

Marrakesh Treaty Questionnaire – Estonia

1. Please indicate the relevant provisions in your national legislation providing for or regulating the limitations and exceptions to facilitate access to published works for persons who are blind, visually impaired, or otherwise print disabled.

Estonian Copyright Act (CA, [English version available](#)) Subchapter 2.1. in Chapter IV regulates use of works without authorisation of author and without payment of remuneration for benefit of persons who are blind, visually impaired or otherwise print-disabled. This Section contains norms from Marrakech Treaty and corresponding EU Marrakech Directive¹ and Marrakech Regulation².

In addition, a more general exception is stipulated in § 19 p 6 which permits without the authorisation of the author and without payment of remuneration if mention is made of the name of the author of the work, if it appears thereon, the name of the work and the source publication to reproduce, distribute and communicate to the public a lawfully published work in the interests of disabled persons in a manner which is directly related to their disability on the condition that such use is not carried out for commercial purposes, and considering the specifications provided for in Subchapter 2.1. of Chapter IV of CA, except in case of works created specifically for disabled persons or for the beneficiary persons specified in subsection 25.1 (2) of CA (see above, regulation transposing EU Marrakech Directive).

2. Does your national legislation permit the cross-border exchange (i.e. exportation) of “accessible format copies”, as defined in Article 2 b) MVT? If yes, under which conditions?

Yes, cross-border exchange is permitted. Section 25.3. (permitted uses) subsection 3 stipulates, that an authorised entity may make copies of a work or other subject matter in the cases referred to in clause 2) of subsection (1) of this section for the benefit of another authorised entity established in any other Member State, and obtain or have access to an accessible format copy from an authorised entity established in any other Member State. Articles 3 (exports to third countries) and 4 (imports from third countries) of the EU Marrakesh Regulation respectively apply directly to third countries.

3. Does your national legislation allow the importation of “accessible format copies”, as defined in Article 2 b) MVT? If yes, under which conditions?

Yes, please see reply to question 2 above.

4. Does your national legislation provide a definition of “authorized entity”, as defined in Article 2 c) MVT? If yes, please provide the reference.

Yes, the definition of “authorised entity” can be found in Section 25.2. subsection 4: “Authorised entity” means a governmental authority, a state authority entity administered by a government authority, a local government authority, an authority

administered by a local government authority or a legal person that provides education, instructional training, adaptive reading or information access to beneficiary persons on a non-profit basis.”

5. Please provide a list with contact details of entities that can operate as authorized entities in your territory, and any further information that you can provide, such as number of accessible titles in the catalogue of the authorized entity and the languages covered.

The Estonian Library for the Blind is the main contact point and authorised entity in Estonia. Following are their contacts:

Suur-Sõjamäe 44b, 11415 Tallinn, Estonia

Phone +372 6748212

E-mail epr@epr.ee

Information on services and collection of the Estonian Library for the Blind can be found [here](#).