

Information society: copyright and related rights

1997/0359(COD) - 14/02/2001 - Text adopted by Parliament, 2nd reading

The European Parliament approved with a number of amendments the report by Mr Enrico BOSELLI (PES, I) on the harmonisation of copyright in the information society. Parliament's amendments focus on exceptions and limitations. For example, the House wants to alter the wording of the exception to the exclusive rights of rightholders concerning the reproduction of their work on any medium, by stipulating that this refers only to natural persons acting for private use and for ends that are neither 'directly or indirectly commercial' (the Council's common position refers only to 'non commercial ends' in general). This amendment is designed to strengthen the protection of rightholders while at the same time allowing individuals to make copies for private use. Other amendments seek to reverse the burden of responsibility by tightening up the wording of certain exceptions so as to restrict their scope and protect authors' rights better. Thus, Council's common position lays down, in four cases where reproduction is allowed (e.g. for teaching or scientific research or for criticism or review purposes), that the source, including the author's name, should be indicated 'whenever possible'. This leaves the door open to a whole range of violations. Parliament wants this rule reversed, by stipulating that the source should always be indicated 'except where it proves impossible'. Lastly, Parliament wants to shorten the deadline for the Directive's entry into force from 24 months, as proposed by Council, to 18 months, so that it can come into force at the same time as the electronic commerce directive.