

Marrakesh Treaty Questionnaire – Mauritius

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.

Section 23 of the Copyright Act 2014 on ‘Visually Impaired Person’:

(1) It shall be permitted, without the authorisation of the author or other owner of copyright, to reproduce a published work for persons who are blind, visually impaired or otherwise print disabled in an alternative manner or form which enables their perception of the work, and to distribute and make available the copies exclusively to those persons, where —

- (a) the work is not reasonably available in an identical or largely equivalent form enabling its perception by these persons; and
- (b) the reproduction and distribution are made on a non-profit basis.

(2) Distribution shall also be permitted where copies for the visually impaired persons have been made abroad and the conditions referred to in subsection (1) are satisfied.

(3) A copy made under subsections (1) and (2) shall indicate the source and the name of the author, and it shall be permitted for an authorised entity to distribute or make available that copy to a beneficiary person or an authorised entity abroad.

(4) For the purposes of subsection (1), it shall be permitted to make the changes needed to make the work accessible in the alternative format.

2. Does your national legislation permit the cross-border exchange (i.e. exportation) of “accessible format copies”, as defined in Article 2 b)¹ MVT? If yes, under which conditions?

Section 23(3) of the Copyright Act 2014:

(3) A copy made under subsections (1) and (2) shall indicate the source and the name of the author, and it shall be permitted for an authorised entity to distribute or make available that copy to a beneficiary person or an authorised entity abroad.

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

Section 23(2) of the Copyright Act 2014:

(2) Distribution shall also be permitted where copies for the visually impaired persons have been made abroad and the conditions referred to in subsection (1) are satisfied.

4. Does your national legislation provide a definition of “authorized entity”, as defined in Article 2 c)³ MVT? If yes, please provide the reference.

The Copyright Act does not provide a definition of “authorized entity”, however it provides in

Section 2 – Interpretation for a definition of “Ministry” meaning the Ministry responsible for the subject of copyright and related rights.

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.

As such there is no agency which is designated as authorized entity in Mauritius. However, the list of institutions that are involved in the implementation of the Marrakesh Treaty include:

- i. The Ministry of Social Integration, Social Security and National Solidarity (mss@govmu.org);
- ii. The Ministry of Arts and Culture (moac@govmu.org); and
- iii. The Mauritius Society of Authors (masa.admin@myt.mu).

¹ Article 2 b) “accessible format copy” means a copy of a work in an alternative manner or form which gives a beneficiary person access to the work, including to permit the person to have access as feasibly and comfortably as a person without visual impairment or other print disability. The accessible format copy is used exclusively by beneficiary persons and it must respect the integrity of the original work, taking due consideration of the changes needed to make the work accessible in the alternative format and of the accessibility needs of the beneficiary persons

² See above.

³ Article 2 c) “authorized entity” means an entity that is authorized or recognized by the government to provide education, instructional training, adaptive reading or information access to beneficiary persons on a non-profit basis. It also includes a government institution or non-profit organization that provides the same services to beneficiary persons as one of its primary activities or institutional obligations.