyright Protection Agency

Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	
Subject to Remuneration	

Provision	Art. 12
Scope of broadcast/communication/recording	recordings, reproductions of
Type(s) of source work(s)	sound or audiovisual recordings and reproductions of broadcast literary, scientific or artistic works
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	recordings or reproductions are made for educational or cultural purposes
Condition of broadcast/communication/recording	
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	
Subject to Remuneration	

8. Compulsory Licences for Educational Reproductions and Translations
9. TPM/RMI Exceptions for Educational Purposes

Turkey

1. Legislation Reviewed

Law No. 5846 of December 5, 1951 on Intellectual and Artistic Works (as last amended by Law No. 5728 of January 23, 2008)

2. Private/Personal Use

Provision	Art. 38.1 para. 1
Scope of private/personal use	reproduce
Type(s) of source work(s)	all intellectual and artistic works
Entity exercising private/personal use	
Purpose of private/personal use	personal use
Condition of private/personal use	without pursuing profit “reproduction may not prejudice the legitimate interests of rightholders without good reason or conflict with the normal exploitation of the work”
Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	

3. Quotations

Provision	Art. 35.1
Scope of quotation	quoting, in an independent literary or scientific work
Type(s) of source work(s)	a few sentences or passages of a work made public, (a performance, phonogram, broadcast) ¹⁸⁶⁹
Entity exercising quotation	
Purpose of quotation	quotations
Condition of quotation	quotation made in a manifest way performance, phonogram, broadcast: such application may “not prejudice the legitimate interests of the right holders without good reason or conflict with the normal exploitation of the work” ¹⁸⁷⁰
Preclusions (not part of quotation)	
Subject to Attribution	scientific work: name of work, name of author, passage from quoted part
Subject to Remuneration	

Provision	Art. 35.2
Scope of quotation	incorporating, into an independent musical work
Type(s) of source work(s)	certain elements of a published composition, at the most such as themes, patterns,

¹⁸⁶⁹ Art. 80.2 para. 7 item 4 (applying exceptions in Arts. 30, 32, 34, 35, 43, 46 and 47 to neighboring rights).

¹⁸⁷⁰ Art. 80.2 para. 7 item 4.

	passages or ideas, (a performance, phonogram, broadcast) ¹⁸⁷¹
Entity exercising quotation	
Purpose of quotation	quotations
Condition of quotation	quotation made in a manifest way performance, phonogram, broadcast: such application may “not prejudice the legitimate interests of the right holders without good reason or conflict with the normal exploitation of the work” ¹⁸⁷²
Preclusions (not part of quotation)	
Subject to Attribution	scientific work: name of work, name of author, passage from quoted part
Subject to Remuneration	

Provision	Art. 35.3
Scope of quotation	reproducing, in a scientific work
Type(s) of source work(s)	works of fine arts that have been made public and other published works, (a performance, phonogram, broadcast) ¹⁸⁷³
Entity exercising quotation	
Purpose of quotation	quotations, for the purpose of explaining its content
Condition of quotation	quotation made in a manifest way quotation to the extent justified by such purpose performance, phonogram, broadcast: such application may “not prejudice the legitimate interests of the right holders without good reason or conflict with the normal exploitation of the work” ¹⁸⁷⁴
Preclusions (not part of quotation)	
Subject to Attribution	scientific work: name of work, name of author, passage from quoted part
Subject to Remuneration	

Provision	Art. 35.4
Scope of quotation	displaying, by projection or similar means
Type(s) of source work(s)	works of fine arts that have been made public, (a performance, phonogram, broadcast) ¹⁸⁷⁵
Entity exercising quotation	
Purpose of quotation	quotations, to explain a subject at scientific

¹⁸⁷¹ Art. 80.2 para. 7 item 4 (applying exceptions in Arts. 30, 32, 34, 35, 43, 46 and 47 to neighboring rights).

¹⁸⁷² Art. 80.2 para. 7 item 4.

¹⁸⁷³ Art. 80.2 para. 7 item 4 (applying exceptions in Arts. 30, 32, 34, 35, 43, 46 and 47 to neighboring rights).

¹⁸⁷⁴ Art. 80.2 para. 7 item 4.

¹⁸⁷⁵ Art. 80.2 para. 7 item 4 (applying exceptions in Arts. 30, 32, 34, 35, 43, 46 and 47 to neighboring rights).

	conferences or lectures
Condition of quotation	quotation made in a manifest way performance, phonogram, broadcast: such application may “not prejudice the legitimate interests of the right holders without good reason or conflict with the normal exploitation of the work” ¹⁸⁷⁶
Preclusions (not part of quotation)	
Subject to Attribution	scientific work: name of work, name of author, passage from quoted part
Subject to Remuneration	

4. Educational Reproduction5. Educational Publications/Anthologies/Compilations/Composite Works

Provision	Art. 34
Scope of anthologies/compilations limitation/exception	create selected or collected works, by way of making quotations
Type(s) of source work(s)	published musical, literary and scientific works and works of fine arts that are made public, (a performance, phonogram, broadcast) ¹⁸⁷⁷
Entity exercising anthologies/compilations limitation/exception	
Purpose of anthologies/compilations limitation/exception	educational purposes
Condition of anthologies/compilations limitation/exception	all kinds of technical and scientific photographic works etc. lacking in aesthetic quality, ¹⁸⁷⁸ all types of drawings, ¹⁸⁷⁹ photographic works and slides ¹⁸⁸⁰ may only be quoted to explain the content of the selected and collected work quotations in an amount justified by the purpose “may not be used in a way which would prejudice the legitimate interests of the author/right holders without good reason or which would conflict with the normal exploitation of the work” ¹⁸⁸¹
Preclusions (not part of anthologies/compilations limitation/exception)	
Subject to Attribution	title of work, name of author (in customary manner)

¹⁸⁷⁶ Art. 80.2 para. 7 item 4.¹⁸⁷⁷ Art. 80.2 para. 7 item 4 (applying exceptions in Arts. 30, 32, 34, 35, 43, 46 and 47 to neighboring rights).¹⁸⁷⁸ Art. 2.1 para. 3.¹⁸⁷⁹ Art. 4.1 para 1.¹⁸⁸⁰ Art. 4.1 para 5.¹⁸⁸¹ Art. 34, Art. 80.2 para. 7 item 4.

Subject to Remuneration	
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6. School Performances

Provision	Art. 33
Scope of school performance	performance
Type(s) of source work(s)	published works
Entity exercising school performance	in all educational institutions
Purpose of school performance	face-to-face education
Condition of school performance	without directly or indirectly aiming for profit
Preclusions (not part of school performance)	
Subject to Attribution	source, name of author (in customary manner)
Subject to Remuneration	

Provision	Art. 80.2 para. 7 item 1
Scope of school performance	performance to the public
Type(s) of source work(s)	intellectual and artistic works
Entity exercising school performance	
Purpose of school performance	public order, education and instruction, scientific research or news
Condition of school performance	without aiming for profit
Preclusions (not part of school performance)	
Subject to Attribution	
Subject to Remuneration	

7. Educational Broadcasts/Communications/Recordings

Provision	Art. 34
Scope of broadcast/communication/recording	school radio broadcasts of selected or collected works, by way of making quotations
Type(s) of source work(s)	published musical, literary and scientific works and works of fine arts that are made public, (a performance, phonogram, broadcast) ¹⁸⁸²
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	broadcasts made exclusively for schools and approved by the Ministry of Education
Condition of broadcast/communication/recording	all kinds of technical and scientific photographic works etc. lacking in aesthetic quality, ¹⁸⁸³ all types of drawings, ¹⁸⁸⁴ photographic works and slides ¹⁸⁸⁵ may only be quoted to explain the content of the selected and collected work quotations in an amount justified by the purpose

¹⁸⁸² Art. 80.2 para. 7 item 4 (applying exceptions in Arts. 30, 32, 34, 35, 43, 46 and 47 to neighboring rights).

¹⁸⁸³ Art. 2.1 para. 3.

¹⁸⁸⁴ Art. 4.1 para 1.

¹⁸⁸⁵ Art. 4.1 para 5.

	“may not be used in a way which would prejudice the legitimate interests of the author/right holders without good reason or which would conflict with the normal exploitation of the work” ¹⁸⁸⁶
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	title of work, name of author (in customary manner)
Subject to Remuneration	

Provision	Art. 80.2 para. 7 item 1
Scope of broadcast/communication/recording	communication to the public
Type(s) of source work(s)	intellectual and artistic works
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	public order, education and instruction, scientific research or news
Condition of broadcast/communication/recording	without aiming for profit
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	
Subject to Remuneration	

8. Compulsory Licences for Educational Reproductions and Translations
9. TPM/RMI Exceptions for Educational Purposes

¹⁸⁸⁶ Art. 34, Art. 80.2 para. 7 item 4.

***Turkmenistan**

1. Legislation Reviewed

Law of Turkmenistan No. 257-IV of January 10, 2012, on Copyright and Related Rights

Tuvalu

1. Legislation Reviewed

Copyright Ordinance (Chapter 60) (adopting the application of parts of UK Copyright Act 1956 (4 & 5 Eliz. 2, Cap. 74)¹⁸⁸⁷, but excluding s 22¹⁸⁸⁸)

2. Private/Personal Use

Provision	ss 6(1), 9(1)
Scope of private/personal use	fair dealing
Type(s) of source work(s)	a literary, dramatic or musical work, (or its adaptation) ¹⁸⁸⁹ , an artistic work
Entity exercising private/personal use	
Purpose of private/personal use	research or private study
Condition of private/personal use	
Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	

3. Quotations

Provision	ss 6(2), 9(2)
Scope of quotation	fair dealing
Type(s) of source work(s)	a literary, dramatic or musical work, (or its adaptation) ¹⁸⁹⁰ or an artistic work
Entity exercising quotation	
Purpose of quotation	purposes of criticism or review, whether of that work or of another work
Condition of quotation	
Preclusions (not part of quotation)	
Subject to Attribution	title (or other description), name of author (unless anonymous or author has agreed otherwise) ¹⁸⁹¹
Subject to Remuneration	

4. Educational Reproduction

Provision	s 41(1)(a)
Nature of educational reproduction	reproduction (otherwise than by the use of a “duplicating process” ¹⁸⁹²) or making of an adaptation, of

¹⁸⁸⁷ s 15, Western Pacific (Courts) Order in Council, 1961 states that “statutes of general application in force in England on the 1st day of January, 1961 ... shall be in force [but] so far only as the circumstances of any particular territory and its inhabitants and the limits of Her Majesty’s jurisdiction permit and subject to such qualifications as local circumstances render necessary”. This rendered applicable in Tuvalu the U.K. Copyright Act 1956. Section 2(2) of Schedule 5 of the Constitution of Tuvalu provides that existing laws and Acts of the Parliament of the U.K. or Order of Her Majesty in Council, having effect as part of the law of Tuvalu immediately before independence day, shall continue in force and be construed with such conforming modifications. With the enactment of the Tuvalu Copyright Ordinance (Chapter 60, Revised Edition 1978), which came into force on 13 June 1917, the U.K. Copyright Act 1956, which continues to apply in Kiribati, will be construed with the Tuvalu Copyright Ordinance.

¹⁸⁸⁸ S 5, Copyright Ordinance (Cap 16) (stating that s 22, U.K. Copyright Act 1956 does not apply as the law of Kiribati).

¹⁸⁸⁹ S 6(8).

¹⁸⁹⁰ S 6(8).

¹⁸⁹¹ Ss 6(10), 48(1) (defining “sufficient acknowledgment”).

Type(s) of source work(s)	a literary, dramatic, musical or artistic work
Entity exercising reproduction	by a teacher or pupil
Purpose of educational reproduction	in the course of instruction, whether at a school ¹⁸⁹³ or elsewhere
Qualification(s)	reproduction or adaptation shall not be published ¹⁸⁹⁴
Frequency/Multiple copies and Limits	
Collective Licence/remuneration	
Attribution	

Provision	s 41(1)(b)
Nature of educational reproduction	reproduction (otherwise than by the use of a duplicating process) or making of an adaptation, of
Type(s) of source work(s)	a literary, dramatic, musical or artistic work
Entity exercising reproduction	
Purpose of educational reproduction	as part of the questions to be answered in an examination, or in an answer to such a question
Qualification(s)	reproduction or adaptation shall not be published ¹⁸⁹⁵
Frequency/Multiple copies and Limits	
Collective Licence/remuneration	
Attribution	

5. Educational Publications/Anthologies/Compilations/Composite Works

Provision	s 6(6)
Scope of anthologies/compilations limitation/exception	inclusion of a short passage in a collection, from
Type(s) of source work(s)	a published literary or dramatic work, (or its adaptation) ¹⁸⁹⁶
Entity exercising anthologies/compilations limitation/exception	
Purpose of anthologies/compilations limitation/exception	for use of schools
Condition of anthologies/compilations limitation/exception	collection is so described in its title and in any publisher's advertisement [source] work was not published for use of schools collection consists mainly of material in which no copyright subsists

¹⁸⁹² S 41(7) (defining "duplicating process" as any process involving the use of an appliance for producing multiple copies).

¹⁸⁹³ S 41(7) (defining "school" as an entity with the same meaning at that in the Education Act 1944, the Education (Scotland) Act, 1946 and the Education Act (Northern Ireland), 1947 in relation to England and Wales, Scotland and Northern Ireland, but presumably meaning that which is so defined in the laws of Guyana).

¹⁸⁹⁴ S 41(2).

¹⁸⁹⁵ S 41(2).

¹⁸⁹⁶ S 6(8).

Preclusions (not part of anthologies/compilations limitation/exception)	2 or more excerpts from works by same author ¹⁸⁹⁷ are contained in that collection, or that collection with every similar collection by same publisher within 5 year period ¹⁸⁹⁸
Subject to Attribution	title (or other description), name of author (unless anonymous or author has agreed otherwise) ¹⁸⁹⁹
Subject to Remuneration	

6. School Performances

Provision	s 12(7)
Scope of school performance	causing to be heard in public
Type(s) of source work(s)	a sound recording
Entity exercising school performance	a club, society or other organization not established or conducted for profit and its main objects are charitable or are otherwise concerned with the advancement of religion, education or social welfare
Purpose of school performance	as part of the activities of, or for the benefit of
Condition of school performance	proceeds of any charge for admission to the place where the recording is to be heard are applied solely for the purposes of the organization
Preclusions (not part of school performance)	
Subject to Attribution	
Subject to Remuneration	

Provision	s 41(3), (5)
Scope of school performance	performance [of a work] causing to be heard or seen, the sounds or visual images [of a sound recording, cinematograph film, a television broadcast]
Type(s) of source work(s)	a literary, dramatic or musical work a sound recording, cinematograph film, a television broadcast
Entity exercising school performance	by a person who is a teacher in, or a pupil in attendance at, the school ¹⁹⁰⁰
Purpose of school performance	in the course of the activities of a school
Condition of school performance	performance in class, or otherwise in the presence of an audience audience is limited to persons who are teachers in, or pupils in attendance at, the

¹⁸⁹⁷ S 6(6) (explaining that author includes works of joint authorship, and works by any of the authors will count towards the preclusion).

¹⁸⁹⁸ S 6(6).

¹⁸⁹⁹ Ss 6(10), 48(1) (defining "sufficient acknowledgment").

¹⁹⁰⁰ S 41(7) (defining "school" as an entity with the same meaning as that in the Education Act 1944, the Education (Scotland) Act, 1946 and the Education Act (Northern Ireland), 1947 in relation to England and Wales, Scotland and Northern Ireland, but presumably meaning that which is so defined in the laws of Guyana).

	school, or are otherwise “directly connected” ¹⁹⁰¹ with the activities of the school
Preclusions (not part of school performance)	
Subject to Attribution	
Subject to Remuneration	

7. Educational Broadcasts/Communications/Recordings
8. Compulsory Licences for Educational Reproductions and Translations
9. TPM/RMI Exceptions for Educational Purposes

¹⁹⁰¹ S 41(4) (defining “directly connected” as excluding a person who is connected by reason only that he is a parent or guardian of a pupil in attendance at the school).

Uganda

1. Legislation Reviewed

The Copyright and Neighbouring Rights Act, 2006

2. Private/Personal Use

Provision	s 15(1)(a)
Scope of private/personal use	fair use, by way of production, translation, adaptation, arrangement or other transformation of
Type(s) of source work(s)	a protected work, in its original language or in a translation, (a performance, sound recording, audiovisual fixation, broadcast, programme carrying signals) ¹⁹⁰²
Entity exercising private/personal use	
Purpose of private/personal use	private personal use
Condition of private/personal use	to determine if use is fair use, consider following factors, including: (a) the purpose and character of the use, including whether such use is of a commercial nature or for non-profit educational purposes; (b) the nature of the protected work; (c) the amount and substantially of the portion used in relation to the protected work as a whole; (d) the effect of the use upon the potential market for or value of the protected work ¹⁹⁰³
Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	

3. Quotations

Provision	s 15(1)(b)
Scope of quotation	fair use, by way of quotation, used in another work,
Type(s) of source work(s)	a published work, including a quotation from a newspaper or periodical in the form of press summary, in its original language or in a translation
Entity exercising quotation	
Purpose of quotation	
Condition of quotation	quotation is compatible with fair practice quotation does not exceed extent justified by the purpose to determine if use is fair use, consider following factors, including:

¹⁹⁰² S 34(a) (limiting various enumerated neighbouring rights, as regards the “private use” of the neighbouring rights subject-matter).

¹⁹⁰³ S 15(2) (also providing, in s 15(3), that the fact that a piece of work is not published shall not of itself prejudice the requirement of fair use).

	(a) the purpose and character of the use, including whether such use is of a commercial nature or for non-profit educational purposes; (b) the nature of the protected work; (c) the amount and substantially of the portion used in relation to the protected work as a whole; (d) the effect of the use upon the potential market for or value of the protected work ¹⁹⁰⁴
Preclusions (not part of quotation)	
Subject to Attribution	title of work
Subject to Remuneration	

Provision	s 32(d)
Scope of quotation	quotations
Type(s) of source work(s)	short excerpts of a performance, sound recording, audio-visual fixation or fixation or broadcast
Entity exercising quotation	
Purpose of quotation	
Condition of quotation	quotations are compatible with fair practice quotations are justified by the informative purpose of the quotations
Preclusions (not part of quotation)	
Subject to Attribution	
Subject to Remuneration	

4. Educational Reproduction

Provision	s 15(1)(j)
Nature of educational reproduction	fair use, by way of reproduction, and copies made,
Type(s) of source work(s)	a literary, artistic or scientific work
Entity exercising reproduction	a public library, a non-commercial documentation centre, a scientific institution or an educational institute
Purpose of educational reproduction	
Qualification(s)	reproduction and copies do not conflict with the normal exploitation of the work reproduced reproduction and copies do not unreasonably affect the right of the author in the work to determine if use is fair use, consider following factors, including: (a) the purpose and character of the use, including whether such use is of a commercial nature or for non-profit

¹⁹⁰⁴ S 15(2) (also providing, in s 15(3), that the fact that a piece of work is not published shall not of itself prejudice the requirement of fair use).

	educational purposes; (b) the nature of the protected work; (c) the amount and substantially of the portion used in relation to the protected work as a whole; (d) the effect of the use upon the potential market for or value of the protected work ¹⁹⁰⁵
Frequency/Multiple copies and Limits	subject to conditions prescribed by Minister
Collective Licence/remuneration	subject to conditions prescribed by Minister
Attribution	

5. Educational Publications/Anthologies/Compilations/Composite Works

Provision	s 15(1)(c)
Scope of anthologies/compilations limitation/exception	fair use, by way of illustration in a publication
Type(s) of source work(s)	a published work, in its original language or in a translation
Entity exercising anthologies/compilations limitation/exception	
Purpose of anthologies/compilations limitation/exception	for teaching purpose
Condition of anthologies/compilations limitation/exception	to the extent justified for the purpose use is compatible with fair practice to determine if use is fair use, consider following factors, including: (a) the purpose and character of the use, including whether such use is of a commercial nature or for non-profit educational purposes; (b) the nature of the protected work; (c) the amount and substantially of the portion used in relation to the protected work as a whole; (d) the effect of the use upon the potential market for or value of the protected work ¹⁹⁰⁶
Preclusions (not part of anthologies/compilations limitation/exception)	
Subject to Attribution	title of work, author
Subject to Remuneration	

6. School Performances

7. Educational Broadcasts/Communications/Recordings

Provision	s 15(1)(c)
Scope of broadcast/communication/recording	fair use, by way of illustration in broadcast or sound or visual recording
Type(s) of source work(s)	a published work, in its original language or in

¹⁹⁰⁵ S 15(2) (also providing, in s 15(3), that the fact that a piece of work is not published shall not of itself prejudice the requirement of fair use).

¹⁹⁰⁶ S 15(2) (also providing, in s 15(3), that the fact that a piece of work is not published shall not of itself prejudice the requirement of fair use).

	a translation
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	for teaching purpose
Condition of broadcast/communication/recording	to the extent justified for the purpose use is compatible with fair practice to determine if use is fair use, consider following factors, including: (a) the purpose and character of the use, including whether such use is of a commercial nature or for non-profit educational purposes; (b) the nature of the protected work; (c) the amount and substantially of the portion used in relation to the protected work as a whole; (d) the effect of the use upon the potential market for or value of the protected work ¹⁹⁰⁷
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	title of work, author
Subject to Remuneration	
Provision	s 15(1)(d)
Scope of broadcast/communication/recording	fair use, by way of communication to the public
Type(s) of source work(s)	a protected work, in its original language or in a translation
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	for teaching purposes for schools, colleges, universities or other educational institution or for professional training or public education
Condition of broadcast/communication/recording	use is compatible with fair practice to determine if use is fair use, consider following factors, including: (a) the purpose and character of the use, including whether such use is of a commercial nature or for non-profit educational purposes; (b) the nature of the protected work; (c) the amount and substantially of the portion used in relation to the protected work as a whole; (d) the effect of the use upon the potential market for or value of the protected work ¹⁹⁰⁸
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	title of work, author

¹⁹⁰⁷ S 15(2) (also providing, in s 15(3), that the fact that a piece of work is not published shall not of itself prejudice the requirement of fair use).

¹⁹⁰⁸ S 15(2) (also providing, in s 15(3), that the fact that a piece of work is not published shall not of itself prejudice the requirement of fair use).

Subject to Remuneration	
Provision	s 34(c)
Scope of broadcast/communication/recording	use
Type(s) of source work(s)	a performance, sound recording, audiovisual fixation, programme carrying signals, broadcast
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	teaching science
Condition of broadcast/communication/recording	
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	
Subject to Remuneration	

8. Compulsory Licences for Educational Reproductions and Translations

Provision	s 17(1)(a)
Nature of compulsory licence for translation for educational purposes	non-exclusive, ¹⁹⁰⁹ non-transferable ¹⁹¹⁰ compulsory licence, for making and publishing a translation into English, Swahili or any Ugandan language, and publication of such translation in copies in Uganda ¹⁹¹¹
Type(s) of source work(s)	a work
Licence applicant/entity	a citizen of Uganda or is ordinarily resident in Uganda
Purpose of licence	purpose of teaching, scholarship or research ¹⁹¹²
Qualification(s)	<p>licence application may be made: 1 year from first publication¹⁹¹³</p> <p>work has not been previously translated into the language in the licence application and published by the owner of the right of translation, or if translation has been so published, all previous editions in that language are out of print¹⁹¹⁴</p> <p>licence applicant has requested and been denied authorisation by owner of right of translation, or was unable to find owner after due diligence, despite sending request to publisher or to any designated national or international information centre¹⁹¹⁵</p>

¹⁹⁰⁹ S 18(1)(a).

¹⁹¹⁰ S 18(1)(d).

¹⁹¹¹ S 18(1)(e).

¹⁹¹² S 18(1)(b).

¹⁹¹³ S 17(2).

¹⁹¹⁴ S 18(2)(a).

¹⁹¹⁵ S 18(2)(c)-(e).

	<p>licence terminated if copies of an edition of the translated work are distributed to the general public in Uganda¹⁹¹⁶</p> <p>author has not withdrawn from circulation copies of the work¹⁹¹⁷</p> <p>published translation of the work is correct¹⁹¹⁸</p> <p>on all copies of the published translation are printed: the name of author and original title,¹⁹¹⁹ a notice in the language of the translation stating that the copy is available for distribution only in Uganda,¹⁹²⁰ a reprint of the original copyright notice¹⁹²¹</p> <p>subject to licensee's sale of existing copies, licence terminated if translation right owner has published or authorised the publishing of translated work, at a reasonable price in Uganda¹⁹²²</p>
Compulsory licence fee(s)	beneficiary of compulsory licence to pay just compensation to owner of right/owner's agent/Registrar, consistent with normally payable standards of royalties ¹⁹²³
Price of publication	
Distribution conditions	copies of translated work may not be exported ¹⁹²⁴
Grantor of Collective Licence	Minister

Provision	s 17(1)(b)
Nature of compulsory licence for reproduction for educational purposes	non-exclusive, ¹⁹²⁵ non-transferable ¹⁹²⁶ compulsory licence, for reproduction and publication in a material form the work reproduced ¹⁹²⁷ in Uganda ¹⁹²⁸
Type(s) of source work(s)	
Licence applicant/entity	a citizen of Uganda or is ordinarily resident in Uganda ¹⁹²⁹
Purpose of licence	purpose of teaching, scholarship or

¹⁹¹⁶ S 18(3)(a).

¹⁹¹⁷ S 17(3).

¹⁹¹⁸ S 17(6).

¹⁹¹⁹ S 17(6)(a).

¹⁹²⁰ S 17(6)(b).

¹⁹²¹ S 17(6)(c).

¹⁹²² S 18(3)(b).

¹⁹²³ S 17(5).

¹⁹²⁴ S 18(1)(e).

¹⁹²⁵ S 18(1)(b).

¹⁹²⁶ S 18(1)(d).

¹⁹²⁷ S 17(1)(b).

¹⁹²⁸ S 17(6)(b).

¹⁹²⁹ S 17(1).

	research ¹⁹³⁰
Qualification(s)	<p>licence application may be made: 3 years from first publication (for work of technology or natural or physical science, including mathematics) 5 years from first publication (for music or any other related work) 7 years from first publication (for work of fiction, poetry, drama or for a book of art) 7 years from first publication (for an audiovisual fixation)¹⁹³¹</p> <p>copies of the particular edition authorised by the owner of the reproduction have not been sold or distributed in Uganda to the public or in connection with systematic instructional activities, or there has been no sale/distribution during the immediately preceding 6 months¹⁹³²</p> <p>licence applicant has requested and been denied authorisation by owner of right of reproduction, or was unable to find owner after due diligence, despite sending request to publisher or to any designated national or international information centre¹⁹³³</p> <p>licence terminated if copies of an edition of the reproduced work are distributed to the general public in Uganda¹⁹³⁴</p> <p>published reproduction of the work is correct¹⁹³⁵</p> <p>on all copies of the published reproduction are printed: the name of author and original title,¹⁹³⁶ a notice in the language of the reproduction stating that the copy is available for distribution only in Uganda,¹⁹³⁷ a reprint of the original copyright notice¹⁹³⁸</p> <p>subject to licensee's sale of existing copies, licence terminated if copies of the edition in the same language and substantially the same in content as the edition published under the</p>

¹⁹³⁰ S 18(1)(b).

¹⁹³¹ S 17(4).

¹⁹³² S 18(2)(b).

¹⁹³³ S 18(2)(c)-(e).

¹⁹³⁴ S 18(3)(a).

¹⁹³⁵ S 17(6).

¹⁹³⁶ S 17(6)(a).

¹⁹³⁷ S 17(6)(b).

¹⁹³⁸ S 17(6)(c).

	licence have been distributed by reproduction right owner in Uganda in connection with systematic instructional activities, at a reasonable price ¹⁹³⁹
Compulsory licence fee(s)	beneficiary of compulsory licence to pay just compensation to owner of right/owner's agent/Registrar, consistent with normally payable standards of royalties ¹⁹⁴⁰
Price of publication	
Distribution conditions	copies of reproduced work may not be exported ¹⁹⁴¹
Grantor of Collective Licence	Minister

Provision	s 19
Nature of compulsory licence for translation for educational purposes	non-exclusive, ¹⁹⁴² compulsory licence, for making a translation and lawful broadcasting for reception in Uganda ¹⁹⁴³
Type(s) of source work(s)	published work or text of an audio-visual fixation ¹⁹⁴⁴
Licence applicant/entity	a broadcasting company ¹⁹⁴⁵
Purpose of licence	
Qualification(s)	translation is to be made from lawfully acquired copy, or for broadcast intended for teaching or for dissemination of the results of specialised technical or scientific research to experts in a particular profession by broadcast ¹⁹⁴⁶ translation may not be used for any commercial purpose ¹⁹⁴⁷
Compulsory licence fee(s)	
Price of publication	
Distribution conditions	translations of audiovisual work or sound recording may only be exchanged between divisions/departments of broadcasting organisation ¹⁹⁴⁸
Grantor of Collective Licence	Minister

9. TPM/RMI Exceptions for Educational Purposes

¹⁹³⁹ S 18(3)(c).

¹⁹⁴⁰ S 17(5).

¹⁹⁴¹ S 17(6)(b).

¹⁹⁴² S 19(1).

¹⁹⁴³ S 19(1)(c).

¹⁹⁴⁴ S 19(1).

¹⁹⁴⁵ S 19(1).

¹⁹⁴⁶ S 19(1)(a), (b).

¹⁹⁴⁷ S 19(3).

¹⁹⁴⁸ S 19(2).

***Ukraine**

1. Legislation Reviewed

Law of 23 December 1993 No. 3792-XII on Copyright and Related Rights (as amended up to 05.12.2012)

United Arab Emirates

1. Legislation Reviewed

Federal Law No. 7 of the Year 2002 Concerning Copyrights and Neighboring Rights

2. Private/Personal Use

Provision	Art. 22.1
Scope of private/personal use	make a copy
Type(s) of source work(s)	a published work, (a performance, phonogram, broadcast) ¹⁹⁴⁹
Entity exercising private/personal use	
Purpose of private/personal use	merely personal and non-commercial or professional but personal use of the copier
Condition of private/personal use	in a single copy
Preclusions (not part of private/personal use)	works of architecture and works of fine and applied arts (unless they are permanently present in public places), ¹⁹⁵⁰ computer programs ¹⁹⁵¹
Subject to Attribution	sufficient acknowledgment: title of work (or other description), name of author (unless work is anonymous, pseudonymous or author has previously agreed or directed that an acknowledgment is not to be made)
Subject to Remuneration	
Provision	Art. 22.6
Scope of private/personal use	performing
Type(s) of source work(s)	a work, (a performance, phonogram, broadcast) ¹⁹⁵²
Entity exercising private/personal use	
Purpose of private/personal use	in family meetings
Condition of private/personal use	
Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	

3. Quotations

Provision	Art. 22.5
Scope of quotation	quotation
Type(s) of source work(s)	short paragraphs, derivation or reasonable analysis of the work, (a performance, phonogram, broadcast) ¹⁹⁵³
Entity exercising quotation	
Purpose of quotation	criticism, discussion, or information
Condition of quotation	
Preclusions (not part of quotation)	
Subject to Attribution	source, name of author
Subject to Remuneration	

¹⁹⁴⁹ Art. 24 (applying restrictions on the economic rights of the author to neighbouring rights).

¹⁹⁵⁰ Art. 22.7 (excepting use of works of architecture located in public places).

¹⁹⁵¹ Art. 22.2 (excepting use of the computer program and for backup/archival purposes).

¹⁹⁵² Art. 24 (applying restrictions on the economic rights of the author to neighbouring rights).

¹⁹⁵³ Art. 24 (applying restrictions on the economic rights of the author to neighbouring rights).

4. Educational Reproduction

Provision	Art. 22.8
Nature of educational reproduction	reproduction
Type(s) of source work(s)	written, sound or audio-visual short excerpts of works, (performances, phonograms, broadcasts) ¹⁹⁵⁴
Entity exercising reproduction	
Purpose of educational reproduction	cultural, religious, educational or vocational training purposes
Qualification(s)	copying authority does not aim at direct or indirect profit license for copying was unobtainable in accordance with the provisions of this law
Frequency/Multiple copies and Limits	copying be in the reasonable limits of its purpose
Collective Licence/remuneration	
Attribution	title of work, name of author (if feasible)

5. Educational Publications/Anthologies/Compilations/Composite Works6. School Performances

Provision	Art. 22.6
Scope of school performance	performing
Type(s) of source work(s)	a work, (a performance, phonogram, broadcast) ¹⁹⁵⁵
Entity exercising school performance	by students
Purpose of school performance	in an educational institution
Condition of school performance	no direct or indirect remuneration
Preclusions (not part of school performance)	
Subject to Attribution	
Subject to Remuneration	

7. Educational Broadcasts/Communications/Recordings8. Compulsory Licences for Educational Reproductions and Translations

Provision	Art. 21
Nature of compulsory licence for translation for educational purposes	compulsory licence, for translation (and optionally, copying)
Type(s) of source work(s)	a protected work
Licence applicant/entity	any person
Purpose of licence	exclusively to meet the needs of education in all its types, levels and to the needs of public libraries and archives
Qualification(s)	licence application may be made: 3 years from first publication licence application to be supported with

¹⁹⁵⁴ Art. 24 (applying restrictions on the economic rights of the author to neighbouring rights).¹⁹⁵⁵ Art. 24 (applying restrictions on the economic rights of the author to neighbouring rights).

	reasons to determine the time and place of exploitation licence granted to effect ordinary exploitation of the work
Compulsory licence fee(s)	beneficiary of compulsory licence to pay fair reward to author; licence granted to secure non-occurrence of unjustifiable damage to the legitimate interests of the author or his successors in title; council of ministers to issue a decision specifying the fees to be charged
Price of publication	
Distribution conditions	
Grantor of Collective Licence	ministry

Provision	Art. 21
Nature of compulsory licence for translation for educational purposes	compulsory licence, for copying
Type(s) of source work(s)	a protected work
Licence applicant/entity	any person
Purpose of licence	exclusively to meet the needs of education in all its types, levels and to the needs of public libraries and archives
Qualification(s)	licence application to be supported with reasons to determine the time and place of exploitation licence granted to effect ordinary exploitation of the work
Compulsory licence fee(s)	beneficiary of compulsory licence to pay fair reward to author; licence granted to secure non-occurrence of unjustifiable damage to the legitimate interests of the author or his successors in title; council of ministers to issue a decision specifying the fees to be charged
Price of publication	
Distribution conditions	
Grantor of Collective Licence	ministry

9. TPM/RMI Exceptions for Educational Purposes

United Kingdom

1. Legislation Reviewed

Copyright, Designs and Patents Act 1988 (c. 48), revised and updated as of (as of Mar. 31, 2016)

2. Private/Personal Use

Provision	s 29(1)
Scope of private/personal use	fair dealing
Type(s) of source work(s)	a literary, dramatic, musical or artistic work
Entity exercising private/personal use	
Purpose of private/personal use	research for a non-commercial purpose
Condition of private/personal use	
Preclusions (not part of private/personal use)	not fair dealing if copying by a person other than researcher or student (or librarian), and the person doing the copying knows or has reason to believe that it will result in copies of substantially the same material being provided to more than one person at substantially the same time and for substantially the same purpose ¹⁹⁵⁶
Subject to Attribution	unless infeasible: title of work, name of author (unless anonymous or not possible to ascertain its author if unpublished) ¹⁹⁵⁷
Subject to Remuneration	

Provision	s 29(1C)
Scope of private/personal use	fair dealing
Type(s) of source work(s)	a literary, dramatic, musical or artistic work
Entity exercising private/personal use	
Purpose of private/personal use	private study
Condition of private/personal use	
Preclusions (not part of private/personal use)	not fair dealing if copying by a person other than researcher or student (or librarian), and the person doing the copying knows or has reason to believe that it will result in copies of substantially the same material being provided to more than one person at substantially the same time and for substantially the same purpose ¹⁹⁵⁸
Subject to Attribution	
Subject to Remuneration	

Provision	s 29(2)
Scope of private/personal use	fair dealing
Type(s) of source work(s)	typographical arrangement of a published edition
Entity exercising private/personal use	
Purpose of private/personal use	research or private study
Condition of private/personal use	

¹⁹⁵⁶ S 29(3)(b).

¹⁹⁵⁷ S 178 (defining "sufficient acknowledgment").

¹⁹⁵⁸ S 29(3)(b).

Preclusions (not part of private/personal use)	not fair dealing if copying by a person other than researcher or student (or librarian), and the person doing the copying knows or has reason to believe that it will result in copies of substantially the same material being provided to more than one person at substantially the same time and for substantially the same purpose ¹⁹⁵⁹
Subject to Attribution	
Subject to Remuneration	

3. Quotations

Provision	s 30, Schedule 2, para. 2(1)
Scope of quotation	fair dealing
Type(s) of source work(s)	a work, (a performance or recording) ¹⁹⁶⁰ "made available to the public" ¹⁹⁶¹ ,
Entity exercising quotation	
Purpose of quotation	criticism or review, of that work or another work/performance/recording or of a performance of a work
Condition of quotation	reproduction is compatible with fair practice reproduction does not exceed extent justified by the purpose
Preclusions (not part of quotation)	
Subject to Attribution	title of work, name of author (unless anonymous or not possible to ascertain its author if unpublished) ¹⁹⁶²
Subject to Remuneration	

4. Educational Reproduction

Provision	s 32(1)
Nature of educational reproduction	copying
Type(s) of source work(s)	in a literary, dramatic, musical or artistic work
Entity exercising reproduction	a person giving or receiving instruction
Purpose of educational reproduction	course of instruction or of preparation for instruction, which is for a non-commercial purpose
Qualification(s)	copying not done by means of a reprographic process copies made cannot be dealt with (i.e. sold, let for hire or offered or exposed for sale or hire) ¹⁹⁶³
Frequency/Multiple copies and Limits	

¹⁹⁵⁹ S 29(3)(b).

¹⁹⁶⁰ Sch. 2, para. 2(1).

¹⁹⁶¹ S 30(1A) (defining "made available to the public").

¹⁹⁶² S 178 (defining "sufficient acknowledgment").

¹⁹⁶³ S 32(5).

Collective Licence/remuneration	
Attribution	unless infeasible: title of work, name of author (unless anonymous or not possible to ascertain its author if unpublished) ¹⁹⁶⁴

Provision	s 32(2A)
Nature of educational reproduction	copying, not by means of a reprographic process, of
Type(s) of source work(s)	a literary, dramatic, musical or artistic work which has been "made available to the public" ¹⁹⁶⁵
Entity exercising reproduction	a person giving or receiving instruction
Purpose of educational reproduction	course of instruction or of preparation for instruction
Qualification(s)	copying is fair dealing copies made cannot be dealt with (i.e. sold, let for hire or offered or exposed for sale or hire) ¹⁹⁶⁶
Frequency/Multiple copies and Limits	
Collective Licence/remuneration	
Attribution	unless infeasible: title of work, name of author (unless anonymous or not possible to ascertain its author if unpublished) ¹⁹⁶⁷

Provision	s 32(3)
Nature of educational reproduction	anything done
Type(s) of source work(s)	
Entity exercising reproduction	
Purpose of educational reproduction	for the purposes of an examination by way of setting the questions, communicating the questions to the candidates or answering the questions
Qualification(s)	copies made cannot be dealt with (i.e. sold, let for hire or offered or exposed for sale or hire) ¹⁹⁶⁸
Frequency/Multiple copies and Limits	
Collective Licence/remuneration	
Attribution	unless infeasible, for questions: title of work, name of author (unless anonymous or not possible to ascertain its author if unpublished) ¹⁹⁶⁹

Provision	s 36
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¹⁹⁶⁴ S 178 (defining "sufficient acknowledgment").

¹⁹⁶⁵ S 30(1A) (defining "made available to the public").

¹⁹⁶⁶ S 32(5).

¹⁹⁶⁷ S 178 (defining "sufficient acknowledgment").

¹⁹⁶⁸ S 32(5).

¹⁹⁶⁹ S 178 (defining "sufficient acknowledgment").

Nature of educational reproduction	reprographic copying
Type(s) of source work(s)	published literary, dramatic or musical works, published editions
Entity exercising reproduction	made by or on behalf of an “educational establishment” ¹⁹⁷⁰
Purpose of educational reproduction	for the purposes of instruction
Qualification(s)	instruction is for a non-commercial purpose no licence authorising copying of which person making the copies knew or ought to have been aware ¹⁹⁷¹ copies made cannot be dealt with (i.e. sold, let for hire or offered or exposed for sale or hire) ¹⁹⁷²
Frequency/Multiple copies and Limits	not more than 1% of any work in any quarter
Collective Licence/remuneration	any licence granted not to derogate from this provision ¹⁹⁷³
Attribution	unless infeasible: title of work, name of author (unless anonymous or not possible to ascertain its author if unpublished) ¹⁹⁷⁴

5. Educational Publications/Anthologies/Compilations/Composite Works

Provision	s 33
Scope of anthologies/compilations limitation/exception	inclusion, in a collection, of
Type(s) of source work(s)	a short passage from a published literary or dramatic work
Entity exercising anthologies/compilations limitation/exception	
Purpose of anthologies/compilations limitation/exception	collection intended for (any use for the educational purposes) ¹⁹⁷⁵ in educational establishments
Condition of anthologies/compilations limitation/exception	collection is so described in its title and in any publisher’s advertisement collection consists mainly of material in which no copyright subsists

¹⁹⁷⁰ S 174(1) (defining an “educational establishment” as any school and any other description as prescribed by the Secretary of State).

¹⁹⁷¹ S 36(3).

¹⁹⁷² S 36(5).

¹⁹⁷³ S 36(4) (providing that such licences are of no effect “so far as they purport to restrict the proportion of a work which may be copied (whether on payment or free of charge) to less than that which would be permitted under this section”). The Copyright Tribunal is required to have regard to additional considerations where a reference is made to it relating to the licensing of reprographic copying of published literary, dramatic, musical or artistic works, or the typographical arrangement of published editions. S 130. A statutorily implied indemnity is provided for such licences and licensing schemes for reprographic copying. S 136. Where such a scheme relates to an educational establishment, there are also additional powers given to the Secretary of State to extend, vary, or discharge such a licensing scheme, and to substitute for it a statutory licence. Ss 137-141.

¹⁹⁷⁴ S 178 (defining “sufficient acknowledgment”).

¹⁹⁷⁵ S 33(4).

	work itself is not intended for use in such establishment must not exceed extent defined by legal provisions and bylaws in force
Preclusions (not part of anthologies/compilations limitation/exception)	more than 2 excerpts from works by same author ¹⁹⁷⁶ are contained in collections by same publisher within 5 year period ¹⁹⁷⁷
Subject to Attribution	title of work, author (unless anonymous published work, or author identity cannot be ascertained by reasonable inquiry for unpublished work) ¹⁹⁷⁸
Subject to Remuneration	

6. School Performances

Provision	s 34(1)
Scope of school performance	performance
Type(s) of source work(s)	a literary, dramatic or musical work
Entity exercising school performance	by a teacher or pupil in the course of the activities of educational establishment, or by any person for the purposes of instruction at the educational establishment
Purpose of school performance	an audience consisting of teachers and pupils at an educational establishment and other persons "directly connected" ¹⁹⁷⁹ with the activities of the establishment
Condition of school performance	
Preclusions (not part of school performance)	
Subject to Attribution	
Subject to Remuneration	

Provision	s 34(2), Sch. 2, para. 5(1)
Scope of school performance	playing or showing
Type(s) of source work(s)	a sound recording, film or broadcast
Entity exercising school performance	
Purpose of school performance	for the purposes of instruction before an audience consisting of teachers and pupils at an educational establishment and other persons "directly connected" ¹⁹⁸⁰ with the activities of the establishment
Condition of school performance	
Preclusions (not part of school performance)	

¹⁹⁷⁶ S 33(3) (explaining that author includes works of joint authorship, and works by any of the authors will count towards the preclusion).

¹⁹⁷⁷ S 33(2).

¹⁹⁷⁸ S 2(1) (defining "sufficient acknowledgement").

¹⁹⁷⁹ S 34(3) ("A person is not for this purpose directly connected with the activities of the educational establishment simply because he is the parent of a pupil at the establishment").

¹⁹⁸⁰ S 34(3) ("A person is not for this purpose directly connected with the activities of the educational establishment simply because he is the parent of a pupil at the establishment"); Sch. 2, para. 5(3) (applying s 34 to para. 5).

Subject to Attribution	
Subject to Remuneration	

7. Educational Broadcasts/Communications/Recordings

Provision	s 32(2)
Scope of broadcast/communication/recording	copying, by making a film or film sound-track,
Type(s) of source work(s)	a sound recording, film or broadcast
Entity exercising broadcast/communication/recording	a person giving or receiving instruction
Purpose of broadcast/communication/recording	in the course of instruction, or of preparation for instruction, in the making of films or film sound-tracks
Condition of broadcast/communication/recording	copies made cannot be dealt with (i.e. sold, let for hire or offered or exposed for sale or hire) ¹⁹⁸¹
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	unless infeasible: title of work, name of author (unless anonymous or not possible to ascertain its author if unpublished) ¹⁹⁸²
Subject to Remuneration	
Provision	s 35(1), Sch. 2, para. 6(1)
Scope of broadcast/communication/recording	a recording, or a copy of such a recording, of
Type(s) of source work(s)	a broadcast (and any work [and performance] included in it)
Entity exercising broadcast/communication/recording	by or on behalf of an educational establishment
Purpose of broadcast/communication/recording	educational purposes of that establishment
Condition of broadcast/communication/recording	educational purposes are non-commercial no recording if certified licensing scheme under s 143 (or Schedule 2A, para. 16) providing for grant of licences
Preclusions (not part of broadcast/communication/recording)	copies/recordings made cannot be dealt with (i.e. sold, let for hire or offered or exposed for sale or hire) ¹⁹⁸³
Subject to Attribution	
Subject to Remuneration	[special licences for educational establishments] ¹⁹⁸⁴

Provision	s 35(1A), Sch. 2, para. 6(1A)
Scope of broadcast/communication/recording	communication of a recording, or a copy of such a recording (made by virtue of s 35(1) or Sch. 2, para. 6(1)), of

¹⁹⁸¹ S 32(5).¹⁹⁸² S 178 (defining "sufficient acknowledgment").¹⁹⁸³ S 35(3), Sch. 2, para. 6(2).¹⁹⁸⁴ S 131 (providing that in references to the Copyright Tribunal relating to licences for the recording by or on behalf of educational establishments of broadcasts which include copyright works, or the making of copies of such recordings, for educational purposes, the Tribunal is required to have regard for additional considerations).

Type(s) of source work(s)	a broadcast (and any work [and performance] included in it)
Entity exercising broadcast/communication/recording	by a person situated within the premises of an educational establishment
Purpose of broadcast/communication/recording	
Condition of broadcast/communication/recording	communication cannot be received by any person situated outside the premises of that establishment no recording if certified licensing scheme under s 143 (or Schedule 2A, para. 16) providing for grant of licences
Preclusions (not part of broadcast/communication/recording)	copies/recordings made cannot be dealt with (i.e. sold, let for hire or offered or exposed for sale or hire) ¹⁹⁸⁵
Subject to Attribution	
Subject to Remuneration	

Provision	Schedule 2, para. 4(1)
Scope of broadcast/communication/recording	copying,
Type(s) of source work(s)	a recording of a performance
Entity exercising broadcast/communication/recording	a person giving or receiving instruction
Purpose of broadcast/communication/recording	in the course of instruction, or of preparation for instruction, in the making of films or film sound-tracks
Condition of broadcast/communication/recording	instruction is for a non-commercial purpose copies made cannot be dealt with (i.e. sold, let for hire or offered or exposed for sale or hire) ¹⁹⁸⁶
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	
Subject to Remuneration	

Provision	Schedule 2, para. 4(2)(a)
Scope of broadcast/communication/recording	copying
Type(s) of source work(s)	a recording of a performance
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	for the purposes of setting answering the questions in an examination
Condition of broadcast/communication/recording	copies made cannot be dealt with (i.e. sold, let for hire or offered or exposed for sale or hire) ¹⁹⁸⁷
Preclusions (not part of	

¹⁹⁸⁵ S 35(3), Sch. 2, para. 6(2).

¹⁹⁸⁶ Sch. 2, para. 4(3).

¹⁹⁸⁷ Sch. 2, para. 4(3).

broadcast/communication/recording)	
Subject to Attribution	
Subject to Remuneration	
Provision	Schedule 2, para. 4(2)(a)
Scope of broadcast/communication/recording	anything done
Type(s) of source work(s)	a performance, a recording of a performance
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	purposes of an examination by way of communicating the questions to the candidates
Condition of broadcast/communication/recording	copies made cannot be dealt with (i.e. sold, let for hire or offered or exposed for sale or hire) ¹⁹⁸⁸
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	
Subject to Remuneration	

8. Compulsory Licences for Educational Reproductions and Translations

9. TPM/RMI Exceptions for Educational Purposes

Provision	s 296ZE
Scope of TPM/RMI limitation/exception	exception to require rightholder/exclusive licensee who used effective “technological measures” ¹⁹⁸⁹ in respect of work to take voluntary measures ¹⁹⁹⁰ or make available means ¹⁹⁹¹ to ensure for the “beneficiaries” the benefit of the exception
Type(s) of source work(s)	work, performance, ¹⁹⁹² database, ¹⁹⁹³ publication ¹⁹⁹⁴ (but not applicable to works available to the public on agreed contractual terms in such a way that members of the public may access them from a place and at a time individually chosen by them ¹⁹⁹⁵)
Beneficiary exercising limitation/exception	“beneficiaries”: a person (or a person being a representative of a class of persons) who are prevented, by any effective technological measure from carrying out an act in relation to copyright works etc. (to which they have lawful access ¹⁹⁹⁶) which are permitted (“permitted acts”), as listed in Schedule 5A, for, <i>inter alia</i> :

¹⁹⁸⁸ Sch. 2, para. 4(3).

¹⁹⁸⁹ S 296ZF (defining “technological measures” as any technology, device or component which is designed, in the normal course of its operation, to protect acopyright work other than a computer program(.

¹⁹⁹⁰ S 296ZE(3)(a).

¹⁹⁹¹ S 296ZE(3)(b).

¹⁹⁹² S 296ZE(11)(a).

¹⁹⁹³ S 296ZE(11)(b).

¹⁹⁹⁴ S 296ZE(11)(c).

¹⁹⁹⁵ S 296ZE(9), taken from EU Copyright Directive 2001/29, Art. 6(4).

¹⁹⁹⁶ S 296ZE(10).

	<p>things done for purposes of instruction or examination (ss 32(1), (3), (3)),</p> <p>recording by educational establishments of broadcasts (s 35),</p> <p>reprographic copying by educational establishments of passages from published works (s 36),</p> <p>paragraph 4 of Schedule 2 (things done for purposes of instruction or examination) (Sch. 2, para. 4),</p> <p>recording of broadcasts by educational establishments (Sch. 2, para. 6)</p>
Purpose of limitation/exception	to the extent necessary and to have legal access to the protected work or subject-matter
Condition of limitation/exception	

United Republic of Tanzania

1. Legislation Reviewed

Copyright and Neighbouring Rights Act, 1999

2. Private/Personal Use

Provision	s 12(2)(a)
Scope of private/personal use	production, translation, adaptation, arrangement or other transformation
Type(s) of source work(s)	a lawfully published work (in original or in translation), (a performance, sound recording, broadcast) ¹⁹⁹⁷
Entity exercising private/personal use	
Purpose of private/personal use	user's own personal and private use
Condition of private/personal use	"reproduction does not conflict with normal exploitation of the work and does not unreasonably prejudice the legitimate interest of the author"
Preclusions (not part of private/personal use)	works of architecture, computer program
Subject to Attribution	
Subject to Remuneration	

3. Quotations

Provision	s 12(2)(b)
Scope of quotation	inclusion, in another work
Type(s) of source work(s)	a lawfully published work (in original or in translation), including ¹⁹⁹⁸ newspaper articles and periodicals in the form of press summaries, (a performance, sound recording, broadcast) ¹⁹⁹⁹
Entity exercising quotation	
Purpose of quotation	in the form of quotation
Condition of quotation	quotations are compatible with fair practice quotations do not exceed extent justified by the purpose
Preclusions (not part of quotation)	works of architecture, computer program
Subject to Attribution	source, name of author (if indicated on source)
Subject to Remuneration	

4. Educational Reproduction

Provision	s 12(7)
Nature of educational reproduction	reproduction, by photography of sound or video recording, or electronic storage

¹⁹⁹⁷ S 35(e) (applying cases in Part II where a work can be used without the authorization of the author or owner of copyright to related rights).

¹⁹⁹⁸ S 12(2)(b) uses the expression "including quotations for [sic] newspaper articles", but the context suggests that it should refer to quotations *from* newspaper articles, since the content of what "another work" constitutes is never particularized in the provision.

¹⁹⁹⁹ S 35(e) (applying cases in Part II where a work can be used without the authorization of the author or owner of copyright to related rights).

Type(s) of source work(s)	literary and artistic works which have already been lawfully made available to the public, (a performance, sound recording, broadcast) ²⁰⁰⁰
Entity exercising reproduction	by photography of sound or video recording, or electronic storage
Purpose of educational reproduction	regular activities of the entity
Qualification(s)	reproduction, the number of copies made, and the use thereof are limited to the need of the entity reproducing the work “neither conflict with the normal exploitation of the work nor unreasonably prejudice the legitimate interests of the author”
Frequency/Multiple copies and Limits	
Collective Licence/remuneration	
Attribution	

5. Educational Publications/Anthologies/Compilations/Composite Works

Provision	s 12(2)(c)
Scope of anthologies/compilations limitation/exception	utilization in publications
Type(s) of source work(s)	a lawfully published work (in original or in translation), (a performance, sound recording, broadcast) ²⁰⁰¹
Entity exercising anthologies/compilations limitation/exception	
Purpose of anthologies/compilations limitation/exception	for teaching purposes of the work, for use in schools, education, universities and professional training
Condition of anthologies/compilations limitation/exception	utilization to extent justified by the purpose use is compatible with fair practice
Preclusions (not part of anthologies/compilations limitation/exception)	works of architecture, computer program
Subject to Attribution	source, name of author
Subject to Remuneration	

6. School Performances

7. Educational Broadcasts/Communications/Recordings

Provision	s 12(7)
Scope of broadcast/communication/recording	reproduction, by photography of sound or video recording, or electronic storage
Type(s) of source work(s)	literary and artistic works which have already been lawfully made available to the public, (a performance, sound recording, broadcast) ²⁰⁰²

²⁰⁰⁰ S 35(e) (applying cases in Part II where a work can be used without the authorization of the author or owner of copyright to related rights).

²⁰⁰¹ S 35(e) (applying cases in Part II where a work can be used without the authorization of the author or owner of copyright to related rights).

Entity exercising broadcast/communication/recording	by photography of sound or video recording, or electronic storage
Purpose of broadcast/communication/recording	regular activities of the entity
Condition of broadcast/communication/recording	reproduction, the number of copies made, and the use thereof are limited to the need of the entity reproducing the work “neither conflict with the normal exploitation of the work nor unreasonably prejudice the legitimate interests of the author”
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	
Subject to Remuneration	
Provision	s 12(2)(c)
Scope of broadcast/communication/recording	utilization in broadcasts, programs distributed by cable, or sound or visual recordings,
Type(s) of source work(s)	a lawfully published work (in original or in translation), (a performance, sound recording, broadcast) ²⁰⁰³
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	for teaching purposes of the work, for use in schools, education, universities and professional training
Condition of broadcast/communication/recording	utilization to extent justified by the purpose use is compatible with fair practice
Preclusions (not part of broadcast/communication/recording)	works of architecture, computer program
Subject to Attribution	source, name of author
Subject to Remuneration	

Provision	s 35(b)
Scope of broadcast/communication/recording	reproduction
Type(s) of source work(s)	a performance, sound recording, broadcast
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	solely for scientific research
Condition of broadcast/communication/recording	
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	
Subject to Remuneration	

²⁰⁰² S 35(e) (applying cases in Part II where a work can be used without the authorization of the author or owner of copyright to related rights).

²⁰⁰³ S 35(e) (applying cases in Part II where a work can be used without the authorization of the author or owner of copyright to related rights).

Provision	s 35(c)
Scope of broadcast/communication/recording	reproduction
Type(s) of source work(s)	a performance, sound recording, broadcast
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	solely for face-to-face teaching activities
Condition of broadcast/communication/recording	excluding performances and phonograms which have been published as teaching or instructional materials
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	
Subject to Remuneration	

8. Compulsory Licences for Educational Reproductions and Translations
9. TPM/RMI Exceptions for Educational Purposes

United States of America

1. Legislation Reviewed

U.S. Copyright Act, Title 17

Federal Guidelines for Off-Air Recording of Broadcast Programming for Educational Purposes, Oct. 14, 1981

Agreement on Guidelines for Classroom Copying in Not-For-Profit Educational Institutions with respect to books and periodicals

Guidelines for Educational Uses of Music

U.S. Copyright Office, Circular 21: Reproduction Of Copyrighted Works By Educators and Librarians (2014)

2. Private/Personal Use

Provision	s 107
Scope of private/personal use	fair use, including such use by reproduction in copies or phonorecords or by any other means specified by [ss 106 and 106A]
Type(s) of source work(s)	a copyrighted work (the fact that a work is unpublished shall not itself bar a finding of fair use)
Entity exercising private/personal use	
Purpose of private/personal use	[any <i>individual</i> may reproduce a copyrighted work for [...] fair use] ²⁰⁰⁴ purposes such as criticism, comment, news reporting, teaching (including multiple copies for classroom use), scholarship, or research
Condition of private/personal use	to determine if use is fair use, factors to be considered shall include: (a) the purpose and character of the use, including whether such use is of a commercial nature or for non-profit educational purposes; (b) the nature of the copyright work; (c) the amount and substantially of the portion used in relation to the copyrighted work as a whole; (d) the effect of the use upon the potential market for or value of the work.
Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	

3. Quotations

Provision	s 107
Scope of quotation	fair use, including such use by reproduction in copies or phonorecords or by any other means specified by [ss 106 and 106A]

²⁰⁰⁴ Sony Corp. of America v. Universal City Studios, Inc., 104 S.Ct. 774, 784, 464 U.S. 417, 444 (“Any individual may reproduce a copyrighted work for a “fair use;” the copyright owner does not possess the exclusive right to such a use.”).

Type(s) of source work(s)	a copyrighted work (the fact that a work is unpublished shall not itself bar a finding of fair use)
Entity exercising quotation	
Purpose of quotation	purposes such as criticism, comment, ²⁰⁰⁵
Condition of quotation	to determine if use is fair use, factors to be considered shall include: (a) the purpose and character of the use, including whether such use is of a commercial nature or for non-profit educational purposes; (b) the nature of the copyright work; (c) the amount and substantially of the portion used in relation to the copyrighted work as a whole; (d) the effect of the use upon the potential market for or value of the work.
Preclusions (not part of quotation)	
Subject to Attribution	
Subject to Remuneration	

4. Educational Reproduction

Provision	s 107
Nature of educational reproduction	fair use, including such use by reproduction in copies or phonorecords or by any other means specified by [ss 106 and 106A]
Type(s) of source work(s)	a copyrighted work (the fact that a work is unpublished shall not itself bar a finding of fair use)
Entity exercising reproduction	
Purpose of educational reproduction	purposes such as teaching (including multiple copies for classroom use) ²⁰⁰⁶ , scholarship, or research
Qualification(s)	to determine if use is fair use, factors to be considered shall include: (a) the purpose and character of the use, including whether such use is of a commercial nature or for non-profit educational purposes; (b) the nature of the copyright work; (c) the amount and substantially of the portion used in relation to the copyrighted work as a whole;

²⁰⁰⁵ See, e.g., *New Era Publications Intern., ApS v. Carol Publication. Group*, 904 F.2d 152, 156 (2nd Cir, 1990) (holding that use of quotations from copyrighted works of biography to convey the author's criticism had the purpose and character necessary for a finding of fair use); *Rubin v. Brooks/Cole Publication. Co.*, 836 F.Supp. 909 (D. Mass., 1993) (holding that use and incorporation of psychological instrument known as "love scale" in college social psychology textbook, which reprinted the "love scale" without the copyright holder's permission, was "fair use" as it presented copyrighted work in productive and scholarly manner within an educational setting for the purposes of teaching and higher learning and did not supersede the original author's work).

²⁰⁰⁶ See, *Cambridge University Press v. Patton*, 769 F.3d 1232, 1274 (11th Cir. 2014) (also accepting the argument that a non-transformative making of multiple copies of works for classroom use may be fair use, but reversing and remanding a lower court decision, which had held that the posting of unlicensed portions of copyrighted books electronically and making them available electronically to students amounted to fair use).

	(d) the effect of the use upon the potential market for or value of the work.
Frequency/Multiple copies and Limits	
Collective Licence/remuneration	
Attribution	

Provision	Guidelines for Classroom Copying in Not-For-Profit Educational Institutions with respect to books and periodicals ²⁰⁰⁷
Nature of educational reproduction	single copying
Type(s) of source work(s)	books and periodicals: a chapter from a book, an article from a periodical or newspaper, a short story, short essay or short poem, a chart, graph, diagram, drawing, cartoon or picture from a book, periodical or newspaper
Entity exercising reproduction	not-for-profit educational institutions, by or for a teacher
Purpose of educational reproduction	scholarly research or use in teaching or preparation to teach a class
Qualification(s)	copy at the teacher's individual request preclusions: copying to create or replace or substitute for anthologies, compilations or collective works, copying of works intended to be "consumable" in the course of study or of teaching e.g. workbooks etc., copying as a substitute for the purchase of books, reprints or periodicals etc. ²⁰⁰⁸
Frequency/Multiple copies and Limits	a single copy
Collective Licence/remuneration	
Attribution	

Provision	Guidelines for Classroom Copying in Not-For-Profit Educational Institutions with respect to books and periodicals ²⁰⁰⁹
Nature of educational reproduction	multiple copying
Type(s) of source work(s)	books and periodicals
Entity exercising reproduction	not-for-profit educational institutions, by or for a teacher giving the course
Purpose of educational reproduction	for classroom use or discussion

²⁰⁰⁷ The use of books and periodicals by way of classroom copying is spelt out in the U.S. Congressional Committee-approved Agreement on Guidelines for Classroom Copying in Not-For-Profit Educational Institutions with respect to books and periodicals, Conf. Rep. No. 1733, 94th Cong., 2d Sess. 70. See U.S. Copyright Office, CIRCULAR 21: REPRODUCTION OF COPYRIGHTED WORKS BY EDUCATORS AND LIBRARIANS (2014), available at <http://www.copyright.gov/circs/circ21.pdf>. Though not controlling on the court, the guidelines are instructive as they spell out the minimum, not maximum, amount of allowable educational fair use under s 107, as to the qualifications, frequency and limits, and were not intended to limit fair use in any way.

²⁰⁰⁸ *Id.*, Part III.

²⁰⁰⁹ *Id.* Note that because the guidelines only spell out the minimum amount of allowable educational fair use under s 107, even if the guidelines are not complied with, such use, for instance, multiple copying, may still be a fair use. See, Cambridge University Press v. Patton, 769 F.3d 1232, 1274 (11th Cir. 2014) (accepting the argument that a non-transformative making of multiple copies of works for classroom use may be fair use).

Qualification(s)	<p>“spontaneity” test: copying is at the instance and inspiration of the individual teacher, and that the inspiration and decision to use the work and moment of its use for maximum teaching effectiveness are so close that it would be unreasonable to expect a timely reply to a request for permission</p> <p>preclusions: copying to create or replace or substitute for anthologies, compilations or collective works, copying of works intended to be “consumable” in the course of study or of teaching e.g. workbooks etc., copying as a substitute for the purchase of books, reprints or periodicals etc.²⁰¹⁰</p>
Frequency/Multiple copies and Limits	<p>not to exceed more than 1 copy per pupil in a course</p> <p>“brevity” test: poetry – a complete poem if less than 250 words and if printed on not more than 2 pages, or from a longer poem, an excerpt of not more than 250 words; prose – either a complete article, story or essay of less than 2,500 words, or an excerpt from any prose work of not more than 1,000 words or 10% of the work, whichever is less, but in any event, a minimum of 500 words (but the aforesaid limits may be expanded to permit the completion of an unfinished line of poem or prose paragraph); illustration – one chart, graph, diagram, drawing, cartoon or picture per book or per periodical issue; special works – certain works in poetry, prose or poetic prose which combine language with illustrations and are intended sometimes for children and at other times for a more general audience that are less than 2,500 words in their entirety, may not be reproduced in their entirety but an excerpt comprising not more than 2 of the published pages and not more than 10% of the words found in the text may be reproduced</p> <p>“cumulative effects” test: (i) copying is for only one course in the school, (ii) not more than 1 short poem, article, story, essay or two excerpts may be copied from the same author, or more than 3 from the same collective work or periodical volume during one class term, and (iii) not more than 9 instances of such multiple copying for one course during one class term, but (ii) and (iii) shall not apply to</p>

²⁰¹⁰ *Id.*, Part III.

	current news periodicals and newspapers and current news sections of other periodicals each copy includes a notice of copyright ²⁰¹¹
Collective Licence/remuneration	
Attribution	

Provision	Guidelines for Educational Uses of Music ²⁰¹²
Nature of educational reproduction	copying
Type(s) of source work(s)	musical works, recordings of performances, sound recordings
Entity exercising reproduction	
Purpose of educational reproduction	educational uses of music
Qualification(s)	emergency copying to replace purchased copies, or academic purposes other than performance: single or multiple copies where the excerpts do not comprise a performable unit (but not more than 10% of the whole work), and not more than 1 copy per pupil; or editing or simplification of purchased printed copies, without distorting the character of the work or lyrics; or for evaluation or rehearsal purposes: a single copy of recordings of performances by students; or conducting aural exercises or examinations: a single copy of a sound recording of copyrighted music from sound recordings owned by an educational institution or teacher. ²⁰¹³ preclusions (except as allowed above): copying to create or replace or substitute for anthologies, compilations or collective works, copying of or form works intended to be “consumable” e.g. workbooks, exercises, etc., copying for the purpose of performance, copying for the purpose of substituting for the purchase of music, and copying without inclusion of existing copyright notice. ²⁰¹⁴
Frequency/Multiple copies and Limits	
Collective Licence/remuneration	
Attribution	

²⁰¹¹ Agreement on Guidelines for Classroom Copying in Not-For-Profit Educational Institutions with respect to books and periodicals, *id.*

²⁰¹² Guidelines for Educational Uses of Music was approved by the U.S. Congressional Committee. Both are reproduced in the U.S. Copyright Office, CIRCULAR 21: REPRODUCTION OF COPYRIGHTED WORKS BY EDUCATORS AND LIBRARIANS (2014), available at <http://www.copyright.gov/circs/circ21.pdf>. Though not controlling on the court, the guidelines are instructive as they spell out the minimum, not maximum, amount of allowable educational fair use under s 107, as to the qualifications, frequency and limits, and were not intended to limit fair use in any way.

²⁰¹³ *Id.*, Part A (Permissible Uses).

²⁰¹⁴ *Id.*, Part B (Prohibitions).

5. Educational Publications/Anthologies/Compilations/Composite Works

Provision	s 107
Scope of anthologies/compilations limitation/exception	fair use, including such use by reproduction in copies or phonorecords or by any other means specified by [ss 106 and 106A]
Type(s) of source work(s)	a copyrighted work (the fact that a work is unpublished shall not itself bar a finding of fair use)
Entity exercising anthologies/compilations limitation/exception	
Purpose of anthologies/compilations limitation/exception	purposes such as teaching (including multiple copies for classroom use), scholarship, or research
Condition of anthologies/compilations limitation/exception	to determine if use is fair use, factors to be considered shall include: (a) the purpose and character of the use, including whether such use is of a commercial nature or for non-profit educational purposes; (b) the nature of the copyright work; (c) the amount and substantially of the portion used in relation to the copyrighted work as a whole; (d) the effect of the use upon the potential market for or value of the work.
Preclusions (not part of anthologies/compilations limitation/exception)	
Subject to Attribution	
Subject to Remuneration	coursepacks: ²⁰¹⁵ copyright clearance obtained via department administration, university bookstores, private clearance services such as Copyright Clearance Center (fees are based on cost of copyright permission for material copied – approximately US\$0.08 to US\$0.10 per copied page, plus copying, binding, clearance service's processing fee and store markup) ²⁰¹⁶

6. School Performances

Provision	s 107
Scope of school performance	fair use, including such use by reproduction in copies or phonorecords or by any other means specified by [ss 106 and 106A]

²⁰¹⁵ The general rule is that the assembly and printing of coursepacks is not fair use and requires copyright clearance. See, e.g., *Marcus v. Rowley*, 695 F.2d 1171 (9th Cir. 1983) (holding that the use of copyrighted booklet in "learning activity package" which included some of material in copyrighted booklet was not protected fair use); *Basic Books Inc. v. Kinko's Graphics Corp.*, 758 F. Supp. 1522 (S.D. N.Y. 1991) (holding that copy shop infringed a publisher's copyright when it reprinted portions of a book in an academic coursepack); *Princeton Univ. v. Michigan Document Servs.*, 99 F.3d 1381 (6th Cir. 1996) (holding that copy shop copying of course materials for students and professors did not qualify as fair use, based on the amount and substantiality of the portions taken and the loss of licensing revenues for academic publishers, while the copy shop was making money on the coursepacks).

²⁰¹⁶ Stanford University Libraries, *Academic Coursepacks*, at <http://fairuse.stanford.edu/overview/academic-and-educational-permissions/academic-coursepacks/>.

Type(s) of source work(s)	a copyrighted work (the fact that a work is unpublished shall not itself bar a finding of fair use)
Entity exercising school performance	
Purpose of school performance	purposes such as teaching (including multiple copies for classroom use), scholarship, or research
Condition of school performance	to determine if use is fair use, factors to be considered shall include: (a) the purpose and character of the use, including whether such use is of a commercial nature or for non-profit educational purposes; (b) the nature of the copyright work; (c) the amount and substantially of the portion used in relation to the copyrighted work as a whole; (d) the effect of the use upon the potential market for or value of the work.
Preclusions (not part of school performance)	
Subject to Attribution	
Subject to Remuneration	

Provision	s 110(1)
Scope of school performance	performance or display
Type(s) of source work(s)	a work
Entity exercising school performance	by instructors or pupils
Purpose of school performance	in the course of face-to-face teaching activities of a nonprofit educational institution, in a classroom or similar place devoted to instruction
Condition of school performance	
Preclusions (not part of school performance)	(a motion picture or other audiovisual work) source work was not lawfully made, and person responsible for performance knew or had reason to believe it was not lawfully made
Subject to Attribution	
Subject to Remuneration	

Provision	s 110(2)
Scope of school performance	performance or display, by or in the course of a transmission
Type(s) of source work(s)	a nondramatic literary or musical work or reasonable and limited portions of any other work
Entity exercising school performance	performance or display is made by, at the direction of, or under the actual supervision of an instructor as an integral part of a class session offered as a regular part of the systematic

	<p>“mediated instructional activities”²⁰¹⁷ of a governmental body or an accredited nonprofit educational institution</p>
Purpose of school performance	performance or display is directly related and of material assistance to the teaching content of the transmission
Condition of school performance	<p>performance or display is in an amount comparable to that which is typically displayed in the course of a live classroom session</p> <p>transmission is made solely for, and, to the extent technologically feasible, its reception is limited to officially enrolled students and officers or employees of governmental bodies as part of their official duties²⁰¹⁸</p> <p>transmitting body/institution institutes copyright policies and provides copyright notices to students²⁰¹⁹</p> <p>(for digital transmissions) transmitting body/institution applies technological measures that reasonably prevent retention of the work for longer than the class session, and unauthorised further dissemination,²⁰²⁰ and does not interfere with technological measures used by copyright owners to this end²⁰²¹</p>
Preclusions (not part of school performance)	<p>work is one produced or marketed primarily for performance or display as part of mediated instructional activities transmitted via digital networks, or</p> <p>a performance or display that is given by means of a copy or phonorecord that is not lawfully made and acquired under this title, and the transmitting government body or accredited nonprofit educational institution knew or had reason to believe was not lawfully made and acquired</p>
Subject to Attribution	

²⁰¹⁷ S 110 (defining “mediated instructional activities” with respect to the performance or display of a work by digital transmission under this section to refer to activities that use such work as an integral part of the class experience, controlled by or under the actual supervision of the instructor and analogous to the type of performance or display that would take place in a live classroom setting. The term does not refer to activities that use, in 1 or more class sessions of a single course, such works as textbooks, course packs, or other material in any media, copies or phonorecords of which are typically purchased or acquired by the students in higher education for their independent use and retention or are typically purchased or acquired for elementary and secondary students for their possession and independent use.).

²⁰¹⁸ S 110(2)(C).

²⁰¹⁹ S 110(2)(D)(i)

²⁰²⁰ S 110(2)(D)(ii)(I).

²⁰²¹ S 110(2)(D)(ii)(II).

Subject to Remuneration	
Provision	s 110(4)
Scope of school performance	performance
Type(s) of source work(s)	a nondramatic literary or musical work otherwise than in a transmission to the public
Entity exercising school performance	
Purpose of school performance	
Condition of school performance	without any purpose of direct or indirect commercial advantage ²⁰²² without payment of any fee or other compensation for the performance to any of its performers, promoters, or organizers no direct or indirect admission charge ²⁰²³ proceeds, after deducting the reasonable costs of producing the performance, are used exclusively for educational, religious, or charitable purposes and not for private financial gain ²⁰²⁴
Preclusions (not part of school performance)	except where the copyright owner has served notice, in writing, in compliance with form, content and manner of service, of objection to the performance, at least 7 days before the performance, with reasons ²⁰²⁵
Subject to Attribution	
Subject to Remuneration	

7. Educational Broadcasts/Communications/Recordings

Provision	s 107
Scope of broadcast/communication/recording	fair use, including such use by reproduction in copies or <i>phonorecords</i> or by any other means specified by [ss 106 and 106A]
Type(s) of source work(s)	a copyrighted work (the fact that a work is unpublished shall not itself bar a finding of fair use)
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	purposes such as teaching (including multiple copies for classroom use) ²⁰²⁶ , scholarship, or research

²⁰²² S 110(4).

²⁰²³ S 110(4)(A).

²⁰²⁴ S 110(4)(B).

²⁰²⁵ S 110(4)(B) proviso.

²⁰²⁶ See, *Cambridge University Press v. Patton*, 769 F.3d 1232, 1274 (11th Cir. 2014) (also accepting the argument that a non-transformative making of multiple copies of works for classroom use may be fair use, but reversing and remanding a lower court decision, which had held that the posting of unlicensed portions of copyrighted books electronically and making them available electronically to students amounted to fair use).

Condition of broadcast/communication/recording	to determine if use is fair use, factors to be considered shall include: (a) the purpose and character of the use, including whether such use is of a commercial nature or for non-profit educational purposes; (b) the nature of the copyright work; (c) the amount and substantially of the portion used in relation to the copyrighted work as a whole; (d) the effect of the use upon the potential market for or value of the work.
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	
Subject to Remuneration	
Provision	Guidelines for Educational Uses of Music ²⁰²⁷
Scope of broadcast/communication/recording	copying
Type(s) of source work(s)	musical works, recordings of performances, sound recordings
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	educational uses of music
Condition of broadcast/communication/recording	emergency copying to replace purchased copies, or academic purposes other than performance: single or multiple copies where the excerpts do not comprise a performable unit (but not more than 10% of the whole work), and not more than 1 copy per pupil; or editing or simplification of purchased printed copies, without distorting the character of the work or lyrics; or for evaluation or rehearsal purposes: a single copy of recordings of performances by students; or conducting aural exercises or examinations: a single copy of a sound recording of copyrighted music from sound recordings owned by an educational institution or teacher. ²⁰²⁸ preclusions (except as allowed above): copying to create or replace or substitute for anthologies, compilations or collective works, copying of or form works intended to be “consumable” e.g. workbooks, exercises, etc.,

²⁰²⁷ Guidelines for Educational Uses of Music was approved by the U.S. Congressional Committee. Both are reproduced in the U.S. Copyright Office, CIRCULAR 21: REPRODUCTION OF COPYRIGHTED WORKS BY EDUCATORS AND LIBRARIANS (2014), available at <http://www.copyright.gov/circs/circ21.pdf>. Though not controlling on the court, the guidelines are instructive as they spell out the minimum, not maximum, amount of allowable educational fair use under s 107, as to the qualifications, frequency and limits, and were not intended to limit fair use in any way.

²⁰²⁸ *Id.*, Part A (Permissible Uses).

	copying for the purpose of performance, copying for the purpose of substituting for the purchase of music, and copying without inclusion of existing copyright notice. ²⁰²⁹
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	
Subject to Remuneration	
Provision	s 110(2)
Scope of broadcast/communication/recording	performance or display, by or in the course of a transmission (and to make copies or phonorecords of a work embodying the performance or display for such transmission) ²⁰³⁰
Type(s) of source work(s)	a nondramatic literary or musical work or reasonable and limited portions of any other work [e.g. audiovisual works]
Entity exercising broadcast/communication/recording	performance or display is made by, at the direction of, or under the actual supervision of an instructor, of a governmental body or an accredited nonprofit educational institution
Purpose of broadcast/communication/recording	performance/display as an integral part of a class session offered as a regular part of the systematic “mediated instructional activities” ²⁰³¹ of [government body/educational institution] performance or display is directly related and of material assistance to the teaching content of the transmission
Condition of broadcast/communication/recording	performance or display is in an amount comparable to that which is typically displayed in the course of a live classroom session transmission is made solely for, and, to the extent technologically feasible, its reception is limited to officially enrolled students and officers or employees of governmental bodies as part of their official duties ²⁰³²

²⁰²⁹ *Id.*, Part B (Prohibitions).

²⁰³⁰ S 112(f)(1) (extending s 110(2) to encompass the making of copies or phonorecords of a digital or analog work (solely to the extent permitted in s 112(f)(2)) where such copies or phonorecords are used solely for s 110(2) transmission). S 112(f)(2) permits the conversion into digital form of an analogue version (if no digital version is available to the institution) or a digital version subject to technological protection measures that prevent its s 110(2) use.

²⁰³¹ S 110 (defining “mediated instructional activities” with respect to the performance or display of a work by digital transmission under this section to refer to activities that use such work as an integral part of the class experience, controlled by or under the actual supervision of the instructor and analogous to the type of performance or display that would take place in a live classroom setting. The term does not refer to activities that use, in 1 or more class sessions of a single course, such works as textbooks, course packs, or other material in any media, copies or phonorecords of which are typically purchased or acquired by the students in higher education for their independent use and retention or are typically purchased or acquired for elementary and secondary students for their possession and independent use.).

²⁰³² S 110(2)(C).

	<p>transmitting body/institution institutes copyright policies and provides copyright notices to students²⁰³³</p> <p>(for digital transmissions) transmitting body/institution applies technological measures that reasonably prevent retention of the work for longer than the class session, and unauthorised further dissemination,²⁰³⁴ and does not interfere with technological measures used by copyright owners to this end²⁰³⁵</p>
Preclusions (not part of broadcast/communication/recording)	<p>work is one produced or marketed primarily for performance or display as part of mediated instructional activities transmitted via digital networks, or</p> <p>a performance or display that is given by means of a copy or phonorecord that is not lawfully made and acquired under this title, and the transmitting government body or accredited nonprofit educational institution knew or had reason to believe was not lawfully made and acquired</p>
Subject to Attribution	
Subject to Remuneration	

Provision	s 107
Scope of broadcast/communication/recording	fair use, including such use by reproduction in copies or phonorecords or by any other means specified by [ss 106 and 106A]
Type(s) of source work(s)	a copyrighted work (the fact that a work is unpublished shall not itself bar a finding of fair use)
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	purposes such as teaching (including multiple copies for classroom use), scholarship, or research
Condition of broadcast/communication/recording	<p>to determine if use is fair use, factors to be considered shall include:</p> <p>(a) the purpose and character of the use, including whether such use is of a commercial nature or for non-profit educational purposes;</p> <p>(b) the nature of the copyright work;</p>

²⁰³³ S 110(2)(D)(i)

²⁰³⁴ S 110(2)(D)(ii)(I).

²⁰³⁵ S 110(2)(D)(ii)(II). The effect of this requirement, read with the requirement above about reasonable and limited portions of other works, is that even if the source work is an analogue audiovisual work to which no technological measures are applied, while it can be digitized (by the entity) for digital transmissions, only "reasonable and limited portions" of it can be transmitted. See, e.g., University of Texas, Copyright Crash Course, <https://copyright.lib.utexas.edu/teachact.html>.

	(c) the amount and substantially of the portion used in relation to the copyrighted work as a whole; (d) the effect of the use upon the potential market for or value of the work.
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	
Subject to Remuneration	

Provision	Federal Guidelines for Off-Air Recording of Broadcast Programming for Educational Purposes, Oct. 14, 1981 ²⁰³⁶
Scope of broadcast/communication/recording	off-air recording and retention of recording
Type(s) of source work(s)	a "broadcast program" ²⁰³⁷ (simultaneously with broadcast transmission, including simultaneous cable retransmission)
Entity exercising broadcast/communication/recording	non-profit educational institutions ²⁰³⁸
Purpose of broadcast/communication/recording	educational purposes – used for teaching activities, and for teacher evaluation purposes
Condition of broadcast/communication/recording	<p>broadcast program may be recorded and retained for not more than 45 days (from date of recording) ("retention period")²⁰³⁹</p> <p>off-air recordings may only be made at request of and used by individual teachers (no regular recording or anticipated recording)²⁰⁴⁰</p> <p>no broadcast program may be recorded off-air more than once at the request of the same teacher²⁰⁴¹</p> <p>a limited number of copies may be reproduced from each off-air recording to meet the legitimate needs of teachers under these guidelines²⁰⁴²</p>

²⁰³⁶ Federal Guidelines for Off-Air Recording of Broadcast Programming for Educational Purposes, Oct. 14, 1981, Congressional Record, E4750-E4752, available at <http://policy.ucop.edu/doc/2100006/BroadcastRecording>. The guidelines reflect the consensus of the negotiating committee, consisting of representatives from educational organizations, copyright proprietors and creative guilds and unions, as to the application of fair use in s 107 to the recording, retention and use of television broadcast programs for educational purposes.

²⁰³⁷ Para. 2 (defining "broadcast programs" as television programs transmitted by television stations for reception by the general public without charge). The guidelines do not cover public domain programs, such as daily network newscasts. Many producers of public education programs, especially those receiving State support, licence non-profit educational institutions to tape their programs without a fee, such as those programs funded by the California Public Broadcasting Commission (CPBC) contract or grant or the California Council for the Humanities (CPBC/CCH) joint fund. See, e.g., the University of California Policy: Off-Air Recording of Broadcast Programming for Educational Purposes, Sep. 24, 1985, available at <http://policy.ucop.edu/doc/2100006/BroadcastRecording>.

²⁰³⁸ Para. 1.

²⁰³⁹ Para. 2.

²⁰⁴⁰ Para. 4.

²⁰⁴¹ Para. 4.

²⁰⁴² Para. 5.

	<p>during first 10 consecutive school days in retention period, off-air recordings may be used by individual teachers in the course of relevant teaching activities, and repeated once only for instructional reinforcement, in classrooms and similar places devoted to instruction²⁰⁴³</p> <p>after first 10 consecutive school days, to the end of retention period, off-air recordings may only be used for teacher evaluation purposes (to determine whether or not to include broadcast program in teaching curriculum)²⁰⁴⁴</p> <p>no alteration of recorded programs from their original content, or physically or electronically combined to constitute teaching anthologies or compilations²⁰⁴⁵</p> <p>educational institutions to establish appropriate control procedures to maintain the integrity of these guidelines²⁰⁴⁶</p>
Preclusions (not part of broadcast/communication/recording)	<p>programs available only from cable television services²⁰⁴⁷</p> <p>off-air recordings for student exhibition or non-evaluation purposes without authorisation²⁰⁴⁸</p>
Subject to Attribution	all copies to include copyright notice on broadcast programs as recorded ²⁰⁴⁹
Subject to Remuneration	

8. Compulsory Licences for Educational Reproductions and Translations

9. TPM/RMI Exceptions for Educational Purposes

Provision	s 1201(d)
Scope of TPM/RMI limitation/exception	exception for circumventing technological access control measure
Type(s) of source work(s)	a commercially exploited copyrighted work (not reasonably available in non-technologically protected form) ²⁰⁵⁰
Beneficiary exercising limitation/exception	a nonprofit library, archives, or educational

²⁰⁴³ Para. 3. This includes homes of students receiving formalized home instruction.

²⁰⁴⁴ Para. 6.

²⁰⁴⁵ Para. 7.

²⁰⁴⁶ Para. 9. Schools are required to document their compliance, including the making and keeping of records of teacher requests, dates of taping, times shown and number of copies made. The guidelines do not require formal enforcement.

²⁰⁴⁷ Since these are subscription only and not "broadcast programs ... for reception by the general public without charge".

²⁰⁴⁸ Para. 6.

²⁰⁴⁹ Para. 9.

²⁰⁵⁰ S 1201(d)(2).

	institution
Purpose of limitation/exception	sole purpose of making an acquisition decision in relation to the work
Condition of limitation/exception	copy of work to which access has been so gained “may not be retained longer than necessary to make such good faith determination” ²⁰⁵¹ and “may not be used for any other purpose” ²⁰⁵² beneficiary does not circumvent technological access control measure wilfully for the purposes of commercial advantage or financial gain ²⁰⁵³ beneficiary not permitted to manufacture, import, offer to the public, provide, or otherwise traffic in any technology, product, service, component, or part thereof, which circumvents a technological measure ²⁰⁵⁴
Provision	s 1201(g)
Scope of TPM/RMI limitation/exception	exception for circumventing technological access control measure
Type(s) of source work(s)	technological measure applied to a copy, phonorecord, performance, or display of a published work
Beneficiary exercising limitation/exception	a person engaged in a legitimate course of study, is employed, or is trained or experienced, in the field of encryption technology ²⁰⁵⁵
Purpose of limitation/exception	good faith “encryption research” ²⁰⁵⁶ (into encryption technology ²⁰⁵⁷)
Condition of limitation/exception	circumvention relates to lawfully obtained encrypted copy etc. of work ²⁰⁵⁸ circumvention is necessary to conduct such research ²⁰⁵⁹ person has made good faith effort to obtain authorisation before circumvention ²⁰⁶⁰ circumvention act does not constitute copyright

²⁰⁵¹ S 1201(d)(1)(A).²⁰⁵² S 1201(d)(1)(B).²⁰⁵³ S 1201(d)(3).²⁰⁵⁴ S 1201(d)(4).²⁰⁵⁵ S 1201(g)(3)(B).²⁰⁵⁶ S 1201(g)(1)(A) (defining “encryption research” as activities necessary to identify and analyze flaws and vulnerabilities of encryption technologies applied to copyrighted works, if these activities are conducted to advance the state of knowledge in the field of encryption technology or to assist in the development of encryption products).²⁰⁵⁷ S 1201(g)(1)(B) (defining “encryption technology” as the scrambling and descrambling of information using mathematical formulas or algorithms).²⁰⁵⁸ S 1201(g)(2)(A).²⁰⁵⁹ S 1201(g)(2)(B).²⁰⁶⁰ S 1201(g)(2)(C).

	infringement or violation of applicable law (including the Computer Fraud and Abuse Act) ²⁰⁶¹
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²⁰⁶¹ S 1201(g)(2)(D).

***Uruguay**

1. Legislation Reviewed

Law No. 9.739 of 17 December 1937 on Copyright (as last amended by Law No. 18.046 of October 24, 2006)

Uzbekistan

1. Legislation Reviewed

Law of the Republic of Uzbekistan No. 42 of July 20, 2006 on Copyright and Related Rights

2. Private/Personal Use

Provision	Arts. 33, 53.2 ²⁰⁶²
Scope of private/personal use	reproduction of
Type(s) of source work(s)	audiovisual work or phonorecord, (performance, broadcast) ²⁰⁶³
Entity exercising private/personal use	(natural person) ²⁰⁶⁴
Purpose of private/personal use	personal purposes
Condition of private/personal use	
Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	levy ²⁰⁶⁵ payable on tangible media (audio and/or video tapes, cassettes, CDs, other tangible media) used for reproduction and reproduction equipment ²⁰⁶⁶ , payable by importer, manufacturer, ²⁰⁶⁷ to account of CMOs ²⁰⁶⁸ to be distributed among authors, executors [performers], producers of phonorecords, manufacturers of audiovisual records ²⁰⁶⁹ remuneration ²⁰⁷⁰ to authors, (performers, producers of phonograms and videograms) ²⁰⁷¹ by levy on manufacturer/importer ²⁰⁷² of empty carriers of sound, picture and text, new devices for sound or visual recording and new devices for photocopying or other devices with similar technology of copying ²⁰⁷³ , and commercial photocopying service providers, ²⁰⁷⁴ payable to CMOs ²⁰⁷⁵

3. Quotations

Provision	Art. 26.1 item 1
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²⁰⁶² Art. 53.2 describes the use for personal purposes as “without payment of remuneration” but Art. 33 describes this use of related rights as with “remuneration”.

²⁰⁶³ Art. 53.2.

²⁰⁶⁴ Art. 53.2.

²⁰⁶⁵ Art. 33 para. 2 (providing that rates of collecting levy as remuneration and terms and procedure for its collection are established by the cabinet of ministers of Uzbekistan). Art. 33 para. 4 provides that the proportion of remuneration distributed is authors (40%), executors (30%), producers of phonorecords/manufacturers of audiovisual works (30%).

²⁰⁶⁶ Art. 33 para. 1.

²⁰⁶⁷ Art. 33 para. 1.

²⁰⁶⁸ Art. 33 para. 3.

²⁰⁶⁹ Art. 33 para. 4.

²⁰⁷⁰ Art. 33.

²⁰⁷¹ Art. 146.

²⁰⁷² Art. 39(2), (3).

²⁰⁷³ Art. 39(4).

²⁰⁷⁴ Art. 39(5).

²⁰⁷⁵ Art. 39(9).

Scope of quotation	quotation
Type(s) of source work(s)	a work (in original and in translation), including the reproduction of passages of newspaper and journal articles in form of print sample
Entity exercising quotation	
Purpose of quotation	scientific, research, polemic, crucial and not related to advertising information purposes of proclaimed works in volume
Condition of quotation	use did not damage the normal use of the work and the legal interests of author are not restrained
Preclusions (not part of quotation)	
Subject to Attribution	source, name of author
Subject to Remuneration	
Provision	Art. 53.1 item iii
Scope of quotation	quotation
Type(s) of source work(s)	small extracts of performances, phonorecords, broadcasts
Entity exercising quotation	
Purpose of quotation	scientific, research, polemic, critical or information purposes
Condition of quotation	
Preclusions (not part of quotation)	
Subject to Attribution	
Subject to Remuneration	

4. Educational Reproduction

Provision	Art. 27
Nature of educational reproduction	reprographic reproduction
Type(s) of source work(s)	particular articles and small-scale works, published in collections, newspapers, and in the other periodicals, short extracts of published written works (with illustrations or without)
Entity exercising reproduction	educational institution
Purpose of educational reproduction	for class hours
Qualification(s)	without the purpose of deriving the revenue
Frequency/Multiple copies and Limits	a single copy
Collective Licence/remuneration	
Attribution	source, name of author

5. Educational Publications/Anthologies/Compilations/Composite Works

Provision	Art. 26.1 item 2
Scope of anthologies/compilations limitation/exception	use, as illustrations in editions, radio or tv-programs, audio or videotapings
Type(s) of source work(s)	works or passages of such works
Entity exercising anthologies/compilations limitation/exception	
Purpose of anthologies/compilations limitation/exception	educational and training character in volume

Condition of anthologies/compilations limitation/exception	use justified by stated goal use did not damage the normal use of the work and the legal interests of author are not restrained
Preclusions (not part of anthologies/compilations limitation/exception)	
Subject to Attribution	source, name of author
Subject to Remuneration	

6. School Performances7. Educational Broadcasts/Communications/Recordings

Provision	Art. 53.1 item ii
Scope of broadcast/communication/recording	use, transmission, reproduction of
Type(s) of source work(s)	performance, phonorecord, broadcast
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	training or scientific research
Condition of broadcast/communication/recording	
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	
Subject to Remuneration	
Provision	Art. 26.1 item 2
Scope of broadcast/communication/recording	use, as illustrations in radio or tv-programs, audio or videotapings
Type(s) of source work(s)	works or passages of such works
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	educational and training character in volume
Condition of broadcast/communication/recording	use justified by stated goal use did not damage the normal use of the work and the legal interests of author are not restrained
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	source, name of author
Subject to Remuneration	

Provision	Art. 53.1 item ii
Scope of broadcast/communication/recording	use, transmission, reproduction of
Type(s) of source work(s)	performance, phonorecord, broadcast
Entity exercising broadcast/communication/recording	
Purpose of	training or scientific research

broadcast/communication/recording	
Condition of broadcast/communication/recording	
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	
Subject to Remuneration	

8. Compulsory Licences for Educational Reproductions and Translations
9. TPM/RMI Exceptions for Educational Purposes

***Vanuatu**

1. Legislation Reviewed

Venezuela (Bolivarian Republic of)

1. Legislation Reviewed

Law on Copyright (of August 14, 1993)

2. Private/Personal Use

Provision	Art. 43.1
Scope of private/personal use	communication
Type(s) of source work(s)	a work, (a performance, phonogram, broadcast) ²⁰⁷⁶
Entity exercising private/personal use	
Purpose of private/personal use	occurring in a domestic environment
Condition of private/personal use	no profit-making purpose
Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	

Provision	Art. 44.1
Scope of private/personal use	reproduction
Type(s) of source work(s)	a printed, sound or audiovisual work, (a performance, phonogram, broadcast) ²⁰⁷⁷
Entity exercising private/personal use	
Purpose of private/personal use	exclusive personal use of the user
Condition of private/personal use	in a single copy copy is made by person with his own facilities
Preclusions (not part of private/personal use)	computer program ²⁰⁷⁸
Subject to Attribution	
Subject to Remuneration	

Provision	Art. 44.2
Scope of private/personal use	photomechanical reproduction, as by photocopying and microfilm
Type(s) of source work(s)	small parts of a protected work or works that are out of print, (a performance, phonogram, broadcast) ²⁰⁷⁹
Entity exercising private/personal use	
Purpose of private/personal use	personal purposes
Condition of private/personal use	
Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	equitable remuneration that the companies, institutions and other organizations offering photocopying and microfilming service to the public have to pay to the owners of the right of reproduction
Provision	Art. 44.8
Scope of private/personal use	copying
Type(s) of source work(s)	works of art, (a performance, phonogram,

²⁰⁷⁶ Art. 91.1 (applying limitations on rights of exploitation in relation to copyright to neighbouring rights).

²⁰⁷⁷ Art. 91.1 (applying limitations on rights of exploitation in relation to copyright to neighbouring rights).

²⁰⁷⁸ Art. 44(5) (excepting for backup/archival purposes).

²⁰⁷⁹ Art. 91.1 (applying limitations on rights of exploitation in relation to copyright to neighbouring rights).

	broadcast) ²⁰⁸⁰
Entity exercising private/personal use	
Purpose of private/personal use	purposes of study
Condition of private/personal use	
Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	

3. Quotations

Provision	Art. 46.1
Scope of quotation	inclusion, in an original scientific work
Type(s) of source work(s)	an already published work, (a performance, phonogram, broadcast) ²⁰⁸¹
Entity exercising quotation	
Purpose of quotation	with a view to the clarification of the contents thereof
Condition of quotation	
Preclusions (not part of quotation)	
Subject to Attribution	source, name of author
Subject to Remuneration	

Provision	Art. 46.1
Scope of quotation	reproduction
Type(s) of source work(s)	a work of art that has not been published but is permanently on public display, (a performance, phonogram, broadcast) ²⁰⁸²
Entity exercising quotation	
Purpose of quotation	with a view to the clarification of the contents thereof
Condition of quotation	
Preclusions (not part of quotation)	
Subject to Attribution	source, name of author
Subject to Remuneration	

Provision	Art. 46.2
Scope of quotation	quotation, in an original work
Type(s) of source work(s)	certain parts of an already disclosed work, (a performance, phonogram, broadcast) ²⁰⁸³
Entity exercising quotation	
Purpose of quotation	author has made use of language as a means of expression in the original work
Condition of quotation	
Preclusions (not part of quotation)	
Subject to Attribution	source, name of author
Subject to Remuneration	

²⁰⁸⁰ Art. 91.1 (applying limitations on rights of exploitation in relation to copyright to neighbouring rights).

²⁰⁸¹ Art. 91.1 (applying limitations on rights of exploitation in relation to copyright to neighbouring rights).

²⁰⁸² Art. 91.1 (applying limitations on rights of exploitation in relation to copyright to neighbouring rights).

²⁰⁸³ Art. 91.1 (applying limitations on rights of exploitation in relation to copyright to neighbouring rights).

4. Educational Reproduction

Provision	Art. 44.3
Nature of educational reproduction	reprographic reproduction
Type(s) of source work(s)	articles, brief extracts from works or lawfully published short works
Entity exercising reproduction	
Purpose of educational reproduction	teaching or holding of examinations in educational institutions
Qualification(s)	no profit-making purposes use is in keeping with proper practice
Frequency/Multiple copies and Limits	to extent justified by the purpose
Collective Licence/remuneration	
Attribution	

5. Educational Publications/Anthologies/Compilations/Composite Works

6. School Performances

7. Educational Broadcasts/Communications/Recordings

Provision	Art. 43.3
Scope of broadcast/communication/recording	communication
Type(s) of source work(s)	a work, (a performance, phonogram, broadcast) ²⁰⁸⁴
Entity exercising broadcast/communication/recording	educational establishments
Purpose of broadcast/communication/recording	strictly scientific and teaching purposes
Condition of broadcast/communication/recording	no gainful intent
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	
Subject to Remuneration	

8. Compulsory Licences for Educational Reproductions and Translations

9. TPM/RMI Exceptions for Educational Purposes

²⁰⁸⁴ Art. 91.1 (applying limitations on rights of exploitation in relation to copyright to neighbouring rights).

Viet Nam

1. Legislation Reviewed

Law No. 50/2005/QH11 of November 29, 2005, on Intellectual Property (promulgated by the Order No. 28/2005/L-CTN of December 12, 2005, of the President of the Socialist Republic of Vietnam)

2. Private/Personal Use

3. Quotations

Provision	Art. 25.1.b
Scope of quotation	reasonable recitation
Type(s) of source work(s)	works
Entity exercising quotation	
Purpose of quotation	commentary or illustrative purpose
Condition of quotation	without misrepresenting the authors' views use "must neither affect the normal utilization of such works nor cause prejudice to rights of the authors and/or copyright holders" ²⁰⁸⁵
Preclusions (not part of quotation)	
Subject to Attribution	source, name of author ²⁰⁸⁶
Subject to Remuneration	

4. Educational Reproduction

Provision	Art. 25.1.a
Nature of educational reproduction	duplication
Type(s) of source work(s)	works
Entity exercising reproduction	
Purpose of educational reproduction	scientific research or teaching purpose
Qualification(s)	use "must neither affect the normal utilization of such works nor cause prejudice to rights of the authors and/or copyright holders" ²⁰⁸⁷
Frequency/Multiple copies and Limits	
Collective Licence/remuneration	
Attribution	source, name of author ²⁰⁸⁸
Provision	Art. 25.1.d
Nature of educational reproduction	recitation
Type(s) of source work(s)	works
Entity exercising reproduction	in schools
Purpose of educational reproduction	lecturing purposes
Qualification(s)	without misrepresenting the authors' views

²⁰⁸⁵ Art. 25.2.

²⁰⁸⁶ Art. 25.2.

²⁰⁸⁷ Art. 25.2.

²⁰⁸⁸ Art. 25.2.

	not for commercial purpose use “must neither affect the normal utilization of such works nor cause prejudice to rights of the authors and/or copyright holders” ²⁰⁸⁹
Frequency/Multiple copies and Limits	
Collective Licence/remuneration	
Attribution	source, name of author ²⁰⁹⁰

5. Educational Publications/Anthologies/Compilations/Composite Works6. School Performances7. Educational Broadcasts/Communications/Recordings

Provision	Art. 25.1.g
Scope of broadcast/communication/recording	audiovisual recording
Type(s) of source work(s)	performances
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	for teaching purpose
Condition of broadcast/communication/recording	use “must neither affect the normal utilization of such works nor cause prejudice to rights of the authors and/or copyright holders” ²⁰⁹¹
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	source, name of author ²⁰⁹²
Subject to Remuneration	

Provision	Art. 32.1.a
Scope of broadcast/communication/recording	duplication
Type(s) of source work(s)	a performance, phonogram, video recording, broadcast
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	scientific research purpose
Condition of broadcast/communication/recording	use “must neither affect the normal utilization of performances, phonograms, video recordings or broadcasts, nor cause any prejudice to the rights of performers, producers of phonograms and

²⁰⁸⁹ Art. 25.2.²⁰⁹⁰ Art. 25.2.²⁰⁹¹ Art. 25.2.²⁰⁹² Art. 25.2.

	video recordings, and broadcasting organizations” ²⁰⁹³
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	
Subject to Remuneration	
Provision	Art. 32.1.b
Scope of broadcast/communication/recording	duplication
Type(s) of source work(s)	a performance, phonogram, video recording, broadcast (except for performances, phonograms, video recordings or broadcasts which have been published for teaching purpose)
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	teaching purpose
Condition of broadcast/communication/recording	use “must neither affect the normal utilization of performances, phonograms, video recordings or broadcasts, nor cause any prejudice to the rights of performers, producers of phonograms and video recordings, and broadcasting organizations” ²⁰⁹⁴
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	
Subject to Remuneration	

8. Compulsory Licences for Educational Reproductions and Translations9. TPM/RMI Exceptions for Educational Purposes

²⁰⁹³ Art. 32.2.

²⁰⁹⁴ Art. 32.2.

Yemen

1. Legislation Reviewed

Intellectual Property Law (Presidential Law Decree No. 19 of 1994 in respect of Intellectual Property)

2. Private/Personal Use

Provision	Art. 15.2
Scope of private/personal use	reading, quoting paragraphs or chapters, summarizing them
Type(s) of source work(s)	a published work
Entity exercising private/personal use	
Purpose of private/personal use	for personal knowledge
Condition of private/personal use	
Preclusions (not part of private/personal use)	
Subject to Attribution	source, ²⁰⁹⁵ name of author
Subject to Remuneration	

3. Quotations

Provision	Art. 28
Scope of quotation	quotation
Type(s) of source work(s)	a published work
Entity exercising quotation	
Purpose of quotation	
Condition of quotation	
Preclusions (not part of quotation)	
Subject to Attribution	source, ²⁰⁹⁶ name of author
Subject to Remuneration	

4. Educational Reproduction

5. Educational Publications/Anthologies/Compilations/Composite Works

Provision	Art. 16
Scope of anthologies/compilations limitation/exception	forming a new independent work
Type(s) of source work(s)	a published work
Entity exercising anthologies/compilations limitation/exception	
Purpose of anthologies/compilations limitation/exception	as regards innovation
Condition of anthologies/compilations limitation/exception	
Preclusions (not part of anthologies/compilations limitation/exception)	converting a novel to a play or to a scenario or vice versa, converting a play into a scenario or vice versa, changing a poem to a song and vice versa
Subject to Attribution	name of quoted author

²⁰⁹⁵ Art. 15.2 prescribes the following particular references to the work and to the author: work title, name of author, place and date of issue, chapter, paragraph or page number.

²⁰⁹⁶ Art. 15.2 prescribes the following particular references to the work and to the author: work title, name of author, place and date of issue, chapter, paragraph or page number.

Subject to Remuneration	
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6. School Performances
7. Educational Broadcasts/Communications/Recordings
8. Compulsory Licences for Educational Reproductions and Translations
9. TPM/RMI Exceptions for Educational Purposes

Zambia

1. Legislation Reviewed

Copyright and Performance Rights Act, 1994 (Act No. 44 of 1994)

2. Private/Personal Use

Provision	ss 21(1)(a), 50(1)(a)
Scope of private/personal use	fair dealing
Type(s) of source work(s)	a work, (a performance, recording) ²⁰⁹⁷
Entity exercising private/personal use	an individual
Purpose of private/personal use	private study or research for his personal purposes
Condition of private/personal use	otherwise than for profit
Preclusions (not part of private/personal use)	any act which “conflicts with the normal commercial exploitation of a work/performance; or unreasonably prejudices the legitimate commercial interests of the owner of the copyright/performer/holder of recording right in a work” shall not be treated as fair dealing with the work ²⁰⁹⁸
Subject to Attribution	
Subject to Remuneration	

3. Quotations

Provision	ss 21(1)(a), 50(1)(b)
Scope of quotation	fair dealing
Type(s) of source work(s)	a work, (a performance, recording) ²⁰⁹⁹
Entity exercising quotation	
Purpose of quotation	criticism or review, whether of that work/performance or any other work/performance
Condition of quotation	
Preclusions (not part of quotation)	any act which “conflicts with the normal commercial exploitation of a work/performance; or unreasonably prejudices the legitimate commercial interests of the owner of the copyright/performer/holder of recording right in a work” shall not be treated as fair dealing with the work ²¹⁰⁰
Subject to Attribution	title, name of author (unless anonymous or author has required no acknowledgment) ²¹⁰¹ , (performer) ²¹⁰²
Subject to Remuneration	

²⁰⁹⁷ S 50(1)(a).

²⁰⁹⁸ Ss 21(2)(i), 50(2).

²⁰⁹⁹ S 50(1)(b).

²¹⁰⁰ Ss 21(2)(i), 50(2).

²¹⁰¹ S 21(4) (defining “sufficient acknowledgment”).

²¹⁰² S 50(3).

4. Educational Reproduction

Provision	s 21(1)(f)(i)
Nature of educational reproduction	reproduction
Type(s) of source work(s)	a work
Entity exercising reproduction	by a teacher or pupil in the course of instruction
Purpose of educational reproduction	education system of Zambia
Qualification(s)	reproduction not made by means of an appliance capable of producing multiple copies excepting any act which “conflicts with the normal commercial exploitation of a work; or unreasonably prejudices the legitimate commercial interests of the owner of the copyright in a work” ²¹⁰³
Frequency/Multiple copies and Limits	
Collective Licence/remuneration	
Attribution	

Provision	s 21(1)(f)(ii), (iii)
Nature of educational reproduction	reproduction, as part of the questions to be answered in an examination or in answer to such questions
Type(s) of source work(s)	a work
Entity exercising reproduction	
Purpose of educational reproduction	education system of Zambia
Qualification(s)	excepting any act which “conflicts with the normal commercial exploitation of a work; or unreasonably prejudices the legitimate commercial interests of the owner of the copyright in a work” ²¹⁰⁴
Frequency/Multiple copies and Limits	
Collective Licence/remuneration	
Attribution	

5. Educational Publications/Anthologies/Compilations/Composite Works6. School Performances

Provision	s 21(1)(g)
Scope of school performance	performance
Type(s) of source work(s)	a dramatic work
Entity exercising school performance	staff and students of a school or other educational institution
Purpose of school performance	for the purposes of the education system of Zambia in the course of the activities of the school or institution
Condition of school performance	audience is composed exclusively of staff and students of the school or institution,

²¹⁰³ S 21(2)(ii).
²¹⁰⁴ S 21(2)(ii).

	parents and guardians of the students, other persons directly connected with the activities of the school or institution
Preclusions (not part of school performance)	
Subject to Attribution	
Subject to Remuneration	

7. Educational Broadcasts/Communications/Recordings8. Compulsory Licences for Educational Reproductions and Translations

Provision	s 55(2)
Nature of compulsory licence for translation for educational purposes	licence, for translation into a language in general use in Zambia, and publication of such translation in copies
Type(s) of source work(s)	work in printed or analogous form, or an audiovisual work produced solely for the purpose of systematic instruction, is the subject of, or contains material the subject of copyright under this Act ²¹⁰⁵
Licence applicant/entity	a Zambian citizen or company incorporated in Zambia ²¹⁰⁶
Purpose of licence	
Qualification(s)	licence application may be made: 3 years from first publication ²¹⁰⁷ work has not been previously translated into a language in general use in Zambia ²¹⁰⁸
Compulsory licence fee(s)	
Price of publication	
Distribution conditions	
Grantor of Collective Licence	Registrar

Provision	s 55(3)
Nature of compulsory licence for translation for educational purposes	licence, for translation for the purpose of broadcasting, and to broadcast
Type(s) of source work(s)	a literary work subject to copyright, or any material subject to copyright contained in an audiovisual work produced solely for the purposes of systematic instruction ²¹⁰⁹
Licence applicant/entity	a Zambian citizen or company incorporated in Zambia ²¹¹⁰
Purpose of licence	
Qualification(s)	
Compulsory licence fee(s)	
Price of publication	

²¹⁰⁵ S 55(2)(a), (b).²¹⁰⁶ S 55(2) proviso.²¹⁰⁷ S 55(2) proviso.²¹⁰⁸ S 55(2) proviso.²¹⁰⁹ S 55(3)(a), (b).²¹¹⁰ S 55(2) proviso.

Distribution conditions	
Grantor of Collective Licence	Registrar

Provision	s 55(4)
Nature of compulsory licence for reproduction for educational purposes	licence, for reproduction and distribution in Zambia ²¹¹¹
Type(s) of source work(s)	a work in printed or analogous form, or in audiovisual form
Licence applicant/entity	a Zambian citizen or company incorporated in Zambia ²¹¹²
Purpose of licence	
Qualification(s)	work has not been previously made available to the public in Zambia for: 3 years from first publication (for works of the natural and physical sciences, mathematics or technology) 7 years from first publication (for works of fiction, poetry, drama or music or art books) 5 years from first publication (in any other case) ²¹¹³
Compulsory licence fee(s)	
Price of publication	
Distribution conditions	
Grantor of Collective Licence	Registrar

9. TPM/RMI Exceptions for Educational Purposes

²¹¹¹ S 55(4) proviso.

²¹¹² S 55(4) proviso.

²¹¹³ S 55(4)(i), (ii), (iii).

Zimbabwe

1. Legislation Reviewed

Copyright and Neighbouring Rights Act (Chapter 26:05)

2. Private/Personal Use

Provision	s 24(1)
Scope of private/personal use	any fair dealing
Type(s) of source work(s)	a work
Entity exercising private/personal use	
Purpose of private/personal use	research or private study by the person using the work
Condition of private/personal use	
Preclusions (not part of private/personal use)	person reproducing the work knows or has reason to believe that it will result in copies of substantially the same material being provided to more than one person at substantially the same time ²¹¹⁴
Subject to Attribution	
Subject to Remuneration	

Provision	s 42
Scope of private/personal use	recording
Type(s) of source work(s)	a sound recording/broadcast or a musical work embodied in a sound recording/broadcast, (a performance, performance recording) ²¹¹⁵
Entity exercising private/personal use	a person
Purpose of private/personal use	private use of himself and members of his family
Condition of private/personal use	recording shall not be distributed to any person outside the family of the person who made it recording shall not be performed in public
Preclusions (not part of private/personal use)	
Subject to Attribution	
Subject to Remuneration	(not yet enacted) levy as remuneration payable on blank records (which can be used for recording of works), to be distributed among authors and performers ²¹¹⁶

3. Quotations

Provision	s 29(a)
Scope of quotation	fair dealing,

²¹¹⁴ S 24(2).

²¹¹⁵ S 73(1)(a) (applying s 42 to exceptions to rights of performers and holders of recording rights).

²¹¹⁶ S 135(2)(c)(i), (ii) (providing for regulations which the Minister may provide for this purpose).

Type(s) of source work(s)	a work, (a performance, performance recording) ²¹¹⁷
Entity exercising quotation	
Purpose of quotation	for the purposes of criticism or review of that work or of another work or of the performance of a work
Condition of quotation	
Preclusions (not part of quotation)	
Subject to Attribution	title, name of author (unless anonymous or infeasible to ascertain identity by reasonable inquiry) ²¹¹⁸
Subject to Remuneration	

Provision	s 31
Scope of quotation	any quotation
Type(s) of source work(s)	a literary or musical work, including any quotation from an article in a journal that summarises the work
Entity exercising quotation	
Purpose of quotation	
Condition of quotation	quotation is compatible with fair practice quotation does not exceed extent justified by the purpose
Preclusions (not part of quotation)	
Subject to Attribution	title, name of author (unless anonymous or infeasible to ascertain identity by reasonable inquiry) ²¹¹⁹
Subject to Remuneration	

4. Educational Reproduction

Provision	s 25(2)
Nature of educational reproduction	anything done
Type(s) of source work(s)	a work, (a performance, performance recording) ²¹²⁰
Entity exercising reproduction	
Purpose of educational reproduction	an examination by way of setting questions, communicating the questions to the candidates or answering the questions
Qualification(s)	excluding making a copy of the score of a musical work for use by an examination candidate in performing the work not permitted if act "conflicts with a normal exploitation of the work concerned or prejudices unreasonably the legitimate

²¹¹⁷ S 73(1)(a) (applying s 29 to exceptions to rights of performers and holders of recording rights).

²¹¹⁸ S 2 (defining "sufficient acknowledgement").

²¹¹⁹ S 2 (defining "sufficient acknowledgement").

²¹²⁰ S 73(1)(a) (applying s 25(2) to exceptions to rights of performers and holders of recording rights).

	interests of the owner of copyright in the work ²¹²¹
Frequency/Multiple copies and Limits	
Collective Licence/remuneration	
Attribution	

Provision	s 25(6)
Nature of educational reproduction	reprographic copying
Type(s) of source work(s)	passages from a literary or musical work
Entity exercising reproduction	educational establishment
Purpose of educational reproduction	purposes of instruction
Qualification(s)	no copying if, or to extent that, licences/licensing scheme is available authorizing copying and person making copies knows or ought to have been aware of licences not permitted if act “conflicts with a normal exploitation of the work concerned or prejudices unreasonably the legitimate interests of the owner of copyright in the work” ²¹²²
Frequency/Multiple copies and Limits	extent of such copying to not exceed such limits as may be prescribed
Collective Licence/remuneration	(not yet enacted) levy as remuneration payable on use of any reprographic apparatus or process (for reprographic copying by educational institutions), to be distributed among authors ²¹²³
Attribution	

5. Educational Publications/Anthologies/Compilations/Composite Works

Provision	s 25(1)
Scope of anthologies/compilations limitation/exception	use, by way of illustration in any publication, broadcast or record
Type(s) of source work(s)	a work, (a performance, performance recording) ²¹²⁴
Entity exercising anthologies/compilations limitation/exception	
Purpose of anthologies/compilations limitation/exception	for teaching
Condition of anthologies/compilations limitation/exception	use is compatible with fair practice extent of use is justified by purpose
Preclusions (not part of anthologies/compilations limitation/exception)	not permitted if act “conflicts with a normal exploitation of the work concerned or prejudices unreasonably the legitimate

²¹²¹ S 25(7) (applying qualification to all exceptions permitted by s 25).

²¹²² S 25(7) (applying qualification to all exceptions permitted by s 25).

²¹²³ S 135(2)(c)(i), (ii) (providing for regulations which the Minister may provide for this purpose).

²¹²⁴ S 73(1)(a) (applying s 25(1) to exceptions to rights of performers and holders of recording rights).

	interests of the owner of copyright in the work ²¹²⁵
Subject to Attribution	title, name of author (unless anonymous or infeasible to ascertain identity by reasonable inquiry) ²¹²⁶
Subject to Remuneration	

Provision	s 25(3)
Scope of anthologies/compilations limitation/exception	inclusion, in a collection
Type(s) of source work(s)	a short passage from a published literary work
Entity exercising anthologies/compilations limitation/exception	
Purpose of anthologies/compilations limitation/exception	for use in educational establishments
Condition of anthologies/compilations limitation/exception	collection is so described in its title and in any publisher's advertisement consists mainly of material in which no copyright subsists source work itself is not intended for use in educational establishments
Preclusions (not part of anthologies/compilations limitation/exception)	more than 2 excerpts from works by same author are contained in collections by same publisher within 5 year period not permitted if act "conflicts with a normal exploitation of the work concerned or prejudices unreasonably the legitimate interests of the owner of copyright in the work" ²¹²⁷
Subject to Attribution	title, name of author (unless anonymous or infeasible to ascertain identity by reasonable inquiry) ²¹²⁸
Subject to Remuneration	

6. School Performances

Provision	s 25(4)
Scope of school performance	performance
Type(s) of source work(s)	a dramatic or musical work, (a performance, performance recording) ²¹²⁹
Entity exercising school performance	by a teacher or pupil in the course of the establishment's activities; or by any person for the purposes of instruction at the educational

²¹²⁵ S 25(7) (applying qualification to all exceptions permitted by s 25).

²¹²⁶ S 2 (defining "sufficient acknowledgement").

²¹²⁷ S 25(7) (applying qualification to all exceptions permitted by s 25).

²¹²⁸ S 2 (defining "sufficient acknowledgement").

²¹²⁹ S 73(1)(a) (applying s 25(4) to exceptions to rights of performers and holders of recording rights).

	establishment
Purpose of school performance	
Condition of school performance	before an audience consisting of teachers and pupils at an educational establishment and other persons “directly connected” ²¹³⁰ with the establishment's activities
Preclusions (not part of school performance)	not permitted if act “conflicts with a normal exploitation of the work concerned or prejudices unreasonably the legitimate interests of the owner of copyright in the work” ²¹³¹
Subject to Attribution	
Subject to Remuneration	
Provision	s 25(5)
Scope of school performance	playing or showing
Type(s) of source work(s)	an audiovisual work, sound recording, broadcast or cable programme
Entity exercising school performance	
Purpose of school performance	for purposes of instruction
Condition of school performance	an audience consisting of teachers and pupils at an educational establishment and other “persons directly connected” ²¹³² with the establishment's activities
Preclusions (not part of school performance)	not permitted if act “conflicts with a normal exploitation of the work concerned or prejudices unreasonably the legitimate interests of the owner of copyright in the work” ²¹³³
Subject to Attribution	
Subject to Remuneration	

7. Educational Broadcasts/Communications/Recordings

Provision	s 25(1)
Scope of broadcast/communication/recording	use, by way of illustration in any publication, broadcast or record
Type(s) of source work(s)	a work, (a performance, performance recording) ²¹³⁴
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	for teaching
Condition of broadcast/communication/recording	use is compatible with fair practice extent of use is justified by purpose
Preclusions (not part of	not permitted if act “conflicts with a normal

²¹³⁰ S 25(4) (excluding parents of pupils per se from “persons directly connected with the activities of the educational establishment”).

²¹³¹ S 25(7) (applying qualification to all exceptions permitted by s 25).

²¹³² S 25(5) (excluding parents of pupils per se from “persons directly connected with the activities of the educational establishment”).

²¹³³ S 25(7) (applying qualification to all exceptions permitted by s 25).

²¹³⁴ S 73(1)(a) (applying s 25(1) to exceptions to rights of performers and holders of recording rights).

broadcast/communication/recording)	exploitation of the work concerned or prejudices unreasonably the legitimate interests of the owner of copyright in the work ²¹³⁵
Subject to Attribution	title, name of author (unless anonymous or infeasible to ascertain identity by reasonable inquiry) ²¹³⁶
Subject to Remuneration	

Provision	s 25(2)
Scope of broadcast/communication/recording	anything done
Type(s) of source work(s)	a work, (a performance, performance recording) ²¹³⁷
Entity exercising broadcast/communication/recording	
Purpose of broadcast/communication/recording	an examination by way of setting questions, communicating the questions to the candidates or answering the questions
Condition of broadcast/communication/recording	excluding making a copy of the score of a musical work for use by an examination candidate in performing the work not permitted if act "conflicts with a normal exploitation of the work concerned or prejudices unreasonably the legitimate interests of the owner of copyright in the work" ²¹³⁸
Preclusions (not part of broadcast/communication/recording)	
Subject to Attribution	
Subject to Remuneration	

8. Compulsory Licences for Educational Reproductions and Translations

Provision	s 135(2)(b)(ii) ²¹³⁹
Nature of compulsory licence for translation for educational purposes	compulsory licence, for translation
Type(s) of source work(s)	any work
Licence applicant/entity	
Purpose of licence	purpose of teaching, scholarship or research
Qualification(s)	acts authorised by such a licence shall not conflict with a normal exploitation of the work concerned, nor shall any such licence unreasonably prejudice the legitimate interests

²¹³⁵ S 25(7) (applying qualification to all exceptions permitted by s 25).

²¹³⁶ S 2 (defining "sufficient acknowledgement").

²¹³⁷ S 73(1)(a) (applying s 25(2) to exceptions to rights of performers and holders of recording rights).

²¹³⁸ S 25(7) (applying qualification to all exceptions permitted by s 25).

²¹³⁹ To date, no such regulations have been made by the Minister under the Copyright and Neighbouring Rights Regulations, 2006.

	of the owner of the copyright in the work concerned ²¹⁴⁰
Compulsory licence fee(s)	
Price of publication	
Distribution conditions	
Grantor of Collective Licence	

Provision	s 135(2)(b)(ii) ²¹⁴¹
Nature of compulsory licence for reproduction for educational purposes	compulsory licence, for use in a broadcast
Type(s) of source work(s)	any work
Licence applicant/entity	
Purpose of licence	purpose of teaching, scholarship or research
Qualification(s)	acts authorised by such a licence shall not conflict with a normal exploitation of the work concerned, nor shall any such licence unreasonably prejudice the legitimate interests of the owner of the copyright in the work concerned ²¹⁴²
Compulsory licence fee(s)	
Price of publication	
Distribution conditions	
Grantor of Collective Licence	

Provision	s 135(2)(b)(i) ²¹⁴³
Nature of compulsory licence for reproduction for educational purposes	compulsory licence, for reproduction, publication, performance, or circulation
Type(s) of source work(s)	any work
Licence applicant/entity	educational institutions
Purpose of licence	
Qualification(s)	acts authorised by such a licence shall not conflict with a normal exploitation of the work concerned, nor shall any such licence unreasonably prejudice the legitimate interests of the owner of the copyright in the work concerned ²¹⁴⁴
Compulsory licence fee(s)	
Price of publication	
Distribution conditions	
Grantor of Collective Licence	

9. TPM/RMI Exceptions for Educational Purposes

²¹⁴⁰ S 135(2)(b) proviso.

²¹⁴¹ To date, no such regulations have been made by the Minister under the Copyright and Neighbouring Rights Regulations, 2006.

²¹⁴² S 135(2)(b) proviso.

²¹⁴³ To date, no such regulations have been made by the Minister under the Copyright and Neighbouring Rights Regulations, 2006.

²¹⁴⁴ S 135(2)(b) proviso.