

## Information society: copyright and related rights

1997/0359(COD) - 05/02/2001 - \${summary.subTitle}

The committee adopted the report by Enrico BOSELLI (PES, I) broadly approving the Council's common position under the codecision procedure (2nd reading) subject to a number of amendments. The latter were aimed mainly at tightening up protection of authors' and producers' rights, and hence promoting artistic creativity in the EU, while at the same time not disturbing the delicate balance between these rights and the interests of the public and industry. One amendment sought 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 referred only to natural persons acting for private use and for ends that were neither "directly or indirectly commercial", whereas the Council's common position referred only to "non-commercial ends" in general. This amendment thus strengthened the protection of rightholders while at the same time allowing individuals to make copies for private use. Other amendments sought 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. For example, whereas the Council's common position laid down, in four cases where reproduction was allowed (e.g. for teaching or scientific research purposes), that the source, including the author's name, should be indicated "whenever possible" (thereby leaving the door open to a broad range of violations), the committee wanted this rule to be reversed, by stipulating that the source should always be indicated "except where it proves impossible". A further amendment sought to introduce a right for broadcasting organisations to use their own archive material for new broadcasting or "on-demand" services, on condition that equitable remuneration was paid to rightholders who contributed to the production of any works used. Finally, the committee wanted to shorten the deadline for the directive's entry into force from 24 months, as proposed by Council, to 18 months. ?