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**STUDY ON COPYRIGHT LIMITATIONS AND EXCEPTIONS FOR LIBRARIES AND  
ARCHIVES: UPDATED AND REVISED**

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## EXECUTIVE SUMMARY

### INTRODUCTION

This report is the third in a series of studies commissioned by the World Intellectual Property Organization on copyright exceptions for libraries and archives,<sup>1</sup> each undertaken by Dr. Kenneth D. Crews as principal investigator. This report supersedes in full the data collections presented in the previous two studies from 2008<sup>2</sup> and 2014.<sup>3</sup> All three studies examine the nature and diversity of statutory provisions in the copyright law of WIPO Member States and provide an analytical survey of the relevant law. The present report, however, consolidates information from the 2008 and 2014 studies, adds substantial new information and updated statutes, expands the coverage of statutory topics, and reexamines nearly every detail. For the first time, this report gathers and analyzes law related to copyright exceptions from all 188 countries that are current members of WIPO.

Of the 188 member countries, 156 of them have at least one statutory library exception, and most of the countries have multiple statutory provisions addressing a variety of library issues. Thus, of the 188 countries, 32 have no library exception in their domestic copyright statutes. These basic statistics suggest strongly that exceptions for libraries and archives are fundamental to the structure of copyright law throughout the world, and that the exceptions play an important role in facilitating library services and serving the social objectives of copyright law. The most common subject matter of the statutes is making copies (usually single copies) of works for readers, researchers, and other library users, and making copies for preservation of materials in the collections. Almost as frequently, countries have enacted statutes authorizing libraries to make copies for replacement of works that have suffered damage or loss.

These three topics long have been a mainstay of library exceptions, but recent years have brought revisions that reflect changing needs and new technologies. Most significantly, the European Union adopted a 2001 directive that authorized member countries to make digitized copies of works available to users on the premises of the library for research and study.<sup>4</sup> That provision has been adopted in many of the European countries, and analogous statutes have been made a part of domestic law in countries beyond the E.U. On the other hand, relatively few countries have enacted truly distinctive law that breaks from various trends in lawmaking to address newly emerging problem areas at the border between copyright and digital technologies. Among the countries that have enacted extensive and original statutes in recent years are Canada, the Russian Federation, and the United Kingdom.

While few countries have enacted comparable major changes, at any given time many countries are either revising their library exceptions or adopting entirely new copyright acts. Indeed, Mauritius and Seychelles adopted wholly new copyright acts in 2014. Revisions of selected

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<sup>1</sup> The concepts of library, archives, and library exception are defined below.

<sup>2</sup> Kenneth D. Crews, *Study on Copyright Limitations and Exceptions for Libraries and Archives*, World Intellectual Property Organization, Standing Committee on Copyright and Related Rights, Seventeenth Session (Geneva, Switzerland: 2008), available at [http://www.wipo.int/meetings/en/doc\\_details.jsp?doc\\_id=109192](http://www.wipo.int/meetings/en/doc_details.jsp?doc_id=109192). The 2008 study includes a lengthy (approximately 55 pages) introduction that surveys and analyzes the various statutes that were included in that report. Although current research would change many details, the general principles and findings set forth in the introduction are relevant today and will be of great interest to researchers and officials needing to explore the issues more fully.

<sup>3</sup> Kenneth D. Crews, *Study on Copyright Limitations and Exceptions for Libraries and Archives*, World Intellectual Property Organization, Standing Committee on Copyright and Related Rights, Twenty-Ninth Session (Geneva, Switzerland: 2014), available at [http://www.wipo.int/meetings/en/doc\\_details.jsp?doc\\_id=290457](http://www.wipo.int/meetings/en/doc_details.jsp?doc_id=290457).

<sup>4</sup> Directive 2001/29/EC of the European Parliament and of the Council of 22 May 2001 on the Harmonization of Certain Aspects of Copyright and Related Rights in the Information Society, 2001 O.J. (L 167), pp. 10-19.

copyright statutes have occurred during just the last several months in numerous European countries<sup>5</sup> and in Canada, Mexico, Peru, and Singapore. Research on worldwide copyright developments is a dynamic pursuit.

Copyright statutes also reflect the tension that can exist among a country's competing objectives. The details of the library exceptions reveal much about the relationship of copyright law to library services. They also can manifest a compromise among cultural, historical, and economic objectives, typically by permitting libraries to make socially beneficial uses of copyrighted works, while setting limits and conditions aimed at protecting the interests of copyright owners, publishers, and other rightsholders. This report offers the raw data of statutes that can allow for a deeper understanding of the objectives and alternatives for developing even more effective law in the future.

## TERMINOLOGY

The terms and labels employed in the examination of copyright and copyright exceptions can have profound implications. This report employs many of the same terms used in the earlier studies, and some merit repeating here:

- “Library” and “librarian”: At least in this introductory section, these terms may be used to include not only libraries and librarians, but also archives and archivists. The differences between libraries and archives are many and important. For the sake of efficiency of language, this report may occasionally use the term “library” to address both types of institutions. However, the charts do not generalize and do not shortcut the language. If the statute encompasses libraries and archives, or museums and any other institution, the charts reflect that detail. Similarly, if the statute references only “libraries,” so does the chart.
- “Copyright”: The scope and character of copyright law is changing in many countries. For this report, the term “copyright” will refer to the legal rights associated with a protected work of any type. Those rights will most often encompass the so-called “economic rights” of reproduction and the like. Where appropriate, this report will make occasional mention of moral rights and neighboring rights (referred to in some jurisdictions as “related rights”).
- “Exception”: This report is fundamentally about copyright limitations and exceptions. The language of the law and of legal literature will sometimes use other labels, including “exemptions,” or “limitations on rights of copyright owners,” or “rights of copyright users.” This report takes no position on the appropriateness of any label, other than selecting “exception” for purposes of clarity and simplicity. The particular exceptions applicable explicitly to libraries (and archives) are “library exceptions.”<sup>6</sup>

The working definition of a “library exception” for this report presumes that the library or other institution is permitted by the statute to use the work without permission from the author, copyright owner, or any other party, and that no payment or other remuneration is due for the

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<sup>5</sup> Many of the recent changes in European countries have resulted from implementation of the E.U. orphan works directive. Directive 2012/28/EU of the European Parliament and the Council of 25 October 2012 on Certain Permitted Uses of Orphan Works, 2012 O.J. (L 299), pp. 5-12.

<sup>6</sup> This report uses the term “exemption” in the context of the anti-circumvention legislation, largely in recognition of that the anti-circumvention law is fundamentally different from the traditional parameters of copyright. Many countries offer “exemptions” from the prohibition against circumvention of technological protection measures. The term “exemption” also helps clarify that the concept of “no library exception” is referring to exceptions to the economic and other rights that are at the traditional core of copyright law.

use. Therefore, if the statute expressly makes the statement that the use is allowed without permission or payment, those elements of the statute may not be reiterated in the charts. Conversely, if the statute states that application of the exception is conditioned on permission or payment, or participation in a licensing system, that statutory requirement is included in the charts.

## SCOPE OF THE STUDY

This study focuses on those provisions of domestic copyright legislation that establish explicit copyright exceptions applicable to libraries in general or to certain types of libraries in broad categories. The study does not systematically encompass statutes applicable only to individually named libraries or to small and limited groups, such as state libraries or national libraries.

The research also encompasses law related to the issue of circumvention of technological protection systems, principally to underscore any provisions that might allow libraries or archives to engage in circumvention or other acts, that would be otherwise prohibited, in fulfillment of their services or to exercise the benefits of a library exception when the work in question is behind the protection of technological measures.

If a country's law includes no library exception, that fact is noted at the outset of that country's charts.<sup>7</sup> Otherwise, detailed charts break out the elements of statutes on topics such as:

- **General Library Exception.** Some countries have a broad and flexible provision that permits a library or other institution to make copies of works, usually subject to various conditions, but not limited to particular purposes. The chart below notes the number of countries that have only a general library exception. Many more countries have a general exception together with other provisions, but it is especially insightful to note those countries rely solely on a general exception, without the benefit of a more specific library statute.
- **Copies for Research and Study.** One of the most common statutes within this study is the provision permitting a library or other institution to make copies (usually single copies) at the request of a user, often specifically for that person's research or private study. This category of statutes includes any provision that authorizes the library to make a copy of a work for a user, whether "research and study" is noted in the statute or not.
- **Making Available.** The European Union directive of 2001, as described above, led many E.U. countries to adopt a statute allowing libraries to make digital works available to users on the premises, usually for their research or study. The chart below notes that 28 countries have adopted such a statute. It worth noting that 11 of those countries are not in the European Union.

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<sup>7</sup> This report centers on the copyright statutes (and in a few instances, regulations adopted pursuant to statutory authority) of each country. Hence, the standard for having "no exception" is whether the copyright legislation, as enacted by the appropriate lawmaking body in each country, includes a copyright exception explicitly applicable to libraries. On the other hand, some countries have no statutory exception, but they are members of multinational instruments that include copyright exceptions for libraries. The Cartagena Agreement and the Bangui Agreement are examples, and they are cited with each appropriate country. In order to treat all countries consistently throughout this study, a country is treated as having no library exception if it does not have such a provision in its own domestic law.

- Copies for Preservation or Replacement. Also relatively common are statutes that authorize the library to make copies of works for preservation, without necessarily requiring that the work first be at risk. Almost as common are statutes authorizing libraries to replace existing copies in the collection, or in the collection of another library, if the work is lost, damaged, deteriorated, or otherwise in jeopardy.
- Interlibrary Loan or Document Supply. Less common are statutes that permit libraries to make copies of works to provide to other libraries for the libraries' use or for delivery to users at their request.
- Anti-circumvention. Many countries have enacted provisions barring the circumvention of technological protection measures. Some of those countries also have enacted certain exemptions. This study identifies countries that have statutory exemptions explicitly applicable to libraries.

The charts often go far beyond this list of leading topics. Some countries have enacted statutes on specialized needs of libraries, and those statutes are included here in detail. Nearly every country has other exceptions and copyright provisions that might be important to libraries, even if the statute is not explicitly about libraries. Thus, the "Miscellaneous" chart for each country often includes brief references to statutes on matters such as personal copying, public lending, fair dealing, the needs of disabled persons, and much more. These mentions are hardly comprehensive. They are little more than summaries of other statutes that might be useful to libraries or might be interesting points for further research; they are also not the result of exhaustive research and are not included as a consistent matter across all countries throughout the report. Yet even as mere summaries of potentially relevant law, they demonstrate the expanding diversity of copyright exceptions and the growing complexity and importance of defining the interface between legal protection and copyright exceptions.

<b>Library Exceptions in National Copyright Statutes</b>	
Summary of Findings of a 2015 Study for the World Intellectual Property Organization Study by Kenneth D. Crews Total Countries in the Study: 188	
<b>Exception</b>	<b>Number of Countries</b>
None	32
General Library Copying (Note: The statistic is the number of countries with <i>only</i> a general exception.)	31
Copies for Library Users (Research or Study)	98
Copies for Preservation or Replacement	Preservation: 99 Replacement: 90
Research or Study (Making Available)	28
Document Supply or Interlibrary Loan	Document Supply: 21 Interlibrary Loan: 9
Anti-Circumvention of Technological Protection Measures – Exemption for Libraries	52

## METHODOLOGY

While this 2015 report supersedes the 2008 and 2014 studies, the significance of the earlier studies for this report is unmistakable. Preparation of this report began with a consolidation of the charts from the two existing reports and identification of remaining gaps and deficiencies. The next step was an exhaustive review of the resources available on WIPO Lex, a vast resource of intellectual property statutes and other sources from all of the WIPO member countries (see [www.wipo.int/wipolex/en/](http://www.wipo.int/wipolex/en/)). The WIPO Lex findings were supplemented, replaced, or confirmed through rigorous legal research, including online and database searches, library visits, and contacts with copyright offices and specialists in some countries. Indeed, after following these research steps, the sources were further checked by visiting the website of the copyright office for each country, working principally from the list provided by WIPO (see [www.wipo.int/directory/en/urls.jsp](http://www.wipo.int/directory/en/urls.jsp)). In general, the preference has been to cite to a statutory source available on WIPO Lex, but if a different and preferable source became available, it is used here.

The research objective has been to find a reliable and current source for the library exceptions in each country. The source ultimately cited may not be an “official” version of a country’s statute, but all indications from the research were that the source was current on the relevant issues, and the source and translation were reliable. A general preference was to find a version

that had been translated into English, although the researcher has the ability to make original translations from some languages. Other translations were accomplished or verified through application of the translation tool on WIPO Lex or Google Translate. In other instances, colleagues in various countries generously offered their skills and insights, and their important contributions are noted in the acknowledgements below.

The statutes used in the analysis are cited at the end of each country's charts. Punctuation and spelling are edited for consistency throughout, except when included in a quotation. The names of countries are consistent with the WIPO list of Member States (see [www.wipo.int/members/en/](http://www.wipo.int/members/en/)). Dates have been converted to a consistent format of day-month-year. The dates at the end of each country's entry in the report indicate the date in 2015 when the chart was last edited. The entry may also include earlier dates, indicating when the charts had been last edited for inclusion in one or both of the previous WIPO studies.

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Kenneth D. Crews  
Los Angeles, California (USA)  
10 June 2015

## LIBRARY EXCEPTIONS OF THE WORLD

### AFGHANISTAN

<b>Replacement</b>			
Who can copy?	Library or archive.		Art. 40(3)
	Conditions:	The statute does not explicitly state that a library or archive is the party authorized to act, suggesting that an agent or other party may make the copy for the stated library purposes.	
What can be copied?	A work that is in the permanent collection of another similar library or archive.		
	Conditions:	By implication, the work is, or has been, in the collection of the library or archive making the copy.	
		It is impossible to obtain such a copy under reasonable conditions.	
Purpose of the copy?	To replace, when necessary, a copy that is lost, destroyed, or rendered unusable in the collections of the other library.		
	Conditions:	None.	
Medium of the copy?	Not specified.		
Other provisions?	The act of reproduction or photocopy is an isolated, one-time occurring case.		

<b>Preservation</b>			
Who can copy?	Library or archive.		Art. 40(3)
	Conditions:	The statute does not explicitly state that a library or archive is the party authorized to act, suggesting that an agent or other party may make the copy for the stated library purposes.	
What can be copied?	Not specified.		
	Conditions:	Concept of preservation implies that the work is, or has been, in the collection of the library or archive.	
		It is impossible to obtain such a copy under reasonable conditions.	
Purpose of the copy?	To preserve the original copy.		
	Conditions:	None.	
Medium of the copy?	Not specified.		
Other provisions?	The act of reproduction or photocopy is an isolated, one-time occurring case.		

<b>Research or Study</b>			
Who can copy?	Library or archive.		Art. 40(2)
	Conditions:	None.	
What can be copied?	Statute refers to "copying and replication of a		

	Work” but later refers to a “published article” that is “a summary or an extract of the Work.”	
	Conditions: See definition of “Work.”	
Purpose of the copy?	To satisfy personal needs.	
	Conditions: The library or archive makes sure that the copy will be used solely for the purposes of study, scholarship, or research.	
	The user does not make direct or indirect commercial gains.	
Medium of the copy?	Not specified.	
Other provisions?	If the copying is repeated, each occurrence should be on a separate and unrelated occasion.	
	This provision applies if there is no collective license available for reproduction by a competent authority in the collective management of rights, of which the library or archive is, or should be, aware.	

<b>Anti-Circumvention of Technological Protection Measures</b>		
Circumvention provisions?	Criminal penalties for certain acts of manufacturing or importing devices or instruments.	Art. 30
Prohibited Acts?	The Act of Circumvention?	No. The crime is generally limited to import or manufacture with the intent to use the devices to deactivate protections against reproducing works or controlling reception of broadcast transmissions.
	Dealing in Devices?	Yes.
	Providing Services?	No.
Access Control or Owner’s Rights Control?	Both.	
Exemptions that could be used by libraries?	None.	

<b>Miscellaneous</b>		
Personal Copying	Limited right of a natural person to reproduce a work for personal use.	Art. 39(1)
Educational Copying	Single copies of short work or extracts of works with restrictions for teaching purposes.	Art. 40(1)
Berne Appendix	Any citizen can apply to the Ministry of Information and Culture for authority to translate and publish certain works for education. These provisions reflect many details of the Berne Appendix.	Art. 44
Definition	“Work” is defined as “a phenomenon that is created through knowledge, art or the initiative of the creator without taking into account the way that it is said, appeared or created.”	Art. 3
Source	Law on the Support of the Right of Authors, Composers, Artists, and Researchers (Copyright Law) of Afghanistan, No.	

	54 (21 July 2008), available at <a href="http://www.wipo.int/wipolex/en/text.jsp?file_id=241541">http://www.wipo.int/wipolex/en/text.jsp?file_id=241541</a> .
Last edited:	15 April 2014; rev. 21 April 2015

ALBANIA

<b>Library Use</b>		
Who can copy?	Libraries.	Art. 26(f)
	Conditions:   None.	
What can be copied?	Works located in public libraries.	
	Conditions:   None.	
Purpose of the copy?	For individual usage within the library environment.	
	For the services of the library.	
	Conditions:   None.	
Medium of the copy?	Photocopying.	
Other provisions?	The photocopying is permitted as long as usage does not prejudice the copyright or the right holders' rights in the work. See preamble of Article 26.	

<b>Anti-Circumvention of Technological Protection Measures</b>	
Circumvention provisions?	None.

<b>Miscellaneous</b>		
Personal Copying	Permits reproduction of works for private use, if does not prejudice the commercial exploitation of the work.	Art. 26(d)
Cultural Advertisement	Reproduction and rented use is permissible for cultural advertisement under certain conditions	Art. 28
Source	Copyright and Other Rights Related to it of Albania, No. 9380 (28 April 2005), available at <a href="http://www.wipo.int/wipolex/en/text.jsp?file_id=223430">http://www.wipo.int/wipolex/en/text.jsp?file_id=223430</a> .	
Last edited:	14 December 2007; rev. 21 April 2015	

ALGERIA

<b>Research or Study</b>		
Who can copy?	Libraries and document keeping centers.	Art. 45
	Conditions:   None.	
What can be copied?	Works can be reproduced in article form.	
	Works can be reproduced into another summarized work.	
	Excerpts from written works, with or without ornamentation (illustrations).	
	Conditions:   The work must be published in a collection of works, newspaper volumes, or periodicals.	
	Computer programs are excluded.	
Purpose of the copy?	For educational, academic research, or personal purposes, by request of a natural person.	
	Conditions:   None.	
Medium of the copy?	Not specified.	
Other Provisions?	The reproduction process must be an isolated and non-recurring act.	
	The reproduction is not permitted if the National Bureau for Copyrights & Neighboring Rights has granted a collective license authorizing such reproduction.	

<b>Supplying Copies to Other Libraries</b>		
Who can copy?	Libraries and document keeping centers.	Art. 46
	Conditions:   The institutions must not aim at making direct or indirect commercial profits.	
What can be copied?	Works.	
	Conditions:   It must be impossible to obtain a copy under reasonable conditions.	
Purpose of the copy?	To fulfill requests from other libraries and document keeping centers.	
	Conditions:   None.	
Medium of the copy?	Not specified.	
Other Provisions?	The reproduction process must be isolated and non-recurring.	

<b>Preservation and Replacement</b>		
Who can copy?	Libraries and document keeping centers.	Art. 46
	Conditions:   The institutions must not aim at making direct or indirect commercial profits.	
What can be copied?	Works.	
	Conditions:   It must be impossible to obtain a copy under reasonable conditions.	
Purpose of the copy?	To maintain (preserve) the work.	

	To replace a work that is damaged, lost, or void.	
	Conditions:   None.	
Medium of the copy?	Not specified.	
Other Provisions?	The reproduction process must be isolated and non-recurring.	

<b>Anti-Circumvention of Technological Protection Measures</b>	
Circumvention provisions?	None.

<b>Miscellaneous</b>		
Personal Copying	Permits making single copies and translations and other uses of certain works, with several specified exclusions, for personal or family purposes.	Art. 41
Source	Copyrights and Related Rights Act of Algeria, No. 03-05 (19 July 2003), available at <a href="http://www.wipo.int/wipolex/en/text.jsp?file_id=178342">http://www.wipo.int/wipolex/en/text.jsp?file_id=178342</a> .	
Last edited:	30 November 2007; rev. 21 April 2015	

ANDORRA

<b>Research or Study</b>			
Who can copy?	Libraries and archives.		Art. 10(1)(a)
	Conditions:	The activities of the institution must not serve direct or indirect gain.	
What can be copied?	Published articles or other short works, including accompanying illustrations.		
	Short extracts of writings, including accompanying illustrations.		
	Conditions:	Only a single copy can be made. The act of reproduction must be an isolated case occurring, if repeated, on separate and unrelated occasions.	
Purpose of the copy?	For study, scholarship, or private research, by request of a physical person.		
	Conditions:	The library or archive must be satisfied that the copy will be used solely for the permitted purposes.	
Medium of the copy?	Reprographic reproduction.		
Other provisions?	Neighboring rights are also limited by the provisions of this section.		Art. 32(d)

<b>Preservation and Replacement</b>			
Who can copy?	Libraries and archives.		Art. 10(1)(b)
	Conditions:	The activities of the institution must not serve direct or indirect gain.	
What can be copied?	Works.		
	Conditions:	Only a single copy can be made. The reproduction is permitted where it is impossible to obtain a copy under reasonable circumstances.	
Purpose of the copy?	To preserve and, if necessary (in the event that it is lost, destroyed, or rendered unusable), replace a copy of a work.		
	To replace in the permanent collection of another similar library or archive, a copy which has been lost, destroyed, or rendered unusable.		
	Conditions:	None.	
Medium of the copy?	Reprographic reproduction.		
Other provisions?	The act of reproduction must be an isolated case occurring, if repeated, on separate and unrelated occasions.		
	Neighboring rights are also limited by the provisions of this section.		Art. 32(d)

<b>Anti-Circumvention of Technological Protection Measures</b>		
Circumvention	Yes.	Art.

provisions?			44(1)(a)
Prohibited Acts?	The Act of Circumvention?	No.	
	Dealing in Devices?	Manufacturing, importing, distributing, and offering to the public a circumvention device is prohibited.	
	Providing Services?	Providing circumvention services is prohibited.	
Access Control or Owner's Rights Control?	Owner's Rights Control. The provisions relate to technical measures intended to prevent or inhibit the unauthorized exercise of any rights under the law.		
Exemptions that could be used by libraries?	There are no explicit exemptions for circumvention.		

<b>Miscellaneous</b>		
Personal Copying	Private reproduction in a single copy of a published work is permitted, where the reproduction is made by a physical person exclusively for his own private and personal use; certain works are excluded.	Art. 7
Educational Copying	Permits limited reproductions for teaching.	Art. 9
Definitions	"Reproduction" is the making of copies in any manner or form.	Art. 1(xxiv)
Source	Law on Copyright and Neighboring Rights of Andorra, No. 38 (10 June 1999), available at <a href="http://www.wipo.int/wipolex/en/text.jsp?file_id=192960">http://www.wipo.int/wipolex/en/text.jsp?file_id=192960</a> .	
Last edited:	30 November 2007; rev. 21 April 2015	

ANGOLA

<b>Library Use</b>		
Who can copy?	Public libraries, documentation centers (other than commercial establishments), scientific institutions, or teaching establishments.	
	Conditions:	Reproduction is permitted, on condition that the number of copies made does not exceed the requirements to be met by the copies.
What can be copied?	Lawfully disclosed works.	
	Conditions:	The name of the author and the source of the borrowing must be stated (Article 29).
Purpose of the copy?	Not specified.	
	Conditions:	On condition that the number of copies made does not exceed the requirements to be met by those copies.
Medium of the copy?	Reproduction by photographic or analogous processes.	

<b>Anti-Circumvention of Technological Protection Measures</b>	
Circumvention provisions?	None.

<b>Miscellaneous</b>		
Personal Copying	Reproduction, translation, adaptation, arrangement, or any other transformation for exclusively individual and private purposes is permitted.	Art. 29(d)
Source	Law on Author's Rights of Angola, No. 4/90 (10 March 1990), available at <a href="http://www.wipo.int/wipolex/en/text.jsp?file_id=179377">http://www.wipo.int/wipolex/en/text.jsp?file_id=179377</a> .	
Last edited:	3 December 2007; rev. 21 April 2015	

ANTIGUA AND BARBUDA

<b>Supplying Copies to Other Libraries</b>			
Who can copy?	Librarians of prescribed libraries and archives.		§ 63
	Conditions:	None.	
What can be copied?	Articles in periodicals, including accompanying illustrations and the typographical arrangement.		
	Whole or parts of published editions of literary, dramatic, or musical works, including accompanying illustrations and the typographical arrangement.		
	Conditions:	A literary, dramatic, or musical work may not be copied if, at the time the copy is made, the librarian making it knows or could, by reasonable inquiry, ascertain the name and address of a person entitled to authorize the making of the copy.	
An article or other work may only be copied in cases where it is not reasonably practicable to purchase a copy of the item in question for the purpose.			
Purpose of the copy?	To provide a copy to another prescribed library or archive.		
	Conditions:	None.	
Medium of the copy?	Any. See definition of "copy" below.		

<b>Research or Study (Published Works)</b>			
Who can copy?	Librarians of prescribed libraries and archives.		§ 62
	Conditions:	None.	
What can be copied?	Articles in periodicals, including accompanying illustrations and the typographical arrangement.		
	Reasonable proportions of published literary, dramatic, or musical works that are not articles in periodicals, including accompanying illustrations and the typographical arrangement.		
	Conditions:	No person shall be furnished with more than one copy of the same article or with copies of more than one article contained in the same issue of a periodical.	
No person shall be furnished with more than one copy of the same material of a work other than an article.			

Purpose of the copy?	For research or private study.		
	Conditions:	Persons requesting copies must satisfy the librarian or archivist that they require copies solely for research or private study.	
Medium of the copy?	Any. See definition of "copy" below.		
Other provisions?	Persons to whom copies are supplied are required to pay a sum not less than the cost attributable to the production, including a contribution to the general expenses of the library or archive.		

<b>Research or Study (Unpublished Works)</b>			
Who can copy?	Librarians of prescribed libraries and archives.		§ 65
	Conditions:	None.	
What can be copied?	Whole or parts of unpublished literary, dramatic, or musical works from documents in the library or archive, including accompanying illustrations.		
	Conditions:	No person may be furnished with any more than one copy of the same material.	
		A copy may not be made if the copyright owner has prohibited copying of the work and at the time of copying the librarian ought to have been aware of that fact.	
		A copy may not be made if the work was published before the document was deposited in the library or archive.	
Purpose of the copy?	For research or private study.		
	Conditions:	Persons requesting copies must satisfy the librarian or archivist that they require copies for the permitted purposes.	
Medium of the copy?	Any. See definition of "copy" below.		
Other provisions?	Persons to whom copies are supplied are required to pay a sum not less than the cost attributable to the production, including a contribution to the general expenses of the library or archive.		

<b>Preservation and Replacement</b>			
Who can copy?	Librarians of prescribed libraries and archives.		§ 64
	Conditions:	None.	
What can be copied?	Literary, dramatic, or musical works, held in the permanent collection of the library or archive, including accompanying illustrations and the typographical arrangement.		
	Conditions:	A copy may only be made where it is not reasonably practicable to purchase the work in question for the purpose.	
Purpose of the copy?	To preserve or replace the item by placing the copy		

	in the collection in addition to or in place of the item. To replace a work that has been lost, destroyed, or damaged in the permanent collection of another prescribed library or archive.	
	Conditions:   None.	
Medium of the copy?	Any. See definition of “copy” below.	

<b>Anti-Circumvention of Technological Protection Measures</b>			
Circumvention provisions?	Yes.	§ 46(6)	
Prohibited Acts?	The Act of Circumvention?		No.
	Dealing in Devices?		Manufacturing or importing for sale or rental a circumvention device is prohibited.
	Providing Services?		No.
Access Control or Owner’s Rights Control?	Owner’s Rights Control. The provisions relate to technical measures that prevent or restrict reproduction of a work or impair the quality of copies made.		
Exemptions that could be used by libraries?	No explicit exemptions exist for circumvention.		

<b>Miscellaneous</b>		
Librarian	In Sections 62 to 65, references to the librarian or archivist include references to a person acting on his or her behalf.	§ 61(1)
Declarations	Regulations may provide that a librarian or archivist, who pursuant to Sections 62 and 65 is required to be satisfied as to a matter before making or supplying a copy of a work, is entitled to rely on a declaration as to that matter, signed by the person requesting the copy, unless he is aware that the declaration is false in any material particular; and in such cases as may be prescribed, shall not make or supply a copy to any person in the absence of a declaration by that person.  Where a person requesting a copy makes a declaration that is false in a material particular and is supplied with a copy which would have been an infringing copy if made by him, that person shall be liable for infringement of copyright as if he had reproduced the copy himself, and the copy supplied shall be treated as an infringing copy.	§ 61(2) – (3)
Defined Terms	“Article” in the context of an article in a periodical includes an item of any description. “Copy” in relation to – (a) a work that is a literary, dramatic, musical, or artistic work, means a reproduction of the work in any material form and, in respect of an artistic work, includes a reproduction in three-dimensions if the artistic work is a two-dimensional work and a reproduction in two-dimensions if the artistic work is a three-dimensional work; (b) a work that is a film, television broadcast, or cable	§ 2

	<p>program, includes a photograph of the whole or any substantial part of any image forming part of the film, broadcast or cable program;</p> <p>(c) a work that is a typographical arrangement of a published edition, means a facsimile copy of the arrangement; and</p> <p>(d) any description of work, includes a copy of the work that is transient or incidental to some other use of the work, and references to the copying of a work of any description shall be construed to include a reference to storing the work in any medium by electronic means.</p>	
Private Study	Permits fair dealing with a literary, dramatic, musical, or artistic work for purposes of research or private study.	§ 52
Fair Dealing	Establishes factors for determining fair dealing and sets forth four factors that are nearly identical to fair use factors.	§ 54
Educational Uses	Series of provisions on the use of works for education.	§§ 56 to 60
Source	Copyright Act of Antigua and Barbuda, No. 22 (18 December 2003), available at <a href="http://www.wipo.int/wipolex/en/text.jsp?file_id=180198">http://www.wipo.int/wipolex/en/text.jsp?file_id=180198</a> .	
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ARGENTINA

<b>Library Provisions (none)</b>		
Library Provisions?	The copyright statutes of Argentina include no explicit library exceptions.	

<b>Anti-Circumvention of Technological Protection Measures</b>	
Circumvention provisions?	None.

<b>Miscellaneous</b>		
Services to the Blind	Authorized bodies are permitted to reproduce and distribute copies of works on special systems to serve the needs of the blind or persons with other disabilities.	Art. 36
Source	Legal Intellectual Property Regime of Argentina, No. 11.723 (28 September 1933), as amended through No. 26.507 (25 November 2009), available at <a href="http://www.wipo.int/wipolex/en/text.jsp?file_id=225488">http://www.wipo.int/wipolex/en/text.jsp?file_id=225488</a> .	
Last edited:	13 December 2007; rev. 21 April 2015	

ARMENIA

<b>General Provisions (applicable to each provision of Article 24(3))</b>		
Provide name of author?	Yes. The use is permitted with the obligatory mention of the author's name.	Art. 24 (3)
Provide source of borrowing?	Yes. The use is permitted with the obligatory mention of the source of the work.	

<b>Preservation and Replacement</b>			
Who can copy?	Libraries, archives, and educational or cultural institutions.		Art. 24 (3)(a)
	Conditions:	None.	
What can be copied?	Lawfully published works.		
	Conditions:	The library can only make one copy for restoring or substituting a work in its own collection.	
		The copying for another library is permitted only if, in ordinary conditions, the obtaining of such a copy in another way is impossible.	
Purpose of the copy?	For restoring or substituting the lost or damaged copies.		
	For placing the copy at the disposal of another library, in case of loss of the work.		
	Conditions:	The copying must be without profit-making.	
Medium of the copy?	Reprographic reproduction. See definition below.		
Other provisions?	The use of performances, phonograms, films, or broadcasting programs is permitted under the same conditions as listed above, and provided that the use does not conflict with the normal exploitation of the work and without prejudice to the interests of the rightsholders.		Art. 53

<b>Research or Study</b>			
Who can copy?	Libraries and archives.		Art. 24 (3)(b)
	Conditions:	None.	
What can be copied?	Independent articles and succinct works lawfully published in collections, newspapers, and other periodical publications.		
	Short extracts from lawfully published written works.		
	Conditions:	Only one copy can be made.	
Computer programs are excluded.			
Purpose of the copy?	On demand of a natural person, for study and research purposes.		
	Conditions:	The copying must be without profit-making.	
Medium of the copy?	Reprographic reproduction. See definition below.		
Other provisions?	Educational institutions can make copies under the		

	same conditions for classroom studies.	
	The use of performances, phonograms, films, or broadcasting programs is permitted under the same conditions as listed above, and provided that the use does not conflict with the normal exploitation of the work and without prejudice to the interests of the rightholders.	Art. 53

<b>Anti-Circumvention of Technological Protection Measures</b>		
Circumvention provisions?	Yes.	
Prohibited Acts?	The Act of Circumvention?	The act of circumvention is prohibited.
	Dealing in Devices?	Making, importing, distributing, selling, renting out, advertising for sale or rental, or possessing for commercial purposes circumvention devices is prohibited.
	Providing Services?	Providing circumvention services is prohibited.
Access Control or Owner's Rights Control?	Both. The provisions relate to technical measures used to prevent or restrict acts in respect of works that are not authorized by the rightholder; it includes access controls and protection processes.	Art. 67 (2)-(3)
Exemptions that could be used by libraries?	There are no explicit exemptions for circumvention.	

<b>Miscellaneous</b>		
Defined Terms	<p>"Reprographic reproduction" means facsimile reproduction in one or more copies, in any dimension (enlarged or reduced) and in any form, of the original or the reproduction of a written or other graphic work by means of photocopying or by other technical means, except those connected with the application of printing type-forms.</p> <p>Reprographic reproduction does not include the storage or reproduction of the mentioned copy in electronic (including digital), optical, or other machine-readable form.</p>	Art. 24 (1) & (2)
Source	Law on Copyright and Related Rights of Armenia, No. 3R-142 (4 July 2006), as amended through 30 September 2013, available at <a href="http://www.wipo.int/wipolex/en/text.jsp?file_id=339155">http://www.wipo.int/wipolex/en/text.jsp?file_id=339155</a> .	
Last edited:	13 December 07; rev. 21 April 2015	

AUSTRALIA

<b>Preservation, Replacement, and Library Administration</b>			
Who can copy?	Officers in charge of libraries and archives, or persons acting on behalf of the officers.		§ 51A
	Conditions:	Includes volunteers assisting with the care or control of the collection. (§ 51A(6))	
What can be copied?	Works in manuscript form held in the collection of the library or archive.		
	Original artistic works held in the collection of the library or archive.		
	Published works held in the collection of the library or archive.		
	Works held in the collection of the library or archive.		
	Conditions:	This provision permits both reproduction and communication. In the case of a published work, an officer of the library or archives must, after a reasonable investigation, make a declaration stating that the officer is satisfied that a copy (not a second-hand copy) of the work, or of the edition of the work in the collection, cannot be obtained within a reasonable time at an ordinary commercial price, and if a copy of another edition can be so obtained, the declaration must state why the reproduction should be made from the work in the collection. <sup>8</sup> Different types of works may be copied only for the purposes specified below.	
Purpose of the copy?	For preservation or replacement or research in another library or for administrative purposes.		
	Conditions:	In the case of a manuscript or original artistic work, copying may be for the purpose of preserving the work against loss or damage or for research carried out at the library or archives or at another library or archives. In the case of a published work, it may be copied for purposes of replacement if the work has been damaged or deteriorated, or if it has	

<sup>8</sup> Under Section 203F, it is an offense to make a false or misleading declaration for the purposes of this section. Section 203A, 203D, 203E, and 203G create offenses relating to the keeping of declarations made for the purposes of Section 51A.

	<p>been lost or stolen.</p> <p>In the case of an original artistic work, if following the preservation copying the original has been lost or has deteriorated, or if the original has become unstable and cannot be displayed without significant risk of deterioration, the preservation copy may be communicated by making it available online through a computer terminal on the premises and on which a user cannot make an electronic copy or a hardcopy or communicate the reproduction. (§§ 51A(3A) &amp; (3B))</p> <p>In the case of any work, it may be copied for administrative purposes. (§ 51A(2)) These copies may also be communicated to officers of the library or archives online through a computer terminal on the premises. (§ 51A(3)) Administrative purposes means purposes directly related to the care or control of the collection. (§ 51A(6))</p>	
Medium of the copy?	Any.	
Other provisions?	<p>Notation: At or about the time the reproduction is made under § 51A, there must be made on the reproduction a notation stating that the reproduction was made on behalf of the institution and specifying the date on which the reproduction was made. (§ 203H(1))</p>	
	<p>Publication: In the case of an unpublished work reproduced and supplied to another library or archives for research, the supply or communication by the library or archives does not constitute publication of the work. (§ 51A(5))</p>	
	<p>Application to sound recordings and film: Section 110B is nearly identical to § 51A, except it applies to the copying of a sound recording or a cinematographic film. Section 110B includes a few distinctive differences, notably mentioning that the reproduction is not an infringement of the work or of other subject-matter included in the work. For the requirement of notices on these copies, see § 203H(2).</p>	

<b>Preservation by Cultural Institutions</b>		
Who can copy?	Authorized officers of libraries and archives.	§ 51B
	<p>Conditions: The library or archives must, under state or national laws, have the function of maintaining the collection, or the library or archives is prescribed under regulations.</p>	

What can be copied?	Manuscripts.	
	Original artistic works.	
	Published works.	
	Conditions:	The officer must be satisfied that the work is of historical or cultural significance to Australia.
		In the case of a manuscript, the officer may make up to three reproductions.
		In the case of an original artistic work, the officer may make up to three comprehensive photographic reproductions from the original.
		In the case of an original artistic work, the officer must be satisfied that a photographic reproduction (not a second-hand reproduction) cannot be obtained within a reasonable time at an ordinary commercial price.
In the case of a published work, an officer may make up to three reproductions of the work from the copy in the collections.		
In the case of a published work, an officer of the library or archives must be satisfied, after a reasonable investigation, that a copy (not a second-hand copy) of the work, or of the edition of the work in the collection, cannot be obtained within a reasonable time at an ordinary commercial price, and if a copy of another edition can be so obtained, the officer is satisfied that it is appropriate to make the reproduction from the work in the collection.		
Purpose of the copy?	For preservation against loss or deterioration.	
	Conditions:	None.
Other provisions?	Reasonable time and ordinary price: For purposes of determining whether a copy can be obtained within a reasonable time at an ordinary commercial price, the officer must take into account whether an electronic copy of the work or edition can be so obtained. (§ 51B(5))	
	Limitation: § 51B does not limit rights under other library sections, and those sections do not limit § 51B. (§ 51B(6))	
	Application to sound recordings and film: § 110BA is nearly identical to § 51B, except it applies to the copying of a sound recording or a cinematographic film. Section 110BA includes some distinctive provisions, notably providing separate treatment for copying published versions	

	of the work and for copying an unpublished version or a “first record” or first copy of a film.	
	Application to published editions: § 112AA is nearly identical to § 51B, except it applies to the copying of a published edition of any work in the collection. § 112AA includes some distinctive provisions, notably its specific application to the making of a facsimile reproduction and the protection against infringement of any works in the published edition.	

<b>Research or Study (Published Works)</b>		
Who can copy?	Authorized officers of libraries and archives.	§ 49(1)
	<p>Conditions:</p> <p>For purposes of § 49, a library means a library, all or part of whose collection is accessible to members of the public directly or through interlibrary loan.</p> <p>For purposes of § 49, an archives means an archives, all or part of whose collection is accessible to members of the public.</p>	
What can be copied?	Whole or parts of articles contained in periodical publications held in the collection of the institution.	§ 49(1); § 49 (2A)
	Whole or parts of published works other than articles contained in periodical publications held in the collection of the institution.	
	Conditions:	
	It is not an infringement to communicate an article or work in accordance with § 49(2), (2C), and (5A). (§ 49(7B))	
	Only a single copy can be made (“a reproduction”).	
Two or more articles from the same periodical publication may not be copied unless the articles are requested for the same research or course of study. (§ 49(4))		
A whole work (other than an article in a periodical) or more than a reasonable portion of a work cannot be copied, unless the work is from the collections of the library or archives, and the authorized officer has after reasonable investigation made a declaration stating that the officer is satisfied that a reproduction (not being a second-hand reproduction) of the work cannot be obtained within a reasonable time at an ordinary commercial price. (§ 49(5)) (Note: Reasonable portion is determined in accordance with § 10(1)).		

		In determining whether a copy is available within a reasonable time and at an ordinary commercial price, the authorized officer must take into account: (a) the time that the user requires the copy; (b) the time within which a reproduction at an ordinary commercial price could be delivered to the person; and (c) whether an electronic reproduction can be obtained within a reasonable time and at an ordinary commercial price. (§ 49(5AB))	
		A note accompanying the statutes states that the reproduction can be made from another reproduction held in the library because it was made pursuant to § 51A(1) to replace a work.	
Purpose of the copy?	For research or study and supply to user, requested by the user in writing.		§ 49(1); § 49(2)
	Conditions:	The copy may be supplied only to the person requesting the reproduction. (§§ 49(6) & (7)) This requirement may be excluded by regulation. (§ 49(8)) (Note: Special rules apply when making electronic reproductions, § 49(7A).)	
		The user must furnish to the officer in charge of the library or archives a signed declaration stating that the user requires the reproduction for research or study and for no other purpose, and that the user has not previously been supplied with a copy of the same work by the library or archives. <sup>9</sup> Declarations pursuant to § 49 are further detailed at § 10(3)(ma).	
		The declaration must not contain any statement that the authorized officer of the library or archives knows to be untrue in any material respect. (§ 49(2))	
Purpose of the copy?	For research or study and supply to a user at a remote location, upon request by a person to an authorized officer of the institution. (See also § 49(2C)(a))		§ 49 (2A); § 49 (2C)
	Conditions:	The user makes a declaration to an authorized officer of a library or archives that the user requires the	

<sup>9</sup> Under Section 203F, it is an offense to make a false or misleading declaration for the purposes of this section. Section 203A, 203D, 203E, and 203G create offenses relating to the keeping of declarations made for the purposes of Section 49.

		<p>reproduction for research or study and for no other purpose. (See also § 49(2C)(a))</p> <p>The user must make a declaration that the user has not previously been supplied with a copy of the same work by the library or archives.</p> <p>Because of the remoteness of the user's location, the user cannot conveniently furnish a declaration (consistent with the requirements of § 49(1)) by the time that the user needs the reproduction.</p> <p>The request or declaration made by the user pursuant to § 49(2A) are not required to be in writing. (§ 49(2B))</p> <p>The authorized officer makes a declaration setting out the particulars of the request and declaration from the user, and stating that the user's declaration does not contain any statement that, to the knowledge of the officer, is untrue in any material respect regarding the purpose of the copy and whether the user has previously received a copy of the work, and that the officer is satisfied that the user's declaration is true with respect to the remoteness of the user's location. (§ 49(2C)(b))</p>	
Other provisions?	<p>Communication of Electronic Works: If an article contained in a periodical publication or other published work is acquired in electronic form as part of the library or archives collection, the officer in charge of the library or archives may make it available online within the premises of the library or archives in such a manner that users cannot, by using any equipment supplied by the library or archives make an electronic reproduction of the work or communicate it.</p> <p>Cost: The copying authorized by this section is not permitted if the library or archives charges for making and supplying the reproduction, and the amount charged exceeds the cost of making and supplying the reproduction.</p> <p>Notation: At or about the time the reproduction is made under § 49, there must be made on the reproduction a notation stating that the reproduction was made on behalf of the institution and specifying the date on which the reproduction was made. (§ 203H(1))</p>	<p>§ 49 (5A)</p> <p>§ 49(3)</p>	

<b>Research or Study or View to Publication (Unpublished Works)</b>		
Who can copy?	Persons.	§ 51(1)
Who can copy?	Officers in charge of libraries and archives, or persons acting on their behalf.	
	Conditions: None.	
What can be copied?	Unpublished literary, dramatic, musical, or artistic works.	
	Conditions:	The work must be still under copyright, and copying must occur more than fifty years after the end of the calendar year in which the author died.
		Either a copy of the work must be kept in the collection of the library or archives, or in the case of a literary, dramatic, or musical work, the manuscript of the work must be kept in the collection of the library or archives.
		The copy of the work or the manuscript in the collections must be open to public inspection, subject to any regulations governing that collection.
Purpose of the copy?	Research or study, or with a view to publication.	
	Conditions:	If the reproduction is made by an officer of the library or archives, then the reproduction may be supplied only to a person who satisfies the officer that the he or she requires the reproduction for the permitted purpose and will not use it for any other purpose.
Other provisions?	This statute also permits communication of the reproduction.	
	Incorporation of a work: If a new publication of a literary, dramatic, or musical work incorporates a work to which § 51(1) applies, that publication is not an infringement or unauthorized publication of the earlier work. This right is conditioned on giving a prescribed notice and other requirements, but it extends to subsequent publication of the work and other uses.	
	Application to sound recordings and film: § 110A is nearly identical to § 51, except it applies to the copying of a sound recording or a cinematographic film being copied more than fifty years after the work was made.	
		§ 52

<b>Research or Study (Unpublished Theses)</b>		§ 51(2)
Who can copy?	Officers in charge of libraries and archives, or persons acting on their behalf.	

	Conditions:	None.	
What can be copied?	Unpublished theses or other similar literary works kept in the library of a university or other similar institution or an archive.		
	Conditions:	None.	
Purpose of the copy?	For research or study.		
	Conditions:	The reproduction may be supplied to a person who satisfies an authorized officer of the library or archives that the person requires the reproduction for the permitted purposes.	
Medium of the copy?	Not specified.		
Other provisions?	Although not stated explicitly in the statute, § 51(1) apparently could also apply to an unpublished thesis.		

<b>Supplying Copies to Other Libraries</b>			
Who can copy?	Officers in charge of libraries and archives, or persons acting on their behalf.		§ 50(2); § 50 (10)
	Conditions:	For purposes of § 50, a library means a library, all or part of whose collection is accessible to members of the public directly or through interlibrary loan.	
		For purposes of § 50, an archives means an archives, all or part of whose collection is accessible to members of the public.	
What can be copied?	Whole or parts of articles contained in periodical publications held in the collection of the institution.		§ 50(1); § 50(7)
	Whole or parts of published works, other than articles contained in periodical publications, held in the collection of the institution.		
	Conditions:	Only a single copy can be made (“a reproduction”).	
		A reproduction of the same item may not be supplied to a library on more than one occasion for inclusion in the library’s collection, unless as soon as practicable after making the request, the receiving library makes a declaration stating the particulars of the request and stating that the previous reproduction has been lost, destroyed, or damaged. <sup>10</sup> (§ 50(7))	
Two or more articles may not be copied from the same periodical publication that have been requested			

<sup>10</sup> Under Section 203F, it is an offense to make a false or misleading declaration for the purposes of this section. Section 203A, 203D, 203E, and 203G create offenses relating to the keeping of declarations made for the purposes of Section 50.

		<p>for the same purpose, unless the articles are requested under § 49 for the same research or course of study. (§ 50(8))</p>	
		<p>A whole work (other than an article in a periodical) or more than a reasonable portion of a work may not be copied, if the reproduction is made from a hardcopy form of the work, unless an authorized officer of the library making the request has as soon as practicable after the request makes a declaration stating the particulars of the request and stating that after reasonable investigation the officer is satisfied that a copy (not being a second-hand copy) of the work cannot be obtained within a reasonable time at an ordinary commercial price. (§ 50(7A)) (Note: Reasonable portion is determined in accordance with § 10(1)).</p>	
		<p>A whole work (including an article in a periodical) or a part of a work may not be copied, whether or not the part is a reasonable portion of the work, if the reproduction is made from an electronic form of the work, unless an authorized officer of the library making the request, as soon as practicable after the request, makes a declaration stating the particulars of the request and stating one of the following:</p> <p>(a) If the reproduction is of the whole or more than a reasonable portion of a work other than an article, after reasonable investigation the officer is satisfied that the work cannot be obtained in electronic form within a reasonable time at an ordinary commercial price.</p> <p>(b) If the reproduction is of a reasonable portion of a work other than an article, after reasonable investigation the officer is satisfied that the portion cannot be obtained in electronic form, either separately or together with a reasonable amount of other material, within a reasonable time at an ordinary commercial price.</p> <p>(c) If the reproduction is of the whole or part of an article, after reasonable investigation the officer is satisfied that the article cannot be obtained on</p>	

	<p>its own electronic form within a reasonable time at an ordinary commercial price. (§ 50(7B))</p> <p>In determining whether a copy is available within a reasonable time and at an ordinary commercial price, the authorized officer must take into account: (a) the time that the user requires the copy; (b) the time within which a reproduction at an ordinary commercial price could be delivered to the person; and (c) whether an electronic reproduction can be obtained within a reasonable time and at an ordinary commercial price. (§ 50(7BB))</p> <p>The work may be communicated, in addition to copied and supplied. (§ 50(4)(b)) This provision may be excluded by regulation. (§ 50(5))</p> <p>Legal action may not be brought against the library for making or supplying the reproduction. (§§ 50(3)(b); 50(4)(a))</p> <p>A note accompanying the statutes states that the reproduction can be made from another reproduction held in the library because it was made pursuant to § 51A(1) to replace a work.</p>	
Purpose of the copy?	<p>To supply the reproduction to a person who made a request under § 49.</p> <p>To include the reproduction in the collection of the requesting library.</p> <p>To serve the needs of a library serving members of Parliament.<sup>11</sup></p> <p>Conditions: Upon request by or on behalf of the officer in charge of a library.</p> <p>When the reproduction is made and supplied in accordance with the request, it is deemed to be for the purpose as requested. (§ 50(3)(a))</p>	§ 50(1); § 50(2)
Medium of the copy?	<p>Any.</p> <p>Conditions: If in electronic form, the reproduction held by the supplying library is destroyed as soon as practicable after the reproduction is supplied to the requesting library.</p>	§ 50 (7C)
Other provisions?	<p>Cost: The copying authorized by this section is not permitted if the library or archives charges for making and supplying the reproduction, and the amount</p>	§ 50(6)

<sup>11</sup> The provisions relevant to Parliament are applicable only to specific libraries servicing governmental constituents. Because such provisions are outside the general scope of this study, the details are not summarized here.

	charged exceeds the cost of making and supplying the reproduction.	
	Notation: At or about the time the reproduction is made under § 50, there must be made on the reproduction a notation stating that the reproduction was made on behalf of the institution and specifying the date on which the reproduction was made. (§ 203H(1))	

<b>Anti-Circumvention of Technological Protection Measures</b>			
Circumvention provisions?	Yes.		
Prohibited Acts?	The Act of Circumvention?	The act of circumvention is prohibited.	§ 116 AN(1)
	Dealing in Devices?	Manufacturing, importing, distributing, offering, providing, or communicating a circumvention device is prohibited.	§ 116 AO(1)
	Providing Services?	Providing or offering a circumvention service is prohibited.	§ 116 AP(1)
Access Control or Owner's Rights Control?	Both. The provisions relate to a device, product, technology, or component (including a computer program) that is used by or on behalf of the rightsholder in connection with the exercise of the copyright and that in the normal course of operation controls access to the work.		§ 10(1)
Exemptions that could be used by libraries?	The act of circumvention is not prohibited if the circumvention is done by a library, archives, or educational institution; the act is done for the sole purpose of making an acquisition decision in relation to the work; and the work is not otherwise available to the institution when the act is done.		§ 116 AN (8)
	The act of circumvention is not prohibited if a person's act of circumvention is to enable the person to do an act that will not infringe the copyright and the doing of the act is prescribed by regulations.		§ 116 AN(9)

<b>Miscellaneous</b>		
Fair Dealing	In addition to the library exceptions, the fair dealing exception can apply to some uses of copyrighted works for specific purposes, including research and study.	§ 40; § 103C
Library or Archives	References to a body administering a library or archives shall be a reference to the body (whether incorporated or not), or the person (including the Crown) having ultimate responsibility for the administration of the library or archives.	§ 10 (3)(b)
Libraries for Profit	A library shall not be taken to be established or conducted for profit by reason only that the library is owned by a person carrying on business for	§ 18

	profit.	
Library Administration	A body administering a library or archives may use a copyrighted work for purposes of maintaining or operating the library or archives, if the use is limited to a special case, does not conflict with a normal exploitation of the work, and the use does not unreasonably prejudice the legitimate interests of the owner.	§ 200AB
Unsupervised Machines	When a person makes an infringing copy of a work, or part of a work, on a machine installed at a library or archives, with approval of and administering body or the library or archives, or installed outside the premises for the convenience of user of the library or archives, then neither the body administering the library or archives, nor the officer in charge of the library or archives shall be taken to have authorized the making of the copy by reason only that the copy was made on that machine. The library or archive must post a notice on or in close proximity to the machine, and the notice must be of the prescribed dimensions and in accordance with the form. Section 104B is nearly identical to Section 39A, but it specifically applies to infringing copies of an audiovisual item or a published edition of a work.	§ 39A; § 104B
Australian Archives	Provision permits the Australian Archives to make copies of works in the collection for the needs of the Archives or for a regional office of the Archives. This provision is outside the scope of this study, so the details are not summarized here.	§ 51AA
Defined Terms	The statute offers additional detailed definitions not included within this chart for the following terms: educational purpose, periodical publication, and article.	§ 10(1); § 10(4)
	“Archives” means Archival material in the custody of the Australian Archives (or three other specifically named governmental archives) or a collection of documents or other material by virtue of § 10(4). That subsection provides that the definition of “archives” includes a collection of documents or other material of historical significance or public interest that is in the custody of a body, whether incorporated or unincorporated, is being maintained by the body for the purpose of conserving and preserving those documents or other material, and the body does not maintain and operate the collection for the purpose of deriving a profit. (The version of the Australian statutes examined for this project provides by way of example that museums and galleries would be included in this definition.)	
	“Copy” in relation to a cinematographic film means any article or thing in which the visual images or sounds comprising the film are embodied.	
	“Work” means a literary, dramatic, musical, or	

	artistic work.	
Source	Copyright Law of Australia, No. 63 (27 June 1968), as amended through No. 31 (27 May 2014), available at <a href="http://www.wipo.int/wipolex/en/text.jsp?file_id=336977">http://www.wipo.int/wipolex/en/text.jsp?file_id=336977</a> .	
Last edited:	17 July 2008; rev. 21 April 2015	

AUSTRIA

<b>Library Use</b>			
Who can copy?	Publicly accessible establishments.	§ 42(7)	
	Conditions: None.		
What can be copied?	Published works.		
	Conditions:		Only a single copy may be produced
			Digital copies may only be produced if the original is in the possession of the collection.
	Single copies of works which have not been published or are out of print can also be made.		
Purpose of the copy?	Not specified.		
	Conditions:	Digital copies may be produced only for non-commercial ends.	
Medium of the copy?	Reprographic copies and digital copies are permitted.		
Other provisions?	This provision permits a copy to be exhibited, lent, or used under the same provisions as the original.		

<b>Anti-Circumvention of Technological Protection Measures</b>			
Circumvention provisions?	Yes.		§ 90c
Prohibited Acts?	The Act of Circumvention?	The act of circumvention is prohibited where the act is a violation of the copyright law. (Note: An act of circumvention that does not violate the copyright is, therefore, not prohibited.)	
	Dealing in Devices?	Manufacturing, importing, distributing, selling or renting for commercial purposes, and advertising for sale or rental circumvention devices is prohibited.	
	Providing Services?	Providing circumvention services is prohibited.	
Access Control or Owner's Rights Control?	Both. The provisions relate to technical measures used through a copy control, an access control, or a protection mechanism.		
Exemptions that could be used by libraries?	There are no explicit exemptions for circumvention.		

<b>Miscellaneous</b>		
Private Copying	Personal copying is permitted under specified conditions.	§ 42 (1)-(5)
Display and	Permits libraries and other institutions open to the	§ 56b

Performance in Libraries	public to make performances and presentations of works to not more than two persons at a time and for noncommercial purposes. Rightsholders are entitled to remuneration.	
Orphan Works	Implements the European Union orphan works directive.	§ 56e
Source	The Copyright Act of Austria, Federal Law Gazette No. 111/1936 (9 April 1936), as amended through No. 11/2015 (13 January 2015), available at <a href="https://www.ris.bka.gv.at/GeltendeFassung.wxe?Abfrage=Bundesnormen&amp;Gesetzesnummer=10001848">https://www.ris.bka.gv.at/GeltendeFassung.wxe?Abfrage=Bundesnormen&amp;Gesetzesnummer=10001848</a> .	
Last edited:	18 December 2007; rev. 23 April 2015	

AZERBAIJAN

<b>General Provisions (applicable to each part of Article 18)</b>		
Author's consent required?	No. The use is permitted without the author's consent.	Art. 18(1)
Remuneration to author?	No. The use is permitted without payment of remuneration.	
Provide name of author?	Yes. The name of the author whose work is used must be mentioned.	
Provide source of borrowing?	Yes. The source of borrowing must be mentioned.	

<b>Preservation and Replacement</b>			
Who can copy?	Libraries and archives.	Art. 18(1)(a)	
	Conditions: None.		
What can be copied?	Lawfully published works.		
	Conditions:		Only one copy may be made.
			Only if purchasing a copy is not possible under ordinary circumstances.
Purpose of the copy?	To replace lost, damaged, or unusable copies.		
	To give copies to other libraries or archives to replace copies in their collections that are lost, damaged, or unusable.		
	Conditions:	The copying must have no commercial purpose.	
Copying is permitted only the extent justified by the purpose.			
Medium of the copy?	Reprographic reproduction. See definition below.		
Other provisions?	The objects of related rights can be used in cases provided for in Title II of this Law (which includes the library copying provisions) for the limitation of the economic rights of the authors of literary, scientific and artistic works.	Art. 36	

<b>Research or Study</b>		
Who can copy?	Libraries and archives.	Art. 18(1)(b)
	Conditions: None.	
What can be copied?	Lawfully published articles and short works.	
	Excerpts from written works.	
	Conditions:	
Only a single copy can be made.		
Purpose of the copy?	For study or research purposes upon request by natural persons.	
	Conditions:	The copying must have no commercial purpose.
		Copying is permitted only the extent justified by the purpose.
Medium of the copy?	Reprographic reproduction. See definition below.	

Other provisions?	The objects of related rights can be used in cases provided for in Title II of this Law (which includes the library copying provisions) for the limitation of the economic rights of the authors of literary, scientific and artistic works.	Art. 36
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<b>Anti-Circumvention of Technological Protection Measures</b>			
Circumvention provisions?	Yes.		Art. 44(3)
Prohibited Acts?	The Act of Circumvention?	Yes. Removal of restrictions established by technological protections.	
	Dealing in Devices?	No.	
	Providing Services?	Yes. Services related to manufacture, distribution, and other activities.	
Access Control or Owner's Rights Control?	Both. "Technological protection measure" is defined as a device to restrict acts or to control access. See Article 4.		
Exemptions that could be used by libraries?	No exemptions in the statute.		

<b>Miscellaneous</b>			
Defined Terms	"Reprographic reproduction" means the facsimile reproduction in any size (increased or decreased) of the original or a copy of the work (written and other graphic work) by photocopying or with the aid of other technical means other than publishing.		Art. 4
	"Publication" means putting copies of a work or phonogram into circulation with the consent of the author of the work or phonogram producer to meet the needs of the public. Providing access to the work or phonogram via electronic information systems is also considered a publication.		
Personal Copying	Permits single copies of certain works for personal purposes. Remuneration is paid to rightsholders by the manufacturer or importer of equipment and material used for reproductions.		Art. 17
Educational Uses	Provisions permitting uses of works for informational, scientific, and educational purposes.		Art. 19
Source	Law of Copyright and Related Rights of Azerbaijan, No. 203 (5 June 1996) as amended through No. 636-IVQD (30 April 2013), available at <a href="http://www.wipo.int/wipolex/en/text.jsp?file_id=317315">http://www.wipo.int/wipolex/en/text.jsp?file_id=317315</a> .		
Last edited:	21 December 2007; rev. 23 April 2015		

BAHAMAS

<b>Research or Study (Published Works)</b>		
Who can copy?	Librarians of prescribed libraries, including persons acting on behalf of the librarians.	§ 68
	Archivists of prescribed archives, including persons acting on behalf of the archivists.	
	Conditions: The collections of the institution must be open to the public or to persons doing research in a specialized field.	
What can be copied?	Published works.	
	Conditions: A single copy or phonorecord may be reproduced and distributed.	
	A notice of copyright must be included with the copy.	
Purpose of the copy?	For research or private study.	
	Conditions: Persons requesting copies must satisfy the librarian or archivist that they require copies for the permitted purposes and will not use them for any other purpose.	
Medium of the copy?	Any. See definition of "copy."	
Other Provisions?	Persons to whom copies are supplied are required to pay a sum not less than the cost attributable to the production, including a contribution to the general expenses of the library or archive.	

<b>Research or Study (Unpublished Works)</b>		
Who can copy?	Librarians of prescribed libraries, including persons acting on behalf of the librarians.	§ 71
	Archivists of prescribed archives, including persons acting on behalf of the archivists.	
	Conditions: None.	
What can be copied?	Unpublished works.	
	Conditions: A single copy or phonorecord may be provided or a part of such work.	
	No person may be furnished with any more than one copy or phonorecord of the same material.	
	A copy may not be made if the copyright owner has prohibited reproduction of the work and at the time of copying the librarian or archivist ought to have been aware of that fact.	
	A copy may not be made if the work was published before the document was in the library or archive and at the time of copying the librarian or archivist ought to have been aware	

		of that fact.	
Purpose of the copy?	For teaching, research, or private study.		
	Conditions:	Persons requesting copies must satisfy the librarian or archivist that they require copies for the permitted purposes and will not use them for any other purpose.	
Medium of the copy?	Any. See definition of "copy."		
Other Provisions?	Persons to whom copies are supplied are required to pay a sum not less than the cost attributable to the production, including a contribution to the general expenses of the library or archive.		

<b>Preservation and Replacement</b>			
Who can copy?	Librarians of prescribed libraries, including persons acting on behalf of the librarians.		§ 70
	Archivists of prescribed archives, including persons acting on behalf of the archivists.		
	Conditions:	None.	
What can be copied?	Published works in the permanent collection of the library or archive.		
	Conditions:	A single copy or phonorecord may be reproduced.	
		A copy or phonorecord may only be produced where it is not reasonably practicable to purchase the work in question for the purpose.	
Purpose of the copy?	To preserve or replace the item in the permanent collection to or in place of the work.		
	To replace in the permanent collection of another prescribed library or archive a work that was lost, destroyed, or damaged.		
	Conditions:	None.	
Medium of the copy?	Any. See definition of "copy."		

<b>Supplying Copies to Other Libraries</b>			
Who can copy?	Librarians of prescribed libraries, including persons acting on behalf of the librarians.		§ 69
	Archivists of prescribed archives, including persons acting on behalf of the archivists.		
	Conditions:	None.	
What can be copied?	Published works.		
	Conditions:	A single copy or phonorecord may be reproduced or distributed.	
Purpose of the copy?	To provide a copy to another prescribed library or archive.		
	Conditions:	None.	
Medium of the copy?	Any. See definition of "copy."		

<b>Limitation of Remedies</b>		
Who qualifies?	Employee or agent of a nonprofit educational establishment, public library, or the Department of Archives, or such institution itself.	§ 41 (3)(d)
For what activity?	Infringement through reproduction of a work in copies or phonorecords.	
How are the remedies limited?	The court shall remit statutory damages.	
Under what conditions?	The infringer believed that his use of the copyright work was a fair dealing under Section 60. The infringement was committed by the institution or by an employee or agent of the institution acting within the scope of employment.	

<b>Anti-Circumvention of Technological Protection Measures</b>	
Circumvention provisions?	None.

<b>Miscellaneous</b>		
Agents of Librarians and Archivists	In Sections 68 to 71, references to a librarian or archivist include references to a person working on his or her behalf.	§ 67(1)
Definition	“Copy” is defined in part as an object in which a work is fixed by any method now known or later developed.	§ 2
Fair Dealing	In determining whether a use is fair dealing, the court shall take account of relevant factors, and the statute lists four factors that are nearly identical to the factors of fair use in U.S. law.	§ 60
Fair Dealing Applications	Fair dealing can apply to research, private study, scholarship, or teaching.	§ 58
Educational Uses	Permits various uses of works for education.	§§ 62 to 66
Declarations	Regulations made by the Minister may provide that a librarian or archivist who, pursuant to Sections 68-71, is required to be satisfied as to a matter before making or supplying a copy or phonorecord of a work is entitled to rely on a declaration as to that matter signed by the person requesting the copy or phonorecord, unless he is aware that the declaration is false in any material particular; and in such cases as may be prescribed, shall not make or supply a copy or phonorecord to any person in the absence of a declaration by that person.  Where a person requesting a copy or phonorecord makes a declaration that is false in a material particular and is supplied with a copy or phonorecord which would have been an infringing copy or phonorecord if made by him, that person shall be liable for infringement of copyright as if he had reproduced the copy or phonorecord himself,	§ 67

	and the copy or phonorecord supplied shall be treated as an infringing copy or phonorecord.	
Source	Copyright Act of The Bahamas, Chapter 323 (22 May 1998), as amended by the Copyright (Amendment) Act, No. 2 (24 June 2004), available at <a href="http://www.wipo.int/wipolex/en/text.jsp?file_id=215022">http://www.wipo.int/wipolex/en/text.jsp?file_id=215022</a> .	
Last edited:	21 December 2007; rev. 23 April 2015	

BAHRAIN

<b>Replacement</b>			
Who can copy?	Nonprofit archive or library.		Art. 22
	Conditions:	None.	
What can be copied?	Not specified.		
	Conditions:	One copy.	
		It is difficult to obtain a replacement original under reasonable conditions.	
Purpose of the copy?	For replacement of an original which has been lost, destroyed, or is unfit for use.		
	Conditions:	Made for the benefit of any nonprofit archives or libraries.	
Medium of the copy?	Photocopy. Term not defined.		
Other provisions?	Permitted without the consent of the author and without paying compensation.		

<b>Research or Study</b>			
Who can copy?	Nonprofit archive or library.		Art. 22
	Conditions:	None.	
What can be copied?	Published article, brief extracts of a work, or a short work.		
	Conditions:	One copy.	
Purpose of the copy?	To respond to a request by a natural person who wishes to use it for non-commercial study or research.		
	Conditions:	Provided the archive or library is satisfied that the purpose is as stated above.	
Medium of the copy?	Not specified.		
Other provisions?	Reproduction made once or on separate and unrelated occasions.		
	No collective license is available to authorize such copying.		
	Permitted without the consent of the author and without paying compensation.		

<b>Anti-Circumvention of Technological Protection Measures</b>			
Circumvention provisions?	Yes.		Art. 45
Prohibited Acts?	The Act of Circumvention?	Disable or impair any effective technological measures.	
	Dealing in Devices?	Yes.	
	Providing Services?	Yes.	
Access Control or Owner's Rights Control?	Statute bars disabling "effective technological measures" but does not define them.		
Exemptions that could	None.		

be used by libraries?		
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<b>Miscellaneous</b>		
Personal Copying	Limited rights to make copies for personal use.	Art. 19
Temporary Reproduction	Limited rights to make temporary copies.	Art. 20
Legal or educational purposes	Limited rights to make copies for legal purposes or educational purposes if undertaken by or within nonprofit educational institutions with attribution.	Art. 21
Judicial or Administrative Procedures	Limited rights to make copies from a work to be used in judicial or administrative procedures with attribution.	Art. 23
Public Performance	Limited rights to make a public performance in face-to-face educational activities within recognized non-profit educational institutions.	Art. 27
Source	Law Relating to the Protection of Copyright and Neighboring Rights of Bahrain, Act No. 22 (25 June 2006), available at <a href="http://www.wipo.int/wipolex/en/text.jsp?file_id=255293">http://www.wipo.int/wipolex/en/text.jsp?file_id=255293</a> .	
Last edited:	15 April 2014; rev. 23 April 2015	

BANGLADESH

<b>Public Use</b>			
Who can copy?	A person in charge of a nonprofit library, or a person acting under that person's direction.		§ 72(15)
	Conditions:	See definition of "library."	
What can be copied?	Books.		
	Conditions:	Including a pamphlet, sheet of music, map, chart, or plan.	
		Not more than three copies of a work.	
Such work is not available for sale in Bangladesh.			
Purpose of the copy?	To make available for use by the public.		
	Conditions:	Free of charge.	
Medium of the copy?	Not specified.		
Other provisions?	None.		

<b>Library Use</b>			
Who can copy?	A person in charge of a library attached to an educational institution, or a person acting under that person's direction.		§ 72(15)
	Conditions:	See definition of "library."	
What can be copied?	Books.		
	Conditions:	Including a pamphlet, sheet of music, map, chart, or plan.	
		Not more than three copies of a work.	
Such work is not available for sale in Bangladesh.			
Purpose of the copy?	For the use of such library.		
	Conditions:	None.	
Medium of the copy?	Any. See definition of "copy."		
Other provisions?	None.		

<b>Research or Private Study (Unpublished Works)</b>			
Who can copy?	Not specified.		§ 72(16)
	Conditions:	None.	
What can be copied?	An unpublished literary, dramatic, or musical work.		
	Conditions:	That is kept in a library, museum, or other institution to which the public has access.	
Purpose of the copy?	For research or private study.		
	Conditions:	None.	
Medium of the copy?	Reproduction. See definition of "copy."		
Other provisions?	Provided that where the identity of the author of any such work, or in the case of a work of joint authorship of any of the authors, is known to the library, museum, or other institution, as the case		

	may be, the provision of this clause shall apply only if such reproduction is made at a time more than sixty years from the date of the death of the author or, in the case of a work of joint authorship, the death of the author whose identity is known or, if the identity of more authors than one is known, from the death of such one of those authors who dies last. (Note: the basic term of copyright duration is life of author, plus 60 years.)	
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<b>Anti-Circumvention of Technological Protection Measures</b>		
Circumvention provisions?	None.	

<b>Miscellaneous</b>		
Definitions	“Copy” means a reproduction in the form of words, picture, sounds, letters, written form or in the form of sound recordings, cinematograph film, graphic picture or in the material or non-material form, digital code (fixed or moving) or whether in two or three or surrealistic dimensions. (Note: One of the rights of copyright is “to reproduce the work in any material form including the storing of it in any medium by electronic means” (§ 14(1).)	§ 2(1)
	“Library” means any library which can be used free of charge and a library attached to an educational institution, operated on a non-profit basis	§ 2(13)
Fair Use	The fair use of certain works for private study or private use including research is not an infringement.	§ 72
Source	Copyright Act of Bangladesh, No. XXVIII (18 July 2000), available at <a href="http://copyrightoffice.gov.bd/index.php?action=rul_en1">http://copyrightoffice.gov.bd/index.php?action=rul_en1</a> .	
Last edited:	31 August 2014; rev. 23 April 2015	

BARBADOS

<b>Preservation and Replacement</b>			
Who can copy?	Librarian of a prescribed library or archive, including persons acting on his or her behalf.	§ 63	
	Conditions:   None.		
What can be copied?	Any item.		
	Conditions:		The item must be in the permanent collections of the library or archive.
			The work may be copied only where it is not reasonably practicable to purchase a copy of the item for the allowed purpose.
Purpose of the copy?	To preserve or replace the item by placing the copy in a permanent collection in addition to or in place of the item.		
	To replace in the permanent collection of another prescribed library or archive an item which has been lost, destroyed, or damaged.		
	Conditions:   None.		
Medium of the copy?	Any. See definition of "copy" below.		

<b>Research or Study (Published Works)</b>		
Who can copy?	Librarian of a prescribed library or archive, including persons acting on his or her behalf.	§ 61
	Conditions:   None.	
What can be copied?	An article in a periodical. (See definition of "article" below.)	
	A part of a published edition of a literary, dramatic, or musical work that is not an article in a periodical.	
	The copy may include accompanying illustrations and the typographical arrangement.	
	Conditions:	
With respect to a work other than an article, no more than one copy of the same material or not more than a reasonable proportion of may be copied for one person.		
Purpose of the copy?	To supply a copy for research or private study.	
	Conditions:   The person must satisfy the librarian that the copies are for the allowed purpose and no other purpose.	
Medium of the copy?	Any. See definition of "copy" below.	
Other provisions?	Persons to whom copies are supplied are required to pay a fee not less than the cost of producing the copy, including a contribution to the general	

	expenses of the library or archive.	
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<b>Research or Study (Unpublished Works)</b>		
Who can copy?	Librarian of a prescribed library or archive, including persons acting on his or her behalf.	§ 64
	Conditions: None.	
What can be copied?	Whole or parts of literary, dramatic, or musical works from documents in the collections of the library or archive, including accompanying illustrations.	
	Conditions: The work must not have been published before the document was deposited in the library or archive, and at the time of making the copy the librarian ought to have been aware of that fact.	
	The work may not be copied if the copyright owner has prohibited copying of the work, and at the time of making the copy the librarian ought to have been aware of that fact.	
Purpose of the copy?	To supply a copy for research or private study.	
	Conditions: The person must satisfy the librarian that the person requires the copies for the allowed purpose and no other purpose.	
	No person may receive more than one copy of the same material.	
Medium of the copy?	Any. See definition of "copy" below.	
Other provisions?	Persons to whom copies are supplied are required to pay a fee not less than the cost of producing the copy, including a contribution to the general expenses of the library or archive.	

<b>Supplying Copies to Other Libraries (Published Works)</b>		
Who can copy?	Librarian of a prescribed library and archive, including persons acting on his or her behalf.	§ 62
	Conditions: None.	
What may be copied?	An article in a periodical. (See definition of "article" below.)	
	The whole or part of a published edition of a literary, dramatic, or musical work.	
	The copy may include accompanying illustrations and the typographical arrangement.	
	Conditions: With respect to whole or parts of published editions of literary, dramatic, musical, or artistic works, the right to copy does not apply if at the time of making the copy the librarian knows, or could by reasonable inquiry ascertain the name and address of a person	

		entitled to authorize the making of the copy.	
Purpose of the copy?	To supply to another prescribed library or archive.		
	Conditions:	None.	
Medium of the copy?	Any. See definition of "copy" below.		

<b>Anti-Circumvention of Technological Protection Measures</b>	
Circumvention provisions?	None.

<b>Miscellaneous</b>		
Agents of Librarians and Archivists	In Sections 61 to 64, references to a librarian or archivist include references to a person working on his or her behalf.	§ 60(1)
Additional Conditions	The statutes refer to compliance with "prescribed conditions" and often provide that the conditions "shall include" some listed specifics. The Ministry of Culture has authority to make regulations prescribing anything that is authorized or required to be prescribed.	§ 148
Declarations	Regulations may provide that where a librarian or archivist is required to be satisfied as to a matter before making or supplying a copy, the librarian or archivist is entitled to rely on a signed declaration by the person making the request, unless the librarian or archivist is aware that it is false in any material respect. Where prescribed, a librarian or archivist shall not make or supply a copy for any person in the absence of a declaration by that person. If the declaration is false in a material respect, and if the copy supplied by the librarian or archivist would have been an infringement if made by that person, the person making the declaration is liable for infringement of copyright.	§ 60(2); § 60(3)
Fair Dealing	Copying for research or private study can be within fair dealing. The determination of fair dealing depends on an application of relevant factors, including the four factors in the statute.	§ 51; § 53
Classroom Instruction	Limited use of works in the course of instruction, preparation for instruction, and administration of examinations.	§ 55
Collections for Education	Limited ability to reproduce works into "collections" intended for use in educational establishments, but subject to rigorous conditions.	§ 56
Recorded Programs for Education	Right to record a broadcast or cable program for the educational purposes of an educational institution.	§ 57
Copies for Education	Standards and limits for making reprographic copies of passages of works for education. This right may not apply if a license is available. However, a term in a license to an educational	§ 58

	institution purporting to limit such copying to a portion less than the amount allowed under the statute is of no effect.	
Defined Terms	An “article” in the context of an article in a periodical includes any item of any description.	§ 2(1)
	<p>“copy” in relation to</p> <p>(a) a work that is literary, dramatic or musical work, means a reproduction of the work in any material form;</p> <p>(b) an artistic work (i) means a reproduction of the work in any material form, and (ii) includes a reproduction in three dimensions if the artistic work is a two-dimensional work, and a reproduction in two dimensions if the artistic work is a three-dimensional work,</p> <p>(c) a work that is a film, television broadcast or cable program, includes a photograph of the whole or any substantial part of any image forming part of the film, broadcast or cable program;</p> <p>(d) a work that is a typographical arrangement of a published edition, means a facsimile copy of the arrangement; and</p> <p>(e) any description [type] of work, includes a copy of the work that is transient or incidental to some other use of the work.</p>	§ 2(1)
	References to “copying” of a work of any description shall be construed to include a reference to storing the work in any medium by electronic means.	§ 2(3)
Source	Copyright Act of Barbados (5 March 1998), as amended through Copyright (Amendment) Act 2006-1 (23 February 2006), available at <a href="http://www.wipo.int/wipolex/en/text.jsp?file_id=191403">http://www.wipo.int/wipolex/en/text.jsp?file_id=191403</a> .	
Last edited:	15 April 2014; rev. 23 April 2015	

BELARUS

<b>General Provisions (applicable to various statutory provisions)</b>		
Author's consent required?	No. The use is permitted without the consent of the author or other owner of copyright.	Art. 32
Remuneration to author?	No. The use is permitted without payment of reward.	
Provide name of author?	Yes. The use is permitted while respecting moral rights of authors, which may require the name of the author.	
Provide source of borrowing?	Not specified.	

<b>Replacement</b>		
Who can copy?	Libraries and archives.	Art. 37(2)
	Conditions:   None.	
What can be copied?	Legally published works.	
	Conditions:   Only a single copy can be made.	
Purpose of the copy?	For replacement of copies that are lost, destroyed, or rendered unusable.	
	Conditions:   Not copied for profit.	
Medium of the copy?	Not specified.	

<b>Research or Study</b>		
Who can copy?	Libraries and archives.	Art. 37(3)
	Conditions:   None	
What can be copied?	Separate articles and short works lawfully published in collections, newspapers, and other periodicals.	
	Fragments from legally published written works.	
	Conditions:   Only a single copy can be made.	
Purpose of the copy?	For educational and research purposes, on request of individuals.	
	Conditions:   Not copied for profit.	
Medium of the copy?	Not specified.	

<b>Making Available on the Premises</b>		
Who can copy?	Libraries.	Art. 37(1)
	Conditions:   None.	
What can be copied?	Lawfully published works.	
	Conditions:   None.	
Purpose of the copy?	For temporary use.	
	Conditions:   In libraries, including on computer networks and remote access.	
Medium of the copy?	Electronic copies.	
Other provisions?	Must include technological protection measures to protect copyrights and related rights, precluding the possibility for users to create full copies of works in either electronic formats or on paper.	

<b>Anti-Circumvention of Technological Protection Measures</b>			
Circumvention provisions?	Yes.		Art. 55(2)
Prohibited Acts?	The Act of Circumvention?	No.	
	Dealing in Devices?	Manufacturing, importing with the purpose of propagation, and propagating (selling or leasing) circumvention devices is prohibited.	
	Providing Services?	Providing circumvention services is prohibited.	
Access Control or Owner's Rights Control?	Owner's Rights Control. The provision relates to technical measures intended for preventing the violation, or an obstacle to the violation, of any copyright or contiguous rights.		
Exemptions that could be used by libraries?	There are no explicit exemptions for circumvention.		

<b>Miscellaneous</b>	
Source	Law on Copyright and Related Rights of Belarus, No. 262-3 (17 May 2011), available at <a href="http://www.wipo.int/wipolex/en/text.jsp?file_id=230501">http://www.wipo.int/wipolex/en/text.jsp?file_id=230501</a> .
Last edited:	30 November 2007; rev. 24 Aug 2014; rev. 23 April 2015

BELGIUM

<b>Cultural Preservation</b>		
Who can copy?	Museums, archives, and libraries.	Art. 22(8)
	Conditions: The institutions must not pursue direct or indirect economic or commercial advantage.	
What can be copied?	Lawfully published works.	
	Conditions: The number of copies is limited to the purpose.	
	The copy must become part of the institution's collection.	
Purpose of the copy?	For preservation of the cultural and scientific patrimony.	
	Conditions: The copy cannot be used for a commercial or economic purpose.	
Medium of the copy?	Not specified.	
Other provisions?	The rightholder retains the right to remuneration for such copying.	Art. 46
	The copying must not conflict with the normal exploitation of the work or prejudice the legitimate interests of the author.	
	A similar provision exists for neighboring rights.	

<b>Research or Study (Making Available)</b>		
Who can copy?	Publicly accessible libraries, educational and scientific institutions, museums, and archives.	Art. 22(9)
	Conditions: None.	
What can be copied?	Works that are not offered for sale.	
	Conditions: Works that are part of the collections of the library or other institution.	
	Works that are not subject to licenses.	
Purpose of the copy?	For research or private study of individuals.	
	Conditions: The use cannot be for direct or indirect economic or commercial benefit.	
Medium of the copy?	Via dedicated terminals in the premises of the institution.	

<b>Anti-Circumvention of Technological Protection Measures</b>		
Circumvention provisions?	Yes.	Art. 79bis
Prohibited Acts?	The Act of Circumvention?	
	Dealing in Devices?	Manufacturing, importing, distributing, selling, renting, advertising for sale or rental, or possessing for commercial

		purposes circumvention devices is prohibited.	
	Providing Services?	Providing circumvention services is prohibited.	
Access Control or Owner's Rights Control?	Both. The provisions relate to technological measures used to prevent or restrict acts which are not authorized by the rightsholder; they include access controls and protection processes.		
Exemptions that could be used by libraries?	Rightsholders must take adequate measures to provide beneficiaries of certain exceptions (including the exception for cultural preservation copying) with the means to benefit from the exception.		
	Conditions:	The beneficiary must have legitimate access to the protected work.	
		This provision does not apply to 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.	
Other provisions?	The measures taken by the rightsholders to allow use by beneficiaries are voluntary. However, if the rightsholder fails to provide the beneficiaries with the means to benefit from the exception, the beneficiary may litigate in accordance with Art. 87bis.		

<b>Miscellaneous</b>		
Copyright Exceptions	The exceptions to copyright are mandatory and cannot be contracted out.	Art. 23bis; Art. 46bis
Source	Law of Copyright and Related Rights of Belgium (30 June 1994), as amended (3 April 1995), available at <a href="http://www.wipo.int/wipolex/en/text.jsp?file_id=125254">http://www.wipo.int/wipolex/en/text.jsp?file_id=125254</a> , and as further amended by the Law transposing into Belgian Law the European Directive 2001/29/EC of May 22, 2001 on the Harmonization of Certain Aspects of Copyright and Neighboring Rights in the Information Society (22 May 2005, updated 19 May 2009), available at <a href="http://www.wipo.int/wipolex/en/text.jsp?file_id=262195">http://www.wipo.int/wipolex/en/text.jsp?file_id=262195</a> .	
Last edited:	18 December 2007; rev. 24 August 2014 rev. 23 April 2015	

BELIZE

<b>Preservation and Replacement</b>		
Who can copy?	Librarians of prescribed libraries and archives, including persons acting on their behalf.	§ 69
	Conditions: None.	
What can be copied?	Literary, dramatic, or musical works in the permanent collections of the institutions, including accompanying illustrations and, in the case of a published work, the typographical arrangement.	
	Conditions: The work may be copied only where it is not reasonably practicable to purchase a copy of the item for the allowed purpose.	
Purpose of the copy?	To preserve or replace the item by placing the copy in the permanent collection in addition to or in place of the item.	
	To replace in the permanent collection of another prescribed library or archive an item which has been lost, destroyed, or damaged.	
	Conditions: None.	
Medium of the copy?	Any. See definition of "copy" below.	

<b>Research or Study (Published Works)</b>		
Who can copy?	Librarians of prescribed libraries and archives, including persons acting on their behalf.	§ 67
	Conditions: None.	
What can be copied?	Articles in periodicals, including accompanying illustrations and the typographical arrangement. (See definition of "article" below.)	
	Reasonable proportions of published editions of literary, dramatic, or musical works that are not articles in periodicals, including accompanying illustrations and the typographical arrangement.	
	Conditions: With respect to an article, no more than one article from the same issue of the periodical may be copied. With respect to a work other than an article, no more than one copy of the material may be copied.	
Purpose of the copy?	For research or private study.	
	Conditions: The person must satisfy the librarian that the copies are for the allowed purpose and no other purpose.	

		The person must satisfy librarian that the copy is to meet a need that is not related to any similar requirement of another person. The requirements for the materials are “related” if persons receive instruction to which the materials are relevant at the same time and place. The requirements for the materials are “similar” if they are for substantially the same purpose and at substantially the same time.	
Medium of the copy?	Any. See definition of “copy” below.		
Other provisions?	Persons to whom copies are supplied are required to pay a fee not less than the cost of producing the copy, including a contribution to the general expenses of the library or archive.		

<b>Research or Study (Unpublished Works)</b>			
Who can copy?	Librarians of prescribed libraries and archives, including persons acting on their behalf.		§ 70
	Conditions:	None.	
What can be copied?	Whole or parts of literary, dramatic, or musical works from documents in the collections of the institutions, including accompanying illustrations.		
	Conditions:	The work must be unpublished at the time of copying, and the librarian ought to have been aware of the fact.	
		The work may not be copied if the copyright owner has prohibited copying of the work, and librarian ought to have been aware of the fact.	
Purpose of the copy?	For research or private study.		
	Conditions:	The person must satisfy the librarian that the copies are for the allowed purpose and no other purpose.	
		The person may not receive more than one copy of the work.	
Medium of the copy?	Any. See definition of “copy” below.		
Other provisions?	Persons to whom copies are supplied are required to pay a fee not less than the cost of producing the copy, including a contribution to the general expenses of the library or archive.		

<b>Supplying Copies to Other Libraries</b>			
Who can copy?	Librarians of prescribed libraries and archives, including persons acting on their behalf.		§ 68
	Conditions:	None.	
What may be copied?	Articles in periodicals, including accompanying illustrations and the typographical arrangement. (See definition of “article” below.)		
	Whole or parts of published editions of literary, dramatic, musical, or artistic works, including accompanying illustrations and the typographical arrangement.		
	Conditions:	With respect to whole or parts of published editions of literary, dramatic, musical, or artistic works, the right to copy does not apply if the librarian knows, or could by reasonable inquiry ascertain, the name and address of a person entitled to authorize the making of the copy.	
Purpose of the copy?	To supply to another prescribed library or archive.		
	Conditions:	None.	
Medium of the copy?	Any. See definition of “copy” below.		

<b>Anti-Circumvention of Technological Protection Measures</b>	
Circumvention provisions?	None.

<b>Miscellaneous</b>		
Agents of Librarians and Archivists	In Sections 61 to 64, references to a librarian or archivist include references to a person working on his or her behalf.	§ 66(1)
Declarations	Where a librarian is required to be satisfied as to certain conditions, the librarian is entitled to rely on a signed declaration by the person making the request, unless the librarian is aware that it is false. If the declaration is false, and if the copy would have been an infringement if made by that person, the person making the declaration is liable for infringement of copyright.	§§ 66(2) & 66(3)

Relationship to fair dealing	Copying for research or private study can be within fair dealing. Authorizing a third party to make copies for a researcher may also be within fair dealing. However, according to Section 56(2)(a), that copying by a third party is not fair dealing if the copying is done by a librarian, and the copying fails to comply with either Section 67 or 68 due to some deficiency of the declaration as required under Section 66.	§ 56(2)(a)
Fair Dealing	In determining whether an act is fair dealing, the court shall take into account relevant factors, including four factors listed in the statute that are nearly identical to the factors in U.S. fair use.	§ 58
Educational Uses	Permits various uses of certain works for educational purposes.	§§ 60 to 65
Defined Terms	An “article” in the context of an article in a periodical includes any item of any description.  The term “copy” in relation to: (a) a work that is a literary, dramatic, or artistic work, means a reproduction of a work in any material form, and in respect of an artistic work includes a reproduction in three dimensions, if the artistic work is a two-dimensional work and a reproduction in two dimensions if the artistic work is a three-dimensional work; and in respect of a literary, dramatic, or musical work, includes a reproduction in the form of a record or film. (b) a work that is a film, television broadcast or cable program, includes a photograph of the whole or any substantial part of any image forming part of the film, broadcast or cable program; (c) a work that is a typographical arrangement of a published edition means a facsimile copy of the arrangement. (d) any category of work includes any copy of the work, however made and in whatever medium, that is transient or is incidental to some other use of the work.  References to “copying” of a work of any description shall be construed to include a reference to storing the work in any medium by electronic means.	§ 3(1)
Source	Copyright Act of Belize, Chapter 252 (31 December 2000), available at <a href="http://www.wipo.int/wipolex/en/text.jsp?file_id=125464">http://www.wipo.int/wipolex/en/text.jsp?file_id=125464</a> .	
Last edited:	10 December 2007; rev. 23 April 2015	

BENIN

<b>Copying for Library Users</b>			
Who can copy?	Libraries and archive services.		Art. 19
	Conditions:	The activities of the institution must not be directly or indirectly profit-making.	
What can be copied?	Articles, short works, or short extracts of written works, published in collections of works or in newspapers or periodicals, with or without the illustrations.		
	Conditions:	Only a single copy can be made.	
		Computer programs are excluded.	
Purpose of the copy?	To fulfill the request of an individual.		
	Conditions:	None.	
Medium of the copy?	Reprographic reproduction. See definition below.		

<b>Preservation and Replacement</b>			
Who can copy?	Libraries and archive services.		Art. 19
	Conditions:	The activities of the institution must not be directly or indirectly profit-making.	
What can be copied?	Works.		
	Conditions:	Only a single copy can be made.	
Purpose of the copy?	To preserve and, if necessary, to replace a work that is lost, destroyed, or rendered unusable.		
	To replace in the permanent collection of another library or archive service a work that is lost, destroyed, or rendered unusable.		
	Conditions:	None.	
Medium of the copy?	Reprographic reproduction. See definition below.		

<b>Anti-Circumvention of Technological Protection Measures</b>			
Circumvention provisions?	Yes.		Art. 124
Prohibited Acts?	The Act of Circumvention?	No.	
	Dealing in Devices?	Manufacturing or importing for sale or rental a circumvention device is prohibited.	
	Providing Services?	No.	
Access Control or Owner's Rights Control?	Owner's Rights Control. The provisions relate to technical measures that are used to prevent or restrict reproduction of a work or deteriorate the quality of such copies made.		
Exemptions that could be used by libraries?	There are no explicit exemptions for circumvention.		

<b>Miscellaneous</b>		
Neighboring Rights	Works protected by neighboring rights may qualify for all uses that constitute exceptions concerning works protected by copyright under the law.	Art. 69
Personal Use	Permits reproduction, translation, or adaptation of most works for strictly personal and private use. Some uses are subject to remuneration (Article 74).	Art. 14
Photocopying at Public Institutions	When private copying that is subject to remuneration under Section 74 is carried out by photocopying, and if apparatuses intended for the making of such copies are in place for public use in schools, educational establishments, research institutes, public libraries, or commercial copying establishments, the author has the right to the payment of a remuneration which will be collected by the collective management organization from the owner of the apparatus.	Art. 79
Defined Term	“Reprographic reproduction” means the making of copies in facsimile form or copies of the work by other means of creating images, for example by photocopying. The making of copies in facsimile form which are reduced or increased in size is also regarded as a reprographic reproduction.	Art. 1
Source <sup>12</sup>	Law of Copyright and Neighboring Rights of Benin, No. 2005-	

<sup>12</sup> Benin is a member of the Bangui Agreement, which includes copyright exceptions applicable to libraries and archives. See Bangui Agreement on the Creation of an African Intellectual Property Organization (revised 24 February 1999), available at [http://www.wipo.int/wipolex/en/other\\_treaties/text.jsp?file\\_id=181151](http://www.wipo.int/wipolex/en/other_treaties/text.jsp?file_id=181151). The Agreement (at Annex VII, Article 14) includes these provisions:

Notwithstanding the provisions of Article 9, a library or archive service whose activities are not directly or indirectly profit-making may, without the consent of the author or other holder of copyright, make individual copies of a work by means of reprographic reproduction,

- (i) where the work reproduced is an article or a short extract from a written work, other than a computer program, with or without illustration, published in a collection of works or in an issue of a newspaper or periodical, and where the purpose of reproduction is to meet the request of a natural person;
- (ii) where the making of such copy is for the purpose of preserving and, if necessary, in the event of it having been lost, destroyed or made unusable, replacing it or, for replacing a copy that has been lost, destroyed or rendered unusable in the permanent collection of another library or other archive service.

The Bangui Agreement (at Annex VII, Article 65) also addresses anti-circumvention by prohibiting the making or importing for sale or rental of devices that render inoperative a facility for protection against copying. The act of circumvention itself is not explicitly prohibited. The article does not include any exemptions for libraries or any other parties. The Bangui Agreement has the force of national law in each Member State of the African Intellectual Property Organization (OAPI). Article 3(1) stipulates that “[r]ights relating to the fields of intellectual property, as provided for in the Annexes to this Agreement, shall be independent national rights subject to the legislation of each of the member States in which they have effect.”

[Footnote continued on next page]

	30 (5 April 2006), available <a href="http://www.wipo.int/wipolex/en/text.jsp?file_id=260895">http://www.wipo.int/wipolex/en/text.jsp?file_id=260895</a> .
Last edited:	18 December 2007; rev. 25 April 2015

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[Footnote continued from previous page]

See the relevant explanation in the introduction to this study for a note on including international instruments among each country's tables.

BHUTAN

<b>Research or Study</b>		
Who can copy?	Libraries and archives.	§ 13(a)
	Conditions: The activities of the institution must not serve direct or indirect gain.	
What can be copied?	Published articles or other short works, including illustrations.	
	Short extracts of writings, with or without illustrations.	
	Conditions: Only a single copy can be made.	
	The act of reproduction must be an isolate case occurring, if repeated, on separate and unrelated occasions.	
Purpose of the copy?	The reproduction is only permitted if there is no collective license available under which copies can be made (offered by a collective administration organization in a way that the library or archive is aware or should be aware of the availability of the license).	
	For study, scholarship, or private research, by request of a physical person.	
	Conditions: The library or archive must be satisfied that the copy will be used solely for the permitted purpose.	
Medium of the copy?	Reprographic reproduction. See definition of "reproduction" below.	

<b>Preservation and Replacement</b>		
Who can copy?	Libraries and archives.	§ 13(b)
	Conditions: The activities of the institution must not serve direct or indirect gain.	
What can be copied?	Works.	
	Conditions: Only a single copy can be made.	
	The act of reproduction must be an isolated case occurring, if repeated, on separate and unrelated occasions.	
	The reproduction is only permitted where it is impossible to obtain such a copy under reasonable conditions.	
Purpose of the copy?	To preserve and, if necessary (in the event that it is lost, destroyed, or rendered unusable), replace a copy of a work in the library or archive.	
	To replace in the permanent collection of another similar library or archive, a copy which has been lost, destroyed, or rendered unusable.	
	Conditions: None.	

Medium of the copy?	Reprographic reproduction. See definition of “reproduction” below.	
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<b>Anti-Circumvention of Technological Protection Measures</b>			
Circumvention provisions?	Yes.		Art. 31
Prohibited Acts?	The Act of Circumvention?	No.	
	Dealing in Devices?	Manufacturing or importing for sale or rental a circumvention device is prohibited.	
	Providing Services?	No.	
Access Control or Owner’s Rights Control?	Owner’s Rights Control. The provisions relate to technical measures used to prevent or restrict reproduction or to impair the quality of copies made.		
Exemptions that could be used by libraries?	There are no explicit exemptions for circumvention.		

<b>Miscellaneous</b>		
Personal Copying	Private reproduction of a published work in a single copy for personal purposes is permitted; certain types of works are excluded.	§ 10
Educational Uses	Limited uses for teaching.	§ 12
Defined Term	“Reproduction” is the making of one or more copies of a work or a sound recording in any material form, including any permanent or temporary storage of the work or sound recording in electronic form.	§ 4 (xviii)
Source	The Copyright Act of Bhutan (17 July 2001), available at <a href="http://www.wipo.int/wipolex/en/text.jsp?file_id=173748">http://www.wipo.int/wipolex/en/text.jsp?file_id=173748</a> .	
Last edited:	3 December 2007; rev. 25 April 2015	

BOLIVIA (PLURINATIONAL STATE OF)

<b>Library Provisions (none)</b>		
Library Provisions?	The Law on Copyright of Bolivia includes no explicit library exceptions. <sup>13</sup>	

<b>Anti-Circumvention of Technological Protection Measures</b>	
Circumvention provisions?	None.

<b>Miscellaneous</b>		
Public Necessity	Government may prescribe uses of some works as a public necessity, if they are of high cultural value to the country or of social or public interest. This provision applies only to published works, if they are out of print and have not been published in the last three years.	Art. 25
Publication without Consent	Heirs and successor cannot object if a third party publishes the works of a decedent, if the works had been publicly disclosed, and if more than five years had passed since death and the rightsholders had	Art. 26

<sup>13</sup> Bolivia, Colombia, Ecuador, and Peru are members of the Andean Community and signatories to the Cartagena Agreement of 1969. Decision 351 of the Commission of the Andean Community includes copyright exceptions applicable in the member countries, including the following articles:

21. The limitations and exceptions to which copyright is made subject by the domestic legislation of the Member Countries shall be confined to those cases that do not adversely affect the normal exploitation of the works or unjustifiably prejudice the legitimate interests of the owner or owners of the rights.

22. Without prejudice to the provisions of Chapter V and those of the foregoing Article, it shall be lawful, without the authorization of the author and without payment of any remuneration, to do the following:

...

(c) reproduce a work in single copies on behalf of a library or for archives whose activities are not conducted for any direct or indirect profit-making purposes, provided that the original forms part of the permanent stocks of the said library or archives and the reproduction is made for the following purposes:

(i) to preserve the original and replace it in the event of loss, destruction or irreparable damage;

(ii) to replace, in the permanent stocks of another library or archives, of an original that has been lost, destroyed or irreparably damaged....

See Andean Community, Common Provisions on Copyright and Neighboring Rights, Decision 351, *Official Gazette of the Andean Community*, No. 145 (21 December 1993), text available at [http://www.wipo.int/wipolex/en/text.jsp?file\\_id=223493](http://www.wipo.int/wipolex/en/text.jsp?file_id=223493).

	made no arrangement for publication. The law includes procedures for compensation.	
Source	Law on Copyright of Bolivia, No. 1322 (13 April 1992), available at <a href="http://www.wipo.int/wipolex/en/text.jsp?file_id=225957">http://www.wipo.int/wipolex/en/text.jsp?file_id=225957</a> .	
Last edited:	30 November 2007; rev. 23 April 2015	

BOSNIA AND HERZEGOVINA

<b>General Library Use</b>			
Who can copy?	Public archives, public libraries, museums, and educational or scientific institutions.		Art. 46(1) & 46(3)
	Conditions:	None.	
What can be copied?	A disclosed work.		
	Conditions:	From their own copy.	
		Article 46 does not apply to computer software (Article 105(4)).	
		Article 46 does apply to uses of non-electronic and disclosed databases (Article 145(1)).	
Purpose of the copy?	For their internal use.		
	Conditions:	None.	
Medium of the copy?	On any media.		
Other provisions?	Single copy only.		
	If they do not intend on gaining direct or indirect economic advantage by such reproduction.		
	Right of use is explicitly "free." However, Article 46 is subject to Article 36, which provides for authors to be compensated for some reproductions by means of a levy on reproduction equipment and related materials.		
	Article 46 is subject to Article 40(1), which generally allows copyright limitations, "provided that the extent of such use of the works is limited by the intended purpose and that it is in conformity with good practices."		
	Article 40(2) specifies that the copyright limitations also apply to rights associated with performances, recordings, films, broadcasts, and unpublished works that are later published.		

<b>Anti-Circumvention of Technological Protection Measures</b>			
Circumvention provisions?	Yes.		
Prohibited Acts?	The Act of Circumvention?	The act of circumvention is prohibited.	Art. 152(1)
	Dealing in Devices?	Manufacturing, importing, distributing, selling, renting, advertising for sale, or renting or possessing for commercial purposes circumvention devices is prohibited.	Art. 152(2)
	Providing Services?	Trafficking in circumvention services is prohibited.	Art. 152(2)
Access Control or Owner's Rights Control?	Both. The provisions relate to technical measures that prevent access to a work or protect a right of the copyright owner.		Art. 152(3)
Exemptions that could	Yes. Substantive limitations to rights may be		Art.

be used by libraries?	exercised in the case of use by disabled persons, use for the purpose of teaching, and private or other internal reproduction (which includes the library exceptions).	155(3)
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<b>Miscellaneous</b>		
Teaching Material and Periodicals	Limited right to reproduce disclosed works in teaching materials or in periodicals.	Art. 41
Needs of Disabled Persons	Limited right to reproduce works for the benefit of disabled persons.	Art. 42
Teaching	Limited right to publicly perform and communicate disclosed works for teaching purposes.	Art. 45
Private Copies	Limited right to make private copies.	Art. 46
Quotations	Limited right to quote from a disclosed work for the purpose of scientific research, critique, polemic, review, teaching and other reference to the extent justified by need for the intended illustration, confrontation or referral, and in accordance with good practices.	Art. 47
Public Exhibitions	Limited right to use works in connection with the promotion of public exhibitions.	Art. 49
Free Transformation	Limited right to the free transformation of a disclosed work if it concerns a parody or caricature, private or other internal transformation, or transformation in connection with the permitted use of the work.	Art. 50
Public Lending	Authors have a right to equitable remuneration if the original or a copy of a work is lent by libraries or other institutions performing such activity. However, the right does not apply to originals or copies of library material in national libraries, libraries at public educational institutions, and public specialized libraries.	Art. 34
Defined Terms	“Disclosure” shall mean that a work of authorship or subject matter of a related right has been made available to the public for the first time, with the consent of an authorized person.	Art. 2(1)
	“Public” shall mean a larger number of persons who are not connected by kinship or other personal relations.	Art. 2(2)
	“Publication” shall mean that sufficient number of produced copies of a work of authorship or subject matter of a related right has been offered to the public or put into circulation with the consent of an authorized person.	Art. 2(3)
Source	Copyright and Related Rights Law of Bosnia and Herzegovina, No. 543/10 (13 July 2010), available at <a href="http://www.wipo.int/wipolex/en/text.jsp?file_id=227216">http://www.wipo.int/wipolex/en/text.jsp?file_id=227216</a> .	
Last edited:	30 November 2007; rev. 15 October 2014; rev. 25 April 2015	

BOTSWANA

<b>Research or Study</b>			
Who can copy?	Libraries and archives.		§ 16(a)
	Conditions:	The activities of the institution must not serve direct or indirect gain.	
What can be copied?	Published articles, other short works, or short extracts of a work.		
	Conditions:	Only a single copy can be made.	
		The act of reproduction must be an isolated case occurring, if repeated, on separate and unrelated occasions.	
	The reproduction is permitted only where there is no collective license available, offered by a collective administration organization of which the library or archive is or should be aware, under which such copies can be made.		
Purpose of the copy?	For study, scholarship, or private research, by request of a person.		
	Conditions:	The library or archive must be satisfied that the copy will be used solely for the permitted purposes.	
Medium of the copy?	Reprographic reproduction. See definition of "reproduction" below.		

<b>Preservation and Replacement</b>			
Who can copy?	Libraries and archives.		§ 16(b)
	Conditions:	The activities of the institution must not serve direct or indirect gain.	
What can be copied?	Works.		
	Conditions:	Only a single copy can be made.	
		The act of reproduction must be an isolated case occurring, if repeated, on separate and unrelated occasions.	
	The reproduction is permitted provided that it is impossible to obtain a copy under reasonable conditions.		
Purpose of the copy?	To preserve, and if necessary, to replace a work.		
	To replace a copy which has been lost, destroyed, or rendered unusable in the permanent collection of another similar library or archive.		
	Conditions:	None.	
Medium of the copy?	Reprographic reproduction. See definition of "reproduction" below.		

<b>Anti-Circumvention of Technological Protection Measures</b>			
Circumvention provisions?	Yes.		§ 33 (1)(a)
Prohibited Acts?	The Act of Circumvention?	No.	
	Dealing in Devices?	Manufacturing or importing for sale or rental a circumvention device is prohibited.	
	Providing Services?	No.	
Access Control or Owner's Rights Control?	Owner's Rights Control. The provisions relate to technical measures used to prevent or restrict reproduction of a work or to impair the quality of copies made.		
Exemptions that could be used by libraries?	There are no explicit exemptions for circumvention.		

<b>Miscellaneous</b>		
Definition	"Reproduction" is the making of copies in any material form, including permanent or temporary storage in electronic form.	§ 2
Personal Copying	Private reproduction of a published work in a single copy is permitted where the reproduction is made by any person exclusively for his own personal purposes; certain works are excluded.	§ 13
Educational Uses	Permits various uses of works for teaching.	§ 15
Source	Copyright and Neighboring Rights Act of Botswana, Chapter 68:02, No. 8 (15 May 2000), as amended by No. 6 (1 October 2006), available at <a href="http://www.wipo.int/wipolex/en/text.jsp?file_id=224943">http://www.wipo.int/wipolex/en/text.jsp?file_id=224943</a> .	
Last edited:	30 November 2007; rev. 25 April 2015	

BRAZIL

<b>Library Provisions (none)</b>		
Library Provisions?	The copyright law of Brazil does not include any explicit library provisions.	

<b>Anti-Circumvention of Technological Protection Measures</b>			
Circumvention provisions?	Yes.		Art. 107
Prohibited Acts?	The Act of Circumvention?	Altering, removing, modifying, or disabling a circumvention device is prohibited.	
	Dealing in Devices?	Distributing, importing for distribution, broadcasting, communicating, or making available works in which the technical devices have been removed is prohibited.	
	Providing Services?	No.	
Access Control or Owner's Rights Control?	Owner's Rights Control. The provisions relate to technical measures that have been incorporated in protected works to prevent or restrict reproduction.		
Exemptions that could be used by libraries?	There are no explicit exemptions for circumvention.		

<b>Miscellaneous</b>		
Personal Copying	Reproduction is permitted with respect to one copy of short extracts from a work for the private use of the copier, if the copying is done by him without gainful intent.	Art. 46(II)
Needs of the Blind	Permits reproduction of some works in Braille or other form.	Art. 46(I)(d)
Source	Law on Copyright and Neighboring Rights of Brazil, No. 9610 (19 February 1998), available at <a href="http://www.wipo.int/wipolex/en/text.jsp?file_id=125393">http://www.wipo.int/wipolex/en/text.jsp?file_id=125393</a> .	
Last edited:	3 December 2007; rev. 25 April 2015	

BRUNEI DARUSSALAM

<b>Research or Study (Articles)</b>			
Who can copy?	Librarians of prescribed libraries.		§ 42
	Conditions:	None.	
What can be copied?	Articles in periodicals, including accompanying illustrations and the typographical arrangement.		
	Conditions:	No person shall be furnished with more than one copy of the same article or with copies of more than one article contained in the same issue of a periodical.	
Purpose of the copy?	For research or private study by persons.		
	Conditions:	<p>The copies shall be supplied only to persons satisfying the librarian that they require them for the allowed purposes and will not use them for any other purpose.</p> <p>Regulations for this section shall require that the copies shall be supplied only to a person satisfying the librarian that his requirement is not related to any similar requirement of another person. Requirements are deemed "similar" if the requirements are for copies of substantially the same material, at substantially the same time, and for substantially the same purpose. Requirements are deemed "related" if those persons receive instruction to which the material is relevant at the same time and place (Section 44).</p>	
Medium of the copy?	Any. See definition of "copy" below.		
Other provisions?	The person to whom copies are supplied must pay for them a sum not less than the cost attributable to their production, including a contribution of the general expenses of the library.		

<b>Research or Study (Literary, Dramatic, or Musical Works)</b>			
Who can copy?	Librarians of prescribed libraries.		§ 43
	Conditions:	None.	
What can be copied?	Parts of literary, dramatic, or musical works (other than articles in periodicals), including accompanying illustrations and the typographical arrangement.		

	Conditions:	No person shall be furnished with more than one copy of the same material or more than a reasonable proportion of any work.	
Purpose of the copy?	For research or private study by persons.		
	Conditions:	The copies shall be supplied only to persons satisfying the librarian that they require them for the allowed purposes and will not use them for any other purpose.  Regulations for this section shall require that the copies shall be supplied only to a person satisfying the librarian that his requirement is not related to any similar requirement of another person. Requirements are deemed "similar" if the requirements are for copies of substantially the same material, at substantially the same time, and for substantially the same purpose. Requirements are deemed "related" if those persons receive instruction to which the material is relevant at the same time and place (Section 44).	
Medium of the copy?	Any. See definition of "copy" below.		
Other provisions?	The person to whom copies are supplied must pay for them a sum not less than the cost attributable to their production, including a contribution of the general expenses of the library.		

<b>Supplying Copies to Other Libraries</b>			
Who can copy?	Librarians of prescribed libraries.		§ 45
	Conditions:	None.	
What can be copied?	Articles in periodicals, including accompanying illustrations and the typographical arrangement.		
	Whole or parts of literary, dramatic, or musical works from published editions, including accompanying illustrations and the typographical arrangement.		
	Conditions:	With respect to works other than articles, the copy cannot be made if, at the time the copy was made, the librarian knew or could by reasonable inquiry have ascertained the name and address of a person entitled to authorize the making of the copy.	

Purpose of the copy?	To supply a copy to another prescribed library.		
	Conditions:	None.	
Medium of the copy?	Any. See definition of "copy" below.		

<b>Preservation and Replacement</b>			
Who can copy?	Librarians or archivists of prescribed libraries or archives.		§ 46
	Conditions:	None.	
What can be copied?	Literary, dramatic, or musical works in the permanent collection of the library or archive, including accompanying illustrations and the typographical arrangement.		
	Conditions:	Prescribed conditions shall include provisions restricting the making of copies to cases where it is not reasonably practicable to purchase a copy of the item to fulfill the purpose.	
Purpose of the copy?	To preserve or replace the item by placing the copy in its permanent collection in addition to or in place of the item.		
	To replace in the permanent collection of another prescribed library or archive an item which has been lost, destroyed, or damaged.		
	Conditions:	None.	
Medium of the copy?	Any. See definition of "copy" below.		

<b>Research or Study (Unpublished Works)</b>			
Who can copy?	Librarians or archivists of prescribed libraries or archives.		§ 47
	Conditions:	None.	
What can be copied?	Whole or parts of literary, dramatic, or musical works from document in the library or archive, including accompanying illustrations.		
	Conditions:	A copy cannot be made where the copyright owner has prohibited copying of the work, and at the time of the making of the copy, the librarian ought to have been aware of that fact.	
		The work must not have been published before the document was deposited in the library or archive.	
	No person may be furnished with any more than one copy of the same material.		

		A copy cannot be made if or to the extent that there is a licensing scheme under which licenses are available authorizing the making of such copies, and the person making the copies knew or ought to have been aware of that fact.	
Purpose of the copy?	For research or study by persons.		
	Conditions:	The copies shall be supplied only to persons satisfying the librarian that they require them for the allowed purposes and will not use them for any other purpose.	
Medium of the copy?	Any. See definition of "copy" below.		
Other provisions?	The person to whom copies are supplied must pay for them a sum not less than the cost attributable to their production, including a contribution of the general expenses of the library.		

<b>Anti-Circumvention of Technological Protection Measures</b>			
Circumvention provisions?	Yes.		§ 203
Prohibited Acts?	The Act of Circumvention?	No.	
	Dealing in Devices?	Manufacturing or importing for sale or rental a circumvention device is prohibited.	
	Providing Services?	No.	
Access Control or Owner's Rights Control?	Not specified. The section applies when copyright work is issued to the public in an electronic form which is copy-protected.		
Exemptions that could be used by libraries?	There are no explicit exemptions for circumvention.		

<b>Miscellaneous</b>		
Declarations	Where a person requesting a copy makes a declaration which is false in a material particular and is supplied with a copy which would have been an infringing copy if made by him, then he is liable for infringement of copyright as if he had made the copy himself, and the copy shall be treated as an infringing copy.	§ 41
Works of Cultural Importance	If an article of cultural or historical importance or interest cannot lawfully be exported unless a copy of it is made and deposited in an appropriate library or archive, it is not an infringement of copyright to make that copy.	§ 48
Personal Use	Fair dealing with a literary, dramatic, musical, or artistic work for the purpose of research or private study is not a copyright infringement, if specified conditions are met.	§ 33
Defined Terms	In Sections 42-47, references to a prescribed	§ 41

	library or archive are to a library or archive of a prescribed description.	
	References to a librarian or archivist include a person acting on his behalf.	
	<p>“Copying” in relation to –</p> <p>(1) a literary, dramatic, musical, or artistic work means reproducing the work in any material form, including the storing of the work in any medium by electronic means;</p> <p>(2) an artistic work includes the making of a copy in three dimensions of a two-dimensional work and the making of a copy in two dimensions of a three-dimensional work;</p> <p>(3) a film, television broadcast, or cable program includes the making of a photograph of the whole or any substantial part of any image forming part of the film, broadcast, or cable program;</p> <p>(4) a typographical arrangement of a published edition means the making of a facsimile copy of the arrangement;</p> <p>(5) any description of the work includes the making of copies which are transient or incidental to some other use of the work.</p>	§ 19
Source	Emergency Copyright Order of Brunei Darussalam, No. S 14 (18 December 1999), available at <a href="http://www.wipo.int/wipolex/en/text.jsp?file_id=187417">http://www.wipo.int/wipolex/en/text.jsp?file_id=187417</a> .	
Last edited:	11 December 2007; rev. 25 April 2015	

BULGARIA

<b>Preservation</b>			
Who can copy?	Publicly accessible libraries, educational or other learning establishments, museums, and archive institutions.		Art. 24(1)(9)
	Conditions:		
What can be copied?	Already published works.		
	Conditions:	Computer software is excluded.	
Purpose of the copy?	To preserve the works.		
	Conditions:	May not be for commercial purpose.	
Medium of the copy?	Any. The statute allows reproduction. See the definition of "reproduction of a work."		
Other provisions?	The same statutory provision also allows reproduction for educational purpose on the same terms.		
	The reproduction is permitted provided that it does not conflict with the normal exploitation of the work and does not prejudice the legitimate interests of the copyright holder (Article 23).		
	Individuals may have access to works in collections of these institutions, provided this is done for scientific purposes and is not of a commercial nature (Article 24(1)(11)). This provision also applies to phonogram producers (Article 90) and film producers (Article 90c).		

<b>Anti-Circumvention of Technological Protection Measures</b>			
Circumvention provisions?	Yes.		Art. 97
Prohibited Acts?	Circumvention?	No.	
	Dealing in Devices?	Manufacturing, importing, distributing, selling, renting, offering for sale or rental, or possessing for commercial purposes circumvention devices is prohibited.	
	Providing Services?	Providing circumvention services is prohibited.	
Access Control or Owner's Rights Control?	Both. The provisions relate to technical measures used to prevent or restrict acts in respect of works protected by the law; it includes access and protection controls.		§ 2(14)
Exemptions that could be used by libraries?	In general, the use of works under Art. 24(1), which includes the library exemption, may not be carried out in a manner accompanied by removal, damage, destruction, or disruption of technical means of protection without the consent of the copyright holder.		Art. 25a(1)
	Nevertheless, the user under the library exception and other listed exceptions may request from the		Art. 25a(2)

	owner of the right to grant them access in extent justified by the purpose. This provision shall not apply to the cases when works or other subject matter under protection have been made available to unlimited number of persons on agreed contractual terms in a way allowing access from a place and at a time individually chosen by each of them.	
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<b>Miscellaneous</b>		
Definitions	<p>“Publishing a work” means bringing a work to the attention of unlimited number of persons by reproduction and distribution of its copies, including in the form of phonograms or recordings of films or other audiovisual works, in sufficient quantities depending on the nature of the work.</p> <p>“Reproduction of a work” means the direct or indirect multiplication in one or more copies of the work or part of it by any means and in any form, permanent or temporary, including its saving in digital form on electronic carrier.</p>	§ 2
Remuneration	Remuneration collected on levied apparatuses which are thereafter purchased by public libraries, schools, or other educational establishments, museums, and archives must be returned to the institutions within six months.	Art. 26(5)
Source	Law of Copyright and Neighboring Rights of Bulgaria, No. 56 (29 June 1993), as amended through SG 25 (25 March 2011), available at <a href="http://www.wipo.int/wipolex/en/details.jsp?id=10463">http://www.wipo.int/wipolex/en/details.jsp?id=10463</a> .	
Last edited:	12 December 2007; rev. 24 August 2014; rev. 25 April 2015	

BURKINA FASO

<b>Library Provisions (none)</b>		
Library Provisions?	The copyright law of Burkina Faso includes no explicit library exceptions.	

<b>Anti-Circumvention of Technological Protection Measures</b>			
Circumvention provisions?	Yes.	Art. 108	
Prohibited Acts?	The Act of Circumvention?		No.
	Dealing in Devices?		Manufacturing or importing for sale or rental a circumvention device is prohibited.
	Providing Services?		No.
Access Control or Owner's Rights Control?	Owner's Rights Control. The provisions relate to technical measures used to for protection of the copy or regulation of the copy.		
Exemptions that could be used by libraries?	There are no explicit exemptions for circumvention.		

<b>Miscellaneous</b>		
Personal Copying	When a work is lawfully disclosed, the author cannot prohibit reproduction if it is reserved solely for the private use of the person who carried out the reproduction and is not intended for collective use. Works of architecture and art, whole or substantial parts of databases, and computer programs are generally excluded.	Art. 21
Personal Copying (Neighboring Rights)	Reproduction of objects of neighboring rights is also permitted without the authorization of the rightsholder if reserved solely for the private use of the person who carried out the reproduction.	Art. 80
Source <sup>14</sup>	Law on the Protection of Literary and Artistic Property of Burkina Faso, No. 032-99/AN (22 December 1999), available at <a href="http://www.wipo.int/wipolex/en/text.jsp?file_id=188420">http://www.wipo.int/wipolex/en/text.jsp?file_id=188420</a> .	
Last edited:	5 December 2007; rev. 25 April 2015	

<sup>14</sup> Burkina Faso is a member of the Bangui Agreement, which includes copyright exceptions applicable to libraries and archives and provisions on anti-circumvention. The charts of Benin's law in this report include a footnote with detailed information.

BURUNDI

<b>General Library Exception</b>			
Who can copy?	Public libraries, non-commercial documentation centers, scientific institutions and educational establishments.		Art. 26(5)
	Conditions:	None.	
What can be copied?	Literary and artistic works which have already been lawfully made available to the public		
	Conditions:	The number of copies made is limited to the allowed purpose.	
		Use of the work may be in its original language or translation (Article 26).	
Purpose of the copy?	To serve the needs of the regular activities of the library or other institution.		
	Conditions:	None.	
Medium of the copy?	Reproduction by a photographic or similar process.		
Other provisions?	The reproduction may not conflict with the normal uses of the work nor unreasonably prejudice the legitimate interests of the author.		

<b>Anti-Circumvention of Technological Protection Measures</b>			
Circumvention provisions?	Yes.		Art. 94
Prohibited Acts?	The Act of Circumvention?	No.	
	Dealing in Devices?	Yes. Making or importing devices for sale or rental.	
	Providing Services?	No.	
Access Control or Owner's Rights Control?	Both. General provision relates to the reproduction of protected works. Another provision relates to access to encoded broadcast signals.		Art. 94(a)
Exemptions that could be used by libraries?	None.		

<b>Miscellaneous</b>		
Definition	"Reproduction" means the making of one or more copies of a work or phonogram, or a part of both, in any manner or form, including the recording of sounds and images and permanent or temporary storage of the work or phonogram in electronic form.	Art. 1(x)
Translation License	Notwithstanding the rights of owners, the translation of a work into Kirundi, Swahili, English, or French and the publication of that translation on the territory of Burundi, under a license granted by the competent authority and in accordance with the conditions specified in the regulations on	Art. 32

	translation licenses annexed to this Act, shall be permitted without the authorization of the author. The terms reflect the Berne Appendix.	
Reproduction License	Notwithstanding the rights of owners, the reproduction of a work and the publication of a particular edition of the work on the territory of Burundi, under a license granted by the competent authority and in accordance with the conditions specified in the regulations on reproduction licenses annexed to this Law, shall be permitted even without the authorization of the author. The terms reflect the Berne Appendix.	Art. 33
Source	Act on the Protection of Copyright and Related Rights in Burundi, No. 1/021 (30 December 2005), available at <a href="http://www.wipo.int/wipolex/en/text.jsp?file_id=224340">http://www.wipo.int/wipolex/en/text.jsp?file_id=224340</a> .	
Last edited:	3 December 2007; rev. 24 August 2014; rev. 25 April 2015	

CABO VERDE

<b>General Provisions (applicable to various provisions of Article 62)</b>		
Author's consent?	No.	Art. 62
Remuneration to author?	No.	
Provide name of author?	Yes.	
Provide source of borrowing?	Must mention and respect the authenticity and integrity of the title and the name of the author.	

<b>Library Use</b>		
Who can copy?	Libraries, archives, and non-commercial documentation centers, scientific institutions, and teaching establishments.	Art. 62(1)(b)
	Conditions:   None.	
What can be copied?	Works that are already published or publicly disclosed.	
	Conditions:   The copies reproduced do not exceed the needs of the purpose.	
Purpose of the copy?	Exclusively for didactic, research, and professional training purposes.	
	Conditions:   None.	
Medium of the copy?	Reproduction by photographic or other similar means.	
Other provisions?	None.	

<b>Preservation and Replacement</b>		
Who can copy?	Library, archive service, or documentation center.	Art. 62(1)(j)
	Conditions:	
What can be copied?	Works that are already published or publicly disclosed.	
	Conditions:   If the work has been lost, destroyed, or made unusable, and it is impossible to find such a copy on reasonable conditions.	
	Conditions:   The act of reprographic reproduction is an isolated act, or if repeated, on separate and unrelated occasions.	
Purpose of the copy?	To conserve a copy of a work, and if necessary, to replace it in a complete collection of a work.	
	Conditions:   None.	
Medium of the copy?	Reprographic reproduction.	
Other provisions?	None.	

<b>Anti-Circumvention of Technological Protection Measures</b>	
Circumvention provisions?	None.

<b>Miscellaneous</b>		
Definitions	<p>“Published work” – that which is made available to the public with the consent of the author, whatever the method of reproduction or production of the respective copies (Article 6(b)).</p> <p>“Reproduction” – the making of one or several copies of a literary, artistic, or scientific work, in whole or in part, on any form of material and by whatever means, including graphic editions and audio or visual recordings, which allow indirect communication with the public (Article 6(l)).</p>	Art. 6
Publication of Manuscripts	Any person who publishes manuscripts existing in public or private libraries or archives may not oppose their subsequent publication of the original text by another party, unless such publication is no more than a reproduction of the previous one.	Art. 62(3)
Berne Appendix	Provides for a compulsory license to make and publish translations of certain works for education and scientific purpose, subject to elaborate provisions.	Art.75
Source	Copyright Law of Cape Verde, Decree-Law No. 1/2009 (27 April 2009), available at <a href="http://www.wipo.int/wipolex/en/text.jsp?file_id=260075">http://www.wipo.int/wipolex/en/text.jsp?file_id=260075</a> .	
Last edited:	22 May 2008; rev. 24 August 2014; rev. 25 April 2015	

CAMBODIA

<b>Preservation</b>		
Who can copy?	Libraries.	Art. 25(b)
	Conditions:   None.	
What can be copied?	Works.	
	Conditions:   None.	
Purpose of the copy?	As part of an arrangement to preserve in the library the copy of the work for the purpose of conservation or research.	
	Conditions:   None.	
Medium of copy?	Not specified.	

<b>Anti-Circumvention of Technological Protection Measures</b>			
Circumvention provisions?	Yes.	Art. 62(1)	
Prohibited Acts?	The Act of Circumvention?		No.
	Dealing in Devices?		Producing a circumvention device or importing it for sale or lease is prohibited.
	Providing Services?		No.
Access Control or Owner's Rights Control?	Owner's Rights Control. The provision relates to a device intend to restrict the quantity of the reproduction of a work or to impair the quality of the copies.		
Exemptions that could be used by libraries?	There are no explicit exemptions for circumvention.		

<b>Miscellaneous</b>		
Definition	"Reproduction" is the making of copies of a work in any manner or form, including any permanent or temporary storage of the work in electronic form.	Art. 2(m)
Private Copying	Permits single copies of most types of works by a natural person exclusively for his personal purposes.	Art. 24
Educational Uses	Permits various uses of works for teaching purposes.	Art. 29
Source	Law on Copyright and Related Rights of Cambodia, Royal Decree NS/RKM/0303/008 (13 February 2003), available at <a href="http://www.wipo.int/wipolex/en/text.jsp?file_id=180048">http://www.wipo.int/wipolex/en/text.jsp?file_id=180048</a> .	
Last edited:	2 November 2007; rev. 25 April 2015	

CAMEROON

<b>Library Provisions (none)</b>		
Library Provisions?	The copyright statutes of Cameroon include no explicit library provisions.	

<b>Anti-Circumvention of Technological Protection Measures</b>			
Circumvention provisions?	Yes.		§ 81 (1)(d)
Prohibited Acts?	The Act of Circumvention?	The act of circumvention is prohibited.	
	Dealing in Devices?	No.	
	Providing Services?	No.	
Access Control or Owner's Rights Control?	Owner's Rights Control. The provisions relate to technical measures used by owners of copyrights or neighboring rights to protect their works against unauthorized acts.		
Exemptions that could be used by libraries?	There are no explicit exemptions for circumvention.		

<b>Miscellaneous</b>		
Personal Copying	Where the work was published with the authorization of the author, he may not forbid reproductions and transformations in one copy for strictly personal and private use of the person who makes them, but the reprographic reproduction of an entire book or musical piece in graphic form or the reproduction of databases or banks and software is not permitted. This right is subject to remuneration (Sections 69 & 72).	§ 29(1)
Source <sup>15</sup>	Law on Copyright and Neighboring Rights of Cameroon, No. 2000/011 (19 December 2000), available at <a href="http://www.wipo.int/wipolex/en/text.jsp?file_id=125950">http://www.wipo.int/wipolex/en/text.jsp?file_id=125950</a> .	
Last edited:	2 November 2007; rev. 25 April 2015	

<sup>15</sup> Cameroon is a member of the Bangui Agreement, which includes copyright exceptions applicable to libraries and archives and provisions on anti-circumvention. See the charts of Benin's law in this report for a footnote with detailed information.

CANADA

<b>Preservation, Replacement, and Library Administration</b>		
Who can copy?	Libraries, archives, and museums, and persons acting with the authority of the institution.	
	Conditions:	Libraries, archives, and museums that form part of educational institutions are included (Section 30.4).
What can be copied?	Works and other subject matter, whether published or unpublished, in the permanent collections of the institutions.	
	Conditions:	One of the following conditions must be satisfied: (a) The original work must be rare, or it must be unpublished; and the original work must be deteriorating, damaged, or lost, or at risk of deterioration or becoming damaged or lost. (b) The original cannot be viewed, handled, or listened to because of its condition or because of the atmospheric conditions in which it must be kept; and the copy is for purposes of on-site consultation. (c) The institution, or person acting under its authority, considers that the original is currently in a format that is obsolete or is becoming obsolete, or that the technology required to use the original is unavailable or is becoming unavailable; and the copy is made in an alternative format. (d) The copy is for the purposes of internal record-keeping and cataloging. (e) The copy is for insurance purposes or police investigations. (f) The copy is necessary for restoration.
		Alternative (a), (b), and (c) do not apply where an appropriate copy is commercially available in a medium and of a quality that is appropriate for the allowed purposes.
		If a person must make an intermediate copy in order to make an allowed copy, that person must destroy the intermediate copy as soon as it is no longer needed.
Purpose of the copy?	For maintenance or management of the permanent	

	collection of the organization.	
	For maintenance or management of the permanent collection of another library, archive, or museum.	
	Conditions: None.	
Medium of the copy?	Not specified.	
Other provisions?	The Governor in Council may make regulations with respect to procedures for making copies under this section.	

<b>Research or Study (Articles)</b>		
Who can copy?	Libraries, archives, and museums, and persons acting with the authority of the institution.	§ 30.2 (2)-(6)
	Conditions: Libraries, archives, and museums that form part of educational institutions are included (Section 30.4)	
What can be copied?	Articles published in scholarly, scientific, or technical periodicals.	
	Articles published in newspapers and periodicals, other than a scholarly, scientific, or technical periodical, if the newspapers and periodicals were published more than one year before the copy is made.	
	Conditions: Works of fiction or poetry and dramatic or musical works are excluded.	
	The institution informs the person that the copy is to be used solely for research or private study and any other use may require authorization from the copyright owner.	
	The person may be provided with a single copy only.	
Purpose of the copy?	Research or private study, by request of a person.	
	Conditions: If an intermediate copy is made in order to make this allowed copy, the intermediate copy must be destroyed after the copy is given to the user.	
Medium of the copy?	Reprographic reproduction.	
Patrons at Other Libraries	To the extent that the institution may provide copies to one of its own patrons under Section 30.2(1) or (2) (related to personal copies or copies for private study), the institution may provide the same services on behalf of a patron of another library, archive, or museum. This provision is subject to Section 30.2(5.02) (regarding digital copies).	§ 30.2(5)
Other provisions?	The Governor in Council may make regulations with respect to definitions and some procedures for implementing the statute and maintaining information related to actions taken under the statutes.	
	Activities under Section 30.2 may not be carried out	

	with a motive for gain. An institution or person acting under its authority does not have a motive of gain where it or the person acting under its authority, does anything referred to in this section and recovers no more than the costs, including overhead costs, associated with doing that act.	
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<b>Interlibrary Loan and Document Supply<sup>16</sup></b>			
Who can copy?	Libraries, archives, and museums, and persons acting with the authority of the institution.		§ 30.2 (1), (2), (5) & (5.02)
	Conditions:	Libraries, archives, and museums that form part of educational institutions are included (Section 30.4)	
What can be copied?	Articles published in scholarly, scientific, or technical periodicals.		
	Articles published in newspapers and periodicals, other than a scholarly, scientific, or technical periodical, if the newspapers and periodicals were published more than one year before the copy is made.		
	Conditions:	Works of fiction or poetry and dramatic or musical works are excluded.	
		The institution informs the person that the copy is to be used solely for research or private study and any other use may require authorization from the copyright owner.	
The person may be provided with a single copy only.			
Purpose of the copy?	Research or private study, by request of a person.		
	Conditions:	If an intermediate copy is made in order to make this allowed copy, the intermediate copy must be destroyed after the copy is given to the user.	
		To the extent that an institution may provide copies to one of its own patrons under Section 30.2(1) or (2) (related to personal copies or copies for private study), the institution may provide the same services on behalf of a patron of another library, archive, or museum (interlibrary arrangements). This provision is subject to Section	

<sup>16</sup> Section 30.2(5.02) was added in 2012, allowing libraries and other institutions to provide digital copies of certain works to persons requesting the copies through another library. The particular provision alone does not include all details set forth here. Instead, the section establishes a few conditions, but references Section 30.2(5), which in turn references Section 30.2(1) and (2). Those provisions, especially Section 30.2(2), include most of the substantive elements that are important here.

		30.2(5.02) (regarding digital copies, summarized on this chart).	
Medium of the copy?	Any. Digital form and reprographic reproduction are explicitly allowed. Further, the copies of works made for patrons at other institutions may be made in a medium other than by reprographic reproduction (Section 30.2(5.02)).		
	Conditions:	Digital form is allowed if the institution takes measures to prevent the person receiving it from making any reproduction, other than printing one copy; communicating the digital copy to any person; and using the digital copy for more than five business days from the day on which the person first uses it.	
Other provisions?	The Governor in Council may make regulations with respect to definitions and some procedures for implementing the statute and maintaining information related to actions taken under the statutes. Current regulations specify the recordkeeping that libraries and other institutions must maintain.		
	Activities under Section 30.2 may not be carried out with a motive for gain. An institution or person acting under its authority does not have a motive of gain where it or the person acting under its authority, does anything referred to in this section and recovers no more than the costs, including overhead costs, associated with doing that act.		§ 29.3

<b>Research or Study (Unpublished Works)</b>			
Who can copy?	Archives.		§ 31.21
	Conditions:	Archives that form part of educational institutions are included (Section 30.4)	
What can be copied?	Unpublished works deposited in the archive.		
	Conditions:	The archive may make only a single copy of a work for the requesting person.	
		The work may be copied only if the person who deposited the work, if a copyright owner, did not, at the time of the deposit, prohibit its copying, and the copying has not been prohibited by any other owner of copyright in the work.	
Purpose of the copy?	To provide to a person requesting a copy for research or private study.		
	Conditions:	The archive must inform the person that the copy is to be used solely for research or private study and that any other use may require authorization from the copyright	

	owner.	
Medium of the copy?	Not specified.	
Other provisions?	When a person deposits a work in an archive, the archive must give the person notice that it may copy the work in accordance with this section.	
	The Governor in Council may prescribe by regulation the manner and form by which many of the conditions in this section are to be met. Current regulations detail the information that archives must provide to user, the specifics of notices that must be stamped on copies, and the warning notices to be posted.	
	Activities under Section 30.21 may not be carried out with a motive for gain. An institution or person acting under its authority does not have a motive of gain where it or the person acting under its authority, does anything referred to in this section and recovers no more than the costs, including overhead costs, associated with doing that act.	
		§ 29.3

<b>Limitation of Remedies</b>		
Who qualifies?	An educational institution, library, archive, or museum.	§ 38.1 (6) & § 38.2
For what activity?	Reprographic reproduction of a work where an owner of copyright has not authorized a collective society to authorize its reproduction.	
How are the remedies limited?	The owner may recover a maximum amount equal to the amount of royalties that would have been payable to the society if the reproduction had been authorized. No statutory damages may be awarded.	
Other provisions?	Statutory damages are greatly reduced when the defendant satisfies the court that the defendant was not aware and had no reasonable grounds to believe that the defendant had infringed copyright. (Note: This provision could apply to a library that believed it was acting within an exception.)	§ 38.1 (2)

<b>Anti-Circumvention of Technological Protection Measures</b>			
Circumvention provisions?	Yes.		§ 41
Prohibited Acts?	The Act of Circumvention?	The act of circumvention is prohibited.	§ 41.1(1) (a)
	Dealing in Devices?	Manufacturing, importing, distributing, offering for sale or rental is prohibited.	§ 41.1(1) (b) & (c)
	Providing Services?	Offering of circumvention services to the public is prohibited.	
Access Control or Owner's Rights Control?	Both. The provisions relate to technical measures that prevent access to a work or protect a right of the copyright owner.		§ 41.1(1) (a)

Exemptions that could be used by libraries?	No exemption specifically for libraries, but the remedies may be limited. If the defendant is a library, archive, museum, or educational institution which satisfies the court that it was not aware, and had no reasonable grounds to believe, that its actions constituted a violation, the plaintiff is not entitled to any remedy other than an injunction.	§ 41.2
	Some statutory exceptions specifically provide that the user may not circumvent protections to exercise the rights of use. Examples: Creation of user-generated content (Section 29.21), private copying (Section 29.22), and time-shifting of broadcasts (Section 29.23).	

<b>Miscellaneous</b>		
Relationship to fair dealing	It is not an infringement for a library, archive, or museum or a person acting under its authority (including a library, archive, or museum that forms part of an educational institution) to do anything on behalf of any person that the person may do personally under Section 29 (related to fair dealing for the purpose of research or private study) or Section 29.1 (related to fair dealing for criticism or review). The Governor in Council may make regulations prescribing the information to be recorded about these actions and the manner and form in which the information is to be kept.	§ 30.2 (1) & (6)(c)
Reproduction machines in the library	An educational institution, library, archive, or museum (including a library, archive, or museum that forms part of an educational institution) does not infringe copyright when reprographic reproductions of works in printed form are made on a machine installed with approval on the premises for use by persons using the library or other organization, and affixed to the machine is a warning notice in the prescribed manner and location. This exemption applies only if the organization has an agreement with a collective licensing agency or other arrangement in accordance with details in the statute and regulations.	§ 30.3
User-Generated Content	Permits individuals to copy and use existing works to create new works for non-commercial purposes, and to permit intermediaries to disseminate the new works.	§ 29.21
Private Copying	Exception permitting individuals to make copies for private use.	§ 29.22
Time-Shifting of Broadcasts	Permits individuals to record broadcasts for later private use.	§ 29.23
Backup Copies	Permits any party who owns or has a license to use a work to make a backup copy of it for use should the work become lost, damaged, or rendered unusable.	§ 29.24
Educational Uses	Series of provisions permitting various uses of	§§ 29.4

	works for educational purposes.	to 30.04
Libraries and Educational Institutions	Specific education exceptions may be exercised by libraries that are part of the institutions. Sections 29.4, 30.3, and 45.	§ 30.4
Orphan Works	If a copyright owner is not located after a reasonable search, a user may apply to the Copyright Board for a license to use the work.	§ 77
Source	<p>Copyright Act of Canada, c. C-42 (1985), as amended through 2 January 2015, consolidated as of 31 March 2015, available at <a href="http://laws-lois.justice.gc.ca/eng/acts/C-42/index.html">http://laws-lois.justice.gc.ca/eng/acts/C-42/index.html</a>;</p> <p><i>AND</i></p> <p>Copyright Regulations of Canada, Exceptions for Educational Institutions, Libraries, Archives, and Museums, SOR/99-325 (28 July 1999), as amended through 15 May 2008, consolidated as of 31 March 2015, available at <a href="http://laws-lois.justice.gc.ca/eng/regulations/SOR-99-325/index.html">http://laws-lois.justice.gc.ca/eng/regulations/SOR-99-325/index.html</a>.</p>	
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CENTRAL AFRICAN REPUBLIC

<b>General Provisions (applicable to various statutory provisions)</b>		
Author's consent?	No.	Art. 17; Art. 18
Remuneration to author?	No.	
Provide name of author?	Subject to respecting the moral rights of patrimony set forth in Article 2.	
Provide source of borrowing?	Not specified.	

<b>General Library Exception</b>		
Who can copy?	Public libraries, noncommercial document centers, scientific institutions, and establishments of education.	Art. 17
	Conditions:   None.	
What can be copied?	Works of all types already made lawfully available to the public.	
	Conditions:   In quantities as necessary.	
Purpose of the copy?	Necessary to the needs of their activities.	
	Conditions:   Also allows translation of the work.	
Medium of the copy?	To reproduce.	
Other provisions?	It does not conflict with the normal exploitation of the work.	
	It does not prejudice the legitimate interests of the author.	

<b>Anti-Circumvention of Technological Protection Measures</b>		
Circumvention provisions?	None.	

<b>Miscellaneous</b>		
Private Use	Limited right to communicate, translate, reproduce, or adapt works lawfully made available to the public for private use.	Art. 11
Quotations	Limited right to make short quotations from a work already made available to the public provided they are compatible with fair practice and justified by critical or scientific purposes, education, or information.	Art. 12
Source <sup>17</sup>	Ordinance on Copyrights of Central African Republic, No. 85.002 (5 January 1985), available at <a href="http://www.wipo.int/wipolex/en/text.jsp?file_id=195238">http://www.wipo.int/wipolex/en/text.jsp?file_id=195238</a> .	
Last edited:	30 April 2014; rev. 25 April 2015	

<sup>17</sup> The Central African Republic is a member of the Bangui Agreement, which includes copyright exceptions applicable to libraries and archives and provisions on anti-circumvention. See the charts of Benin's law in this report for a footnote with detailed information.

CHAD

<b>Copying for Library Users</b>			
Who can copy?	Libraries and archives.		Art. 36(1)
	Conditions:	The activities of the institution must not aim directly or indirectly at commercial profit.	
What can be copied?	Articles, short works, or short extracts of writings published in collections of works or in newspapers or periodicals, including the illustrations.		
	Conditions:	Computer programs are excluded. Only a single copy can be made.	
Purpose of the copy?	To satisfy the request of a physical person.		
	Conditions:	None.	
Medium of the copy?	Reprographic reproduction.		

<b>Preservation and Replacement</b>			
Who can copy?	Libraries and archives.		Art. 36(2)
	Conditions:	The activities of the institution must not aim directly or indirectly at commercial profit.	
What can be copied?	Works.		
	Conditions:	Only a single copy can be made.	
Purpose of the copy?	To preserve and, if necessary, to replace a work.		
	To replace a work that is lost, destroyed, or rendered unusable in the permanent collection of another library or archive.		
	Conditions:	None.	
Medium of the copy?	Reprographic reproduction.		

<b>Anti-Circumvention of Technological Protection Measures</b>			
Circumvention provisions?	Yes.		Art. 118
Prohibited Acts?	The Act of Circumvention?	Circumvention is prohibited without authorization from the Minister in charge of culture.	
	Dealing in Devices?	Manufacturing, assembling, selling, exchanging, hiring, or making available to the public a circumvention device is prohibited without authorization from the Minister in charge of culture.	

	Providing Services?	Providing circumvention services is prohibited without authorization from the Minister in charge of culture.	
Access Control or Owner's Rights Control?	Owner's Rights Control. The provisions relate to technical measures that prevent copying or limit the possibilities of copying or recopying.		
Exemptions that could be used by libraries?	There are no explicit exemptions for circumvention.		

<b>Miscellaneous</b>		
Personal Copying	When the work has been lawfully divulged, the author cannot prohibit reproduction strictly reserved for the private use of the person making the copy, where the copy is not intended for collective use. Copies are not permitted of works of art intended to be used for ends identical to those for which the original work was created. The reproduction is subject to remuneration (see Article 113).	Art. 34
Source <sup>18</sup>	Law on the Protection of Copyright, Neighboring Rights, and Folklore of Chad, No. 005/PR/2003 (2 May 2003), available at <a href="http://www.wipo.int/wipolex/en/text.jsp?file_id=260828">http://www.wipo.int/wipolex/en/text.jsp?file_id=260828</a> .	
Last edited:	6 December 2007; rev. 25 April 2015	

<sup>18</sup> Chad is a member of the Bangui Agreement, which includes copyright exceptions applicable to libraries and archives and provisions on anti-circumvention. See the charts of Benin's law in this report for a footnote with detailed information.

CHILE

<b>Personal Use of Library Users</b>			
Who can copy?	Libraries and archives.	Art. 71J	
	Conditions: Institution is not for profit.		
What can be copied?	Excerpts of works.		
	Conditions:		Works in the collection of the library or archives making the copy.
			Without permission of the author or copyright owner.
			Without payment of any remuneration.
Purpose of the copy?	For the personal use of a user of the library.		
	Conditions: At the request of the user.		
Medium of the copy?	Not specified.		
Other provisions?	None.		

<b>Preservation and Replacement</b>			
Who can copy?	Libraries and archives.	Art. 71I	
	Conditions: That are not for profit.		
What can be copied?	Works.		
	Conditions:		That are not commercially available.
			The work has not been available for sale to the public in the national or international market in the preceding three years.
			Without permission of the author or copyright owner.
Purpose of the copy?	Necessary to preserve the copy in the permanent collections of the library or archives, up to two copies.		
	To replace a copy in the permanent collections of the library or archives, if it is lost or damaged, up to two copies.		
	To replace a copy from another library or archives that has been lost, destroyed, or rendered unusable, up to two copies.		
	To incorporate a copy into the permanent collections of the library or archives.		
	Conditions:	None.	
Medium of the copy?	Any. See definition of "reproduction."		
Other provisions?	None.		

<b>Patron Use on Terminals (Making Available)</b>		
Who can communicate?	Libraries and archives.	Art. 71K
	Conditions: That are not for profit.	
What can be communicated?	Works from the collection of the institution.	
	Conditions: Without permission of the author or	

		copyright owner.	
		Without payment of any remuneration.	
Purpose of the communication?	To be consulted by users of the library or archives.		
	Conditions:	May be consulted simultaneously by a reasonable number of users.	
Medium?	Electronic reproduction, accessible on network terminals at the library or archives.		
Other provisions?	Access is allowed if the library or archives ensures that users cannot make electronic copies of the works.		

### Anti-Circumvention of Technological Protection Measures

Circumvention provisions?	None.
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### Miscellaneous

Definition	“Reproduction” is the permanent or temporary fixation of the work in an environment that enables communication or obtaining copies of all or part of it, by any means or process.	Art 5(u)
Performances in Libraries	Communication or public performance of works, including phonograms, by educational institutions, charities, libraries, archives, and museums, if the use is not for profit, no authorization of the author or owner, and no remuneration, is required.	Art. 71N
Berne Appendix	Nonprofit libraries and archives may translate and reproduce some works for research or study.	Art. 71L
Source	Intellectual Property Law of Chile, Law No. 17.336 (28 August 1970), as amended through Law No. 20435 (4 May 2010), available at <a href="http://www.wipo.int/wipolex/en/text.jsp?file_id=270205">http://www.wipo.int/wipolex/en/text.jsp?file_id=270205</a> .	
Last edited:	20 December 2007; rev. 27 August 2014; rev. 25 April 2015	

CHINA

<b>General Provisions (applicable to various statutory provisions)</b>		
Author's consent required?	No. The use is permitted without permission from the copyright owner.	Art. 22 <sup>19</sup>
Remuneration to author?	No. The use is permitted without payment of remuneration to the copyright owner, unless otherwise noted below.	
Provide name of author?	Yes. The use is permitted, provided that the name of the author is mentioned.	
Provide the source of the work?	Yes. The use is permitted, provided that the title of the work is mentioned.	

<b>Display and Preservation</b>			
Who can copy?	Libraries, archives, memorial halls, museums, and art galleries.		Art. 22(8)
	Conditions:	None.	
What can be copied?	Works.		
	Conditions:	None.	
Purpose of the copy?	For display or preservation of a copy of the work.		
	Conditions:	The other rights enjoyed by the copyright owner must not be prejudiced.	
Medium of the copy?	See definition of "reproduction" below.		
Other provisions?	The Network Regulations refer to works digitally duplicated for the purpose of display or preservation, which are defined as works that have been damaged or nearly been damaged, or lost or stolen, or the storage format of which is outdated, which are not available in the market or can only be purchased at an obviously higher price than their designated price.		Art. 7 Network Reg.

<b>Public Use (Making Available)</b>			
Who can communicate?	Libraries, archives, memorial halls, museums, and art galleries.		Art. 7 Network Reg.; Art. 10 Network Reg.
	Conditions:	None.	
What can be communicated?	Published digital works from the library's collection or digital copies of works ("digital copies of works" are works digitally duplicated for the purpose of display or preservation, presumably consistent with Article 22(8)).		
	Conditions:	Technological measures must be taken to prevent access to the works by people other than the permitted users.	
		Technological measures must be taken to prevent material damage to	

<sup>19</sup> The citations are to the Copyright Act unless otherwise indicated.

		the interests of the copyright owners by the users' duplication activities.	
Purpose of the communication?	For public reading on the premises.		
	Conditions:	The institutions may not directly or indirectly gain economic interest, except where otherwise agreed by the parties concerned.	
		The other rights enjoyed by the copyright owner must not be prejudiced.	
Medium?	Via the institution's network reading system within its premises.		
Other provisions?	Remuneration is required.		Art. 11 Network Reg.
	This provision is also applicable to the providing of performance recordings or sound or video recordings, subject to the same conditions.		

<b>Anti-Circumvention of Technological Protection Measures</b>			
Circumvention provisions?	Yes.		Art. 48(6);
Prohibited Acts?	The Act of Circumvention?	The Copyright Act prohibits the circumventing or sabotaging of technical measures. The Network Regulations prohibit the evading or damaging of technological measures.	Art. 4 Network Reg.
	Dealing in Devices?	The Network Regulations prohibit manufacturing, importing, or providing to the public circumvention devices.	
	Providing Services?	The Network Regulations prohibit providing circumvention services.	
Access Control or Owner's Rights Control?	Possibly both. The provisions in the Copyright Act relate only to technical measures that protect the copyright in the work. The provisions in the Network Regulations relate to technical measures that prevent or restrict browsing and appreciation of works, or the provision thereof to the public via information networks.		Art. 47(6); Art. 26 Network Reg.
Exemptions that could be used by libraries?	The Copyright Act states that the prohibition on circumvention is applicable except where otherwise provided for in laws or administrative regulations. The Network Regulations provide exemptions to circumvention that are not explicitly relevant to libraries, other than the provision of literary works by libraries for the blind. These exemptions are implicitly the only instances in which circumvention is permitted.		Art. 47(6); Art. 12 Network Reg.

<b>Miscellaneous</b>		
Defined Terms	The exclusive right of reproduction is described as right to produce one or more copies of a work by printing, photocopying, lithographing, making a sound recording or video recording, duplicating a recording, or duplicating a photographic work, or by other means.	Art. 10(5)
Private Uses	Permits use of works for personal study, research, or appreciation.	Art. 22(1)
Educational Uses	Permits translation or reproduction in small quantities of published works by teachers or scientific researchers. Network Regulation, Article 6, generally permits such materials also to be made available on a network.	Art. 22(6)
Educational Uses on Networks	Allows some works to be included on network systems for distance education, in support of the national nine-year compulsory education system, with compensation to rightsholders.	Art. 8 Network Reg.
Poverty Uses	Allows network providers to make works related to aiding poverty-stricken areas available, upon notice to rightsholders and no objection from them within 30 days.	Art. 9 Network Reg.
Sources	Copyright Law of the People's Republic of China (7 September 1990), as amended through Order No. 26 (26 February 2010), available at <a href="http://www.wipo.int/wipolex/en/text.jsp?file_id=186569">http://www.wipo.int/wipolex/en/text.jsp?file_id=186569</a> ; <i>AND</i> Regulation on the Protection of the Right to Network Dissemination of Information, Order No. 468 (18 May 2006), as amended through 20 January 2013, available at <a href="http://www.wipo.int/wipolex/en/text.jsp?file_id=182147">http://www.wipo.int/wipolex/en/text.jsp?file_id=182147</a> and <a href="http://www.wipo.int/wipolex/en/details.jsp?id=13403">http://www.wipo.int/wipolex/en/details.jsp?id=13403</a> .	
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COLOMBIA

<b>Preservation and Replacement</b>		
Who can copy?	Public Libraries.	Art. 38
	Conditions:   None.	
What can be copied?	Works deposited in the collections of the library or archives.	
	Conditions:   The work must be out of print on the local market.	
	Single copy only.	
Purpose of the copy?	For conservation.	
	Conditions:   None.	
Medium of the copy?	Not specified.	
Other provisions?	A library receiving a copy through interlibrary exchange may also make a single copy of that work as necessary for conservation purposes.	

<b>Research or Study</b>		
Who can copy?	Public Libraries.	Art. 38
	Conditions:   None.	
What can be copied?	Works deposited in the collections of the library or archives.	
	Conditions:   The work must be out of print on the local market.	
	Single copy only.	
Purpose of the copy?	For the exclusive use of readers.	
	Conditions:   None.	
Medium of the copy?	Not specified.	
Other provisions?	A library receiving a copy through interlibrary exchange may also make a single copy of that work solely for use by readers.	

<b>Interlibrary Loan</b>		
Who can copy?	Public Libraries.	Art. 38
	Conditions:   None.	
What can be copied?	Works deposited in the collections of the library or archives.	
	Conditions:   The work must be out of print on the local market.	
	Single copy only.	
Purpose of the copy?	For exchange services with other public libraries.	
	Conditions:   None.	
Medium of the copy?	Not specified.	
Other provisions?	A library receiving a copy through interlibrary exchange may also make a single copy of that work as necessary for conservation purposes or solely for use by readers.	

<b>Anti-Circumvention of Technological Protection Measures</b>			
Circumvention provisions?	Yes.		Art. 272 Penal Code
Prohibited Acts?	The Act of Circumvention?	The act of circumvention is prohibited.	
	Dealing in Devices?	Making, importing, selling, renting, or in any way distributing to the public a circumvention device is prohibited.	
	Providing Services?	No.	
Access Control or Owner's Rights Control?	Owner's Rights Control. The provisions relate to technical measures used to prevent or restrict unauthorized use.		
Exemptions that could be used by libraries?	There are no explicit exemptions for circumvention.		

<b>Miscellaneous</b>		
Berne Appendix	Elaborate provisions that permit translation and reproduction of certain works on terms that reflect the Berne Appendix.	Arts. 45 to 71
Source <sup>20</sup>	Law on Copyright of Colombia, No 23 (28 January 1982), available at <a href="http://www.wipo.int/wipolex/en/text.jsp?file_id=126023">http://www.wipo.int/wipolex/en/text.jsp?file_id=126023</a> ; <i>AND</i> Criminal Code of Colombia, No. 599 (24 July 2000), available at <a href="http://www.wipo.int/wipolex/en/text.jsp?file_id=190482">http://www.wipo.int/wipolex/en/text.jsp?file_id=190482</a> , as amended by No. 1032 (22 June 2006), available at <a href="http://www.wipo.int/wipolex/en/text.jsp?file_id=224389">http://www.wipo.int/wipolex/en/text.jsp?file_id=224389</a> .	
Last edited:	13 December 2007; rev. 8 May 2015	

<sup>20</sup> Bolivia, Colombia, Ecuador, and Peru are members of the Andean Community and signatories to the Cartagena Agreement of 1969. Decision 351 of the Commission of the Andean Community includes copyright exceptions applicable in the member countries, including provisions for libraries and archives. See details in the footnote accompanying the Bolivia charts in this report.

COMOROS

<b>Library Provisions (none)</b>		
Library Provisions?	The Law on Literary and Artistic Property of Comoros includes no explicit library exceptions.	

<b>Anti-Circumvention of Technological Protection Measures</b>		
Circumvention provisions?	None.	

<b>Miscellaneous</b>		
Private Performances	Limited rights to make private performances.	Art. 41
Personal Copying	Limited rights to make copies for personal use.	Art. 41
Educational and Critical Uses	Limited rights to use for educational, critical, and other similar purposes with attribution.	Art. 41
Parody	Limited rights to make parody, pastiche, and caricature.	Art. 41
Source <sup>21</sup>	Law on Literary and Artistic Property of Comoros (11 March 1957) available at <a href="http://www.wipo.int/wipolex/en/text.jsp?file_id=214449">http://www.wipo.int/wipolex/en/text.jsp?file_id=214449</a> .	
Last edited:	30 April 2014; rev. 25 April 2015	

<sup>21</sup> Comoros is a member of the Bangui Agreement, which includes copyright exceptions applicable to libraries and archives and provisions on anti-circumvention. See the charts of Benin's law in this report for a footnote with detailed information.

CONGO

<b>Library Use</b>		
Who can copy?	Public libraries, non-commercial documentation centers, scientific institutions, and educational establishments.	Art. 33(5)
	Conditions: None.	
What can be copied?	Literary, artistic, and scientific works which have been lawfully made available to the public.	
	Conditions: The reproduction and number of copies is limited to the purpose.	
Purpose of the copy?	For the needs of the institution's activities.	
	Conditions: None.	
Medium of the copy?	Reproduction by photographic or similar process.	
Other provisions?	The reproduction cannot conflict with the normal exploitation of the work or unreasonably prejudice the legitimate interests of the author.	
	The works can be reproduced in the original language or in translation.	

<b>Anti-Circumvention of Technological Protection Measures</b>	
Circumvention provisions?	None.

<b>Miscellaneous</b>	
Source <sup>22</sup>	Law on Copyright and Neighboring Rights of Congo, No. 24/82 (7 July 1982), available at <a href="http://www.wipo.int/wipolex/en/text.jsp?file_id=152625">http://www.wipo.int/wipolex/en/text.jsp?file_id=152625</a> .
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<sup>22</sup> Congo is a member of the Bangui Agreement, which includes copyright exceptions applicable to libraries and archives and provisions on anti-circumvention. See the charts of Benin's law in this report for a footnote with detailed information.

COSTA RICA

<b>Library Provisions (none)</b>		
Library Provisions?	The copyright statutes of Costa Rica do not include any explicit library provisions.	

<b>Anti-Circumvention of Technological Protection Measures</b>	
Circumvention Provisions?	None.

<b>Miscellaneous</b>		
Personal Copying	The reproduction of an educational or scientific work, done personally and exclusively by the person concerned for the person's own use and without any direct or indirect gainful intent, shall also be free. Such reproduction shall be done in a single handwritten or typewritten copy. This provision shall not apply to computer programs.	Art. 74
Source	Law on Copyright and Related Rights of Costa Rica, No. 6683 (1982), as amended through No. 8834 (3 May 2010), available at <a href="http://www.wipo.int/wipolex/en/text.jsp?file_id=247913">http://www.wipo.int/wipolex/en/text.jsp?file_id=247913</a> .	
Last edited:	11 December 2007; rev. 25 April 2015	

CÔTE D'IVOIRE

<b>Library Provisions (none)</b>		
Library Provisions?	The copyright law of Côte d'Ivoire includes no explicit library provisions.	

<b>Anti-Circumvention of Technological Protection Measures</b>	
Circumvention provisions?	None.

<b>Miscellaneous</b>		
Personal Copying	When the work has been lawfully made accessible to the public, the author may not prohibit reproductions, translations, and adaptations intended for strictly personal and private use, and not for collective use, with the exception of works of art.	Art. 31
Archives Preservation	Without prejudice to the right of the author to be paid equitable remuneration, reproduction that has exceptional documentary character, and also copies of recordings that have cultural value, may be preserved in official archives.	Art. 37
Source <sup>23</sup>	Law on the Protection of Intellectual Works and the Rights of Authors, Performers, and Phonogram and Videogram Producers of Côte d'Ivoire, No. 96-564 (25 July 1996), available at <a href="http://www.wipo.int/wipolex/en/text.jsp?file_id=125871">http://www.wipo.int/wipolex/en/text.jsp?file_id=125871</a> .	
Last edited:	11 December 2007; rev. 25 April 2015	

<sup>23</sup> Côte d'Ivoire is a member of the Bangui Agreement, which includes copyright exceptions applicable to libraries and archives and provisions on anti-circumvention. See the charts of Benin's law in this report for a footnote with detailed information.

CROATIA

<b>Library Use</b>			
Who can copy?	Public archives, public libraries, education and scientific institutions, preschool educational institutions, and social (charitable) institutions.		Art. 84
	Conditions:	The institution must be pursuing non-commercial purposes.	
What can be copied?	Works.		
	Conditions:	The reproduction must be made from the institution's own copy of the work.	
	Single copy only.		
Purpose of the copy?	Not specified.		
	Conditions:	None.	
Medium of the copy?	Any medium.		

<b>Anti-Circumvention of Technological Protection Measures</b>			
Circumvention provisions?	Yes.		Art. 175
Prohibited Acts?	The Act of Circumvention?	The circumvention of technological measures is prohibited.	Art. 175 (1)
	Dealing in Devices?	Manufacturing, importing, distributing, selling, renting, advertising for sale or rental, or possessing for commercial purposes circumvention devices is prohibited.	Art. 175 (2)
	Providing Services?	Providing circumvention services is prohibited.	
Access Control or Owner's Rights Control?	Both. The provisions relate to technology that is designed to prevent or restrict acts which are not authorized by the rightsholder under the Copyright Act; this includes works controlled through application of an access control or protection process.		Art. 174 (4)
Exemptions that could be used by libraries?	Where the use of a work without the author's authorization is permitted for personal or library use (and other specified uses), and where the use of the work or access to the work is prevented by technological measures, the rightsholder shall be obliged, by providing special measures or concluding contracts, to enable the users or their societies access to such works and the use thereof in accordance with the limitations prescribed by law.		Art. 98 (1)
	Conditions:	The provisions do not apply to works made available to the public on agreed contractual terms in such a way that	Art. 98 (4)

		members of the public may access them from a place and at a time individually chosen by them.	
		The provisions do not apply to computer programs.	
Other provisions?	If the rightsholder fails to allow the beneficiary access to or use of a work that the beneficiary should be able to access or use under the Law, the works shall be used by the application of measures provided by the Minister of the State Intellectual Property Office.		Art. 98 (2)

<b>Miscellaneous</b>		
Three Step Test	Uses under the statutory exceptions are permitted only if they do not conflict with the regular use of the work and do not unreasonably prejudice the legitimate interests of the author.	Art. 86
Private Use	A natural person may reproduce a work for private use. Certain works are excluded. Authors have right to remuneration under Article 32.	Art. 82
Educational Uses	Permits copies of short works to create collections for teaching or scientific research.	Art. 85
Needs of Disabled Persons	Permits non-commercial uses of works for the needs of persons with disabilities.	Art. 86
Defined Term	The exclusive right of reproduction means making one or more copies of copyright works, in whole or in part, directly or indirectly, temporarily or permanently, by any means and in any form, including photocopying and other photographic procedures, sound or visual recording, building works of architecture, storing the work in electronic form, and fixing the work transmitted by computer onto a natural medium.	Art. 19(1)
Source	Copyright and Related Rights Act of Croatia, O.G. No. 167/2003 (30 October 2003) as amended through O.G. No. 127/2014 (6 November 2014), available at <a href="http://www.wipo.int/wipolex/en/text.jsp?file_id=357287">http://www.wipo.int/wipolex/en/text.jsp?file_id=357287</a> .	
Last edited:	3 December 2007; rev. 25 April 2015	

CUBA

<b>General Library Exception</b>		
Who can copy?	Library, documentation center, scientific institution, or educational institution.	
	Conditions:	None.
What can be copied?	Work that is public knowledge.	
	Conditions:	Either in the original language or in translation to Spanish (Article 39).
		Must provide the name of the author.
Purpose of the copy?	Done with nonprofit character.	
	Conditions:	None.
Medium of the copy?	Reproduction by photographic or other analogous procedure.	
Other provisions?	Quantity must be strictly limited to the needs of the specific activity.	

<b>Anti-Circumvention of Technological Protection Measures</b>		
Circumvention provisions?	None.	

<b>Miscellaneous</b>		
Quotations	Limited right to reproduce quotations or parts of works in written, audio or visual form for the purposes of instruction, information, criticism, illustration, or explanation.	Art. 38(a)
Teaching Purposes	Limited right to use works for teaching purposes.	Art. 38(b)
Performance	Limited right to represent or perform a work, provided it is not for profit.	Art. 38(ch)
Berne Appendix	The Act includes provisions implementing the Appendix to the Berne Convention, allowing reproductions, translations, and broadcasts of certain works under specified conditions for teaching, scholarship, or research.	Art. 37
Source	Copyright Law of Cuba, Law No. 14 (28 December 1977), as amended by Law No. 156 (28 September 1994), available at <a href="http://www.cenda.cult.cu/php/loader.php?cont=legis.php&amp;tipo=2">http://www.cenda.cult.cu/php/loader.php?cont=legis.php&amp;tipo=2</a> .	
Last edited:	24 April 2014; rev. 25 April 2015	

CYPRUS

<b>Library Use</b>			
Who can copy?	Public libraries, non-commercial collection and documentation centers, educational establishments, museums, and scientific institutions as may be prescribed.		Art. 7(1)(j)
	Conditions:	None.	
What can be copied?	Works.		
	Conditions:		
Purpose of the copy?	For use in the public interest.		
	Conditions:	No revenue may be derived from the use and no admission fee may be charged for communication to the public.	
Medium of the copy?	Not specified.		
Other provisions?	This is not limited to reproduction but permits "any use."		
	The use may be in any language of the country (Article 7(2)).		

<b>Anti-Circumvention of Technological Protection Measures</b>			
Circumvention provisions?	Yes.		Art. 14B(1)
Prohibited Acts?	The Act of Circumvention?	No.	
	Dealing in Devices?	Manufacturing, importing, distributing, selling, renting, advertising for sale or rent, or possessing for commercial purposes circumvention devices is prohibited.	
	Providing Services?	Providing circumvention services is prohibited.	
Access Control or Owner's Rights Control?	Both. The provisions relate to technical measures used to prevent or restrict acts that are not authorized by the right holder; it includes access control and protection processes.		Art. 2
Exemptions that could be used by libraries?	The rights holders have an obligation to provide to the beneficiaries of specified exceptions (which include the library provision) the means in order to benefit from the exception. (Note: There is no means of enforcing this provision.)		Art. 14B(3)
	Conditions:	The beneficiary must have lawful access to the work.	

<b>Miscellaneous</b>		
Private Uses	Permits uses “by way of fair dealing” for research and private use.	Art. 7(1)(a)
Source <sup>24</sup>	The Copyright Law of Cyprus, No. 59 (3 December 1976), as amended through No. 18(I) (1993), available at <a href="http://www.wipo.int/wipolex/en/text.jsp?file_id=126086">http://www.wipo.int/wipolex/en/text.jsp?file_id=126086</a> .	
Last edited:	20 December 2007; rev. 25 April 2015	

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<sup>24</sup> The copyright statutes have been amended since 1993, but research indicates that the more recent changes do not affect the library exception statutes that are the focus of this study. This summary of anti-circumvention statutes benefited from this source: Guido Westkamp, *The Implementation of Directive 2001/29/EC in the Member States* (2007), available at [http://ec.europa.eu/internal\\_market/copyright/docs/studies/infosoc-study-annex\\_en.pdf](http://ec.europa.eu/internal_market/copyright/docs/studies/infosoc-study-annex_en.pdf)

CZECH REPUBLIC

<b>Preservation</b>		
Who can copy?	Libraries, archives, museums, galleries, schools, universities and other nonprofit school-related and educational establishments.	Art. 37(1)(a)
	Conditions:   None.	
What can be copied?	Works, phonograms, audiovisual fixations.	
	Conditions:   None.	
Purpose of the copy?	Archival and conservation purposes.	
	Conditions:   The reproduction does not serve any direct or indirect economic or commercial purpose.	
Medium of the copy?	Any. See definition of "reproduction" below.	

<b>Replacement</b>		
Who can copy?	Libraries, archives, museums, galleries, schools, universities and other nonprofit school-related and educational establishments.	Art. 37(1)(b)
	Conditions:   None.	
What can be copied?	Works, phonograms, audiovisual fixations.	
	Conditions:   The institution's copy has been damaged or lost.	
	It is possible to verify by reasonable effort that the work is not being offered for sale. This condition does not apply if only a minor part of the work is damaged and being replaced.	
Purpose of the copy?	Replacement purposes.	
	Conditions:   None.	
Medium of the copy?	Any. See definition of "reproduction" below.	
Other provisions?	The institution may also lend the copy made under this provision, subject to added conditions in Article 37(2).	

<b>Research or Study (Making Available)</b>		
Who can communicate?	Libraries, archives, museums, galleries, schools, universities and other nonprofit school-related and educational establishments.	Art. 37(1)(c)
	Conditions:   None.	
What can be communicated?	Works that constitute a part of the the collection of the institution.	
	Conditions:   The work must not be subject to purchase or license terms.	
Purpose of the communication?	For research or private study for individual members of the public.	
	Conditions:   None.	
Medium?	Via dedicated terminals on the premises of the	

	institution.	
Other Provisions?	The statute explicitly permits the institution to make a reproduction necessary for such availability.	
	The statute explicitly provides that the public must be prevented from making copies of the works.	

<b>Anti-Circumvention of Technological Protection Measures</b>			
Circumvention provisions?	Yes.		Art. 43
Prohibited Acts?	The Act of Circumvention?	Circumventing effective technical measures is prohibited.	
	Dealing in Devices?	Manufacturing, importing, receiving, distributing, selling, renting, advertising for sale or rental, or possession for commercial purposes of any circumvention devices, products or components is prohibited.	
	Providing Services?	Providing circumvention services is prohibited.	
Access Control or Owner's Rights Control?	Both. The provisions relate to technical means used for the protection of rights; it includes access control or protection processes.		
Exemptions that could be used by libraries?	This prohibition is without prejudice to the provisions of specific exceptions, including Article 37(1)(a) & (b), and an author who uses technological protection shall make the works available to the extent necessary to fulfill the use in the exceptions.		

<b>Miscellaneous</b>		
Defined Term	"Reproduction" is defined as the making of permanent or temporary, direct or indirect reproduction of the work, by any means and in any form.	Art. 13
Limit on Exceptions	Exceptions, including Article 37, apply only in certain special cases as specified in the statute and only if the use does not conflict with normal exploitation and does not unreasonably prejudice the legitimate interests of the rightsholder. Exceptions only apply to works that have been made public.	Art. 29(1) & (2)
Private Uses	Permits uses of some works for one's own personal use. The rightsholder is entitled to remuneration (Article 25).	Art. 30
Dissertations and Theses	Permits the institutions in the statute to lend originals or reproductions of theses and dissertations for research or study, provided the authors did not bar such use.	Art. 37(1)(d)
Needs of Disabled Persons	Permits uses of works to meet the needs of disabled persons.	Art. 38
Orphan Works	Implements the European Union orphan works	Art. 27a,

	directive.	27b & 37a
Source	Act on Copyright and Rights Related to Copyright of the Czech Republic, No. 121/2000 (7 April 2000), as amended through No. 216/2006 (22 May 2006), available at <a href="http://www.wipo.int/wipolex/en/text.jsp?file_id=137175">http://www.wipo.int/wipolex/en/text.jsp?file_id=137175</a> ; <i>AND</i> Law 228/2014 (23 September 2014) (Orphan Works).	
Last edited:	30 November 2007; rev. 9 June 2015	

DEMOCRATIC PEOPLE'S REPUBLIC OF KOREA

<b>General Library Provision</b>			
Who can copy?	Not specified.		Art. 32(2)
	Conditions:	None.	
What can be copied?	A copyrighted work.		
	Conditions:	None.	
Purpose of the copy?	Displaying, reading, or lending.		
	Conditions:	Must be in such places as a library, an archive, a museum, or a memorial hall.	
Medium of the copy?	Not specified.		
Other provisions?	The Copyright Law includes separate legal rights for a "related rights holder," which is generally a person who performs, soundrecords, videorecords, or broadcasts a copyrighted work. Article 40 specifies that the performance, recording, or broadcast may be used without permission of the related rights holder if used in accordance with Article 32.		

<b>Preservation</b>			
Who can copy?	Not specified.		Art. 32(2)
	Conditions:	None.	
What can be copied?	A copyrighted work.		
	Conditions:	None.	
Purpose of the copy?	Preserving. <sup>25</sup>		
	Conditions:	Must be in such places as a library, an archive, a museum or a memorial hall.	
Medium of the copy?	Not specified.		
Other provisions?	The Copyright Law includes separate legal rights for a "related rights holder," which is generally a person who performs, soundrecords, videorecords, or broadcasts a copyrighted work. Art. 40 specifies that the performance, recording, or broadcast may be used without permission of the related rights holder if used in accordance with Art. 32.		

<b>Miscellaneous</b>		
General Exclusion	Prohibited works are not protected.	Art. 6
Public Domain	Works for state management, current news, or information data are not protected unless commercial purpose is pursued.	Art. 12
Personal Copying	Limited rights to make copies for personal use.	Art. 32(1)

<sup>25</sup> Article 32(2) is one brief provision that encompasses the purposes of preserving, displaying, reading, or lending. For purpose of this study, the preservation purpose is separated from the others.

Educational Copying	Limited rights to make copies for educational use.	Art. 32(3)
Exception for the Blind	May make copies in Braille or sound-recordings for the blind	Art. 32(9)
Source	Copyright Law of the Democratic People's Republic of Korea, Decree No. 2141 (21 March 2001), as amended by Decree No. 1532 (1 February 2006), available at <a href="http://www.wipo.int/wipolex/en/text.jsp?file_id=226323">http://www.wipo.int/wipolex/en/text.jsp?file_id=226323</a> .	
Last edited:	22 April 2014; rev. 13 May 2015	

DEMOCRATIC REPUBLIC OF THE CONGO

<b>Library Provisions (none)</b>		
Library Provisions?	The copyright law of the Democratic Republic of the Congo includes no explicit library provisions.	

<b>Anti-Circumvention of Technological Protection Measures</b>	
Circumvention provisions?	None.

<b>Miscellaneous</b>		
Educational Uses	Permits reproduction of photographs in anthologies for teaching.	Art. 25
Source	Law on the Protection of Copyright and Neighboring Rights of the Democratic Republic of the Congo, Ordinance-Law No. 86-033 (5 April 1986), available at <a href="http://www.wipo.int/wipolex/en/text.jsp?file_id=270217">http://www.wipo.int/wipolex/en/text.jsp?file_id=270217</a> .	
Last edited:	6 December 2007; rev. 25 April 2015	

DENMARK

<b>General Provisions (applicable to various statutory exceptions)</b>		
Provide source of borrowing?	If the work is used publicly, the source must be indicated in accordance with proper usage.	§ 11
Alteration of Work?	A work used may not be altered more extensively than is required for the permitted use.	
Moral Rights?	The exceptions do not limit the moral rights of authors.	

<b>Preservation</b>		
Who can copy?	Public archives, public libraries, and other libraries that are financed in whole or in part by the public authorities.	§ 16(1); § 16(2)
	State-run museums and museums that have been approved in accordance with the Museums Act.	
	Conditions:   None.	
What can be copied?	Works.	
	Conditions:   Computer programs in digital form are excluded, but computer games are included.	
Purpose of the copy?	For back-up and preservation.	
	Conditions:   The reproduction may not be for commercial purposes.	
Medium of the copy?	Not specified.	
Other provisions?	These provisions apply correspondingly to performing artists' performances and recordings of such performances, sound recordings, recordings of moving pictures, radio and television broadcasts, photographic pictures, catalogs, tables, and databases.	§ 65(6); § 66(2); § 67(2); § 69(3); § 70(3); § 71(5)
	In special cases, copies made in accordance with this section may be loaned to users. Recordings of sound recordings and moving pictures and copies made in digital form are excluded.	§ 16(6)

<b>Completion</b>		
Who can copy?	Public archives, public libraries, and other libraries that are financed in whole or in part by the public authorities.	§ 16(1); § 16(3)
	State-run museums and museums that have been approved in accordance with the Museums Act.	
	Conditions:   None.	
What can be copied?	Missing parts of a collection.	
	Conditions:   Computer programs in digital form are excluded, but computer games are included.	
	Conditions:   Copying is not permitted where the work can be acquired through general trade or from the publisher.	

Purpose of the copy?	For completion of a copy in an institution's collection.		
	Conditions:	The reproduction may not be for commercial purposes.	
Medium of the copy?	Not specified.		
Other provisions?	These provisions apply correspondingly to performing artists' performances and recordings of such performances, sound recordings, recordings of moving pictures, radio and television broadcasts, photographic pictures, catalogs, tables, and databases.		§ 65(6); § 66(2); § 67(2); § 69(3); § 70(3); § 71(5)
	Copies made in accordance with this section may be loaned to users. Recordings of sound recordings and moving pictures and copies made in digital form are excluded.		§ 16(6)

<b>Unavailable Works</b>			
Who can copy?	Public archives, public libraries, and other libraries that are financed in whole or in part by the public authorities.		§ 16(1); § 16(4)
	State-run museums and museums that have been approved in accordance with the Museums Act.		
	Conditions:	None.	
What can be copied?	Published works that should be available in the library's collections but are unavailable.		
	Conditions:	Computer programs in digital form are excluded, but computer games are included.	
		Copying is not permitted where the work can be acquired through general trade or from the publisher.	
Purpose of the copy?	To place copies in the library's collections.		
	Conditions:	The reproduction may not be for commercial purposes.	
Medium of the copy?	Not specified.		
Other provisions?	These provisions apply correspondingly to performing artists' performances and recordings of such performances, sound recordings, recordings of moving pictures, radio and television broadcasts, photographic pictures, catalogs, tables, and databases.		§ 65(6); § 66(2); § 67(2); § 69(3); § 70(3); § 71(5)
	Copies made in accordance with this section may be loaned to users. Recordings of sound recordings and moving pictures and copies made in digital form are excluded.		§ 16(6)

<b>Private Use and Study (Making Available)</b>			
Who can communicate?	Public archives, public libraries, and other libraries that are financed in whole or in part by the public authorities.		§ 16a
	State-run museums and museums that have been approved in accordance with the Museums Act.		

	Conditions:   None.	
What can be communicated?	Published works.	
	Conditions:   None.	
Purpose of the communication?	For personal viewing or study by individuals.	
	Conditions:   None.	
Medium?	By means of technical equipment on the premises of the institution.	
Other provisions?	Deposited Copies: Copies that are made or deposited pursuant to the Act on Legal Deposit may only be made available at specific institutions named in the statute. Those institutions permitted to make available deposited works may communicate and hand over legal deposited works that have been broadcast on radio and television, films and works published on electronic communication networks, for research purposes, if the work cannot be acquired through general trade. The copies may not be used in any other way.	
	These provisions apply correspondingly to performing artists' performances and recordings of such performances, sound recordings, recordings of moving pictures, radio and television broadcasts, photographic pictures, catalogs, tables, and databases.	§ 65(6); § 66(2); § 67(2); § 69(3); § 70(3); § 71(5)

<b>Providing Works in Digital Form</b>			
Who can copy?	Public libraries and other libraries financed in whole or in part by the public authorities.	Art. 16b	
	Conditions:   None.		
What can be copied?	Articles from newspapers, magazines, and composite works, including accompanying illustrations and music reproduced in connection with the text.		
	Brief excerpts of books and other published literary works, including accompanying illustrations and music reproduced in connection with the text.		
	Conditions:	Provided the requirements regarding the extended collective license have been met (see Section 50).	
		The provision does not permit broadcast by radio or television or the making available of works in such a way that members of the public may access them from a place and at a time individually chosen by them.	
Purpose of the copy?	For request from users.		
	Conditions:   None.		
Medium of the copy?	Reproduction in digital form.		
Other provisions?	Extended collective license may be invoked by users who have made an agreement on the exploitation of works in question with an	§ 50 to § 52	

	organization comprising a substantial number of authors of a certain type of works which are used in Denmark. Remuneration may be required. In the absence of any result of negotiations on the making of agreements, each party may demand mediation.	
	These provisions apply correspondingly to photographic pictures, catalogs, tables, and databases.	§ 70(3); § 71(5)

<b>Anti-Circumvention of Technological Protection Measures</b>		
Circumvention provisions?	Yes.	
Prohibited Acts?	The Act of Circumvention?	The circumvention of technological measures is prohibited.
	Dealing in Devices?	Producing, importing, distributing, selling, renting, advertising for sale or rental, or possessing for commercial purposes circumvention devices is prohibited.
	Providing Services?	Providing circumvention services is prohibited.
Access Control or Owner's Rights Control?	Owner's Rights Control. The provisions relate to devices that in the normal course of their operation are designed to protect works, performances, and productions protected under this Act.	
Exemptions that could be used by libraries?	The Copyright License Tribunal may, upon request, order a rightsholder who has used technological measures to make such means available to a user which are necessary for the latter to benefit from the library provisions (and other provisions, as specified).	
	Condition:	The above provision only applies to the extent that the rightsholder has not, by voluntary measures, including agreements with other parties concerned, ensured that the user may benefit from the provisions notwithstanding the technological measures.
		The above provision does not apply to works and performances or productions 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.
		Art. 75c
		§ 75d (1)
		§ 75d (2)
		§ 75d (3)

Other provisions?	Where a work is used in accordance with the limitation provisions, copies may not be made on the basis of a circumvention of a technological measure. Copies of deposited works under Section 16(5) (regarding legal deposit) are excluded from this provision.	§ 11(3)
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<b>Miscellaneous</b>		
Making Available	In public libraries, works which have been made public may be made available to individuals for personal viewing or study on the spot by means of technical equipment.	§ 21(3)
Copying of Deposited Works	The copyright does not prevent the making of copies in accordance with the provisions of the Act on Legal Deposit of Published Material.	§ 16(5)
Personal Copying; Limitation on Using Library Machines	Anyone is entitled to make or have made, for private purposes, single copies of works which have been made public if this is not done for commercial purposes; certain works are excluded. However, this entitlement does not permit the user to make copies of musical works and cinematographic works by using technical equipment made available to the public in libraries. Literary works are also excluded, if the technical equipment has been provided for commercial purposes. Private uses are subject to remuneration (Sections 39 to 46a).	§ 12 (1)-(5)
Educational Uses	Permits various uses of works for educational purposes.	§ 13; § 18
Needs of the Blind	Permits uses of certain works to serve the needs of the blind and persons with other disabilities.	§ 17
Orphan Works	Statutory provisions implementing the European Union directive on orphan works. The general provisions in Section 11 also apply to the statutes on orphan works.	§§ 75f to 75m
Greenland and the Faeroe Islands	The copyright act does not extend to Greenland and the Faeroe Islands. However, it may by Royal Ordinance be put in force in Greenland with appropriate modifications.	§ 93
Source	Consolidated Act on Copyright of Denmark, No. 1144 (23 October 2014), available at <a href="http://kum.dk/servicemenu/english/services/legislation/copyright/">http://kum.dk/servicemenu/english/services/legislation/copyright/</a> .	
Last edited:	12 December 2007; rev. 25 April 2015	

DJIBOUTI

<b>General Library Use</b>		
Author's consent required?	No. The use is permitted without the author's consent.	Art. 54(e)
Who can copy?	Public libraries, non-commercial documentation centers, scientific institutions, and educational establishments.	
	Conditions:   None.	
What can be copied?	Literary, artistic, or scientific works that have been lawfully made available to the public.	
	Conditions:   The number of copies is limited to the purpose.	
Purpose of the copy?	For the needs of the institution's activities.	
	Conditions:   None.	
Medium of the copy?	By a photographic or analogous process.	
Other provisions?	The reproduction is permitted on condition that it is not prejudicial to the normal exploitation of the work or unjustifiably detrimental to the author's interests.	Art. 65(f)
	In general, all other uses constituting exceptions concerning works protected by copyright under the terms of the present Law also apply to the performing artists and producers of sound records and broadcast organizations.	

<b>Anti-Circumvention of Technological Protection Measures</b>	
Circumvention provisions?	None.

<b>Miscellaneous</b>		
Personal Copying	Reproduction, translation, adaptation, arrangement, or other transformation of a lawfully published work exclusively for the personal and private purposes of the user is permitted, subject to remuneration. Reproduction for personal and private uses of works protected by Neighboring Rights is also permitted, subject to remuneration.	Art. 54(a); Art. 65; Art. 66
Educational Uses	Permits limited uses for teaching purposes.	Art. 54(c)
Translation License	Government office may grant a license for translation of works; follows the Berne Appendix.	Art. 55-56
Reproduction License	Government office may grant a license for translation of works; follows the Berne Appendix.	Art. 57-59
Source	Law on the Protection of Copyright and Neighboring Rights of Djibouti, No. 154/AN/06 (23 July 2006), available at <a href="http://www.wipo.int/wipolex/en/details.jsp?id=9086">http://www.wipo.int/wipolex/en/details.jsp?id=9086</a> .	
Last edited:	6 December 2007; rev. 26 April 2015	

DOMINICA

<b>Research or Study</b>		
Who can copy?	Libraries and archives.	§ 68(a)
	Conditions: The activities of the institution must not serve direct or indirect commercial gain.	
What can be copied?	Published articles, other short works, or short extracts of works.	
	Conditions: Only a single copy can be made.	
	The act of reproduction must be an isolated case occurring, if repeated, on separate and unrelated occasions.	
Purpose of the copy?	The reproduction is only permitted where there is no collective license, offered by a collective administration organization of which the library or archive is or should be aware, under which such copies can be made.	
	For study, scholarship, and private research, by request of a person.	
	Conditions: The institution must be satisfied that the copy will be used solely for the permitted purposes.	
Medium of the copy?	Reprographic reproduction. See definition below.	

<b>Preservation and Replacement</b>		
Who can copy?	Libraries and archives.	§ 68(b)
	Conditions: The activities of the institution must not serve direct or indirect commercial gain.	
What can be copied?	Works.	
	Conditions: Only a single copy can be made.	
	Reproduction is permitted, provided that it is impossible to obtain such a copy under reasonable conditions.	
Purpose of the copy?	The act of reproduction must be an isolated case occurring, if repeated, on separate and unrelated occasions.	
	To preserve and, if necessary, replace a copy.	
	To replace a copy which has been lost, destroyed, or rendered unusable in the permanent collection of another similar library or archives.	
Medium of the copy?	Conditions: None.	
	Reprographic reproduction. See definition below.	

<b>Anti-Circumvention of Technological Protection Measures</b>			
Circumvention provisions?	Yes.		§ 52
Prohibited Acts?	The Act of Circumvention?	No.	
	Dealing in Devices?	Manufacturing or importing for sale or rental a circumvention device is prohibited.	
	Providing Services?	No.	
Access Control or Owner's Rights Control?	Owner's Rights Control. The provisions relate to devices that prevent or restrict reproduction of a work or impair the quality of copies made.		
Exemptions that could be used by libraries?	There are no explicit exemptions for circumvention.		

<b>Miscellaneous</b>		
Personal Copying	The private reproduction of a published work in a single copy is permitted where the reproduction is made by a person exclusively for his own personal purposes; certain works are excluded.	§ 63
Fair Practice	In determining whether the use of a work constitutes fair practice, the courts shall take into consideration all relevant factors, including the nature of the work, extent of the use, and effect on the market. The language of the factors tracks closely with U.S. fair use.	§ 66
Educational Uses	Permits various uses of many works for teaching purposes.	§ 67
Defined Term	"Reprographic process" means a process involving the use of an appliance for making single or multiple copies or for making facsimile copies; it includes, in relation to a work held in electronic form, any copying by electronic means, but does not include the making of a film or sound recording.	§ 2
Source	Copyright Act of Dominica, Act 5 (29 April 2003), available at <a href="http://www.wipo.int/wipolex/en/text.jsp?file_id=126422">http://www.wipo.int/wipolex/en/text.jsp?file_id=126422</a> .	
Last edited:	3 December 2007; rev. 26 April 2015	

DOMINICAN REPUBLIC

<b>Use by Readers</b>		
Who can copy?	Public libraries.	Art. 38
	Conditions:   None.	
What can be copied?	Protected works.	
	Conditions:   Deposited in their collections or archives.	
	Out of print on the local and international market.	
Purpose of the copy?	For the exclusive use of their readers.	
	Conditions:   None.	
Medium of the copy?	Not specified. May "reproduce a copy"; see definition of "reproduction."	
Other provisions?	No.	

<b>Preservation</b>		
Who can copy?	Public libraries.	Art. 38
	Conditions:   None.	
What can be copied?	Protected works.	
	Conditions:   Deposited in their collections or archives.	
	Out of print on the local and international market.	
Purpose of the copy?	Where necessary for the conservation of the works.	
	Conditions:   None.	
Medium of the copy?	Not specified. May "reproduce a copy"; see definition of "reproduction."	
Other provisions?	No.	

<b>Interlibrary Loan</b>		
Who can copy?	Public libraries.	Art. 38
	Conditions:   None.	
What can be copied?	Protected works.	
	Conditions:   Deposited in their collections or archives.	
	Out of print on the local and international market.	
Purpose of the copy?	For lending services to other libraries that are also public.	
	Conditions:   None.	
Medium of the copy?	Not specified. May "reproduce a copy"; see definition of "reproduction."	
Other provisions?	Such copies may also be reproduced in a single copy by the library that receives them, where this is necessary for the conservation thereof and for the sole purpose of being used by their readers.	

<b>Anti-Circumvention of Technological Protection Measures</b>			
Circumvention provisions?	Yes.		
Prohibited Acts?	The Act of Circumvention?	The act of circumvention is prohibited.	Art. 169(9)
	Dealing in Devices?	Producing, assembling, importing, modifying, selling, or in any other way placing in the public circumvention devices is prohibited.	Art. 169(8)
	Providing Services?	No.	
Access Control or Owner's Rights Control?	Both. The provisions relate to technical measures that prevent access to a work or protect a right, specifically of reproduction, of the copyright owner. The provisions also refer to circumventing means of encrypting signals or controlling reception of transmissions.		Art. 169(8); Art. 169(9)
Exemptions that could be used by libraries?	None.		

<b>Miscellaneous</b>		
General Limit and Three Step Test	"Limitations of and exceptions to copyright shall be interpreted restrictively and shall not be applied in such a way that they conflict with normal exploitation of the work or unreasonably prejudice the interests of the holder of the relevant right."	Art. 30
Quotation	Limited right to quote passages of authors.	Art. 31
Teaching or Examination	Limited right to make copies for teaching or for the holding of examinations in educational establishments of lawfully published articles or brief extracts from lawfully published works, on condition that such use is in accordance with fair practice, does not entail sale or any other transaction for payment, and that no profit making purposes are directly or indirectly pursued thereby.	Art. 32
Portraits	Limited right to publish portraits where it relates to scientific, educational or cultural purposes or to facts or events of public interest or that have occurred in public.	Art. 36
Personal Copies	Limited right to make copies of a literary or scientific work for personal use.	Art. 37
Public Communication	Limited right to communicate, but not reproduce, to the public for educational purposes or for sightless persons and persons with other physical disabilities.	Art. 44
Berne Appendix	Implementation of elements of the Berne Appendix for translation and other uses of works subject to further regulation and approval.	Arts. 45-48
Defined Terms	"Disclosure" means the fact of making the work, performance, or production available to the public for the first time, with the consent of the holder of the relevant right, by any means or process known or as yet unknown.	Art. 16(7)

	“Work” means any original intellectual creation of an artistic, scientific or literary nature that can be disclosed or reproduced in any form known or as yet unknown.	Art. 16(12)
	“Reproduction” means the production of copies which are made available to the public with the consent of the holder of the relevant right.	Art. 16(28)
	“Fair use” means use that does not interfere with the normal exploitation of the work or cause unjustified harm to the legitimate interests of the author or of the holder of the relevant right.	Art. 16(31)
Source	Copyright Law of Dominican Republic, Law 65-00 (26 July 2000), available at <a href="http://www.wipo.int/wipolex/en/text.jsp?file_id=275676">http://www.wipo.int/wipolex/en/text.jsp?file_id=275676</a> .	
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ECUADOR

<b>General Provisions (applicable to various statutory exceptions)</b>		
Author's consent required?	No. The use is permitted without the authorization by the owner of the rights.	Art. 83
Remuneration to author?	No. The use is permitted without being subject to remuneration.	
Other provisions?	Provided fair use is respected. See definition below.	
Three Step Test?	May not adversely affect normal exploitation of the work or cause injury to the interests of the rightsholder.	

<b>Replacement</b>			
Who can copy?	Libraries and archives (implicitly).		Art. 83(g)
	Conditions:	None.	
What can be copied?	Works forming part of the permanent collection of a library or archive.		
	Conditions:	Single copy only.	
Purpose of the copy?	For replacing the work where necessary.		
	Conditions:	The reproduction is permitted only if the work is not available on the market.	
Medium of the copy?	Any. See definition of "reproduction" below.		

<b>Anti-Circumvention of Technological Protection Measures</b>			
Circumvention provisions?	Yes.		Art. 25
Prohibited Acts?	The Act of Circumvention?	Evading or disabling technical measures is prohibited.	
	Dealing in Devices?	Importing, manufacturing, selling, renting, servicing, distributing, or dealing in circumvention devices is prohibited.	
	Providing Services?	No.	
Access Control or Owner's Rights Control?	Owner's Rights Control. The provisions relate to technical measures that prevent the violation of an author's rights.		
Exemptions that could be used by libraries?	There are no explicit exemptions for circumvention.		

<b>Miscellaneous</b>		
Defined Terms	"Reproduction" means the fixing of the work in any medium or by any process, whether known or yet to be known, including temporary or permanent digital storage, and the production of copies of all or part thereof.	Art. 7

	“Fair use” is use that does not interfere with the normal exploitation of the work or prejudice the legitimate interests of the author.	
Source <sup>26</sup>	Law on Intellectual Property of Ecuador, Codification No. 2006-13 (8 May 1998), available at <a href="http://www.wipo.int/wipolex/en/text.jsp?file_id=281172">http://www.wipo.int/wipolex/en/text.jsp?file_id=281172</a> .	
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<sup>26</sup> Bolivia, Colombia, Ecuador, and Peru are members of the Andean Community and signatories to the Cartagena Agreement of 1969. Decision 351 of the Commission of the Andean Community includes copyright exceptions applicable in the member countries, including provisions for libraries and archives. See details in the footnote accompanying the Bolivia charts in this report.

EGYPT

<b>General Provisions (applicable to various statutory exceptions)</b>		
Author's consent required?	No. The author may not prevent the following provisions, after publication of the work.	Art. 171
Moral rights?	The following provisions are without prejudice to the moral rights of the author.	

<b>Research or Study</b>			
Who can copy?	Intermediaries of documentation and archiving centers.		Art. 171(8)
	Bookshops not aimed at making any direct or indirect profit.		
	Conditions:	None.	
What can be copied?	Published articles, short works, and extracts of works.		
	Conditions:	Only a single copy can be made, or more than one copy only if created on different occasions.	
Purpose of the copy?	For study or research purposes, to satisfy the needs of a natural person.		
	Conditions:	None.	
Medium of the copy?	Any. See definition of "reproduction" below.		

<b>Preservation and Replacement</b>			
Who can copy?	Intermediaries of documentation and archiving centers.		Art. 171(8)
	Bookshops not aimed at making any direct or indirect profit.		
	Conditions:	None.	
What can be copied?	Works.		
	Conditions:	Reproduction is permitted if it is impossible to obtain a substitute copy under reasonable conditions.	
Purpose of the copy?	For preservation of an original copy.		
	For replacement, when necessary, of a lost or destroyed copy, or a copy that has become invalid.		
	Conditions:	None.	
Medium of the copy?	Any. See definition of "reproduction" below.		

<b>Anti-Circumvention of Technological Protection Measures</b>		
Circumvention provisions?	Yes.	Art. 181(5); 181(6)

Prohibited Acts?	The Act of Circumvention?	The act of circumvention is prohibited.	
	Dealing in Devices?	Manufacturing, assembling, or importing for the purpose of sale or rental any circumvention device is prohibited.	
	Providing Services?	No.	
Access Control or Owner's Rights Control?	Not specified. The provisions apply to technical protection devices used by the author or owner of related rights.		
Exemptions that could be used by libraries?	There are no explicit exemptions for circumvention.		

<b>Miscellaneous</b>		
Private Copying	Permits making a single copy of a work for personal use, provided it does not interfere with normal exploitation or cause undue prejudice to the legitimate interest of rightsholders.	Art. 171(2)
Educational Uses	Permits various uses of works for teaching.	Art. 171(6)-(7)
Public Lending	Circulation of works through sale, rent, loan, or licensing is governed by Art. 187.	Art. 187
Defined Terms	"Reproduction" means making one or more exact copies of a work or a sound recording, in any manner or form, including permanent or temporary storage of the work or sound recording in an electronic form.	Art. 138
Source	Law on the Protection of Intellectual Property Rights of Egypt, No. 83 (2 June 2002), available at <a href="http://www.wipo.int/wipolex/en/text.jsp?file_id=126540">http://www.wipo.int/wipolex/en/text.jsp?file_id=126540</a> .	
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EL SALVADOR

<b>Preservation and Replacement</b>		
Who can copy?	Libraries or archives.	Art. 45(d)
	Conditions: The institutions must not pursue profit-making purposes.	
What can be copied?	Lawfully disclosed works that form part of the permanent stocks of the institution.	
	Conditions: Only a single copy can be made. The reproduction is permitted only where it is not possible to acquire another original in a reasonable time or on reasonable terms.	
Purpose of the copy?	To preserve the copy and replace it in case of need.	
	To replace in the permanent stocks of another library or archive a work that has been mislaid, destroyed, or rendered unusable.	
	Conditions: None.	
Medium of the copy?	Not specified. See definition of "reproduction" below.	

<b>Anti-Circumvention of Technological Protection Measures</b>			
Circumvention provisions?	Yes.	Art. 85-D	
Prohibited Acts?	The Act of Circumvention?		Yes.
	Dealing in Devices?		Yes.
	Providing Services?		Yes.
Access Control or Owner's Rights Control?	Both. Effective technological measures are systems that control access and protect the rights under copyright.		
Exemptions that could be used by libraries?	Nonprofit libraries, archives, educational institutions, or non-commercial public broadcasting bodies are not liable for payment of damages if they did not know and had no reason to know that the activities were prohibited. Such institutions are also exempt from criminal liability. Nonprofit educational institutions, libraries, or archives have an exemption allowing them to access works with the sole aim of deciding whether to acquire the works.		

<b>Miscellaneous</b>		
Educational Uses	Permits broad uses of works for educational purposes.	Art. 44(c)
Needs of Disabled Persons	Permits uses for the blind or other handicapped persons.	Art. 44(d)

Personal Copying	Reproduction is permitted of one copy of a lawfully disclosed work for the personal and exclusive benefit of the user, who shall have made it himself with his own facilities, provided that the normal exploitation of the work is not affected and the legitimate interests of the author are not unjustifiably prejudiced thereby.	Art. 45(a)
Personal Copying	Photomechanical reproduction is permitted of a lawfully disclosed work for exclusive personal use, such as by photocopying and microfilming, provided it is confined to small parts of a protected work or to works that are out of print. Any use of the parts reproduced for other than personal purposes, made by any means or process and in competition with the author's exclusive right to exploit his work, shall be treated as unlawful reproduction.	Art. 45(b)
Educational Uses	Permits reproduction by reprographic means of short works for teaching.	Art. 44(c)
Defined Term	The exclusive right of reproduction is defined as the right to reproduce a work by fixing it in a material form according to any process that allows it to be communicated to the public in an indirect and durable manner, or to make copies of all or part of a work; this may be achieved by mechanical reproduction methods such as printing, lithography, photocopying, cinematography, phonographic recording, magnetic recording, photography, and any other form of fixation; the reproduction of improvisations, speeches, readings, and in general all public recitations by means of stenography, typewriting, and other comparable processes is also included.	Art. 7(a)
Source	Law on the Promotion and Protection of Intellectual Property of El Salvador, Legislative Decree No. 604 (15 July 1993), available at <a href="http://www.wipo.int/wipolex/en/text.jsp?file_id=129722">http://www.wipo.int/wipolex/en/text.jsp?file_id=129722</a> , as amended by Legislative Decree No. 912 (14 December 2005), available at <a href="http://www.wipo.int/wipolex/en/text.jsp?file_id=178096">http://www.wipo.int/wipolex/en/text.jsp?file_id=178096</a> .	
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EQUATORIAL GUINEA

<b>Library Provisions (none)</b>		
Library Provisions?	The Law on Intellectual Property of Equatorial Guinea includes no explicit library exceptions.	

<b>Anti-Circumvention of Technological Protection Measures</b>		
Circumvention provisions?	None.	

<b>Miscellaneous</b>		
Source <sup>27</sup>	Law on Intellectual Property of Equatorial Guinea (10 January 1879), available at <a href="http://www.wipo.int/wipolex/en/text.jsp?file_id=240885">http://www.wipo.int/wipolex/en/text.jsp?file_id=240885</a> .	
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<sup>27</sup> Equatorial Guinea is a member of the Bangui Agreement, which includes copyright exceptions applicable to libraries and archives and provisions on anti-circumvention. See the charts of Benin's law in this report for a footnote with detailed information.

ERITREA

<b>Library Provisions (none)</b>		
Library Provisions?	The copyright law of Eritrea includes no explicit library exceptions.	

<b>Anti-Circumvention of Technological Protection Measures</b>		
Circumvention provisions?	None.	

<b>Miscellaneous</b>		
Parody	A parody, pastiche, or caricature is not considered an adaptation, and not within the author's rights.	Art. 1654(3)
Private Performances	Limited rights for private performances.	Art. 1656
Articles of Topical Interest	Limited rights to make copies of articles of topical interest.	Art. 1657
Personal Copying	Limited rights to make copies of speeches or articles for private use.	Art. 1660
Source	Provisional Commercial Code of Eritrea and Provisional Civil Code of Eritrea (1993) (extracts relating to IP rights), available at <a href="http://www.wipo.int/wipolex/en/text.jsp?file_id=244453">http://www.wipo.int/wipolex/en/text.jsp?file_id=244453</a> .	
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ESTONIA

<b>Preservation and Replacement</b>			
Who can copy?	Public archives, museums, and libraries.		§ 20(1) subsecs. (1)-(4)
	Conditions:	None.	
What can be copied?	Works in the collection of the institution.		
	Conditions:	Reproduction is only permitted when acquisition of another copy of the work is impossible; however, digitization for preservation is still permitted.	
Purpose of the copy?	To replace a work which has been lost, destroyed, or rendered unusable.		
	To make a copy to ensure the preservation of the work.		
	To replace a work which belonged to the permanent collection of another library, archives, or museum, if the work is lost, destroyed, or rendered unusable.		
	To digitize a collection for the purposes of preservation.		
	Conditions:	The activity must not be carried out for commercial purposes.	
Medium of the copy?	Any. See definition of "reproduction" below.		

<b>Copying for Users</b>			
Who can copy?	Public archives, museums, and libraries.		§ 20(1) subsec. (5)
	Conditions:	None.	
What can be copied?	Works in the collection of the institution.		
	Conditions:	The library may make the copy for the purpose set forth in Section 18 on personal copying. By implication, the library might not be able to copy the works not encompassed by Section 18: works of architecture and landscape architecture, works of visual art of limited edition, electronic databases, computer programs, and notes in reprographic form are excluded. (Note: Some computer programs can be reproduced for personal purposes under specified conditions, see Sections 24-25.)	
Purpose of the copy?	To make a copy for a natural person for personal use.		
	Conditions:	The activity must not be carried out for commercial purposes.	
Medium of the copy?	Any. See definition of "reproduction" below.		

<b>Research or Study (Making Available)</b>			
Who can communicate?	Public archives, museums, and libraries.		§ 20(4)
	Conditions:	None.	
What can be communicated?	Works in the collections of the institution.		
	Conditions:	None.	
Purpose of the communication?	For study or scientific purposes, on request of natural persons.		
	Conditions:	The activity must not be carried out for commercial purposes.	
Medium?	Through special equipment located on the premises of the institution.		

<b>Anti-Circumvention of Technological Protection Measures</b>			
Circumvention provisions?	Yes.		§ 80 <sup>3</sup>
Prohibited Acts?	The Act of Circumvention?	No.	Art. 225 Criminal Code
	Dealing in Devices?	Manufacturing, acquiring, possessing, using, delivering, selling or transferring a technical device or equipment designed for removal of protective measures is prohibited.	
	Providing Services?	No.	
Access Control or Owner's Rights Control?	Both. Permitted technical measures are designed to prevent or restrict acts related to a work. With the help of technological measures, the rightsholders control the use of protected works through the application of an access control or protection process.		§ 80 <sup>3</sup> (2), (3)
Exemptions that could be used by libraries?	In the cases of free use of the works for personal use, library purposes, and other designated uses, the rightsholder must adjust technical measures to allow the entitled persons to freely use the work to the extent necessary for the free use, where the entitled persons have legal access to the protected work.		§ 80 <sup>3</sup> (4)
	Conditions:	The section does not apply to computer programs.	§ 80 <sup>3</sup> (6)
		The section does not apply to such works which have been made available to the public on the basis of an agreement in such a way that persons can use them from a place and time individually chosen by them.	§ 80 <sup>3</sup> (5)
Other Provisions?	If the person entitled to free use and the rightsholder fail to reach an agreement on application of the technical measures within a reasonable period of time, the person may address the copyright committee through procedures set forth in the statute.		§ 80 <sup>3</sup> (4)

<b>Miscellaneous</b>		
Three Step Test	Application of the statutory exceptions may not adversely affect normal exploitation of the work or cause injury to the interests of the rightsholder.	§ 17
Public Lending	Libraries must pay remuneration for public lending; the calculation and payment procedures are set forth in Section 13 <sup>3</sup> .	§ 13 <sup>3</sup>
Private Uses	Permits reproduction and translation of lawfully published works by natural persons for personal use.	§ 18
Needs of Disabled Persons	Public archives, museums, and libraries can reproduce a work on the order of a court or state agency for the purpose of reproduction, distribution, and communication of a work in the interests of disabled persons.	§ 20(1) 6); 19 6)
Library Exhibition	A public archive, museum, or library has the right to use a work included in the collection thereof without the authorization of the author and without payment of remuneration for the purposes of an exhibition or the promotion of the collection to the extent justified by the purpose.	§ 20(3)
Limitation on Related Rights	Certain uses are permitted without the authorization of the performer, producer, or broadcaster. The section applies to cases where rights of authors of works are limited pursuant to Chapter IV of the Act, which contains the library exemptions.	§ 75(1) 6)
Defined Term	“Reproduction” means the making one or several temporary or permanent copies of the work or a part thereof directly or indirectly in any form or by any means.	§ 13(1)
Source	Copyright Act of Estonia, RT I 1992, 49, 615 (11 November 1992), as amended through RT I 29.10.2014, 2 (15 October 2014), available at <a href="https://www.riigiteataja.ee/en/eli/ee/Riigikogu/act/531102014005/consolide">https://www.riigiteataja.ee/en/eli/ee/Riigikogu/act/531102014005/consolide</a> .	
Last edited:	11 December 2007; rev. 26 April 2015	

ETHIOPIA

<b>Research or Study</b>		
Who can copy?	Libraries and archives.	Art. 12(2)
	Conditions: The activity of the institution may not be directly or indirectly for gain.	
What can be copied?	Published articles, short works, or short extracts of works.	
	Conditions: The act of reproduction must be an isolate case occurring, if repeated, on separate and unrelated occasions.	
	The reproduction is permitted where there is no available administrative organization which the institution is aware of, which can afford a collective license of reproduction.	
Purpose of the copy?	For study, scholarship, or private research, by request of a physical person.	
	Conditions: The institution must be satisfied that the copy will be used solely for the permitted purpose.	
Medium of the copy?	Any. See definition of "reproduction" below.	

<b>Preservation and Replacement</b>		
Who can copy?	Libraries, archives, memorial halls, museums, or similar institutions.	Art. 12(3)
	Conditions: The activity of the institution may not be directly or indirectly for gain.	
What can be copied?	Works.	
	Conditions: Reproduction is permitted where it is impossible to obtain a copy under reasonable conditions.	
	The act of reproduction must be an isolate case occurring, if repeated, on separate and unrelated occasions.	
Purpose of the copy?	To preserve and, if necessary, to replace a copy in the institution.	
	To preserve and, if necessary, to replace a copy which has been lost, destroyed, or rendered unusable in the permanent collection of another similar library or archive.	
	Conditions: None.	
Medium of the copy?	Any. See definition of "reproduction" below.	

<b>Anti-Circumvention of Technological Protection Measures</b>	
Circumvention provisions?	None.

<b>Miscellaneous</b>		
Personal Copying	The owner of copyright cannot forbid private reproduction of a published work in a single copy by a physical person exclusively for his own personal purposes; certain works are excluded.	Art. 9
Educational Uses	Permits reproduction of published works and sound recordings for the purpose of teaching, provided the use is within fair practice and to the extent justified by the purpose.	Art. 11
Sound Recordings	The rights of performers and producers in sound recordings do not apply to cases where a work can be used under Part II (which includes the library provisions) without the authorization of the author or other owner of copyright.	Art. 32(d)
Defined Terms	“Reproduction” means the making of one or more copies of a work or sound recording in any manner or form, including any permanent or temporary storage of work or sound recording in electronic form.	Art. 2(25)
Source	Proclamation to Protect Copyright and Neighboring Rights of Ethiopia, No. 410/2004 (24 July 2004), available at <a href="http://www.wipo.int/wipolex/en/text.jsp?file_id=174729">http://www.wipo.int/wipolex/en/text.jsp?file_id=174729</a> .	
Last edited:	30 November 2007; rev. 26 April 2015	

FIJI

<b>Research or Study (Literary, Dramatic, or Musical Works)</b>		
Who can copy?	Librarians of prescribed libraries, or persons acting on their behalf. See definition of “prescribed library” below.	§ 49
	Conditions:   None.	
What can be copied?	Published literary, dramatic, or musical works, contained in books by one author.	
	Published literary, dramatic, or musical works, contained in books by more than one author, including any artistic work included in that work and the typographical arrangement.	
	Conditions:   One copy of a short excerpt of a single author’s work is permitted if the work has one author; or one copy of a short excerpt of each author’s work is permitted if the work has more than one author.	
	The section does not include the copying of articles or computer programs.	
	No person may be supplied on the same occasion with more than one copy of the same material.	
	A copy may only be made if there is no collective license available of which the librarian is or should be aware.	
Purpose of the copy?	For research or private study.	
	Conditions:   The librarian must be satisfied that the person to whom the copy is supplied will use the copy for the allowed purpose. The librarian must be satisfied that the requirement is not related to any similar requirement of another person.	
Medium of the copy?	Any. See definition of “copying” below.	
Other provisions?	If a person to whom a copy is supplied is required to pay for it, the payment required must be no higher than the cost of production of the copy together with a reasonable contribution to the general expenses of the library.	

<b>Copying for Library Users (Articles)</b>		
Who can copy?	Librarians of prescribed libraries, or persons acting on their behalf. See definition of “prescribed library” below.	§ 50
	Conditions:   None.	
What can be copied?	Literary, dramatic, or musical works contained in	

	articles in periodicals, including any artistic work included in that work and the typographical arrangement.	
	Published editions that are articles in periodicals, including the typographical arrangement.	
	Conditions:	No person may be supplied on the same occasion with more than one copy of the same material.
		No person may be supplied on the same occasion with copies of more than one article contained in the same issue of a periodical unless the copies supplied all relate to the same subject matter.
		A copy may only be made if there is no collective license available of which the librarian is or should be aware.
Purpose of the copy?	For supply to a person. (Note: The provision does not specify a particular purpose that the person must have.)	
	Conditions:	None.
Medium of the copy?	Any. See definition of “copying” below.	
Other provisions?	If a person to whom a copy is supplied is required to pay for it, the payment required must be no higher than the cost of production of the copy together with a reasonable contribution to the general expenses of the library.	

<b>Supplying Copies to Other Libraries (Published Works)</b>		
Who can copy?	Librarians of prescribed libraries, or persons acting on their behalf. See definition of “prescribed library” below.	§ 51(1)
	Conditions: None	
What can be copied?	Published literary, dramatic, or musical works, including any artistic work contained in that work and the typographical arrangement. <sup>28</sup>	
	A literary, dramatic, or musical work contained in an article in a periodical, including any artistic work contained in that work and the typographical arrangement.	
	Conditions:	In the case of a literary, dramatic or musical work contained in a book by one author, not more than one copy of the work can be supplied.
		In the case of a work contained in a periodical, the whole article can be supplied.

<sup>28</sup> It seems that there may be considerable overlap of Section 51(1) and Section 51(2). Section 51(1)(c) appears to apply to a wide range of works and does not limit quantity. Section 51(2) apparently allows copies of entire books if the additional conditions of Section 51(3) are fulfilled. However, some books permitted under Section 51(2) might also be copied under Section 51(1)(c) without meeting the added conditions.

		In the case of any other published literary, dramatic or musical work, not more than one copy of the work or edition may be supplied.	
		The section excludes computer programs.	
Purpose of the copy?	For supply to another prescribed library.		
	Conditions:	None.	
Medium of the copy?	Any. See definition of "copying" below.		

<b>Supplying Copies to Other Libraries (Published Books)</b>			
Who can copy?	Librarians of prescribed libraries, or persons acting on their behalf. See definition of "prescribed library" below.		§ 51(2)
	Conditions:	None.	
What can be copied?	A literary, dramatic, or musical work from a published edition of a book, including any artistic work contained in the work and the typographical arrangement.		
	Conditions:	The section excludes computer programs.	
		The receiving librarian must have been unable to obtain the work at a commercial price within the six months preceding the supply.	
		The receiving librarian must make and keep a record sufficient to identify the work copied.	
		The receiving librarian must permit the inspection of the record by the copyright owner during normal office hours.	
		On demand, the receiving librarian must pay equitable remuneration to the copyright owner for the work copied. "Equitable remuneration" means a sum agreed upon by the librarian and the copyright owner. If an agreement cannot be reached, either party may apply for a determination to be made by the Copyright Tribunal (Section 163).	
Purpose of the copy?	For supply to another librarian of a prescribed library.		
	Conditions:	None.	
Medium of the copy?	Any. See definition of "copying" below.		

<b>Preservation and Replacement</b>			
Who can copy?	Librarians of prescribed libraries, or persons acting on their behalf. See definition of "prescribed library" below.		§ 52
	Archivists of archives, or persons acting on their		

	behalf. See definition of “archive” below.	
	Conditions:   None.	
What can be copied?	Literary, dramatic, or musical works, including any artistic work contained within the work and the typographical arrangement.	
	Conditions:   The work may be copied only where it is not reasonably practicable to purchase a copy of the work to fulfill the allowed purpose.	
Purpose of the copy?	To preserve or replace an item by placing the copy in the permanent collection of the library or archive in addition to or in place of the item.	
	To replace in the permanent collection of another prescribed library or archive an item that has been lost, destroyed, or damaged.	
	Conditions:   None.	
Medium of the copy?	Any. See definition of “copying” below.	

<b>Copying for Library Users (Unpublished Works)</b>		
Who can copy?	Librarians of prescribed libraries, or persons acting on their behalf. See definition of “prescribed library” below.	§ 53
	Archivists of archives, or persons acting on their behalf. See definition of “archive” below.	
	Conditions:   None.	
What can be copied?	Unpublished works in the library or archive.	
	Conditions:   The work may not be copied if the copyright owner has prohibited copying of the work and at the time the copy is made the librarian or archivist making it is or ought to be aware of that fact.	
	A copy may only be made if there is no collective license available of which the librarian is or should be aware.	
	No person may be supplied on the same occasion with more than one copy of the same work.	
Purpose of the copy?	For supply to a person. (Note: The provision does not specify a particular purpose that the person must have.)	
Medium of the copy?	Any. See definition of “copying” below.	
Other provisions?	If a person to whom a copy is supplied is required to pay for it, the payment required must be no higher than the cost of production of the copy together with a reasonable contribution to the general expenses of the library.	

<b>Anti-Circumvention of Technological Protection Measures</b>		
Circumvention provisions?	Yes.	§ 223

Prohibited Acts?	The Act of Circumvention?	No.	
	Dealing in Devices?	Making, importing, selling, letting for hire, offering or exposing for sale or hire, or advertising for sale or hire a circumvention device is prohibited.	
	Providing Services?	Publishing information intended to enable or assist persons to circumvent protection devices is prohibited.	
Access Control or Owner's Rights Control?	Owner's Rights Control. The provisions relate to technical measures used to prevent or restrict copying of a work or to impair the quality of copies made.		
Exemptions that could be used by libraries?	There are no explicit exemptions for circumvention.		

<b>Miscellaneous</b>		
Rental by libraries	Copyright is not infringed by the library renting a work if certain conditions are fulfilled	§ 73
Archival Broadcasts	A recording of a broadcast or cable program as prescribed by regulations, or a copy of such a recording, maybe made for the purpose of being placed in an archive maintained by a body prescribed by regulations	§ 82
Defined Terms	“Archive” means the National Archives of the Fiji Islands; any library, museum, or other body approved by the Minister of Information to be a repository of archival material; any collection of documents of historical significance or public interest that is in the custody of and maintained by a person or body, whether incorporated or unincorporated, that does not keep and maintain the collection for the purpose of deriving a profit.	§ 2; § 48
	“Prescribed library” means the Parliamentary Library; a library maintained by an educational establishment, government department, or local authority; any other library or class of library prescribed by regulations made under Section 229, not being a library conducted for profit.	
	“Copying” means reproducing or recording the work in any material form and includes in relation to a literary, dramatic, musical, or artistic work - storing the work in any medium by any means; in relation to an artistic work - converting the work into a 3-dimensional form, or if it is in 3 dimensions, converting it into a 2-dimensional form; in relation to an audio visual work, television broadcast, or cable program - the making of a photograph of the whole or any substantial part of any image forming part of the audio visual work, broadcast, or cable program.	

Source	Copyright Act of Fiji (19 March 1999), available at <a href="http://www.wipo.int/wipolex/en/text.jsp?file_id=179081">http://www.wipo.int/wipolex/en/text.jsp?file_id=179081</a> .
Last edited:	18 December 2007; rev. 26 April 2015

FINLAND

<b>General Provisions (applicable to various statutory exceptions)</b>		
Author's consent?	No. But if the work is altered, it may not be altered without the author's consent more than necessitated by the permitted use.	Art. 11
Remuneration to author?	No.	
Provide name of author?	Author's name must be indicated to the extent and in a manner required by proper usage.	
Provide source of borrowing?	Source of the work must be indicated to the extent and in a manner required by proper usage.	
Public Performance or Distribution?	A copy of a work made by virtue of a limitation on copyright may be, for the purpose determined in the limitation, distributed to the public and used in a public performance.	

<b>Preservation, Replacement, and Library Administration</b>		
Who can copy?	Archives, and libraries and museums open to the public, as stated in a governmental decree.	Art. 16
	Conditions:   None.	
What can be copied?	Works from the collections of the institution.	
	Conditions:   None.	
Purpose of the copy?	To preserve the material and safeguard its preservation.	
	For technical reconstruction and restoration of the material.	
	For administration and organization of the institution's collections and for other internal use needed in order to maintain the collections.	
	Conditions:   The use cannot be for direct or indirect financial gain.	
Medium of the copy?	Not specified.	

<b>Completion</b>		
Who can copy?	Archives, and libraries and museums open to the public, as stated in a governmental decree.	Art. 16
	Conditions:   None.	
What can be copied?	Works from the collections of the institution.	
	Conditions:   The copying is only permitted where the work is unavailable through commercial distribution or communication.	
Purpose of the copy?	To complete a copy of an incomplete work.	
	To complete a missing part of a work published in several parts.	
	Conditions:   The reproduction cannot be for direct or indirect financial gain.	
Medium of the copy?	Not specified.	

<b>Copying for Library Users</b>			
Who can copy?	Archives, and libraries open to the public, as stated in a governmental decree.		Art. 16a
	Conditions:	None.	
What can be copied?	Published works that are susceptible to damage.		
	Individual articles from literary or artistic collections, newspapers, or magazines in the institution's collection.		
	Short excerpts of other published works.		
	Conditions:	For published works that are susceptible to damage, the copying is permitted unless the work is available through commercial distribution or communication. With respect to single articles and short excerpts of published works, the copying is permitted "where seen appropriate."	
Purpose of the copy?	To make the work available to the public.		
	To protect a published work that is prone to damage (implicitly).		
	Conditions:	The reproduction cannot be for direct or indirect financial gain. In the case of works susceptible to damage, the copy can be provided to the user "through lending" if the work is not available through commercial distribution or communication.	
		With respect to single articles and short excerpts of published works, the copies may be given to users for their private use.	
Medium of the copy?	By photocopying or similar means.		

<b>Research or Study (Making Available)</b>			
Who can copy?	Archives, and libraries and museums open to the public, as stated in a governmental decree.		Art. 16a
	Conditions:	None.	
What can be copied?	Works from the institution's collections.		
	Conditions:	Communication is permitted provided that relevant purchase or license terms or other contractual terms are not contradicted. Further digital reproduction or further communication of the work must be prevented.	
Purpose of the copy?	To communicate the works to the public for research or private study of members of the public.		
	Conditions:	The reproduction cannot be for direct or indirect financial gain.	
Medium of the copy?	Via dedicated terminals in the premises of the		

	institution.	
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<b>Anti-Circumvention of Technological Protection Measures</b>			
Circumvention provisions?	Yes.		Art. 50a & 50b
Prohibited Acts?	The Act of Circumvention?	The act of circumvention is prohibited where it protects against uses of the work. (Note: A person has the right, however, to view or listen to copies legally acquired even if circumvention is required to do so.)	
	Dealing in Devices?	Producing and making available circumvention devices is prohibited.	
	Providing Services?	Providing circumvention services is prohibited.	
Access Control or Owner's Rights Control?	Owner's rights control. The provisions relate to technical measures used to protect the author's rights.		
Exemptions that could be used by libraries?	Where a work or access to a work has been lawfully acquired, the person has the right to use the work to the extent necessary in accordance with the specified copyright limitations. Articles 16 (reproduction in libraries) and 16a (making available a work in libraries) are specified limitations. The author making the work available must provide the means for using it if it has technological restrictions. If voluntary means are not provided, the user has the right to request an arbitration proceeding.		Art. 50c
	Conditions:	The obligation to provide the means to use a work does not apply to 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.	
Other provisions?	Reaffirming the exemption for libraries, the copyright law includes a general prohibition against using a work under an exception if the technological measures have been circumvented. However that prohibition does not apply to the statutory library exceptions in Articles 16, 16a, 16b, and 16c. See Article 11(5).		

<b>Miscellaneous</b>		
Definition	The reproduction of a work shall comprise making copies of the work in whole or in part, directly or indirectly, temporarily or permanently and by any means or in any form whatsoever. The	Art. 2(2)

	reproduction of a work shall also comprise the transfer of the work on to another device, by which it can be reproduced or communicated.	
Legal Deposit Libraries	Permits legal deposit libraries to make specific uses of some works, including the right to apply the library exceptions of Articles 16 and 16a to works in the collections.	Art. 16b
Audiovisual Works	Specific provision for use of works by the National Audiovisual Library.	Art. 16c
Extended Collective License	A library or archive authorized to use a work under the library exceptions may make similar uses of other works in the collections pursuant to extended collective licensing.	Art. 16d
Government Decree	A government decree may specify the libraries that are permitted to apply the library exceptions.	Art. 16e
Persons with Disabilities	Permits uses of works to serve the needs of persons with disabilities.	Art. 17
Educational Uses	Permits reproductions of some works for compilations used in education.	Art. 18
Orphan Works	Implements the European Union directive on orphan works, 2012/28/EC. The Copyright Act, at Article 16f, references an orphan works exception that may be applied by libraries open to the public, archives, museums, educational institutions, and certain other organizations. The detailed terms of the law are separately codified in the Orphan Works Act, cited below.	Art. 16f
Source	Copyright Act of Finland, No. 404 (8 July 1961), as amended through No. 307 (30 April 2010), available at <a href="http://www.wipo.int/wipolex/en/text.jsp?file_id=208099">http://www.wipo.int/wipolex/en/text.jsp?file_id=208099</a> ; <i>AND</i> Copyright Decree of Finland, No. 574 (21 April 1995), as amended through No. 1004 (18 December 2008) (specifying institutions that may apply the exceptions), available at <a href="http://www.wipo.int/wipolex/en/text.jsp?file_id=208299">http://www.wipo.int/wipolex/en/text.jsp?file_id=208299</a> ; <i>AND</i> Orphan Works Act, No. 764/2013 (8 November 2013), available at <a href="http://www.finlex.fi/fi/laki/alkup/2013/20130764">http://www.finlex.fi/fi/laki/alkup/2013/20130764</a> .	
Last edited:	18 December 2007; rev. 13 May 2015	

FRANCE

<b>Preservation</b>			
Who can copy?	Publicly accessible libraries, museums, or archives.		Art. L122-5(8°)
	Conditions:	The institutions must not seek direct or indirect economic or commercial advantage.	
What can be copied?	Works.		
	Conditions:	None.	
Purpose of the copy?	For conservation.		
	Conditions:	None.	
Medium of the copy?	Not specified.		
Other provisions?	The provision also relates to related rights.		

<b>Copying for Library Users</b>			
Who can copy?	Publicly accessible libraries, museums, or archives.		Art. L122-5(8°)
	Conditions:	The institutions must not seek direct or indirect economic or commercial advantage.	
What can be copied?	Works.		
	Conditions:	None.	
Purpose of the copy?	For research or private study.		
	Conditions:	On the premises of the establishment and by dedicated terminals.	
Medium of the copy?	Not specified.		
Other provisions?	The provision also relates to related rights.		

<b>Anti-Circumvention of Technological Protection Measures</b>			
Circumvention provisions?	Yes.		Art. L331-5
Prohibited Acts?	The Act of Circumvention?	The act of circumvention is prohibited.	
	Dealing in Devices?	Manufacturing, importing, possessing for sale, lending, or rental, or offering to the public a circumvention device is prohibited.	
	Providing Services?	Offering a circumvention service is prohibited. Inducing the use of a circumvention device is also prohibited.	
Access Control or Owner's Rights Control?	Both. The provisions relate to technical measures that prevent or restrict uses that are not authorized by the right holder; it includes access controls and protection processes.		

Exemptions that could be used by libraries?	The rights owners must ensure that the effective benefit of the copyright exceptions, including the provision benefitting libraries, is made possible even if the work is protected by technological measures.		Art. L331-6
	Conditions:	The beneficiary of this exemption must have lawful access to the work.	
		This provision is not applicable where works or subject-matter are made available to the public on agreed contractual terms where the public may access them from a place and at a time individually chosen by them.	
Other provisions?	None of these provisions applies to software.		Art. L331-5
	The beneficiary can call upon the Authority of Regulation of Technological Measures to reconcile disagreements between the parties about access to a work.		Art. L331-6

<b>Miscellaneous</b>		
Personal Copying	Reproduction for strictly private purposes by the natural person making the reproduction is permitted. The copying may not be done for collective uses.	Art. L122-5(2 <sup>o</sup> )
Out-of-Print Books	Broad right given to the National Library of France to make digital copies of books that were published before 2001 but no longer available on the market in print or digital form. The National Library may also make those copies available to the public at other libraries under detailed conditions.	Art. L134-1, et seq.
Orphan Works	Implements the European Union directive on orphan works, 2012/28/EC.	Art. L135-1 et seq.
Source	Code of Intellectual Property of France (Consolidated as of 23 February 2015), available at <a href="http://www.wipo.int/wipolex/en/text.jsp?file_id=363403">http://www.wipo.int/wipolex/en/text.jsp?file_id=363403</a> .	
Last edited:	19 December 2007; rev. 29 August 2014; rev. 26 April 2015	

GABON

<b>Library Provisions (none)</b>		
Library Provisions?	The copyright law of Gabon includes no explicit library exceptions.	

<b>Anti-Circumvention of Technological Protection Measures</b>		
Circumvention provisions?	None.	

<b>Miscellaneous</b>		
Private Use	Permits reproduction, translation, and adaptation of works lawfully made available to the public for strictly personal and private use.	Art. 33
Fair Practice	Permits, "on condition that they comply with fair use," analyses and short quotation form works that are lawfully available to the public to the extent justified by the scientific, critical, polemic, teaching, or informatory purpose. Includes quotations from newspaper articles and periodicals in the form of press reviews. Must mention the title of the work and the name of the author.	Art. 34
Foreign Works	Government agency may license to a Gabonese national the right to translate and publish the translation of a work already made publicly available, or the right to reproduce and publish such a work. This license is limited only to teaching and research uses.	Art. 40 & 41
Source <sup>29</sup>	Law Instituting Protection for Copyright and Neighboring Rights of Gabon, No. 1/87 (29 July 1987), available at <a href="http://www.wipo.int/wipolex/en/text.jsp?file_id=362136">http://www.wipo.int/wipolex/en/text.jsp?file_id=362136</a> .	
Last edited:	28 April 2014; rev. 25 April 2015	

<sup>29</sup> Gabon is a member of the Bangui Agreement, which includes copyright exceptions applicable to libraries and archives and provisions on anti-circumvention. See the charts of Benin's law in this report for a footnote with detailed information.

GAMBIA

<b>Preservation</b>		
Who can copy?	Library or archive whose activities do not serve direct or indirect gain.	§ 31(b)
	Conditions:   None.	
What can be copied?	A work.	
	Conditions:   None.	
Purpose of the copy?	To preserve.	
	Conditions:   None.	
Medium of the copy?	By reprographic reproduction.	
Other provisions?	May make a single copy.	
	It is impossible to obtain the copy under reasonable conditions.	
	The act of reprographic reproduction is an isolated case occurring, if repeated, on separate and unrelated occasions.	

<b>Replacement</b>		
Who can copy?	Library or archive whose activities do not serve direct or indirect gain.	§ 31(b)
	Conditions:   None.	
What can be copied?	A work.	
	Conditions:   Held in the permanent collection of another similar library or archive.	
Purpose of the copy?	Necessary to replace a copy which has been lost, destroyed, or rendered unusable.	
	Conditions:   None.	
Medium of the copy?	By reprographic reproduction.	
Other provisions?	May make a single copy.	
	It is impossible to obtain the copy under reasonable conditions.	
	The act of reprographic reproduction is an isolated case occurring, if repeated, on separate and unrelated occasions.	

<b>Research or Study</b>		
Who can copy?	Library or archive whose activities do not serve direct or indirect gain.	§ 31(a)
	Conditions:   None.	
What can be copied?	Published article, other short work, or short extract of a work.	
	Conditions:   None.	
Purpose of the copy?	To satisfy the request of an individual.	
	Conditions:   Library or archive is satisfied the copy will be used solely for the purposes of study, scholarship, or private research.	
Medium of the copy?	By reprographic reproduction.	
Other provisions?	May make a single copy.	

	The act of reproduction is an isolated case occurring, if repeated, on separate and unrelated occasions.	
	Copy permitted if there is no collective license offered by a Collecting Society of which the library or archive is or should be aware, under which the copy can be made.	

<b>Anti-Circumvention of Technological Protection Measures</b>			
Circumvention provisions?	Yes.	§ 54(1)(a)	
Prohibited Acts?	The Act of Circumvention?	No.	
	Dealing in Devices?	Manufacturing or importing for sale or renting circumvention devices is prohibited.	§ 54(1)(a); § 54(1)(b)
	Providing Services?	No.	
Access Control or Owner's Rights Control?	Both. The provisions relate to technical measures that prevent access to a work or protect a right of the copyright owner.	§ 54(1)(a); § 54(1)(b); § 54(2)	
Exemptions that could be used by libraries?	No.		

<b>Miscellaneous</b>		
Personal Copying	Limited right to make copies for personal use.	§ 27
Temporary Reproduction	Limited right to make temporary reproductions.	§ 28
Quotation	Limited right to reproduce, in the form of quotation, of a short part of a published work if compatible with fair practice.	§ 29
Teaching Purposes	Limited right to make copies of published works for teaching purposes or for face-to-face teaching in educational institutions.	§ 30
Public Lending	The distribution and rental rights include the right of public lending. "Public lending" is defined in Section 2(1) as the temporary transfer of possession for nonprofit purposes "by an institution, the services of which are available to the public, including a library and an archive."	§§ 9(1)(d) & (e)
Folklore	Folklore is protected, but explicitly subject to certain exceptions, although not listed are the exceptions for libraries.	§ 8
Defined Terms	"Copy" means a reproduction of a work in a written form, or in the form of a recording or film, or in any manner or form, but an object shall not be taken to be a copy of an architectural work unless the object is a building or a model.	§ 2(1)
	"Published" means a work or a sound recording,	§ 2(1);

	<p>tangible copies of which have been made available to the public in a reasonable quantity for sale, rental, public lending or for other transfer of the ownership or the possession of the copies, provided that it was available to the public, in the case of (a) a work, with the consent of the author or other owner of copyright; and (b) a sound recording with the consent of the producer of the sound recording or his or her successor in title.</p> <p>The following provisions apply with respect to the “publication of a work”: (a) a work is deemed to have been published if copies of it have been made available in a manner sufficient to render the work accessible to the public; (b) where in the first instance, only a part of a work is public, that part shall be treated for the purposes of this Act as a separate work; and (c) a publication in any country shall not be treated as being other than the first publication by reason only of an earlier publication elsewhere if the two publications took place within a period of not more than thirty days.</p>	§ 2(2)
	<p>“Reproduction” means the making of one or more copies of a work or sound recording in any manner or form, including a permanent or temporary storage of the work or in electric form.</p>	§ 2(1)
Source	Copyright Act of the Gambia (5 April 2004), available at <a href="http://www.wipo.int/wipolex/en/text.jsp?file_id=221246">http://www.wipo.int/wipolex/en/text.jsp?file_id=221246</a> .	
Last edited:	22 April 2014; rev. 8 May 2015	

GEORGIA

<b>Preservation or Replacement</b>			
Who can copy?	Libraries and archives.		Art. 22(a)
	Conditions:	None.	
What can be copied?	Lawfully published works.		
	Conditions:	The copying must take place in separate cases.	
		Only a single copy may be made.	
		The copying is only permitted if obtaining a copy of the work in ordinary conditions through other means is impossible.	
		The volume of copying is limited by the purpose.	
Must indicate the source, including the author's name.			
Purpose of the copy?	To replace copies of works that have been destroyed, lost, or rendered unusable.		
	To replace copies of works that have been destroyed, lost, or rendered unusable for another library.		
	Conditions:	The copying must not be for direct or indirect gaining of profit.	
Medium of the copy?	Reprographic reproduction. See definition below.		
Other provisions?	Provided that the use does not prevent the normal use of the work and unreasonably damage the legal interests of the author or other holder of copyright.		Art. 18(9)

<b>Research or Study</b>				
Who can copy?	Libraries and archives.		Art. 22(b)	
	Conditions:	None.		
What can be copied?	Lawfully published articles and other small-volume works.			
	Excerpts from written works.			
	Conditions:	Computer programs are excluded.		
		The copying must take place in separate cases.		
		Only a single copy may be made.		
The volume of copying is limited by the purpose.				
Must indicate the source, including the author's name.				
Purpose of the copy?	For educational, scientific, or personal purposes, at the request of natural persons.			
	Conditions:	The copying must not be for direct or indirect gaining of profit.		
Medium of the copy?	Reprographic reproduction. See definition below.			
Other provisions?	Provided that the use does not prevent the normal use of the work and unreasonably damage the legal interests of the author or other holder of copyright.		Art. 18(9)	

<b>Anti-Circumvention of Technological Protection Measures</b>			
Circumvention provisions?	Yes.		Art. 58(3)
Prohibited Acts?	The Act of Circumvention?	Yes. Unlawful to circumvent technological measures.	
	Dealing in Devices?	Yes. Unlawful to manufacture, import, distribution, sale, rental, or advertisement for sale or rental of any technology, device or its components which serve the purpose of circumvention.	
	Providing Services?	Yes. Unlawful to offer and render services aimed at neutralizing technological measures by using a technology, device, or its components.	
Access Control or Owner's Rights Control?	Both. The definition of "technological measure" at Article 4(s) encompasses protecting rights and controlling access.		
Exemptions that could be used by libraries?	There are no explicit exemptions in the copyright statutes.		

<b>Miscellaneous</b>		
Defined Term	"Reprographic reproduction (copying)" means 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.	Art. 4(o)
Personal Copying	Permits natural persons to make copies of most types of publicly available works, solely for personal use.	Art. 21
Source	Law of Copyright and Neighboring Rights of Georgia (22 June 1999), as amended through No. 3020 (4 May 2010), available at <a href="http://www.wipo.int/wipolex/en/text.jsp?file_id=208969">http://www.wipo.int/wipolex/en/text.jsp?file_id=208969</a> .	
Last edited:	11 December 2007; rev. 11 May 2015	

GERMANY

<b>Research or Study (Making Available)</b>			
Who can communicate?	Publicly accessible libraries, museums, and archives.		§ 52b
	Conditions:	The institutions must have no direct or indirect economic or gainful purpose.	
What can be communicated?	Published works from the institution's collection.		
	Conditions:	The works may not be made accessible if contract terms prohibit it. <sup>30</sup>	
		The number of copies made simultaneously accessible cannot exceed the number of copies in the institution's collection.	
Purpose of the communication?	For research and private study.		
	Conditions:	None. <sup>31</sup>	
Medium?	Via dedicated terminals on the premises of the institution.		
Other provisions?	Reasonable compensation must be paid; a valid claim for payment is made through a rights management organization.		

<b>Library Copying for Users</b>			
Who can copy?	Public libraries.		§ 53a
	Conditions:	None.	
What can be copied?	Single published articles from newspapers or periodicals.		
	Small portions of other published works.		
	Conditions:	Copies in electronic form are limited to the extent justified by the non-commercial purpose.	
		Copies in electronic form are only permitted if access to the works by members of the public from places and at times of their choice is not clearly possible under equitable contractual terms.	
Purpose of the copy?	To supply to a requesting individual.		

<sup>30</sup> This provision and similar provisions in the statutes of European countries are based on implementation of a European Union directive. See Directive 2001/29/EC of the European Parliament and of the Council of 22 May 2001 on the Harmonization of Certain Aspects of Copyright and Related Rights in the Information Society, 2001 O.J. (L 167), pp. 10-19. A decision from the European Court of Justice, originating from Germany and interpreting Article 5(3)(n) of the directive, held that the library's right of use is conditioned on whether the library actually has a license for the use of the work, and not whether a license is merely available. See Case C-117/13, *Technische Universität Darmstadt v. Eugen Ulmer KG*, 2014 EUR-Lex 62013CC0117 (European Court of Justice, 11 Sept. 2014).

<sup>31</sup> The *Technische Universität Darmstadt* decision also held that a library is not required under the directive to block the ability of users to make digital or analog copies of the works, and that users will have to determine if their copies are permissible under other provisions of the copyright law.

	Conditions:	Copies sent by postal or fax delivery require that the individual's purpose must be consistent with Section 53 (which sets forth detailed exceptions for personal copying).	
		Copies in electronic form may only be used for illustration for teaching or for scientific research.	
Medium of the copy?	Any.		
	Conditions:	Copies of works may be sent by postal or fax delivery.	
		Copying in electronic form is only permitted as a graphic image of the work.	
Other provisions?	This provision permits reproduction and transmission.		
	Reasonable compensation must be paid; a valid claim for payment is made through a rights management organization.		

<b>Anti-Circumvention of Technological Protection Measures</b>			
Circumvention provisions?	Yes.		§ 95a (1)
Prohibited Acts?	The Act of Circumvention?	The act of circumvention is prohibited.	§ 95a (3)
	Dealing in Devices?	Manufacturing, importing, distributing, selling, renting, advertising for sale or rental, and possessing for commercial purposes circumvention devices is prohibited.	
	Providing Services?	Providing circumvention services is prohibited.	
Access Control or Owner's Rights Control?	Both. The provisions relate to technological measures that prevent or restrict acts that are not authorized by the rightsholder; it includes access controls and protection processes.		§ 95a (2)
Exemptions that could be used by libraries?	The law sets forth some exemptions to the circumvention provisions, which require that the rightsholder is obligated to make available the means which enable the uses within the applicable exceptions. However, the exemptions do not include the uses contained in this chart under Section 52b or 53a.		§ 95b
Other provisions?	The provisions on circumvention do not apply to computer programs.		§ 69a

<b>Miscellaneous</b>		
Private Copying	Reproduction is permitted for private copies made by natural persons solely for domestic purposes in the private sphere.	§ 53(1)
	Reproduction is permitted in singular copies for	§ 53(2)

	personal uses.	
Orphan Works	Implements the European Union directive on orphan works, 2012/28/EC.	§§ 61 to 61c
Reproduction of Works of Art	Public libraries, museums, and educational institutions may, in connection with a public exhibition or for documenting a collection, may reproduce and distribute works of art and photographs in catalogs, for non-commercial purposes.	§ 58
Source <sup>32</sup>	Law of Copyright and Related Rights of Germany, Federal Law Gazette, page 1273 (9 September 1965), as amended through Federal Law Gazette, page 3728 (1 October 2013), available at <a href="http://www.wipo.int/wipolex/en/text.jsp?file_id=317771">http://www.wipo.int/wipolex/en/text.jsp?file_id=317771</a> .	
Last edited:	19 December 2007; rev. 22 April 2015	

<sup>32</sup> This study benefited from an English translation of the statute available from the German government at [http://www.gesetze-im-internet.de/englisch\\_urhg/](http://www.gesetze-im-internet.de/englisch_urhg/).

GHANA

<b>Research or Study</b>		
Who can copy?	Libraries and archives.	§ 21
	Conditions: The activities of the institution must not be for gain.	
What can be copied?	Published articles, other short works, or short extracts of works.	
	Conditions: Only a single copy may be made by reprographic reproduction.	
	The copying must be an isolated case which occurs on separate and unrelated occasions.	
	The copy may be made only if there is no collective license available.	
Purpose of the copy?	For study, scholarship, or private research at the request of an individual.	
	Conditions: The library must ascertain that an individual is requesting the material solely for the permitted purposes.	
Medium of the copy?	Reprographic reproduction (term is not defined).	
Other provisions?	The provisions of this section are subject to the interest of the publisher, author, or the relevant collective administration society.	
	Where a library or archive requires more than a single copy of a work by reprographic reproduction, the permission for this shall be obtained from the author, other owner of copyright, or from an appropriate collective administration society authorized by the publisher.	

<b>Preservation and Replacement</b>		
Who can copy?	Libraries and archives.	§ 21
	Conditions: The activities of the library and archive must not be for gain.	
What can be copied?	Published articles, other short works, or short extracts of works.	
	Conditions: None.	
Purpose of the copy?	To preserve or replace a copy which has been lost, destroyed, or rendered unusable in the permanent collection of a similar library or archive.	
	Conditions: Reproduction is permitted if it is impossible to obtain the copy under reasonable circumstances.	
Medium of the copy?	Reprographic reproduction (term is not defined).	
Other provisions?	The provisions of this section are subject to the interest of the publisher, author, or the relevant collective administration society.	
	Where a library or archive requires more than a single copy of a work by reprographic reproduction, the permission for this shall be	

	obtained from the author, other owner of copyright, or from an appropriate collective administration society authorized by the publisher.	
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<b>Anti-Circumvention of Technological Protection Measures</b>			
Circumvention provisions?	Yes.		§ 42(1)(h)-(i)
Prohibited Acts?	The Act of Circumvention?	The act of circumvention is prohibited.	
	Dealing in Devices?	Manufacturing, importing, distributing, exporting, selling, renting, possessing for commercial purposes, offering to the public, advertising, communicating or otherwise providing devices or components for circumvention is prohibited.	
	Providing Services?	Offering to the public, advertising, communicating or otherwise providing services for circumvention is prohibited.	
Access Control or Owner's Rights Control?	Owner's Rights Control. The provisions relate to the inducing, enabling, facilitating, or concealing of an infringement of any protected copyright or related right.		
Exemptions that could be used by libraries?	There are no explicit exemptions for circumvention.		

<b>Miscellaneous</b>		
Personal Copying	Permits copying for personal use under limited conditions.	§ 19(1)(a)
Educational Uses	Permits reproductions and communication of works for education compatible with fair practice.	§ 19(1)(c)
Source	Copyright Act of Ghana, No. 690 (3 June 2005), available at <a href="http://www.wipo.int/wipolex/en/text.jsp?file_id=148037">http://www.wipo.int/wipolex/en/text.jsp?file_id=148037</a> .	
Last edited:	3 December 2007; rev. 9 May 2015	

GREECE

<b>Library Use</b>			
Who can copy?	Libraries and archives.		Art. 22
	Conditions:	The library or archive must be non profit-making.	
What can be copied?	Works in the permanent collection of the library or archive.		
	Conditions:	Only one copy may be made. The reproduction is only permitted if an additional copy cannot be obtained in the market promptly and on reasonable terms.	
Purpose of the copy?	For retaining the additional copy by the library or archive.		
	For transfer of the copy to another non profit-making library or archive.		
	Conditions:	None.	
Medium of the copy?	Any. The statute permits reproduction; see definition below.		

<b>Anti-Circumvention of Technological Protection Measures</b>			
Circumvention provisions?	Yes.		
Prohibited Acts?	The Act of Circumvention?	The act of circumvention is prohibited.	Art. 66A(2)
	Dealing in Devices?	Manufacturing, importing, distributing, selling, renting, advertising for sale or rental, and possessing for commercial purposes circumvention devices is prohibited.	Art. 66A(3)
	Providing Services?	Providing circumvention services is prohibited.	
Access Control or Owner's Rights Control?	Both. The provisions relate to technological measures that are designed to prevent or restrict acts which are not authorized by the rightsholder; the technological measures can include access control or a protection process.		Art. 66A(1)
Exemptions that could be used by libraries?	With respect to the exemptions for libraries and other specified uses, the rightsholders have the obligation to give to the beneficiaries the measures to ensure the benefit of the exception to the extent necessary, where the beneficiaries have legal access to the protected work or subject-matter concerned.		Art. 66A(5)
	Condition:	Where works or subject-matter are made available to the public on agreed contractual terms where the public may access them from a place and at a time	

		individually chosen by them, the exemption and mediation provisions do not apply.	
Other provisions?	If rightsholders do not take voluntary measures for the third parties such as libraries to benefit from the exception, the third party may request assistance from a mediator.		Art. 66A(5)

<b>Miscellaneous</b>			
Definition	The right of reproduction includes “the fixation and direct or indirect, temporary or permanent reproduction of their works by any means and in any form, in whole or in part.”		Art. 3(1)(a)
Personal Copying	It is permissible for a person to make a reproduction of a lawfully published work for his own private use, under elaborate conditions.		Art. 18
Educational Uses	Permits reproduction by printing of published literary works for textbooks as part of the curriculum established by government standards, without permission or payment. After the death of an author, reproductions of selections of that person’s works may be combined with writings of other authors in a printed anthology. These uses must include attribution of the source and not conflict with the normal exploitation of the work from which they are drawn.		Art. 20
Educational Uses	Permits reproduction of published articles and short extracts of other works for education.		Art. 21
Orphan Works	Provisions implementing the orphan works directive of the European Union. The orphan works provisions apparently apply only to works and phonograms that first secure copyright protection on or after 29 October 2014 (see Article 68A(3)).		Art. 27A
Persons with Disabilities	Permits uses of works for the needs of the blind and deaf mutes. Authorizes governmental agency to determine by regulation the scope and application of the provision.		Art. 28A
Three Step Test	Provides that the exceptions in general “shall only be applied in certain special cases which do not conflict with a normal exploitation of the work or other protected subject-matter and do not unreasonably prejudice the legitimate interests of the rightsholder.”		Art. 28C
Related Rights	The copyright exceptions apply mutatis mutandis to related rights.		Art. 52(b)
Source	Law of Copyright, Related Rights, and Cultural Matters of Greece, No. 2121 (4 March 1993), as amended through No. 4281 (2014), available at <a href="http://www.opi.gr/index.php/en/library/law-2121-1993">http://www.opi.gr/index.php/en/library/law-2121-1993</a> .		
Last edited:	3 December 2007; rev. 9 May 2015		

GRENADA

<b>Research, Study, or with a View to Publication (Unpublished Works)</b>			
Who can copy?	Anyone.		§ 34(i)
	Conditions:	None.	
What can be copied?	Literary or musical works, photographs, and engravings.		
	Conditions:	The work is unpublished, or the manuscript or a copy of the work is kept in a library or other institution where it is open to public inspection.	
		Copying is permitted where copyright subsists in the work but at a time more than 50 years from the end of the year in which an author died, and more than 75 years after the time at or during which the work was made.	
Purpose of the copy?	For research or private study or with a view to publication.		
	Conditions:	None.	
Medium of the copy?	Not specified.		

<b>Preservation and Replacement</b>			
Who can copy?	Anyone.		§ 34(i)
	Conditions:	None.	
What can be copied?	Literary or musical works, photographs, and engravings.		
	Conditions:	The work is unpublished, or a manuscript or a copy of the work is kept in a library or other institution where it is open to public inspection.	
		Copying is permitted where copyright subsists in the work but at a time more than 50 years from the end of the year in which an author died, and more than 75 years after the time at or during which the work was made.	
Purpose of the copy?	To preserve the manuscript or copy from damage or destruction by replacing it with the reproduction.		
	Conditions:	None.	
Medium of the copy?	Not specified.		

<b>Anti-Circumvention of Technological Protection Measures</b>	
Circumvention provisions?	None.

<b>Miscellaneous</b>		
Personal Copying	Fair dealing with a protected work for purposes of research or private study is permitted.	§ 34(2)(a)
Educational Uses	Permits limited reproductions and performances for education.	§ 34(2)(g) & (l)
Fair Dealing	Where a use is allowed as a matter of fair dealing, the court shall take into consideration all relevant factors, and the statute specifies four factors that reflect the factors of U.S. fair use.	§ 34(4)
Source	Copyright Act of Grenada, Cap. 67 (3 February 1989), available at <a href="http://www.wipo.int/wipolex/en/text.jsp?file_id=151135">http://www.wipo.int/wipolex/en/text.jsp?file_id=151135</a> .	
Last edited:	18 December 2007; rev. 9 May 2015	

GUATEMALA

<b>Replacement</b>			
Who can copy?	Nonprofit library or archive.		Art. 64(b)
	Conditions:	None.	
What can be copied?	Divulged works. See definition.		
	Conditions:	Works in the permanent collection of the library or archive or of another library or archive.	
		It is impossible to obtain such a copy under reasonable terms or conditions.	
Purpose of the copy?	Reproduction to replace a copy that is lost, destroyed, or rendered unusable.		
	Conditions:	None.	
Medium of the copy?	Any. See definition of "reproduction."		
Other provisions?	Concept of individual reproduction suggests that the act of reproduction is an isolated, one-time occurring case.		

<b>Preservation</b>			
Who can copy?	Nonprofit library or archive.		Art. 64(b)
	Conditions:	None.	
What can be copied?	Divulged works. See definition.		
	Conditions:	Works in the library or archive's permanent collection.	
		It is impossible to obtain such a copy under reasonable terms or conditions.	
Purpose of the copy?	Reproduction for preservation, if necessary.		
	Conditions:	None.	
Medium of the copy?	Any. See definition of "reproduction."		
Other provisions?	Concept of individual reproduction suggests that the act of reproduction is an isolated, one-time occurring case.		

<b>Anti-Circumvention of Technological Protection Measures</b>		
Circumvention provisions?	None.	

<b>Miscellaneous</b>		
Personal Copying	Limited right to make copies for personal use.	Art. 63(a)
Educational Copying	May make copies for educational purposes, in the course of the activities of an educational institution by staff and students, provided the copy is not for profit and the audience consists solely of the staff, students or those directly connected with the activities of the institution.	Art. 63(b)

	Published articles or short excerpts of published works may be copied by reprographic means for teaching or conducting examinations in educational institutions, provided that it is not for profit, does not interfere with the normal exploitation of the work, and does not prejudice the legitimate interests of the author.	Art. 64(a)
	May include parts of written, audiovisual, musical, photographic or other published works for analysis, teaching or research purposes.	Art. 66(d)
General Lending	Library or archive, whose activities are neither directly nor indirectly for profit, may lend lawful copies of written works to the public.	Art. 65
Defined Terms	“Copy” means tangible material containing a work or phonogram as a result of a reproduction.	Art. 4
	“Divulgate” is the making of a work available to the public by any means. [This concept is more expansive than the definition of publication.]	Art. 4
	“Reproduction” is the making by any means of one or more copies of a work or phonogram, whether in whole or in part, or permanent or temporary, or in any medium.	Art. 4
	“Fair use” is a use that does not interfere with the normal exploitation of the work or is not detrimental to the legitimate interests of the author. [Fair use is defined, but it evidently does not appear again in the statutes.]	Art. 4
Source	Law of Copyright and Related Rights of Guatemala (27 September 2000), available at <a href="http://www.wipo.int/wipolex/en/text.jsp?file_id=127669">http://www.wipo.int/wipolex/en/text.jsp?file_id=127669</a> .	
Last edited:	22 April 2014; rev. 11 May 2015	

GUINEA

<b>Library Provisions (none)</b>		
Library Provisions?	The law of copyright of Guinea includes no explicit library provisions.	

<b>Anti-Circumvention of Technological Protection Measures</b>	
Circumvention provisions?	None.

<b>Miscellaneous</b>		
Private Use	Permits reproduction, translation, and adaptation of works lawfully made available to the public for strictly personal and private use.	Art. 10
Fair Practice	Permits, "on condition that they comply with fair practice," analyses and short quotation form works that are lawfully available to the public to the extent justified by the scientific, critical, polemic, teaching, or informatory purpose. Includes quotations from newspaper articles and periodicals in the form of press reviews. Must mention the title of the work and the name of the author. Works may be used in their original language or in translation.	Art. 11
Berne Appendix	Subject to the Appendix of the Berne Convention, licenses may be granted by the Minister for Higher Education and Scientific Research to any natural person or legal entity residing on the territory of Guinea for the translation, reproduction, and publication of foreign works, under circumstances specified in the statute.	Art. 15 & 16
Source <sup>33</sup>	Law Adopting Provisions on Copyright and Neighboring Rights of Guinea, Act No. 043/APN/CP (9 August 1980), available at <a href="http://www.wipo.int/wipolex/en/text.jsp?file_id=328659">http://www.wipo.int/wipolex/en/text.jsp?file_id=328659</a> .	
Last edited:	30 November 2007; rev. 25 April 2015	

<sup>33</sup> Guinea is a member of the Bangui Agreement, which includes copyright exceptions applicable to libraries and archives and provisions on anti-circumvention. See the charts of Benin's law in this report for a footnote with detailed information.

GUINEA-BISSAU

<b>General Library Use</b>		
Who can copy?	Public entities, libraries, archives, and scientific institutions.	Art. 63
	Conditions:   None.	
What can be copied?	Extracts of works which have not yet fallen into the public domain.	
	Conditions:   None.	
Purpose of the copy?	For their own use.	
	Conditions:   None.	
Medium of the copy?	Reproduction.	
Other provisions?	Must be in accordance with established use.	
	The users must be expressly warned that these reproductions may not be used commercially without the consent of the authors.	

<b>Requests from Library Users</b>		
Who can copy?	Public entities, libraries, archives, and scientific institutions.	Art. 63
	Conditions:   None.	
What can be copied?	Extracts of works which have not yet fallen into the public domain.	
	Conditions:   None.	
Purpose of the copy?	For the private use of those making requests.	
	Conditions:   None.	
Medium of the copy?	Reproduction.	
Other provisions?	Must be in accordance with established use.	
	The users must be expressly warned that these reproductions may not be used commercially without the consent of the authors.	

<b>Anti-Circumvention of Technological Protection Measures</b>		
Circumvention provisions?	None.	

<b>Miscellaneous</b>		
Manuscripts in Libraries	Those who publish manuscripts which exist in libraries or archives, public or private, may not oppose the republication of the same manuscripts by others, in accordance with the original text, unless that publication is merely a reproduction of the version of the previous publisher.	Art 3(2)
Educational Uses	Limited right to reproduce photographs in scientific or educational works is permitted in exchange for payment to the author of fair compensation.	Art. 151
Performances for Educational Uses	Limited right to perform a work, such as hymns, officially adopted patriotic songs, works of a religious nature, or works included in educational	Art. 184

	programs or books, when integrated in teaching.	
Quotations for Education	Limited right to transcribe or summarize extracts of other's works in support of their own doctrines, for the purposes of criticism, discussion or teaching, or for anthologies for use in schools, on condition that the name of the author be stated and that the extent does not exceed that justified by the intended purpose.	Art. 185
Source <sup>34</sup>	Copyright Code of Guinea-Bissau, Decree-Law No. 46.980 (27 April 1966) as amended 28 March 1972, available at <a href="http://www.wipo.int/wipolex/en/text.jsp?file_id=272169">http://www.wipo.int/wipolex/en/text.jsp?file_id=272169</a> .	
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<sup>34</sup> Guinea-Bissau is a member of the Bangui Agreement, which includes copyright exceptions applicable to libraries and archives and provisions on anti-circumvention. See the charts of Benin's law in this report for a footnote with detailed information.

GUYANA

<b>Research or Study (Article in a Periodical Publication)</b>			
Who can copy?	By or on behalf of a librarian of a library.		§ 7(1); § 7(2); § 7(9)
	Conditions:	Library must be of a class prescribed by regulations made under this subsection by the Minister.  Libraries to which the regulations apply are not established or conducted for profit	
What can be copied?	Article in a periodical publication.		
	Conditions:	A copy of the article for this purpose includes a copy of the illustrations in the work, which are defined as one or more artistic works provided for explaining or illustrating the article.  For purposes of Section 7, an "article" includes an item of any description.	
Purpose of the copy?	To make or supply a copy for purposes of research or private study.		
	Conditions:	Copies in question are supplied only to persons satisfying the librarian, or a person acting on his behalf, that they require them for the above purposes.  That the librarian, or a person acting on his behalf, is satisfied that the persons will not use them for any other purpose.	
Medium of the copy?	Not specified.		
Other provisions?	The conditions prescribed by the regulations made under this subsection by the Minister must be complied with. The Minister may impose such other requirements as may appear to the Minister to be expedient.		
	No person is furnished under the regulations with two or more copies of the same article.		
	No copy extends to more than one article contained in any one publication.		
	Persons to whom copies are supplied under the regulations are required to pay for them a sum not less than the cost (including a contribution to the general expenses of the library) attributable to their production.		

<b>Research or Study (Published Literary, Dramatic, or Musical Work)</b>			
Who can copy?	By or on behalf of a librarian of a library.		§ 7(3); § 7(4); § 7(9)
	Conditions:	Library must be of a class prescribed by regulations made	

		under this subsection by the Minister.	
		Libraries to which the regulations apply are not established or conducted for profit	
What can be copied?	Part of published literary, dramatic, or musical work.		
	Conditions:	Other than an article contained in a periodical publication.	
		A copy of the work for this purpose includes a copy of the illustrations in the work, which are defined as one or more artistic works provided for explaining or illustrating the work.	
Purpose of the copy?	To make or supply a copy for purposes of research or private study.		
	Conditions:	Copies in question are supplied only to persons satisfying the librarian, or a person acting on his behalf, that they require them for the above purposes.	
		That the librarian, or a person acting on his behalf, is satisfied that the persons will not use them for any other purpose.	
Medium of the copy?	Not specified.		
Other provisions?	The conditions prescribed by the regulations made under this subsection by the Minister must be complied with.		
	No person is furnished under the regulations with two or more copies of the same article [part of a specified work].		
	Persons to whom copies are supplied under the regulations are required to pay for them a sum not less than the cost (including a contribution to the general expenses of the library) attributable to their production.		
	Any regulations made shall include such provision as the Minister may consider appropriate for securing that no copy to which the regulations apply extends to more than a reasonable proportion of the work in question.		
	This provision does not apply, if at the time when the copy is made, the librarian knows the name and address of a person entitled to authorize the making of the copy, or could by reasonable inquiry ascertain the name and address of such a person.		

<b>Research or Study (Unpublished Works)</b>			
Who can copy?	A person.		§ 7(6); § 7(9)
	Conditions:	None.	
What can be copied?	Unpublished and copyrighted literary, dramatic, or musical work.		

	Conditions:	Manuscript or a copy of the work is kept in a library, museum or other institution where (subject to any provisions regulating the institution in question) it is open to public inspection. A copy of the work for this purpose includes a copy of the illustrations in the work, which are defined as one or more artistic works provided for explaining or illustrating the article.	
Purpose of the copy?	For purposes of research or private study, or with a view to publication.		
	Conditions:	None.	
Medium of the copy?	Reproduction. See definition below.		
Other provisions?	Applies where, at a time more than fifty years from the end of the calendar year in which the author of a literary, dramatic, or musical work died, and more than one hundred years after the time, or the end of the period, at or during which the work was made.		

<b>Supply to Libraries</b>			
Who can copy?	By or on behalf of a librarian of a library.		§ 7(5); § 7(9)
	Conditions:	Library must be of a class prescribed by regulations made under this subsection by the Minister.	
What can be copied?	Published literary, dramatic or musical work.		
	Conditions:	A copy of the work, or a part of it. A copy of the work for this purpose includes a copy of the illustrations in the work, which are defined as one or more artistic works provided for explaining or illustrating the work.	
Purpose of the copy?	To supply to the librarian of any library of a class prescribed by the Minister.		
	Conditions:	None.	
Medium of the copy?	Not specified.		
Other provisions?	At the time when the copy is made, the librarian by or on whose behalf it is supplied does not know the name and address of any person entitled to authorize the making of the copy, and could not by reasonable inquiry ascertain the name and address of such a person. This does not apply in the case of an article contained in a periodical publication.		
	Any other conditions prescribed by the regulations must be complied with.		

<b>Anti-Circumvention of Technological Protection Measures</b>		
Circumvention provisions?	None.	

<b>Miscellaneous</b>		
Fair Dealing for Research or Private Study	Fair dealing with a literary, dramatic, or musical work or with an artistic work for purposes of research or private study is permitted.	§ 6(1); § 9(1)
Fair Dealing for Criticism or Review	Fair dealing with a literary, dramatic, or musical work or with an artistic work for purposes of criticism or review accompanied by sufficient acknowledgement is permitted.	§ 6(2); § 9(2)
School Use	Limited right to make copies of short passages in a collection intended for the use of schools.	§ 6(6)
Educational Use	Limited right to reproduce literary, dramatic, musical, or artistic works in the course of instruction or as part of the questions of or answers to an examination, perform literary, dramatic, or musical works in class or in the course of activities of a school.	§ 41
Orphan Works	If the conditions of Section 7(6) summarized above exist for a work immediately before it is incorporated into a new publication, that publication is not an infringement if notice is given pursuant to regulations, and if immediately before publication the identity of the copyright owner of the of the work was not known to the publisher. If that publication was not an infringement, then a subsequent broadcast, transmission, performance, and some other uses is also not an infringement.	§ 7(7); § 7(8)
Typographical Arrangements of Editions	All new editions of works have a limited protection against reproduction of the typographical arrangement, but a librarian of a library of a class as prescribed by the Minister may reproduce the arrangement in accordance with regulations by the Minister.	§ 15(4)
Defined Terms	“Sufficient acknowledgment” means an acknowledgment identifying the work in question by its title or other description and, unless the work is anonymous or the author has previously agreed or required that no acknowledgment of his name should be made, also identifying the author.	§ 6(10)
	“Minister” means the Minister of the Government of British Guiana for the time being charged with responsibility for public information.	§ 48(1)
	“Reproduction,” in the case of a literary, dramatic, or musical work, includes a reproduction in the form of a record or of a cinematograph film, and, in the case of an artistic work, includes a version produced by converting the work into a three-dimensional form, or, if it is in three dimensions, by converting it into a two-dimensional form, and references to reproducing a work shall be construed accordingly.	§ 48(1)
	A literary, dramatic, or musical work, or an edition of such a work, or an artistic work, shall be taken to have been “published” if, but only if,	§ 49(2)(c)

	reproductions of the work or edition have been issued to the public.	
Source	Copyright Act of Guyana 1956 (Cap. 74), <sup>35</sup> available at <a href="http://www.wipo.int/wipolex/en/text.jsp?file_id=229365">http://www.wipo.int/wipolex/en/text.jsp?file_id=229365</a> ; <i>AND</i> The Copyright (British Guiana) Order 1966 (Order No. 79 of 1966), available at <a href="http://www.wipo.int/wipolex/en/text.jsp?file_id=182143">http://www.wipo.int/wipolex/en/text.jsp?file_id=182143</a> .	
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<sup>35</sup> The provisions of Copyright Act 1956 of the United Kingdom were extended to Guyana by § 1 of the Copyright (British Guiana) Order 1966, with some amendments. The following news report from 2012 confirms that the 1956 statutes were adopted in 1966 as the copyright law of Guyana, and that the statutes had not been amended in the intervening years. Abiola Innis, "Commentary: The Guyana government and the protection of copyright laws," *Caribbean News Now!*, 9 October 2012, available at <http://www.caribbeannewsnow.com/topstory-Commentary%3A-The-Guyana-government-and-the-protection-of-copyright-laws-12938.html>.

HAITI

<b>Library Provisions (none)</b>		
Library Provisions?	The copyright law of Haiti includes no explicit library exceptions.	

<b>Anti-Circumvention of Technological Protection Measures</b>	
Circumvention provisions?	None.

<b>Miscellaneous</b>	
Source	Decree Relating to Copyright in Literary, Scientific, and Artistic Works of Haiti (9 January 1968), available at <a href="http://www.wipo.int/wipolex/en/text.jsp?file_id=158756">http://www.wipo.int/wipolex/en/text.jsp?file_id=158756</a> .
Last edited:	30 November 2007; rev. 9 May 2015

HOLY SEE

<b>Library Provisions (none)</b>		
Library Provisions?	The copyright law of the Holy See includes no explicit library exceptions.	

<b>General Provisions</b>		
Copyright and Related Rights	Where not specified, the Holy See observes Italian legislation, provided it is not contrary to divine law or the principles of canon law of the Holy See or of the international agreements to which the Holy See is or desires to be a signatory.	Art. 1

<b>Miscellaneous</b>		
Educational Copying	Limited right to make copies of the image or voice of the Roman Pontiff for religious, cultural, educational or scientific reasons.	Art. 3, § 3
Source	Law on Copyright and Related Rights of the Holy See, No. 132 (19 March 2011), available at <a href="http://www.wipo.int/wipolex/en/text.jsp?file_id=220491">http://www.wipo.int/wipolex/en/text.jsp?file_id=220491</a> .	
Last edited:	22 April 2014; rev. 11 May 2015	

HONDURAS

<b>Preservation</b>		
Who can copy?	Public libraries.	Art. 49
	Conditions:   None.	
What can be copied?	A copy of protected works deposited in the library's collections.	
	Conditions:   Works must be out of stock.	
Purpose of the copy?	To preserve where necessary.	
	For preservation and the exclusive use of the library's patrons.	
	Conditions:   May be used only by its patrons.	
Medium of the copy?	Any. See definition of "reproduction."	
Other provisions?	Where it is not possible to purchase a copy under reasonable conditions.	

<b>Loans to Other Libraries</b>		
Who can copy?	Public libraries.	Art. 49
	Conditions:   None.	
What can be copied?	A copy of protected works deposited in the library's collections.	
	Conditions:   Works must be out of stock.	
Purpose of the copy?	To service loans to other public libraries where necessary.	
	For preservation and the exclusive use of the library's patrons.	
	Conditions:   May be used only by its patrons.	
Medium of the copy?	Any. See definition of "reproduction."	
Other provisions?	Where it is not possible to purchase a copy under reasonable conditions.	
	In the case of the copies received by a public library, that copy may be reprographically reproduced, if necessary for preservation and solely for use by readers. Only a single copy permitted in an isolated case, or when repeated, in isolated and unrelated cases.	

<b>Anti-Circumvention of Technological Protection Measures</b>			
Circumvention provisions?	Yes.	Art. 167(18); Art. 167(19)	
Prohibited Acts?	The Act of Circumvention?	No.	
	Dealing in Devices?	Manufacturing or importing, for sale or rental, circumvention devices is prohibited.	Art. 167(18); Art. 167(19)
	Providing	No.	

	Services?	
Access Control or Owner's Rights Control?	Both. The provisions relate to technical measures that prevent access to a work or protect a right of the copyright owner.	Art. 167(18); Art. 167(19)
Exemptions that could be used by libraries?	No.	

<b>Miscellaneous</b>		
Personal Copying	Limited right to make copies of works for personal use.	Art. 47; Art. 48
Educational Copying	Limited right to make copies of lawfully published articles, lectures, lessons, short excerpts, or short works by reprographic means for teaching or conducting examinations in educational institutions, provided that the use is in accordance with "fair uses," as defined in Article 9(26).	Art. 50
Personal or Educational Performance	Limited right to perform theatrical or musical works when performed in private, in educational institutions for teaching purposes, civic celebrations, or social, cultural, or sporting activities, provided there is no profit or compensation.	Art. 56
Defined Terms	"Reproduction" is the realization by any means of one or more copies of a work, phonogram, or sound or audiovisual fixation, total or partial, permanent or temporary, in any kind of hardware, including storage by electronic means.	Art. 9(16)
	"Fair uses" are those not interfering with the normal exploitation of the work or detrimental to the legitimate interests of the author. The original Spanish expression "usos honrados" evidently appears only in Article 50.	Art. 9(26)
Source	Copyright and Neighboring Rights Law of Honduras, Decree No. 4-99-E (2006), available at <a href="http://www.wipo.int/wipolex/en/text.jsp?file_id=234858">http://www.wipo.int/wipolex/en/text.jsp?file_id=234858</a> .	
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HUNGARY

<b>Library Internal Use</b>			
Who can copy?	Publicly accessible libraries, educational establishments, museums, and archives, including audio and audiovisual archives.		Art. 35(4)
	Conditions:	None.	
What can be copied?	Works.		
	Conditions:	Only a minor part of a work made public or of an article published in a newspaper or periodical may be copied.	
		The work must be disclosed to the public (Article 33(1)). (The term "disclosed" is not defined.)	
		The reproduction is limited to "a copy."	
Purpose of the copy?	For scientific research, by archiving from the institution's own copy for a scientific purpose or to supply to another public library.		
	Conditions:	The use must be for internal institutional purposes, outside the scope of entrepreneurial activity.	
		The use is permitted to the extent and in the way justified by such a purpose if it is not intended for earning or increasing income even in an indirect way.	
Medium of the copy?	Any. See definition of "reproduction" below.		
Other provisions?	A separate law can be created to allow copying under certain conditions in exceptional cases.		

<b>Research or Study (Making Available)</b>			
Who can communicate?	Publicly accessible libraries, educational establishments, museums, and archives, including audio and audiovisual archives.		Art. 38(5)
	Conditions:	None.	
What can be communicated?	Works forming part of the institution's collection.		
	Conditions:	The work must be disclosed to the public (Article 33(1)). (The term "disclosed" is not defined.)	
		Making available is permitted in the absence of a contractual provision to the contrary.	
Purpose of the communication?	For research or private study.		
	Conditions:	The use may not be for direct or indirect earning or increasing income.	
Medium?	The work may be freely displayed to individual members of the public on the screens of dedicated terminals on the premises of such establishments.		

Other provisions?	Conditions may be provided in separate legislation.	
	The Decree of 2004 adds: (a) The institution must implement technical means to prevent modification and reproduction of the works or communication beyond the intended group of users; and (b) Users are required to make a statement that they will not use the works other than for research or private study.	
	The Decree of 2004 further permits that the collection of an institution may be interconnected with the collection at another institution and made available to the public at that institution via dedicated terminals. The connection must be by dedicated network and based on a safe technical solution that prevents any person from accessing the collections apart from the users of the collections of beneficiary establishments.	

<b>Anti-Circumvention of Technological Protection Measures</b>			
Circumvention provisions?	Yes.		Art. 95
Prohibited Acts?	The Act of Circumvention?	The act of circumvention is prohibited.	
	Dealing in Devices?	Manufacturing, importing, distributing, selling, renting, advertising for sale or rental, or possessing for commercial purposes circumvention devices is prohibited.	
	Providing Services?	Providing circumvention services is prohibited.	
Access Control or Owner's Rights Control?	Both. The provisions relate to technical measures that provide protection for copyright; they include access control and protection processes.		
Exemptions that could be used by libraries?	Yes. In the case of library copying (and other specified uses), a beneficiary of such a free use may demand that the rightsholder, in spite of the protection granted against circumvention, make the free use possible for him.		Art. 95/A (1)
	Conditions:	The beneficiary of the free use has access to the work lawfully in order to benefit from the exemption.	
Other provisions?	If the beneficiary and rightsholder cannot come to an agreement on making circumvention possible for the permitted free uses, then either party may initiate a procedure with the Copyright Mediation Board.		Art. 95/A (2)

<b>Miscellaneous</b>		
Defined Terms	Reproduction means the direct or indirect fixation of the work in any manner on a tangible carrier, whether definitively or temporarily, and the making	Art. 18

	of one or several copies of the fixation.	
	“Educational establishments” are broadly defined.	Art. 33(4)
Personal Copying	A copy of certain works may be made by a natural person for private purposes if it is not intended for earning or increasing income even in an indirect way. This section exempts certain whole works and other types of works as specified.	Art. 35 (1)-(3)
Lending	Copies made under any free use exception may not be distributed to the public, except for lending between libraries.	Art. 40
Needs of Disabled Persons	Any non-commercial use of a work shall be free if the purpose of the use is to meet demands of disabled persons that are directly related to the disability and it does not exceed the extent justified by the purpose, shall be free.	Art. 41(1)
Interpretation	The provisions relating to free use shall not be interpreted in an extensive manner.	Art. 33(3)
Three Step Test	The use under the provisions relating to free use is permitted and not subject to the payment of a fee only so far as it 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.	Art. 33(2)
Orphan Works	Regulations applying the terms of collective licensing to the use of orphan works.	Decree of 2009
Source	Copyright Act of Hungary, No. LXXVI (1 July 1999), as amended through No. CIX (2006), available at <a href="http://www.wipo.int/wipolex/en/text.jsp?file_id=325838">http://www.wipo.int/wipolex/en/text.jsp?file_id=325838</a> ; <i>AND</i> Government Decree of Hungary, No. 117 (28 April 2004) (regarding making available), available at <a href="http://www.wipo.int/wipolex/en/text.jsp?file_id=242074">http://www.wipo.int/wipolex/en/text.jsp?file_id=242074</a> ; <i>AND</i> Government Decree of Hungary, No. 100 (8 May 2009, consolidated 1 January 2011) (regarding collective licensing), available at <a href="http://www.wipo.int/wipolex/en/text.jsp?file_id=242073">http://www.wipo.int/wipolex/en/text.jsp?file_id=242073</a> .	
Last edited:	12 December 2007; rev. 11 May 2015	

ICELAND

<b>General Provisions (applicable to various statutory exceptions)</b>		
Provide name of author?	Yes. Must provide the name of the author, as appropriate under the circumstances, when a work is public presented.	Art. 26
Provide source of the borrowing?	Yes. Must provide the source of the work, as appropriate under the circumstances, when a work is public presented.	
Altering the Work?	No. The work may not be altered more than required for the purpose it is used.	
Moral Rights	Most of the statutory exceptions, including this library exception, are subject to a general provision that they shall not prejudice the moral rights of an author in accordance with Article 4.	

<b>Preservation and Safekeeping</b>		
Who can copy?	Public archives, public libraries, university libraries, and any other libraries enjoying support from public funds, public collections and museums, and institutions subject to the Act on Museums.	Art. 12(1)(1)
	Conditions: None.	
What can be copied?	Works.	
	Conditions: May not copy computer programs in digital form, except for computer games.	
Purpose of the copy?	For purposes of safekeeping and preservation.	
	Conditions: For use in the course of the institutions' own activities.	
	For non-financial purposes.	
Medium of the copy?	Reproduction. See definition below.	

<b>Preservation</b>		
Who can copy?	Public archives, public libraries, university libraries, and any other libraries enjoying support from public funds, public collections and museums, and institutions subject to the Act on Museums.	Art. 12(1)(4)
	Conditions: None.	
What can be copied?	Works.	
	Conditions: The originals are too delicate for loaning.	
	The works are unobtainable on the open market and from the publisher.	
Purpose of the copy?	To have reproductions of delicate works.	
	Conditions: For use in the course of the institutions' own activities.	
	For non-financial purposes.	
	The institutions are permitted to loan the reproduced copies.	
Medium of the copy?	Reproduction. See definition below.	

<b>Completion (Replacement of Missing Parts)</b>			
Who can copy?	Public archives, public libraries, university libraries, and any other libraries enjoying support from public funds, public collections and museums, and institutions subject to the Act on Museums.		Art. 12(1)(2)
	Conditions:	None.	
What can be copied?	Works.		
	Conditions:	From which parts are missing, and such parts constitute a minor proportion of a work in its entirety.	
		The work is unavailable on the open market and from the publisher.	
		The reproduction may be of only the parts of works missing from the copies held by the institution.	
Purpose of the copy?	To replace missing parts of works.		
	Conditions:	For use in the course of the institutions' own activities.	
		For non-financial purposes.	
		The institutions are permitted to loan the reproduced copies.	
Medium of the copy?	Reproduction. See definition below.		

<b>Research or Study (Making Available)</b>			
Who can communicate?	Public archives, public libraries, university libraries, and any other libraries enjoying support from public funds, public collections and museums, and institutions subject to the Act on Museums.		Art. 12a
	Conditions:	None.	
What can be communicated?	Published works.		
	Conditions:	The work must not be subject to purchase or license agreements.	
Purpose of the communication?	For research or study by individual members of the public.		
	Conditions:	By allowing access to individual persons.	
Medium?	Via special equipment for use on the premises of the institutions.		

<b>Anti-Circumvention of Technological Protection Measures</b>			
Circumvention provisions?	Yes.		Art. 50a
Prohibited Acts?	The Act of Circumvention?	Yes.	
	Dealing in Devices?	Yes.	
	Providing Services?	Yes.	
Access Control or Owner's Rights Control?	Owners' rights.		Arts. 50a &

		50b
Exemptions that could be used by libraries?	Yes. A user under Article 12 (the principal library exception) and certain other exceptions may request of a governmental agency authority to have access to the means necessary for the user to be able to employ the exception.	Art. 50c(1)

<b>Miscellaneous</b>		
Definitions	<p>“Reproduction”: It shall be considered as reproduction when a work is fixed in one or more physical forms.</p> <p>“Presented”: A work shall be considered as having been presented when it has been performed, with proper authorization, or shown publicly or copies of it have been published</p>	Art. 2
Copies Required by Law	Article 12 also authorizes the institutions to make copies of works that they are required by law to keep in their collections, if such copies are not obtainable on the open market and from the publisher.	Art. 12(1)(3)
Source <sup>36</sup>	The Copyright Act of Iceland, No. 73 (29 May 1972), as amended through No. 93 (21 April 2010), available at: <a href="http://www.wipo.int/wipolex/en/text.jsp?file_id=332081">http://www.wipo.int/wipolex/en/text.jsp?file_id=332081</a> .	
Last edited:	3 December 2007; rev. 28 August 2014; rev. 21 May 2015	

<sup>36</sup> A version of the Copyright Act in the Icelandic language is available at [http://www.wipo.int/wipolex/en/text.jsp?file\\_id=332155](http://www.wipo.int/wipolex/en/text.jsp?file_id=332155). Although that version may be current to 2011, the provisions central to this study do not appear to be affected.

INDIA

<b>Library Use</b>			
Who can copy?	Persons by or under the direction of the persons in charge of non-commercial public libraries.		§ 52(1) (o); § 52(2)
	Conditions:	None.	
What can be copied?	Books (including pamphlets, sheets of music, maps, charts, or plans).		
	Conditions:	Not more than three copies can be made.	
		Copying is only permitted if such book is not available for sale in India.	
Purpose of the copy?	For use of the library.		
	Conditions:	None.	
Medium of the copy?	Not specified. ("Copy" is not a defined term.)		
Other provisions?	This provision also applies to the doing of any act in relation to the translation of a literary, dramatic, or musical work or the adaptation of a literary, dramatic, musical, or artistic work as they apply in relation to the work itself.		

<b>Research, Study, or with a View to Publication</b>			
Who can copy?	Not specified.		§ 52(1) (p); § 52(2)
	Conditions:	None.	
What can be copied?	Unpublished literary, dramatic, or musical works.		
	Conditions:	The work must be kept in a library, museum or other institution to which the public has access.	
		Where the identity of the author of any such work is known (or in the case of a work of joint authorship, if any of the authors is known) to the institution, the reproduction is only permissible if made at a time more than 60 years from the date of death of the author (or in the case of a work of joint authorship, from the death of the author whose identity is known, or if the identity of more than one author is known, then from the date of death of the author who died last).	
Purpose of the copy?	Research, private study, or with a view to publication.		
	Conditions:	None.	
Medium of the copy?	Not specified. ("Reproduction" is not a defined term.)		

<b>Preservation</b>			
Who can copy?	Non-commercial public library.		§ 52(1) (n); § 52(2)
	Conditions:	None.	
What can be copied?	Works.		
	Conditions:	If the library already possesses a non-digital copy of the work.	
Purpose of the copy?	Preservation.		
	Conditions:	To store the work in any medium.	
Medium of the copy?	Electronic means.		
Other provisions?	This provision also applies to the doing of any act in relation to the translation of a literary, dramatic, or musical work or the adaptation of a literary, dramatic, musical, or artistic work as they apply in relation to the work itself.		

<b>Anti-Circumvention of Technological Protection Measures</b>			
Circumvention provisions?	Yes.		§ 65A(1)
Prohibited Acts?	The Act of Circumvention?	Yes.	
	Dealing in Devices?	No.	
	Providing Services?	No.	
Access Control or Owner's Rights Control?	Owners' rights.		
Exemptions that could be used by libraries?	The general prohibition on circumvention does not prohibit anyone from engaging in such activity for a purpose not expressly prohibited under the Copyright Act.		§ 65A(2)(a)

<b>Miscellaneous</b>		
Orphan Works	Permits users to petition a government agency for a license to use works if, among other conditions, the copyright owner cannot be identified or found.	§ 31A
Persons with Disabilities	Permits uses of some works for the needs of the blind and persons with disabilities.	§ 31B
Cinematograph films containing reproductions of unpublished works	It is not an infringement, in relation to a literary, dramatic, artistic, or musical work recorded or reproduced in any cinematographic film, to exhibit such film after the expiration of the term of copyright therein. If the work included therein was an unpublished work reproduced under Section 52(1)(p), then the exhibition of the cinematograph film must be accompanied by an acknowledgement identifying the work by its title or other description and identifying the author, unless the work is anonymous or the author of the work	§ 52(1) (y)

	has previously required that no acknowledgment of his name should be made. <sup>37</sup>	
Source	<p>Copyright Act of India, No. 14 (4 June 1957), as amended through Act No. 49 (30 December 1999), available at <a href="http://www.wipo.int/wipolex/en/text.jsp?file_id=128098">http://www.wipo.int/wipolex/en/text.jsp?file_id=128098</a>, as further amended by Copyright (Amendment) Act of India, No. 27 (7 June 2012), available at <a href="http://www.wipo.int/wipolex/en/text.jsp?file_id=304385">http://www.wipo.int/wipolex/en/text.jsp?file_id=304385</a>;  <i>AND</i>            Copyright Rules of India (14 March 2013), available at <a href="http://www.wipo.int/wipolex/en/text.jsp?file_id=335416">http://www.wipo.int/wipolex/en/text.jsp?file_id=335416</a>.</p>	
Last edited:	18 December 2007; rev. 28 August 2014; rev. 13 May 2015	

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<sup>37</sup> This provision is summarized here because it includes a reference to § 52(1)(p), which addresses library copying. This provision, however, is apparently relevant only to the copying permitted under § 52(1)(p) that is made “with a view to publication.”

INDONESIA

<b>Library Use</b>		
Who can copy?	Public libraries, scientific or educational institutions, and documentation centers of a non-commercial nature.	Art. 15(e)
	Conditions: None.	
What can be copied?	Works.	
	Conditions: Computer programs are excluded. The reproduction must be "limited."	
Purpose of the copy?	For conducting the activities of the institution.	
	Conditions: None.	
Medium of the copy?	Reproduction by any means. See definition below.	
Other provisions?	This provision also applies to related rights (see Article 51).	
	Must cite the source of the works (see Article 15).	

<b>Anti-Circumvention of Technological Protection Measures</b>			
Circumvention provisions?	Yes.		Art. 27
Prohibited Acts?	The Act of Circumvention?	The act of circumvention is prohibited.	
	Dealing in Devices?	No.	
	Providing Services?	No.	
Access Control or Owner's Rights Control?	Owner's Rights Control. The provisions relate to technical measures used to safeguard the right of the author.		
Exemptions that could be used by libraries?	There are no explicit exemptions for circumvention.		

<b>Miscellaneous</b>		
Orphan Works	Where the author and publisher are not known, the state shall hold the copyright for the interests of the author.	Art. 10
Personal Use	The use of a work for the purpose of education, research, scientific thesis, report writing, criticizing or reviewing an issue is not prohibited, provided that it does not prejudice the normal interest of the author and provided that the sources are fully cited.	Art. 15(a)
Berne Appendix	Permits reproductions and translations of works for education on terms that reflect the Berne Appendix.	Art. 16
Defined Term	"Reproduction" is defined as increasing the number of a work, either as a whole or its substantial parts using either the same or different material, including the changing of the form or mode of a work permanently or temporarily.	Art. 1(6)
Source	Law Regarding Copyright of Indonesia, No. 19 (29 July 2002), available at	

	<a href="http://www.wipo.int/wipolex/en/text.jsp?file_id=174070">http://www.wipo.int/wipolex/en/text.jsp?file_id=174070.</a>
Last edited:	14 December 2007; rev. 13 May 2015

IRAN (ISLAMIC REPUBLIC OF)

<b>General Library Use</b>		
Who can copy?	Public libraries, documentation centers, scientific institutions, and educational establishments, which are noncommercial.	Art. 8
	Conditions:   None.	
What can be copied?	Protected works.	
	Conditions:   In the numbers necessary.	
Purpose of the copy?	For the purposes of their activities.	
	Conditions:   None.	
Medium of the copy?	By a photographic or similar process.	
Other provisions?	According to a decree to be issued by the Board of Ministers.	

<b>Anti-Circumvention of Technological Protection Measures</b>		
Circumvention provisions?	None.	

<b>Miscellaneous</b>		
Quoting	Limited right to quote from published works for literary, scientific, technical, or educational purposes and in criticism or praise.	Art. 7
Personal copying	Limited right to make copies for personal use.	Art. 11
Source	Copyright Law of Iran (12 January 1970), available at <a href="http://www.wipo.int/wipolex/en/text.jsp?file_id=197798">http://www.wipo.int/wipolex/en/text.jsp?file_id=197798</a> .	
Last edited:	22 April 2014; rev. 13 May 2015	

IRAQ

<b>Library Provisions (none)</b>		
Library Provisions?	The Copyright Law of Iraq does not contain any explicit exceptions for libraries.	

<b>Anti-Circumvention of Technological Protection Measures</b>	
Circumvention provisions?	None.

<b>Miscellaneous</b>		
Three Step Test	Exceptions to exclusive rights of the author shall be confined to certain special cases which do not conflict with a normal exploitation of the work and do not unreasonably prejudice the legitimate interests of the right holder.	Art. 15bis
Source	Copyright Protection Law of Iraq, No. 3 (1971), available at <a href="http://www.wipo.int/wipolex/en/text.jsp?file_id=238415">http://www.wipo.int/wipolex/en/text.jsp?file_id=238415</a> , as amended by Coalition Provisional Authority Order, No. 83 (29 April 2004), available at <a href="http://www.wipo.int/wipolex/en/text.jsp?file_id=181110">http://www.wipo.int/wipolex/en/text.jsp?file_id=181110</a> .	
Last edited:	3 December 2007; rev. 9 May 2015	

IRELAND

<b>Research or Study (Articles)</b>		
Who can copy?	Librarians of prescribed libraries.	§ 61
	Archivists of prescribed archives.	
	Conditions: None.	
What can be copied?	Articles or the contents page of periodicals, including illustrations and the typographical arrangement.	
	Conditions: A person shall not be furnished with more than one copy of the same article unless the person satisfies the librarian that the previous copy has been lost, stolen, discarded, or destroyed, or a reasonable period of time has elapsed.	
	A person shall not be furnished with more articles from a volume of a periodical than the number of issues that comprise that volume or 10 percent of the volume, whichever is greater.	
Purpose of the copy?	For research or private study.	
	Conditions: The person must satisfy the librarian or archivist that he or she requires the copy for purposes of research or private study, and the he or she may not use it for any other purpose.	
Medium of the copy?	Not specified.	
Other provisions?	A copy of a work shall not be supplied to more than 3 persons whose requirements are related to any similar requirements of any other person. The requirements shall be deemed to be similar where the requirements for copies of substantially the same material at approximately the same time and for substantially the same purpose; and where those persons receive instructions to which the material is relevant at the same time and place.	§ 63

<b>Research or Study (Works Lawfully Made Available to the Public)</b>		
Who can copy?	Librarians of prescribed libraries.	§ 62; § 229
	Archivists of prescribed archives.	
	Conditions: None.	

What can be copied?	Parts of works that have been lawfully made available to the public, including illustrations and typographical arrangement.		
	Parts of recordings of performances that have been lawfully made available to the public.		
	Conditions:	A person shall not be furnished with a copy of more than a reasonable proportion of any work or recording.	
		A person shall not be furnished with more than one copy of the same material or recording unless the person satisfies the librarian that the previous copy has been lost, stolen, discarded, or destroyed, or a reasonable period of time has elapsed.	
Purpose of the copy?	For research or private study.		
	Conditions:	The person must satisfy the librarian or archivist that he or she requires the copy for purposes of research or private study, and the he or she may not use it for any other purpose.	
Medium of the copy?	Not specified.		
Other provisions?	A copy of a work shall not be supplied to more than 3 persons whose requirements are related to any similar requirements of any other person. The requirements shall be deemed to be similar where the requirements for copies of substantially the same material at approximately the same time and for substantially the same purpose; and where those persons receive instructions to which the material is relevant at the same time and place.		§ 63; § 230

<b>Research or Study (Works Not Lawfully Made Available to the Public)</b>			
Who can copy?	Librarians of prescribed libraries.		§ 67; § 234
	Archivists of prescribed archives.		
	Conditions:	None.	
What can be copied?	Whole or parts of works in the permanent collection of the library or archive which have not been lawfully made available to the public, including illustrations and typographical arrangement.		
	Whole or parts of recordings of performances in the permanent collection of the library or archive that have not been lawfully made available to the public.		
	Conditions:	A copy may not be made where the copyright owner has prohibited copying of the work and, at the time the copy is made, the librarian or archivist knew or ought to have been aware of that fact.	

		A person shall not be furnished with more than one copy or the work or part of the work.	
Purpose of the copy?	For research or private study.		
	Conditions:	The person must satisfy the librarian or archivist that he or she requires the copy for purposes of research or private study, and the he or she may not use it for any other purpose.	
Medium of the copy?	Not specified.		

<b>Supplying Copies to Other Libraries</b>			
Who can copy?	Librarians of prescribed libraries.		§ 64; § 231
	Archivists of prescribed archives.		
	Conditions:	None.	
What can be copied?	Periodicals or articles, including illustrations and typographical arrangement.		
	Whole or parts of works, including illustrations and typographical arrangement.		
	Whole or parts of recordings of performances.		
	Conditions:	If the work or recording has been lawfully made available to the public. A copy may not be made where, at the time the copy is made, the librarian or archivist making it could, by reasonable inquiry, obtain the consent of a person entitled to authorize the marking of the copy.	
Purpose of the copy?	To supply a copy to another prescribed library or prescribed archive.		
	Conditions:	None.	
Medium of the copy?	Not specified.		

<b>Preservation and Replacement</b>			
Who can copy?	Librarians of prescribed libraries.		§ 65; § 232
	Archivists of prescribed archives.		
	Conditions:	None.	
What can be copied?	Works in the permanent collection of the library or archive, including illustrations and typographical arrangement.		
	Recordings of performances in the permanent collection of the library or archive.		
	Conditions:	A copy may not be made where it is not reasonably practicable to purchase a copy of the work concerned.	
Purpose of the copy?	To preserve or replace that work by placing the copy in the permanent collection of that library or archive, in addition to or in place of that work.		

	To replace in the permanent collection of another prescribed library or prescribed archive a work which has been lost, destroyed, or damaged.	
	Conditions:   None.	
Medium of the copy?	Not specified.	

<b>Library Administrative Purposes</b>		
Who can copy?	Librarians of prescribed libraries.	§ 66; § 233
	Archivists of prescribed archives.	
	Conditions:   None.	
What can be copied?	Any work in the permanent collection of the library or archive, including illustrations and typographical arrangement.	
	Conditions:   None.	
Purpose of the copy?	For obtaining insurance cover for the work.	
	For security.	
	For compiling or preparing a catalog of works or an archival record of performance.	
	For exhibition in the library or archive.	
	For informing the public of an exhibition (does not include sound recordings, § 233).	
	Conditions:   The copying must be to an extent reasonably justified by the non-commercial purpose to be achieved.	
Medium of the copy?	Not specified.	

<b>Anti-Circumvention of Technological Protection Measures</b>			
Circumvention provisions?	Yes.		§ 140 (4);
Prohibited Acts?	The Act of Circumvention?	No.	§ 258 (3);
	Dealing in Devices?	Making, selling, renting, or lending; offering or exposing for sale, rental, or loan; importing into the State; or having possession, custody, or control of a circumvention device is prohibited.	§ 370
	Providing Services?	Providing information, or offering or providing a circumvention service is prohibited.	
Access Control or Owner's Rights Control?	Owner's Rights Control. The provisions relate to technical measures used to protect from a violation of an author's rights.		§ 2
Exemptions that could be used by libraries?	The chapter on technological protection measures shall not be construed as preventing any person from undertaking the acts permitted, or from undertaking any act of circumvention required to effect such permitted acts, by Sections 49-106 (which includes all of the sections pertaining to libraries); Sections 220-254 (which includes all of the sections pertaining to libraries with respect to		§ 374

	recordings of performances); and Sections 328-337 (with respect to databases).	
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<b>Miscellaneous</b>		
Exporting works of cultural importance	A copy can be made of works of cultural or historical importance prior to export under certain conditions.	§ 68; § 235
Additional Regulations	The Minister may make regulations with further conditions for libraries and archives under Sections 60-67.	§ 59
Declarations	The Minister may also make regulations requiring a user to sign a declaration with regard to the purpose for the copy. The librarian may rely upon the declaration unless the librarian is aware that it is false.	
Defined Term	A “work” means a literary, dramatic, musical or artistic work, sound recording, film, broadcast, cable program, typographical arrangement of a published edition or an original database and includes a computer program.	§ 2
Source	Copyright and Related Rights Act of Ireland, No. 28 (10 July 2000), available at <a href="http://www.wipo.int/wipolex/en/text.jsp?file_id=128034">http://www.wipo.int/wipolex/en/text.jsp?file_id=128034</a> , as amended by Copyright and Related Rights (Amendment) Act, No. 18, (3 June 2004), available at <a href="http://www.wipo.int/wipolex/en/text.jsp?file_id=188580">http://www.wipo.int/wipolex/en/text.jsp?file_id=188580</a> , and as further amended by Copyright and Related Rights (Amendment) Act, No. 39 (4 December 2007), available at <a href="http://www.wipo.int/wipolex/en/text.jsp?file_id=188579">http://www.wipo.int/wipolex/en/text.jsp?file_id=188579</a> .	
Last edited:	18 December 2007; rev. 28 August 2014; rev. 9 May 2015	

ISRAEL

<b>Replacement Copying</b>		
Who can copy?	Libraries and archives of a type as prescribed by the Minister.	§ 30(a)
	Conditions:   None.	
What can be copied?	Works in the collection of the library or archives.	
	Conditions:   Reproduction is permitted when it is not possible to purchase an additional copy of the work within a reasonable time and on reasonable terms.	
Purpose of the copy?	To replace a work which has been lost, destroyed, or has become unusable.	
	To replace a work that had been in the permanent collection of another library or archives, if the work has been lost, destroyed, or has become unusable.	
	To make a reserve copy, provided that the reserve copy is not used as an additional copy.	
	Conditions:   None.	
Medium of the copy?	Not specified, other than the provision permitting a "reserve copy" states that it may be "in any format."	
Other Provisions?	The Minister may prescribe conditions to the application of Section 30, and those conditions may apply generally or to only certain types of libraries or archives (Section 31).	

<b>Preservation Copying</b>		
Who can copy?	Libraries and archives of a type as prescribed by the Minister.	§ 30(c)
	Conditions:   None.	
What can be copied?	Works of a type as prescribed by the Minister.	
	Conditions:   None.	
Purpose of the copy?	Preservation.	
	Conditions:   The Minister may prescribe conditions for the execution of copying as well as conditions for the grant of public access to the copies.	
Medium of the copy?	Not specified.	
Other provisions?	The Minister may prescribe conditions to the application of Section 30, and those conditions may apply generally or to only certain types of libraries or archives (Section 31).	

<b>Copying for Library Users</b>		
Who can copy?	Libraries and archives of a type as prescribed by the Minister.	§ 30(b)
	Conditions:   None.	
What can be copied?	Works in the collection of the library or archives.	
	Conditions:   None.	
Purpose of the copy?	For a person requesting the copy.	
	Conditions:   Provided that the reproduction would be lawful if made by the person requesting the copy.	
Medium of the copy?	Not specified.	
Other provisions?	The Minister may prescribe an application form for use by libraries and archives for implementing this subsection.	
	The Minister may prescribe conditions to the application of Section 30, and those conditions may apply generally or to only certain types of libraries or archives (Section 31).	

<b>Anti-Circumvention of Technological Protection Measures</b>	
Circumvention Provisions?	None.

<b>Miscellaneous</b>		
Fair Use	Permits the fair use of works for purposes such as study, research, education, and other reasons, subject to the four factors similar to U.S. fair use. The Minister of Justice has authority to make regulations determining when fair use shall apply.	§ 19
Educational Uses	Permits performances of works for education.	§ 29
Source	Israel Copyright Act of 2007 (19 November 2007), as amended 28 July 2011, available at <a href="http://www.wipo.int/wipolex/en/text.jsp?file_id=255135">http://www.wipo.int/wipolex/en/text.jsp?file_id=255135</a> .	
Last edited:	12 April 2008; rev. 9 May 2015	

ITALY

<b>Research or Study (Making Available)</b>		
Who can communicate?	Publicly accessible libraries, educational establishments, museums, or archives.	Art. 71-ter
	Conditions: None.	
What can be communicated?	Works or subject matter contained in the collection of the institution.	
	Conditions: The work must not be subject to purchase or license terms.	
Purpose of the communication?	For research or private study for individual members of the public.	
	Conditions: None.	
Medium?	Via dedicated terminals on the premises of the institution.	

<b>Library Use</b>		
Who can copy?	Publicly accessible libraries or school libraries, public museums, and public archives.	Art. 68(2)
	Conditions: None.	
What can be copied?	Works held in the collection of the institution.	
	Conditions: None.	
Purpose of the copy?	For the services of the institution.	
	Conditions: The reproduction must be without either direct or indirect economic or commercial advantage.	
Medium of the copy?	Photocopying only.	

<b>Copying for Library Users</b>		
Who can copy?	Not specified; implicitly the copying could be done by library staff or library users.	Art 68(5)
	Conditions: None.	
What can be copied?	Works available in public libraries.	
	Conditions: Sheet music is excluded.	
	The copy must be made inside the library. The reproduction must be limited to 15% of each volume or issue of a magazine, excluding advertising pages.	
Purpose of the copy?	For personal use (by reference to Article 68(3).)	
Medium of the copy?	Photocopying, xerocopying, or like means (by reference to Article 68(3).)	
Other provisions?	The library must make annual payment to the copyright owner's collective society, pursuant to Article 181-ter.	
	The limitations do not apply to works that are not present in publishing catalogs and that are rare, because they are difficult to find through commercial channels (by reference to Article	

	68(3)).	
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<b>Anti-Circumvention of Technological Protection Measures</b>			
Circumvention provisions?	Yes.		Art. 174ter
Prohibited Acts?	The Act of Circumvention?	Using means intended to circumvent technical measures is prohibited.	Art. 171ter (f-bis)
	Dealing in Devices?	Manufacturing, importing, distributing, selling, renting, transferring under whatever title, advertising for sale or rental, holding for commercial purposes is prohibited.	
	Providing Services?	Providing circumvention services is prohibited.	
Access Control or Owner's Rights Control?	Both. The provisions relate to technical measures that prevent or restrict acts not authorized by the rightsholder; this includes access control and protection processes.		Art. 102 quater
Exemptions that could be used by libraries?	The rightsholders are obliged to adopt proper solutions, also by means of specific agreements with the associations representing beneficiaries in order to allow the exercise of the exceptions provided for with respect to library copying (Article 68(2)) and others as specified in the law, on beneficiaries' specific request.		Art. 71 quin-ques
	Conditions:	The beneficiaries must have lawful possession of the copies of the work or have lawfully accessed them in order to use them in accordance and within the limitations pursuant to the law.	

<b>Miscellaneous</b>		
Personal Copying	Private copying for personal use is permitted under specified conditions.	Art. 71 sexies - octies
Orphan Works	Implements the European Union directive on orphan works, 2012/28/EC.	Art. 69 bis to 69 septies
Preservation of broadcasts	Copies of broadcasts may be preserved in official archives, but not used for further economic or commercial purposes without permission.	Art. 55
Phonograms	Allows record copies to make copies for sale from the State Record Library, but subject to payment of royalties.	Art 64
Source	Law for the Protection of Copyright and Neighboring Rights of Italy, No. 633 (22 April 1941), as amended through Decree-Law No. 64 (30 April 2010), available at <a href="http://www.wipo.int/wipolex/en/text.jsp?file_id=301483">http://www.wipo.int/wipolex/en/text.jsp?file_id=301483</a> , as further amended by Legislative Decree No. 163 (10	

	November 2014) (Orphan Works), available at <a href="http://www.gazzettaufficiale.it/eli/id/2014/11/10/14G00179/sg">www.gazzettaufficiale.it/eli/id/2014/11/10/14G00179/sg</a> .
Last edited:	11 December 2007; rev. 9 May 2015

JAMAICA

<b>Research or Study (Published Works)</b>		
Who can copy?	Librarians of prescribed libraries and archives.	§ 62
	Conditions: None.	
What can be copied?	Articles in periodicals, including accompanying illustrations and the typographical arrangement.	
	Parts of literary, dramatic, or musical works, from published editions, that are not articles in periodicals, including accompanying illustrations and the typographical arrangement.	
	Conditions: With respect to articles, no person shall be furnished with more than one copy of the same article and no more than one article contained in the same issue of a periodical.	
	With respect to works other than articles, no person shall be furnished with more than one copy of the same material, and not more than a reasonable proportion of any work.	
Purpose of the copy?	For research or private study by persons.	
	Conditions: Copies may be supplied only to persons satisfying the librarian that he or she requires the copy for research or private study and no other purpose.	
Medium of the copy?	Any. See definition of "copy" below.	
Other provisions?	Persons to whom copies are supplied are required to pay for the copies a sum not less than the cost, including a contribution to the general expenses of the library, attributable to production of the copies.	

<b>Research or Study (Unpublished Works)</b>		
Who can copy?	Librarians of prescribed libraries and archives.	§ 65
	Conditions: None.	
What can be copied?	Whole or parts of literary, dramatic, or musical works, from documents in the library or archive, including accompanying illustrations and the typographical arrangement.	
	Conditions: The document must not have been published before it was deposited in the library or archive.	
	The copying is not permitted where the copyright owner has prohibited copying of the work, and at the time of making the copy, the librarian ought to have been aware of that fact.	
	No person may be furnished with more than one copy of the same material.	

Purpose of the copy?	For research or private study.		
	Conditions:	Copies may be supplied only to persons satisfying the librarian that he or she requires the copy for research or private study and no other purpose.	
Medium of the copy?	Any. See definition of "copy" below.		
Other provisions?	Persons to whom copies are supplied are required to pay for the copies a sum not less than the cost, including a contribution to the general expenses of the library, attributable to production of the copies.		

<b>Supplying Copies to Other Libraries</b>			
Who can copy?	Librarians of prescribed libraries and archives.		§ 63
	Conditions:	None.	
What can be copied?	Articles in periodicals, including accompanying illustrations and, in the case of published works, the typographical arrangement.		
	Whole or parts of literary, dramatic, or musical works, published or unpublished, including accompanying illustrations and, in the case of a published work, the typographical arrangement.		
	Conditions:	With respect to works other than articles, copying is not permitted if, at the time of making the copy, the librarian knows or could by reasonable inquiry ascertain the name and address of a person entitled to authorize the making of the copy.	
Medium of the copy?	Any. See definition of "copy" below.		
Purpose of the copy?	To make and supply copies to another prescribed library or archive.		
	Conditions:	None.	

<b>Preservation and Replacement</b>			
Who can copy?	Librarians of prescribed libraries and archives.		§ 64
	Conditions:	None.	
What can be copied?	Literary, dramatic, or musical works, in the permanent collection of the library or archive, whether published or unpublished, including accompanying illustrations and, in the case of a published work, the typographical arrangement.		
	Conditions:	Copying is allowed only where it is not reasonably practicable to purchase a copy of the work for the specified purpose.	
Purpose of the copy?	To preserve or replace the work by placing the copy in the permanent collection of the library or archive in addition to or in place of the original item.		

	To replace a work in the permanent collection of another prescribed library or archive, if the work has been lost, destroyed, or damaged.	
	Conditions: None.	
Medium of the copy?	Any. See definition of “copy” below.	

<b>Anti-Circumvention of Technological Protection Measures</b>	
Circumvention provisions?	None.

<b>Miscellaneous</b>		
Declarations	Where librarian or archivist is required to be satisfied as to certain matters, regulations may prescribe that he or she is entitled to rely on a declaration as to such matters, signed by the person requesting copies, unless the librarian or archivist is aware that the declaration is false in any material particular.	§ 61 (2)(a)
	Regulations may require that the librarian or archivist may not supply a copy to any person in the absence of a declaration from that person.	§ 61 (2)(b)
	A person requesting a copy, who makes a declaration that is false in any material respect, and is supplied with a copy that would have been an infringing copy if made by that person, he or she shall be liable for infringement as if he had made the copy, and the copy supplied shall be treated as an infringing copy.	§ 61(3)
Defined terms	“Copy” is broadly defined as a reproduction in any material form. Further, reproduction of a typographical arrangement of a published edition means a facsimile copy of the arrangement. The statute specifies that references to the copying of any work shall be construed to include a reference to storing the work in any medium by electronic means.	§ 2
	References to the librarian or archivist in Sections 62 to 65 include references to a person acting on his or her behalf.	§ 61(1)
Decoders	Prohibits activities related to decoders, defined as devices to decode an encrypted transmission.	§§ 136A to 136C
Source	Copyright Act of Jamaica, No. 5 (1 September 1993), available at <a href="http://www.wipo.int/wipolex/en/text.jsp?file_id=128291">http://www.wipo.int/wipolex/en/text.jsp?file_id=128291</a> , as amended by Act No. 29-1999 (20 July 1999), available at <a href="http://www.wipo.int/wipolex/en/text.jsp?file_id=128293">http://www.wipo.int/wipolex/en/text.jsp?file_id=128293</a> .	
Last edited:	11 December 2007; rev. 9 May 2015	

JAPAN

<b>Research or Study</b>			
Who can copy?	Libraries (implicitly). See definition of “library” below.		Art. 31(1)(i)
	Conditions:	The copy must be made within the scope of non-profit-making activities of the library.	
What can be copied?	Part of works already made public.		
	Individual works reproduced in periodicals already published for a considerable period of time.		
	Conditions:	Only a single copy may be furnished.	
The work must be included in the library materials. (“Library materials” is defined as books, documents, and other materials held in the collection of libraries.)			
Purpose of the copy?	For investigation and research by request of a library user.		
	Conditions:	None.	
Medium of the copy?	See definition of “reproduction” below.		

<b>Preservation</b>			
Who can copy?	Libraries (implicitly). See definition of “library” below.		Art. 31(1)(ii)
	Conditions:	The copy must be made within the scope of non-profit-making activities of the library.	
What can be copied?	Works.		
	Conditions:	The work must be included in the library materials. (“Library materials” is defined as books, documents, and other materials held in the collection of libraries.)	
Purpose of the copy?	Where reproduction is necessary for preserving library materials.		
	Conditions:	None.	
Medium of the copy?	See definition of “reproduction” below.		

<b>Supplying Copies to Other Libraries</b>			
Who can copy?	The library (implicitly). See definition of “library” below.		Art. 31(1)(iii)
	Conditions:	The copy must be made within the scope of non-profit-making activities of the library.	
What can be copied?	Works.		
	Conditions:	The work must be included in the library materials (defined as: books, documents, and other materials	

		held in the collection of libraries).	
Purpose of the copy?	For furnishing a copy to other libraries.		
	Conditions:	The work must be rarely available through normal trade channels because the materials are out of print or for other similar reasons.	
Medium of the copy?	See definition of “reproduction” below.		

<b>Anti-Circumvention of Technological Protection Measures</b>			
Circumvention provisions?	Yes.		
Prohibited Acts?	Circumvention?	Reproduction for private use that is otherwise permitted by law is prohibited where it is made possible by the circumvention of technological protection measures.	Art. 30(1)(ii)
	Dealing in Devices?	Transferring to the public, lending to the public, manufacturing, importing or possessing for transfer of ownership, or offering for the use by the public a circumvention device is prohibited.	Art. 120bis
	Providing Services?	Circumventing technological protection measures in response to a request from the public by a person operating as a business is prohibited.	
Access Control or Owner’s Rights Control?	Not specified. These provisions apply to circumvention that enables the user to do acts prevented by technological protection measures.		Art. 30(1)(ii)
Exemptions that could be used by libraries?	There are no explicit exemptions for circumvention.		

<b>Miscellaneous</b>		
Braille Libraries	Reproduction in Braille or the making of sound recordings is permissible for Braille libraries.	Art. 37
Out-of-Print Books	Broad right given to the National Diet Library of Japan to make digital copies of out-of-print works. The National Diet Library may also make those copies available to the public at other libraries. Those libraries may make individual copies of the works for patrons for their private research.	Art. 33(3)
Defined Terms	“Library” means libraries and other establishments designated by Cabinet Order, having the purpose, among others, to offer library materials for the use by the public.	Art. 31
	“Reproduction” means the reproduction in a tangible form by means of printing, photography, reprography, sound or visual recording or	Art. 2(xv)

	otherwise; in the case of dramas and other similar dramatic works, it includes sound and visual recording of the acting, broadcasts or wire diffusions of these works; and in the case of architectural works, it includes the construction of an architectural work according to its plan.	
Source	Copyright Act of Japan, Act No. 48 (6 May 1970), as amended through Act No. 43 (27 June 2012), available at <a href="http://www.cric.or.jp/english/clj/doc/20130819_July,2013_Copyright_Law_of_Japan.pdf">http://www.cric.or.jp/english/clj/doc/20130819_July,2013_Copyright_Law_of_Japan.pdf</a> .	
Last edited:	3 December 2007; rev. 28 August 2014; rev. 9 May 2015	

JORDAN

<b>Library Use</b>		
Who can copy?	Public libraries, non-commercial documentation centers, educational academies, and scientific and cultural institutions.	Art. 20
	Conditions: None.	
What can be copied?	Works.	
	Conditions: The photocopying and the number of copies are limited by the purpose.	
Purpose of the copy?	For the needs of the institutions.	
	Conditions: None.	
Medium of the copy?	By photographic or other means.	
Other provisions?	The copying must not harm the rights of the author or conflict with the normal exploitation of the work.	

<b>Anti-Circumvention of Technological Protection Measures</b>			
Circumvention provisions?	Yes.	Art. 55	
Prohibited Acts?	The Act of Circumvention?		Yes.
	Dealing in Devices?		Manufacturing, importing, or handling any device or service for purpose of circumvention.
	Providing Services?		Yes.
Access Control or Owner's Rights Control?	Owner's rights.		
Exemptions that could be used by libraries?	No explicit exemptions in the statutes.		

<b>Miscellaneous</b>		
Berne Appendix	Provides for a license to translate and reproduce works on terms that reflect the Berne Appendix.	Art. 11
Personal Copying	Using a work for private personal use is permitted through the making of one copy by reproduction, recording, photographing, translation or musical distribution, provided that the se does not conflict with normal exploitation of the work and does not unreasonably prejudice the legitimate interests of the rightsholder.	Art. 17(b)
Source	Copyright Protection Law of Jordan, No. 22 (19 March 1992), as amended through No. 9 (31 March 2005), available at <a href="http://www.wipo.int/wipolex/en/text.jsp?file_id=339495">http://www.wipo.int/wipolex/en/text.jsp?file_id=339495</a> , as further amended by No. 23 (18 July 2014), available (in Arabic) at <a href="http://www.wipo.int/wipolex/en/text.jsp?file_id=338355">http://www.wipo.int/wipolex/en/text.jsp?file_id=338355</a> .	
Last edited:	21 December 2007; rev. 27 May 2015	

KAZAKHSTAN

<b>General Provisions (applicable to each form of copying in Article 20)</b>		
Author's consent required?	No. The use is permitted without the consent of the author or other rightsholder.	Art. 20
Remuneration to author?	No. The use is permitted without payment of remuneration.	
Provide name of author?	Yes. The use is permitted provided that the name of the author whose work is used is mentioned.	
Provide source of borrowing?	Yes. The use is permitted provided that the source of borrowing is mentioned.	

<b>Replacement</b>		
Who can copy?	Libraries and archives.	Art. 20(1)
	Conditions:   None.	
What can be copied?	Lawfully published works.	
	Conditions:   Only one copy can be made.	
Purpose of the copy?	To restore or replace lost or damaged copies.	
	To place copies at the disposal of other libraries that, for any reason, have lost works from their own collections.	
	Conditions:   The copying must be without gainful intent.	
Medium of the copy?	Reproduction. See definition below.	

<b>Research or Study</b>		
Who can copy?	Libraries and archives.	Art. 20(2)
	Conditions:   None.	
What can be copied?	Isolated articles or succinct works lawfully published in collections, newspapers, or other periodical publications.	
	Short extracts from lawfully published written works, including illustrations.	
	Conditions:   Only one copy can be made.	
Purpose of the copy?	For study or research purposes of natural persons.	
	Conditions:   The copying must be without gainful intent.	
Medium of the copy?	Reproduction. See definition below.	
Other provisions?	Copying is permitted under the same conditions for copies made by educational establishments intended for classroom use.	

<b>Anti-Circumvention of Technological Protection Measures</b>			
Circumvention provisions?	Yes.	Art. 48	
Prohibited Acts?	The Act of Circumvention?		Yes.
	Dealing in Devices?		Yes.

	Providing Services?	No.	
Access Control or Owner's Rights Control?	Owner's rights. Refers to measures that restrict the use of works.		
Exemptions that could be used by libraries?	None.		

<b>Miscellaneous</b>		
Definition	"Reproduction" is a facsimile reproduction in any size and shape of one or more copies of the originals or copies of written or other graphic works through photocopying or other technical means other than publication. Reproduction does not include storage or reproduction of the mentioned copies in electronic (including digital), optical or other machine-readable form.	Art. 2(18)
Source	Law of Copyright and Neighboring Rights of Kazakhstan, No. 6 (10 June 1996), as amended through No. 60-V (24 December 2012), available at <a href="http://adilet.zan.kz/eng/docs/Z960000006_">http://adilet.zan.kz/eng/docs/Z960000006_</a> .	
Last edited:	18 December 2007; rev. 28 August 2014; rev. 9 May 2015	

KENYA

<b>Library Use</b>			
Who can copy?	Prescribed public libraries, non-commercial documentation centers, and scientific institutions.		§ 26 (1)(h)
	Conditions:	None.	
What can be copied?	Literary, musical, artistic, or audio-visual works.		
	Conditions:	None.	
Purpose of the copy?	Not specified.		
	Conditions:	The reproduction must be in the public interest.	
		No revenue may be derived from the reproduction.	
Medium of the copy?	Any. See definition of "reproduction" below.		

<b>Anti-Circumvention of Technological Protection Measures</b>			
Circumvention provisions?	Yes.		§ 35(3)
Prohibited Acts?	The Act of Circumvention?	The act of circumvention is prohibited.	
	Dealing in Devices?	Manufacturing or distributing circumvention devices is prohibited.	
	Providing Services?	No.	
Access Control or Owner's Rights Control?	Owner's Control Rights. The provisions relate to devices, products, or components incorporated into a work that effectively prevent or inhibit the infringement of any copyright or related right.		§ 2
Exemptions that could be used by libraries?	There are no explicit exemptions for circumvention.		

<b>Miscellaneous</b>		
Fair Dealing	The author's exclusive rights are not violated by the doing of any of acts by way of fair dealing for the purposes of scientific research, private use, criticism or review, or the reporting of current events subject to acknowledgement of the source. Computer programs are excluded (§ 26(3)).	§ 26 (1)(a)
Defined Term	"Reproduction" means the making of one or more copies of a work in any material form and includes any permanent or temporary storage of such work in electronic or any other form.	§ 2
Source	Copyright Act of Kenya, Cap. 130 (31 December 2001), as amended through 2009, available at <a href="http://www.wipo.int/wipolex/en/text.jsp?file_id=202207">http://www.wipo.int/wipolex/en/text.jsp?file_id=202207</a> .	
Last edited:	4 December 2007; rev. 9 May 2015	

KIRIBATI

<b>Library Provisions (none)</b>		
Library Provisions?	The copyright law of Kiribati includes no explicit library exceptions.	

<b>Anti-Circumvention of Technological Protection Measures</b>		
Circumvention provisions?	None.	

<b>Miscellaneous</b>		
Source <sup>38</sup>	The Kiribati Copyright Ordinance of 1917, Cap. 16 (1998), available at <a href="http://www.wipo.int/wipolex/en/text.jsp?file_id=251870">http://www.wipo.int/wipolex/en/text.jsp?file_id=251870</a> .	
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<sup>38</sup> The website of the Kiribati Ministry of Commerce, Industry and Cooperatives confirms that this is the only copyright legislation applicable in the country. "Copyright Ordinance 1917 has little relevance but it is the only law in Kiribati which recognises copyright in this jurisdiction." See: [http://www.mccic.gov.ki/?page\\_id=166](http://www.mccic.gov.ki/?page_id=166).

KUWAIT

<b>Library Provisions (none)</b>		
Library Provisions?	The copyright law of Kuwait does not contain any explicit exceptions for libraries.	

<b>Anti-Circumvention of Technological Protection Measures</b>			
Circumvention provisions?	Yes.	Art. 42(4)	
Prohibited Acts?	Circumvention?		Removing or facilitating the removal of protective measures is prohibited.
	Dealing in Devices?		No.
	Providing Services?		No.
Access Control or Owner's Rights Control?	Owner's Rights Control. The provisions relate to a means of protection that organizes or restricts the classified work from being shown, demonstrated, performed, or recorded.		
Exemptions that could be used by libraries?	There are no explicit exemptions for circumvention.		

<b>Miscellaneous</b>		
Personal Copying	The author may not prevent a person from making a single copy of a published work for his personal use.	Art. 8
Translation License	Government may issue a license for translation of works on terms that reflect the Berne Appendix.	Art. 16
Source	Law on Intellectual Property of Kuwait, Decree-Law No. 5 (29 December 1999), available at <a href="http://www.wipo.int/wipolex/en/text.jsp?file_id=195504">http://www.wipo.int/wipolex/en/text.jsp?file_id=195504</a> .	
Last edited:	3 December 2007; rev. 9 May 2015	

KYRGYZSTAN

<b>General Provisions (applicable to each provision of Article 20)</b>		
Author's consent required?	No. The use is permitted without the author's consent.	Art. 20(1)
Remuneration to author?	No. The use is permitted without payment of remuneration.	
Provide name of author?	Yes. The use is permitted with the obligatory indication of the author's name whose works are used.	
Provide source of borrowing?	Yes. The use is permitted with the obligatory indication of the source of borrowing.	

<b>Replacement</b>		
Who can copy?	Libraries and archive services.	Art. 20(1)(1)
	Conditions: None.	
What can be copied?	Lawfully published works.	
	Conditions: Only a single copy may be made.	
	Impossible to obtain a copy under normal conditions by other means.	
Purpose of the copy?	To restore or replace lost or damaged copies.	
	To provide the work to other libraries that, for any reason, have lost works from their collections.	
	Conditions: The reproduction must be without gainful intent.	
Medium of the copy?	Reprographic reproduction.	

<b>Research or Study</b>		
Who can copy?	Libraries and archive services.	Art. 20(1)(2)
	Conditions: None.	
What can be copied?	Isolated articles and succinct works lawfully published in collections, newspapers, or other periodicals.	
	Short extracts from lawfully published written works (with or without illustrations).	
	Conditions: Only a single copy may be made.	
Purpose of the copy?	For education and research purposes, by request of individuals.	
	Conditions: The reproduction must be without gainful intent.	
Medium of the copy?	Reprographic reproduction.	

<b>Research or Study (Making Available)</b>		
Who can communicate?	Libraries.	Art. 20(2)
	Conditions: None.	
What can be communicated?	Works that are lawfully available to the public.	
	Including copies of works obtained under interlibrary programs.	
	Conditions: Author's consent is not required.	

		Remuneration is not required.	
Purpose of the communication?	For research or private study for individual members of the public.		
	Conditions:	Temporary availability only.	
		Simultaneous availability to users of other copies in the library.	
	Must block the possibility to create copies of the works in digital form.		
Medium?	In digital form at dedicated terminals on the premises.		

### Anti-Circumvention of Technological Protection Measures

Circumvention provisions?	None.
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### Miscellaneous

Personal Copying	The reproduction of a lawfully disclosed work for exclusively personal purposes is permitted without the consent of the author or remuneration, with the exception of a few types of works specified in Article 18. Reproduction of audiovisual works or sound recordings for exclusively personal purposes is permissible, subject to remuneration.	Art. 18; Art. 26
Defined Terms	“Reproduction of a work” means making of one or more copies of the work or part of work in any form, including the form of a sound or visual recording, or the making of one or more three-dimensional copies of a two-dimensional work or one or more two-dimensional copies of a three-dimensional work; the storage of a work in a computer memory shall also constitute reproduction.	Art. 4
Source	Law of Copyright and Related Rights of Kyrgyzstan, Law No. 6 (14 January 1998), as amended through Law No. 14 (21 January 2014), available at <a href="http://www.wipo.int/wipolex/en/text.jsp?file_id=329135">http://www.wipo.int/wipolex/en/text.jsp?file_id=329135</a> .	
Last edited:	3 December 2007; rev. 29 August 2014; rev. 8 May 2015	

LAO PEOPLE'S DEMOCRATIC REPUBLIC

<b>Library Provisions (none)</b>		
Library Provisions?	The copyright law of Laos includes no explicit library exceptions.	

<b>Anti-Circumvention of Technological Protection Measures</b>			
Circumvention provisions?	Yes.		Art. 119
Prohibited Acts?	The Act of Circumvention?	The act of circumvention is prohibited, but only regarding performances or phonograms.	Art. 119(2)
	Dealing in Devices?	No.	
	Providing Services?	No.	
	Satellite Signals?	Recording or disseminating satellite signals carrying encrypted or unencrypted programs for commercial purposes without the authorization of the lawful distributors is prohibited.	Art. 119(4)
Access Control or Owner's Rights Control?	Both. The provisions relate to technical measures that prevent access to a work or protect a right of the copyright owner.		Art. 119(2)-(4)
Exemptions that could be used by libraries?	No. The exceptions to copyright in Article 111 explicitly do not apply to "reproduction that requires circumvention of technological measures to protect copyright or related rights, or the unauthorized removal or alteration of electronic rights management information."		Art. 111

<b>Miscellaneous</b>		
Making Quotations	Limited right to make quotations from works already lawfully made available to the public.	Art. 111(1)
Teaching Purpose	Limited right to use for teaching.	Art. 111(2)
Reproducing Artistic Works	Limited right to reproduce by photography or cinematography art, photographs and other artistic works.	Art. 111(3)
Translating for the Visually Impaired	Limited right to translate literary works into Braille or other characters for the visually impaired.	Art. 111(4)
General Condition to Exceptions	The exceptions in Article 111 are subject to the condition that they "shall not conflict with a normal exploitation of the work and shall not unreasonably prejudice the legitimate interests of the author."	Art. 111
Fair Use	Article 111 is titled "Acts Consistent with Fair Use" and provides: "A determination of whether a use as above constitutes a fair use shall take into account	Art. 111

	the circumstances as a whole as further described in a specific regulation.”	
Source	Law on Intellectual Property of Laos, No. 01/NA (24 December 2007), as amended by Resolution No. 17/NA (20 December 2011), available at <a href="http://www.wipo.int/wipolex/en/text.jsp?file_id=310926">http://www.wipo.int/wipolex/en/text.jsp?file_id=310926</a> .	
Last edited:	24 April 2014; rev. 9 May 2015	

LATVIA

<b>Preservation and Replacement</b>			
Who can copy?	Library, archive, or museum.	§ 23(1)	
	Conditions:		
What can be copied?	Works.		
	Conditions:		
	Works in the permanent collections.		
	Single copy.		
	If repeat copying, only on separate and unrelated cases.		
Purpose of the copy?	To preserve the work.		
	To replace a work from the permanent collection of any other library, archive, or museum, if such work has been damaged or has become unusable.		
	Conditions:		Without direct or indirect commercial purpose.
		It is not possible to obtain a copy in some other acceptable manner.	
Medium of the copy?	Reproduction.		
	Reproduction in digital format, but only for works that have been published in Latvia and are not commercially available, unless an agreement with the author determines otherwise.		
Other provisions?	None.		

<b>Research or Study (Making Available)</b>			
Who can communicate?	Libraries, archives, and museums, of the state or local government, and persons having authority derived from them.	§ 23(2)	
	Conditions: None.		
What can be communicated?	Works in the permanent collection of the institution and copies made under Section 23(1).		
	Conditions: None.		
Purpose of the communication?	To make available at request for scientific research or self-education.		
	Conditions:		Without direct or indirect commercial purpose.
			For natural persons who have access to the institutions.
Medium?	Via computers specifically set up on the premises of the institution.		
Other provisions?	Such access shall be secured by the institution by using exclusively an intranet with special protection.		
	The provisions of Section 23(2) may also be employed by the institution that have access to the Latvian Digital Library and are included in the joint state library information system.		
	State and local government libraries shall maintain records of the copies provided to users under this		

	section for purposes of remuneration under the public lending law in Section 19 <sup>1</sup> .	
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<b>Anti-Circumvention of Technological Protection Measures</b>			
Circumvention provisions?	Yes.		§ 68(1)
Prohibited Acts?	The Act of Circumvention?	Destruction or circumvention of technological measures is prohibited.	
	Dealing in Devices?	Manufacturing, importing, distributing, selling, leasing, advertising, or using for commercial purposes circumvention devices is prohibited.	
	Providing Services?	Providing circumvention services is prohibited.	
Access Control or Owner's Rights Control?	Both. The provisions relate to devices used to restrict or prevent a circumvention activity with the work; this includes access control or a protection process.		§ 2(19); § 68(1)
Exemptions that could be used by libraries?	If a beneficiary of an exemption (including the library exemption) has the right to use the work but cannot implement the rights due to the technological measures used by the author, the user has the right to request that the author give access to such work, taking into account the restrictions of the rights of an author.		§ 18(4)
	Conditions:	The author may refuse to provide such a possibility if the use of the work is contrary to the provisions for normal use of the work of an author and unjustifiably limits the lawful interests of the author.	
Other provisions?	If the user of the work and the author cannot reach an agreement as to the exemptions of Section 18(4), they may apply to a mediator.		§ 18(5)

<b>Miscellaneous</b>		
Defined Term	"Reproduction" means the making of one or more copies, by any means and in any form and scale, fully or partially, of an object of copyright or neighboring rights, also short-term or long-term storage in electronic form of an object of copyright or neighboring rights or a part thereof, as well as the making of three-dimensional copies of a two-dimensional object or two-dimensional copies of a three-dimensional object.	§ 1(17)
Three-Step Test	The exceptions to the economic rights shall be applied in such a way that they are not contrary to the provisions for normal use of the work of an author and may not unjustifiably limit the lawful	§ 18(2)

	interests of the author.	
Doubt	In case of doubt, it shall be considered that the right of an author to the use of the work or to the receipt of remuneration is not restricted.	§ 18(3)
Rights of Libraries	The Library Law details the rights, duties, and operation of libraries, including the statement that libraries have the right to “make copies of publications subject to the requirements of the Copyright Law.”	§ 16(1)
Source <sup>39</sup>	Copyright Law of Latvia, (6 April 2000), as amended through 18 April 2013, available (in Latvian) at <a href="http://www.wipo.int/wipolex/en/text.jsp?file_id=354961">http://www.wipo.int/wipolex/en/text.jsp?file_id=354961</a> ; <i>AND</i> Library Law of Latvia (2005), available at <a href="http://www.wipo.int/wipolex/en/text.jsp?file_id=356935">http://www.wipo.int/wipolex/en/text.jsp?file_id=356935</a> .	
Last edited:	4 December 2007; rev. 29 August 2014; rev. 14 May 2015	

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<sup>39</sup> This study benefited from an English-language translation of the Copyright Act, updated as of 6 December 2007, available at [http://www.wipo.int/wipolex/en/text.jsp?file\\_id=196720](http://www.wipo.int/wipolex/en/text.jsp?file_id=196720).

LEBANON

<b>Reproducing Computer Programs</b>			
Who can copy?	Educational institutions, universities, and public libraries.		Art. 25
	Conditions:	The institutions must be non-profit-making.	
What can be copied?	Computer programs.		
	Conditions:	A limited number of computer programs may be reproduced.	
		The institutions must possess at least one original copy of the work.	
The Ministry of Education, Ministry of Culture and Higher Education, and the Ministry of Technical and Vocational Education must subsequently issue decrees determining the copying mechanism, the categories of computer programs that may be copied, and the number of copies allowed.			
Purpose of the copy?	For lending the computer programs to students and university people.		
	Conditions:	The lending must be free of charge.	
Other provisions?	Students may make one copy of a computer program for personal use.		

<b>Research or Study</b>			
Provide name of author?	Yes. Where the name of the author and publisher appear on the original work, they shall be mentioned in each and every use of the copy of the article or work.		Art. 26
Who can copy?	Anyone. (Note: This provision does not explicitly apply to libraries but apparently can be used to benefit library users.)		
	Conditions:	None.	
What can be copied?	Articles published in newspapers and magazines.		
	Short excerpts of a work.		
Purpose of the copy?	For educational purposes.		
	Conditions:	The use is restricted to the necessary limits of such purpose.	
Medium of the copy?	Any. See definition of "reproduction" below.		

<b>Replacement</b>			
Who can copy?	Public libraries.		Art. 27
	Conditions:	The libraries must be non-profit-making.	
What can be copied?	Works.		
	Conditions:	The library must possess at least	

	one copy of the original work.	
Purpose of the copy?	For use in case of loss or damage of the original work.	
	Conditions: None.	
Medium of the copy?	Not specified.	

### Anti-Circumvention of Technological Protection Measures

Circumvention provisions?	None.
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### Miscellaneous

Personal Copying	Copying for personal and private use is permitted, if certain conditions have been satisfied.	Art. 23-24
Copying for Official Archives	Audiovisual works of special artistic value may be reproduced to keep in the Ministry of Culture and Higher Education's archives, under certain circumstances.	Art. 28
Defined Terms	"Reproduction" means making one or more copies of any work by any means or in any form, including a permanent or temporary recording on phonogram records, tapes, disks, electronic memory, and this also includes issuing a copy in two dimensions of a three-dimensional work, or a copy in three dimensions of a two-dimensional work.	Art. 1
Source	Law on the Protection of Literary and Artistic Property of Lebanon, No. 75 (3 April 1999), available at <a href="http://www.wipo.int/wipolex/en/text.jsp?file_id=128484">http://www.wipo.int/wipolex/en/text.jsp?file_id=128484</a> .	
Last edited:	11 December 2007; rev. 14 May 2015	

LESOTHO

<b>Library Use</b>		
Author's consent required?	No. The use is permitted without the author's consent.	§ 9
Remuneration to author?	No. The use is permitted without obligation to pay remuneration for the use of the work.	
Who can copy?	Public libraries, national archives and museums, non-commercial documentation centers, scientific institutions, and educational establishments. Conditions: None.	§ 9(f)
What can be copied?	Literary, artistic, or scientific works that have lawfully been made available to the public. Conditions: Provided that such reproduction, the number of copies made and the use thereof is limited to the purpose.	
Purpose of the copy?	For the needs of the entity reproducing the work. Conditions: None.	
Medium of the copy?	Reproduction by photography, sound or video-recording or electronic storage.	
Other provisions?	Provided that the reproduction neither conflicts with the normal exploitation of the work nor unreasonably prejudices the legitimate interests of the author. The use is permitted either in the original language or in translation.	§ 9

<b>Anti-Circumvention of Technological Protection Measures</b>	
Circumvention provisions?	None.

<b>Miscellaneous</b>		
Personal Copying	Reproduction of a work for personal and private use is permitted, whether or not that work has been lawfully published.	§ 9(a)(i)
Berne Appendix	Permits reproduction and translation of works on terms that reflect the Berne Appendix.	§§ 10 & 11
Source	Copyright Order of Lesotho, No. 13 (25 August 1989), available at <a href="http://www.wipo.int/wipolex/en/text.jsp?file_id=209919">http://www.wipo.int/wipolex/en/text.jsp?file_id=209919</a> .	
Last edited:	11 December 2007; rev. 14 May 2015	

LIBERIA

<b>Preservation, Security, and Supply to Other Libraries (Unpublished Works)</b>		
Who can copy?	Libraries and archives, including employees acting within the scope of their employment.	
	Conditions:	The collections of the library or archive must be open to the public or available not only to researchers affiliated with the library or archive or with the institution of which it is a part, but also to persons doing research in a specialized field.
What can be copied?	Unpublished works that are currently in the collection of the library or archives.	
	Conditions:	Only a single copy can be made.
		The reproduction and distribution must include a notice of copyright.
		The reproduction and distribution must be isolated and unrelated in a single copy of the same material on separate occasions. The use is not permitted where the library or archives, or its employees, is aware or has substantial reason to believe that it is engaging in the related or concerted reproduction or distribution of multiple copies of the same material, whether made on one occasion or over a period of time, and whether intended for aggregate use by the individual members of a group.
Purpose of the copy?	For preservation and security.	
	For deposit for research use in another library or archives.	
	Conditions:	The reproduction or distribution must be made without any purpose of direct or indirect commercial advantage.
Medium of the copy?	Facsimile form. (The term "facsimile" is not defined.)	
Other provisions?	Reproduction and distribution are permitted by this section.	

§ 2.9(a);  
§ 2.9(b)  
§ 2.9(g)

<b>Replacement</b>			
Who can copy?	Libraries and archives, including employees acting within the scope of their employment.		§ 2.9(a); § 2.9(c); § 2.9(g)
	Conditions:	The collections of the library or archive must be open to the public or available not only to researchers affiliated with the library or archive or with the institution of which it is a part, but also to persons doing research in a specialized field.	
What can be copied?	Published works or sound recordings.		
	Conditions:	Only a single copy can be made.	
		The reproduction and distribution must include a notice of copyright.	
		The reproduction and distribution must be isolated and unrelated in a single copy of the same material on separate occasions. The use is not permitted where the library or archives, or its employees, is aware or has substantial reason to believe that it is engaging in the related or concerted reproduction or distribution of multiple copies of the same material, whether made on one occasion or over a period of time, and whether intended for aggregate use by the individual members of a group.	
Purpose of the copy?	For replacement of a copy that is damaged, deteriorating, lost, or stolen.		
	Conditions:	The reproduction or distribution must be made without any purpose of direct or indirect commercial advantage.	
		The reproduction is permitted if the library or archives has, after reasonable effort, determined that an unused replacement cannot be obtained at a fair price.	
Medium of the copy?	Facsimile form. (The term "facsimile" is not defined.)		

<b>Research or Study (Articles and Parts of Works)</b>		
Who can copy?	Libraries or archives, including employees acting within the scope of their employment.	§2.9(a); §2.9(d); §2.9(h)
	<p>Conditions: The collections of the library or archive must be open to the public or available not only to researchers affiliated with the library or archive or with the institution of which it is a part, but also to persons doing research in a specialized field.</p>	
What can be copied?	Single articles or other contributions to issues of periodicals contained in the collections of the library or archive.	
	Small parts of sound recordings or other copyrighted works contained in the collections of the library or archive.	
	<p>Conditions: Musical works; pictorial, graphic, or sculptural works; and motion pictures or audiovisual works dealing with news<sup>40</sup> are excluded. However, copying pictorial or graphic works published as illustrations, diagrams, or similar adjuncts to works in connection with the copying of the permitted works is allowed.</p>	
	Only a single copy can be made.	
	The reproduction and distribution must include a notice of copyright.	
	The copy or sound recording must become the property of the user.	
	The reproduction and distribution must be isolated and unrelated in a single copy of the same material on separate occasions. The use is not permitted where the library or archives, or its employees, is aware or has substantial reason to believe that it is engaging in the related or concerted reproduction or distribution of multiple copies of the same material, whether made on one occasion or over a period of time, and whether intended for aggregate use by the individual members of a group. The use is also not permitted where the library or archives or its employees engages in the systematic	

<sup>40</sup> The language of the Copyright Law of Liberia is often nearly identical to the United States Copyright Act as enacted at that time. However, this provision in U.S. law excludes “musical work, a pictorial, graphic or sculptural work, or a motion picture or other audiovisual work other than an audiovisual work dealing with news. . . .” U.S. Copyright Act, 17 U.S.C. § 108(i). The absence of these underlined words in the Liberian statute may be merely a transcription error.

		reproduction or distribution of single or multiple copies of material under this subsection (d). This clause does not prohibit interlibrary arrangements (see next table).	
Purpose of the copy?	For private study, scholarship, or research, as requested by a user or another library or archives.		
	Conditions:	The reproduction or distribution must be made without any purpose of direct or indirect commercial advantage.	
		The library or archive may not reproduce or distribute a copy where it has notice that the copy will be used for a purpose other than the permitted purposes.	
Medium of the copy?	Not specified.		
Other provisions?	Reproduction and distribution are permitted by this section.		
	The library or archive must place a notice at the location where orders are accepted and on the order form warning users of copyright. The requirements for the notice are prescribed by regulation.		

<b>Supplying Copies to Other Libraries (Interlibrary Loan)</b>			
Who can copy?	A library or archives, including employees acting within the scope of their employment.		§2.9(a); §2.9(d); §2.9(h)
	Conditions:	The collections of the library or archive must be open to the public or available not only to researchers affiliated with the library or archive or with the institution of which it is a part, but also to persons doing research in a specialized field.	
What can be copied?	Implicitly, any work that can be copied consistent with the provisions of the Copyright Act can be copied.		

	Conditions:	Libraries and archives may participate in interlibrary arrangements that do not have as their purpose or effect that the receipt of such copies is in such aggregate quantities as to substitute for a subscription to our purchase of such work.	
Purpose of the copy?	For receipt of materials through interlibrary arrangements.		
	Conditions:	The reproduction or distribution must be made without any purpose of direct or indirect commercial advantage.	
Medium of the copy?	Not specified.		

<b>Research or Study (Entire Works)</b>			
Who can copy?	Libraries and archives, including employees acting within the scope of their employment.		§ 2.9(a); § 2.9(e); § 2.9(h)
	Conditions:	The collections of the library or archive must be open to the public or available not only to researchers affiliated with the library or archive or with the institution of which it is a part, but also to persons doing research in a specialized field.	
What can be copied?	Entire works, or substantial parts of works, contained the collections of the library or archive.		
	Conditions:	Musical works; pictorial, graphic, or sculptural works; and motions pictures or audio-visual works dealing with news are excluded. However, copying pictorial or graphic works published as illustrations, diagrams, or similar adjuncts to works in connection with the copying of the permitted works is allowed.	
		Only a single copy can be made.	
		The reproduction and distribution must include a notice of copyright.	
		The reproduction and distribution is only permitted where the library has first determined, on the basis of a reasonable investigation that a work or sound recording cannot be obtained at a fair price.	

		<p>The copy or sound recording must become the property of the user.</p> <p>The reproduction and distribution must be isolated and unrelated in a single copy of the same material on separate occasions. The use is not permitted where the library or archives, or its employees, is aware or has substantial reason to believe that it is engaging in the related or concerted reproduction or distribution of multiple copies of the same material, whether made on one occasion or over a period of time, and whether intended for aggregate use by the individual members of a group.</p>	
Purpose of the copy?	For private study, scholarship, or research, as requested by a user or another library or archives.	<p>Conditions:</p> <p>The reproduction or distribution must be made without any purpose of direct or indirect commercial advantage.</p> <p>The library or archive may not reproduce or distribute a copy where it has notice that the copy will be used for a purpose other than the permitted purposes.</p>	
Medium of the copy?	Not specified.		
Other provisions?	Reproduction and distribution are permitted by this section.	The library or archive must place a notice at the location where orders are accepted and on the order form warning users of copyright. The requirements for the notice are prescribed by regulation.	

<b>Limitation of Remedies</b>		
Who qualifies?	Libraries and archives, and employees or agents of non-profit educational institutions, libraries, or archives, acting in the scope of employment.	§ 2.42 (IV)(2)
For what activity?	Reproduction of works.	
How are the remedies limited?	Statutory damages are remitted.	
Under what conditions?	Where the infringer believed and had reasonable grounds for believing that the use was a fair use.	

<b>Anti-Circumvention of Technological Protection Measures</b>	
Circumvention provisions?	None.

<b>Miscellaneous</b>		
Fair Use	Fair use of a work is not infringement.	§ 2.7
Effect on Fair Use and Contractual Obligations	Nothing in the library provisions affects the right of Fair Use or any contractual obligations assumed at the time the library or archives obtained a copy of a work in its collections.	§ 2.9(f) (4)
Library Copying Machines	Nothing in the library provisions shall be construed to impose liability for copyright infringement upon a library or archives or its employees for the unsupervised use of reproducing equipment if a notice is displayed that the making of a copy may be subject to the copyright law.	§ 2.7(f) (1)
Liability for exceeding the scope of the exemptions	Nothing in the library provisions shall excuse a person who uses library reproducing machines or makes a request under (d) from liability for copyright infringement for any such act or for later use of the copy if it exceeds fair use.	§ 2.7 (f)(2)
Audiovisual News	A library or archives can reproduce and distribute by lending of a limited number of copies and excerpts of an audiovisual news program.	§ 2.9 (f)(3)
Source	Copyright Law of Liberia (23 July 1997), available at <a href="http://www.wipo.int/wipolex/en/text.jsp?file_id=160555">http://www.wipo.int/wipolex/en/text.jsp?file_id=160555</a> .	
Last edited:	21 December 2007; rev. 14 May 2015	

LIBYA

<b>Library Provisions (none)</b>		
Library Provisions?	Libya's copyright law does not contain any explicit library exemptions.	

<b>Anti-Circumvention of Technological Protection Measures</b>	
Circumvention Provisions?	None.

<b>Miscellaneous</b>		
Personal Copying	The author may not prevent a person making one copy of a published work for his own use.	Art. 12
Source <sup>41</sup>	Copyright Law of Libya, No. 9 (16 March 1968), available at <a href="http://www.wipo.int/wipolex/en/text.jsp?file_id=234540">http://www.wipo.int/wipolex/en/text.jsp?file_id=234540</a> .	
Last edited:	4 December 2007; rev. 14 May 2015	

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<sup>41</sup> Research indicates that the copyright statutes were amended in 1984, but a reliable copy of a more recent statute was not available for this study.

LIECHTENSTEIN

<b>Library Copying for Users</b>		
Who can copy?	Libraries.	Art. 22
	Conditions:	
What can be copied?	Works.	
	Conditions:	
Purpose of the copy?	For private use. "Private use" includes any use of a work in the personal sphere or within a circle of persons closely connected to each other, such as relations or friends; any use of a work by a teacher for teaching in class; and the reproduction of copies of a work in enterprises, public administrations, institutes, commissions and similar bodies for internal information or documentation.	
	Conditions:	None.
Medium of the copy?	Not specified.	
Other provisions?	Copying for personal purposes may be made under this provision by third parties and may be made on copying apparatus made available by libraries to their users.	Art. 22(c)(2)
	Any use of a work by a teacher for teaching in class, and the reproduction of copies of a work in enterprises, public administrations, institutes, commissions and similar bodies for internal information or documentation are subject to remuneration.	Art. 23

<b>Anti-Circumvention of Technological Protection Measures</b>			
Circumvention provisions?	Yes.		Art. 44a
Prohibited Acts?	The Act of Circumvention?	Yes.	
	Dealing in	Yes.	

	Devices?		
	Providing Services?	Yes.	
Access Control or Owner's Rights Control?	Both. Prohibits circumvention of controls on access and uses that would violate rights of owners.		
Exemptions that could be used by libraries?	Rightsholders using technical measures must provide the means for users to exercise their rights under Article 22. However, that provision does not apply if the rightsholder makes the work available to members of the public at the time and place of their choosing.		Art. 44a(4) & (5)

<b>Miscellaneous</b>		
Lending Right	The government may, by regulation, exempt libraries from remuneration for public lending.	Art. 15
Teaching and Research	The reproduction right in Article 22 extends to digital reproduction for teaching and research purposes, if not carried out for direct or indirect financial gain or for commercial purposes.	Art. 22(1)(d)
Copying Machines	Persons entitled to make copies of a work for use for private purposes may also have them manufactured by other persons; libraries that make copying apparatus available to their users shall also be deemed other persons within the meaning of this paragraph.	Art. 22(2)
Source	Law of Copyright and Neighboring Rights of Liechtenstein, No. 160 (19 May 1999), as amended through No. 263 (2006), available at <a href="http://www.wipo.int/wipolex/en/text.jsp?file_id=186894">http://www.wipo.int/wipolex/en/text.jsp?file_id=186894</a> .	
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LITHUANIA

<b>Preservation and Replacement</b>		
Consent of author?	No. The use is permitted without the authorization of the author or other owner of copyright in a work.	Art. 23 (1)(2)
Remuneration to author?	No. The use is permitted without remuneration to the author and publisher.	
Provide name of author?	Yes. The use is permitted, but mention of the name of the author is required when possible.	
Provide source of borrowing?	Yes. The use is permitted, but mention of the source is required when possible.	
Who can copy?	Libraries, educational establishments, museums, and archives.	
	Conditions: The institutions may not provide copies for direct or indirect commercial advantage.	
What can be copied?	Works in the collections of the institutions.	
	Conditions: Works made available to the public over computer networks are excluded.	
	The reproduction must be a separate single act, unless done on unrelated occasions.	
Purpose of the copy?	For preservation or replacement of a lost, destroyed, or rendered unusable copy from the collections of the institutions.	
	For replacement of a lost, destroyed, or rendered unusable copy from the permanent collection of another similar institution's permanent collection.	
	Conditions: A copy may be made only if it is impossible to obtain such a copy by other means. For non-commercial purposes.	
Medium of the copy?	Reprographic reproduction. Effected by the use of any kind of photographic technique or by some other process having similar effects.	
Other provisions?	Code section of similar language permits copies of sound recordings and audio-visual works for the same purposes.	Art. 58(1)(4)

<b>Reproduction of Works</b>		
Consent of author?	No. Copying is permitted without the authorization of the author or other owner of copyright in a work.	Art. 23 (1)(1)
Remuneration to author?	Yes. Fair compensation to authors and publishers must be paid by persons providing fee-paying services of reprographic reproduction through collective licensing agencies (Article 23(3)).	
Who can copy?	Anyone. (Note: this provision does not explicitly mention libraries but could be applicable to libraries.)	
	Conditions: The copying cannot be done for	

		direct or indirect commercial advantage.	
What can be copied?	Published articles or other short works, including illustrations.		
	Short extracts of writings, including illustrations.		
	Conditions:	The whole text of a book or a major part thereof may not be reproduced on paper.	
		Sheet music may not be reproduced by reprography.	
The reproduction must be a separate single act, unless done on unrelated occasions.			
Purpose of the copy?	Any purpose.		
	Conditions:	None.	
Medium of the copy?	Reprographic reproduction. Effected by the use of any kind of photographic technique or by some other process having similar effects.		

<b>Research or Study (Making Available)</b>			
Consent of author?	No. The use is permitted without the authorization of the author or any other owner of copyright in the work.		Art. 22(3)
Remuneration to author?	No. The use is permitted without payment of remuneration.		
Provide name of author?	Yes. The use is permitted, but mention of the name of the author is required when possible.		
Provide source of borrowing?	Yes. The use is permitted, but mention of the source is required when possible.		
Who can communicate?	Libraries, educational establishments and research libraries, museums, or archives.		
	Conditions:	None.	
What can be communicated?	Works kept in the collections of the institutions and that have been published.		
	Conditions:	The works are not publicly available for sale.	
		Provided the copyright owners do not prohibit such use.	
The institution may make reproductions as technically required for the purpose of this provision.			
Purpose of the communication?	Research or private study by the public.		
	Conditions:	Non-commercial.	
Medium?	By dedicated terminals on the premises of the institutions.		
	May allow simultaneous access on terminals up to the number of copies of the work in the collection.		
	Must provide technological protection measures to prevent reproduction of the works or transfer of the content outside the institution's network.		

Neighboring rights?	Libraries and some other institutions may apply this provision to performances, sound recordings, audiovisual works, and broadcasts (Article 58(1)). The revised Article 58 references Article 22(3), rather than repeat its provisions as the previous statute did.	
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<b>Anti-Circumvention of Technological Protection Measures</b>			
Circumvention provisions?	Yes.		
Prohibited Acts?	The Act of Circumvention?	The act of circumvention is prohibited.	Art. 74(3)
	Dealing in Devices?	Manufacturing, importing, distributing, selling, renting, advertising for sale or rental, or possessing for commercial purposes circumvention devices is prohibited.	Art. 74(4)
	Providing Services?	Providing circumvention services is prohibited.	
Access Control or Owner's Rights Control?	Both. The provisions relate to the use of a protected object of copyright that is controlled through application of an access control or protection process, or a copy control mechanism.		Art. 74(2)
Exemptions that could be used by libraries?	Users of rights who benefit from certain limitations must be provided with conditions or adequate means (i.e. decoding devices and other) enabling to use legitimately accessible objects of copyright, to the extent necessary for the users of the rights to benefit from the limitations provided for their interests. This provision encompasses the following limitations for libraries: reprographic reproduction (Article 23(1)), preservation and replacement in libraries (Article 23(1)), related rights limitations for libraries (Article 58).		Art. 75
	Conditions:	This exemption does not apply to works made available to the public by way of interactive on-demand transmissions, so that members of the public may access them from a place and at a time individually chosen by them.	
	The prohibition on circumvention does not apply to the making of a back-up copy and reproduction for adaptation of computer programs (Article 30) and decompilation of computer programs (Article 31).		Art. 74
Other provisions?	The owners of copyright, related rights, and sui generis rights who desire to apply voluntary measures ensuring the right to benefit from the limitations of copyright, related rights, and sui generis rights must furnish information about the measures to the institution authorized by the Government.		Art. 75(3)

	When the owners of copyright, related rights, and sui generis rights do not take measures which would enable the users to benefit from the limitations of this Article, the users who have the right to benefit from such limitations may apply to the Council of Copyright and Related Rights of Lithuania for mediation in such dispute.	Art. 75(4)
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<b>Miscellaneous</b>		
Personal Copying	Reproduction of works for personal use is permitted under certain circumstances.	Art. 20
Public lending	When the lending of books and other publications is carried out through libraries, their authors shall have the right to receive equitable remuneration for the transferred exclusive right to lend a work.	Art. 16(3)
Three-Step Test	The limitations on economic rights must not conflict with a normal exploitation of a work and must not prejudice the legitimate interests of author or other owner of copyright.	Art. 19
Defined Terms	“Reproduction” means direct or indirect, temporary or permanent making by any means and in any form, including an electronic form, of a copy (copies) of a work, an object of related rights or sui generis rights (in whole or in part).	Art. 2
	“Communication to the public” means the transmission to the public of a work, by wire or wireless means, including the making available to the public of the work in such a way that members of the public may access it from a place and at a time individually chosen by them. Communication to the public of an object of related rights means any transmission to the public of an object of related rights, including the making of the sounds or expression of the sounds recorded in a phonogram audible to the public, except broadcasting.	
Source	Law of Copyright and Related Rights of Lithuania, No. VIII-1185 (18 May 1999), as amended through No. XII-1183 (7 October 2014), available at <a href="http://www.wipo.int/wipolex/en/text.jsp?file_id=349855">http://www.wipo.int/wipolex/en/text.jsp?file_id=349855</a> .	
Last edited:	12 December 2007; rev. 30 August 2014; rev. 14 May 2015	

LUXEMBOURG

<b>Preservation</b>			
Who can copy?	Libraries accessible to the public, educational institutions, museums, or archives.		Art. 10(10)
	Conditions:	Organization is not operated for direct or indirect economic or commercial advantage.	
What can be copied?	Works that are lawfully made available to the public.		
	Conditions:	None.	
Purpose of the copy?	Solely for the purpose of preserving heritage and carrying out work reasonably necessary to make a preservation copy of the work.		
	Conditions:	None.	
Medium of the copy?	Not specified.		
Other provisions?	The reproduction may not affect the normal exploitation of the work and not harm the legitimate interests of authors.		
	This exception includes the right to make a public communication of audiovisual works in order to publicize the cultural heritage, provided such communication is analog and takes place inside the institution.		

<b>Research or Study (Making Available)</b>			
Who can communicate?	Libraries accessible to the public, educational institutions, museums, or archives.		Art. 10(14)
	Conditions:	None.	
What can be communicated?	Works in the collection of the institution.		
	Conditions:	The work must not be subject to purchase or license terms.	
Purpose of the communication?	For research or private study by individuals.		
	Conditions:	None.	
Medium?	Via dedicated terminals on the premises of the institution.		

<b>Anti-Circumvention of Technological Protection Measures</b>			
Circumvention provisions?	Yes.		§ 71ter
Prohibited Acts?	The Act of Circumvention?	The act of circumvention is prohibited.	
	Dealing in Devices?	Manufacturing, importing, distributing, selling, renting, advertising for sale or rental, and possessing for commercial purposes circumvention devices is prohibited.	§ 71quater
	Providing Services?	Providing circumvention services is prohibited.	

Access Control or Owner's Rights Control?	Both. The provisions relate to technological measures that prevent or restrict acts that are not authorized by the rightsholder; it includes access controls and protection processes.	§ 71ter
Exemptions that could be used by libraries?	The law sets forth exceptions to the circumvention provisions, which require that the rightsholder is obligated to make available the means which enable the uses within the applicable exceptions, including Article 10(10) for libraries. Beneficiaries of the exception are entitled to commence injunction proceedings in a court to compel access.	§ 71 quinquies

<b>Miscellaneous</b>	
Source	Law of Copyright, Related Rights, and Databases of Luxembourg, Law No. 50 (18 April 2001), available (in French) at <a href="http://www.wipo.int/wipolex/en/text.jsp?file_id=128653">http://www.wipo.int/wipolex/en/text.jsp?file_id=128653</a> , as amended by Law No. 61 (18 April 2004), available (in French) at <a href="http://www.wipo.int/wipolex/en/text.jsp?file_id=128655">http://www.wipo.int/wipolex/en/text.jsp?file_id=128655</a> .
Last edited:	22 May 2008; rev. 14 May 2015

MADAGASCAR

<b>Research or Study</b>		
Who can copy?	Libraries and archives.	Art. 49(1)
	Conditions: The institutions must not aim directly or indirectly at gaining commercial profit.	
What can be copied?	Articles or short works or short extracts of writings, including illustrations, published in a collection of works or an issue of a newspaper or periodical.	
	Conditions: The copying must be an isolated case occurring, if repeated, on separate and unrelated occasions. Computer programs are excluded.	
Purpose of the copy?	For study, university research, or private research of an individual person.	
	Conditions: The institution must be assured that the work will be used only for the permitted purposes.	
Medium of the copy?	Reprographic reproduction.	

<b>Preservation and Replacement</b>		
Who can copy?	Libraries and archives.	Art. 49(2)
	Conditions: The institutions must not aim directly or indirectly at gaining commercial profit.	
What can be copied?	Works.	
	Conditions: The copying must be an isolated case occurring, if repeated, on separate and unrelated occasions. Reproduction is permitted where it is impossible to get the work under reasonable conditions.	
Purpose of the copy?	To preserve a work and, if necessary (if has been destroyed or rendered unusable) to replace it.	
	To replace a work that has been lost, destroyed, or rendered unusable in the permanent collection of another library or archive.	
	Conditions: None.	
Medium of the copy?	Reprographic reproduction.	

<b>Anti-Circumvention of Technological Protection Measures</b>	
Circumvention provisions?	None.

<b>Miscellaneous</b>		
Private Copying.	Permits reproduction of most published works for private use.	Art. 42
Lending by Libraries	It is permitted, without the authorization of the	Art. 50

	author and the payment of remuneration, for a library or archive whose activities do not aim directly or indirectly at gaining commercial profit to lend to the public copies of written works, other than computer programs.	
Source	Law on the Protection of Literary and Artistic Property of Madagascar, No. 94-036 (9 December 1994), available at <a href="http://www.wipo.int/wipolex/en/text.jsp?file_id=186143">http://www.wipo.int/wipolex/en/text.jsp?file_id=186143</a> .	
Last edited:	21 December 2007; rev. 14 May 2015	

MALAWI

<b>Library Use</b>		
Author's consent required?	No. The use is permitted without the author's consent.	§ 10
Remuneration to author?	No. The use is permitted without the obligation to pay remuneration.	
Who can copy?	Public libraries, non-commercial documentation centers, scientific institutions, and educational establishments.	§ 10(f)
	Conditions:   None.	
What can be copied?	Literary, dramatic, musical, and artistic works which have been lawfully made available to the public.	
	Conditions:   None.	
Purpose of the copy?	For the needs of the regular activities of the institution.	
	Conditions:   The reproduction, number of copies made, and use thereof must be limited to the purpose.	
Medium of the copy?	Reproduction, photography, audiovisual work, sound recording, or electronic storage. See definition of "reproduction" below.	
Other provisions?	The reproduction may not conflict with the normal uses of the work nor unreasonably prejudice the legitimate interests of the author.	
	This provision permits reproduction of the work in its original language or in translation.	

<b>Anti-Circumvention of Technological Protection Measures</b>	
Circumvention provisions?	None.

<b>Miscellaneous</b>		
Personal Use	Reproduction for personal use is permitted.	Art. 10 (a)(i)
Defined Term	"Reproduction" means the making of one or more copies of a literary, dramatic, musical or artistic work or expressions of folklore or fixation in any material form including any audio-visual work or sound recording, and in the case of an artistic work, includes converting a work into a three-dimensional form or, if existing in a three-dimensional form, converting it into a two-dimensional form.	Art. 2
Source	Copyright Act of Malawi, No. 2 (26 April 1989), as amended through 2 November 1989, available at <a href="http://www.wipo.int/wipolex/en/text.jsp?file_id=219795">http://www.wipo.int/wipolex/en/text.jsp?file_id=219795</a> .	
Last edited:	4 December 2007; rev. 14 May 2015	

MALAYSIA

<b>Library Use</b>			
Who can copy?	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.		§ 13 (2)(i)
	Conditions:	None.	
What can be copied?	Works.		
	Conditions:	No profit may be derived from the use of the work. No admission fee may be charged for the performance, showing, or playing, if any, to the public of the work thus used.	
Purpose of the copy?	Any use.		
	Conditions:	The use must be in the public interest.	
		The use must be compatible with fair practice. The use must be compatible with the provisions of any regulations.	
Medium of the copy?	Not specified.		
Other provisions?	This provision is not limited to reproduction but permits "any use."		

<b>Anti-Circumvention of Technological Protection Measures</b>			
Circumvention provisions?	Yes.		§ 36(3)
Prohibited Acts?	The Act of Circumvention?	The act of circumvention is prohibited.	
	Dealing in Devices?	No.	
	Providing Services?	Causing a person to circumvent technological measures is prohibited.	
Access Control or Owner's Rights Control?	Owner's Rights Control. The provisions relate to technical measures that restrict acts which are not authorized by the author or permitted by law.		
Exemptions that could be used by libraries?	There are no explicit exemptions for circumvention.		

<b>Miscellaneous</b>		
Fair Dealing	Fair dealing can encompass any of the rights of the copyright owner for purposes of nonprofit research, private study, criticism, review, or the reporting of current events, subject to the condition that if such use is public, it is accompanied by an	§ 13 (2)(a)

	acknowledgement of the title of the work and its authorship, except where the work is in connection with the doing of any of such acts for the purposes of nonprofit research, private study and the reporting of current events by means of a sound recording, film or broadcast.	
Source	Copyright Act of Malaysia, No. 332 (30 April 1987), as amended through 1 January 2006, available at <a href="http://www.wipo.int/wipolex/en/text.jsp?file_id=195942">http://www.wipo.int/wipolex/en/text.jsp?file_id=195942</a> .	
Last edited:	3 December 2007; rev. 14 May 2015	

MALDIVES

<b>Preservation</b>		
Who can copy?	Library or archive whose activities do not serve direct or indirect commercial gain.	Art. 16(b)
	Conditions:   None.	
What can be copied?	Work.	
	Conditions:   Single copy.	
Purpose of the copy?	To preserve.	
	Conditions:   None.	
Medium of the copy?	Reprographic reproduction.	
Other provisions?	Impossible to obtain such a copy under reasonable conditions.	
	The act of reprographic reproduction is an isolated case occurring, if repeated, on separate and unrelated occasions.	

<b>Replacement</b>			
Who can copy?	Library or archive whose activities do not serve direct or indirect commercial gain.	Art. 16(b)	
	Conditions:   None.		
What can be copied?	Work.		
	Conditions:		Single copy.
			In the permanent collection of the library or archive or in that of another similar library or archive.
Purpose of the copy?	If necessary, to replace a copy or to replace a copy which has been lost, destroyed, or rendered unusable in the permanent collection of another similar library or archive.		
	Conditions:   None.		
Medium of the copy?	Reprographic reproduction.		
Other provisions?	Impossible to obtain such a copy under reasonable conditions.		
	The act of reprographic reproduction is an isolated case occurring, if repeated, on separate and unrelated occasions.		

<b>Research or Study</b>		
Who can copy?	Library or archive whose activities do not serve direct or indirect commercial gain.	Art. 16(a)
	Conditions:   None.	
What can be copied?	Published article, other short work, or short extract of a work.	
	Conditions:   Single copy.	
Purpose of the copy?	To satisfy the request of a particular person.	
	Conditions:   Library or archive is satisfied that the copy will be used solely for the purpose of study, scholarship, or private research.	

Medium of the copy?	Reprographic reproduction.	
Other provisions?	The act of reproduction is an isolated case occurring, if repeated, on separate and unrelated occasions.	
	There is no collective license available from a collective administration organization, of which the library or archive is or should be aware, under which copies can be made.	

<b>Anti-Circumvention of Technological Protection Measures</b>			
Circumvention provisions?	Yes.	Art. 33	
Prohibited Acts?	The Act of Circumvention?	No.	
	Dealing in Devices?	Manufacture for sale or rental of any device or means specifically designed or adapted to prevent any device or means intended to impair the quality of copies made or prevent making copies is prohibited. Manufacture for sale or rental of any device or means that facilitate or enable the reception of encrypted programs broadcasted or transmitted through satellite is prohibited.	Art. 33(a)(1)-(2)
	Providing Services?	No.	
Access Control or Owner's Rights Control?	Both. The provisions relate to technical measures that prevent access to a work in order to make copies or restrict the reception of encrypted programs broadcasted or transmitted through satellite.	Art. 33(a)	
Exemptions that could be used by libraries?	No.		

<b>Miscellaneous</b>		
Personal Copying	Limited right to make copies for personal use.	Art. 12
Temporary Copying	Limited right to make temporary copies of a work.	Art. 13
Quotations	Limited right to make copies, in the form of quotation, of a short part of a published work.	Art. 14
Educational Copying	Limited right to make copies for teaching purposes.	Art. 15
Public Lending	The economic rights include a right of public lending, subject to Articles 13 to 20.	Art. 10(a) & 26(a)
Defined Terms	"Reproduction" is making of one or more copies of a work or sound recording in any manner or form, including any permanent or temporary storage of the work or sound recording in electronic form.	Art. 41
	"Public lending" is the release of the original or a copy of a work or a sound recording for a limited	Art. 41

	period of time for nonprofit purpose, by an institution or a public service facility such as a public library or archive.	
Source	Copyright and Related Rights Act of the Maldives, No. 23/2010 (21 October 2010), available at <a href="http://www.wipo.int/wipolex/en/text.jsp?file_id=229881">http://www.wipo.int/wipolex/en/text.jsp?file_id=229881</a> .	
Last edited:	24 April 2014; rev. 14 May 2015	

MALI

<b>Library User Request</b>			
Who can copy?	Libraries and archives.		Art. 33(a)
	Conditions:	Whose activities do not directly or indirectly generate commercial profit.	
What can be copied?	An article or short work or short extract of a work, with or without illustrations, published in a collection of a work or of an issue of a newspaper or periodical.		
	Conditions:	Other than a computer program.	
		Single copies.	
	Without consent of the author or other owner of copyright.		
Purpose of the copy?	To meet the demand of an individual.		
	Conditions:	None.	
Medium of the copy?	Reprographic reproduction. "Reproduction" is defined below.		
Other provisions?	None.		

<b>Preservation and Replacement</b>			
Who can copy?	Libraries and archives.		Art. 33(b)
	Conditions:	Whose activities do not directly or indirectly generate commercial profit.	
What can be copied?	Works.		
	Conditions:	Single copies.	
		Without authorization of the author or other owner of copyright.	
Purpose of the copy?	Intended to preserve the original.		
	Intended to replace a copy, if necessary, in case it is lost, destroyed, or rendered unusable in the permanent collection of another similar library or archive.		
	Conditions:	None.	
Medium of the copy?	Reprographic reproduction. "Reproduction" is defined below.		
Other provisions?	None.		

<b>Anti-Circumvention of Technological Protection Measures</b>		
Circumvention provisions?	None.	

<b>Miscellaneous</b>		
Definition	"Reproduction" is the making of a copy or copies of a fixed work. Any sound or visual recording shall be considered as a reproduction for the purposes	Art. 1(30)

	of this Act. Reproduction includes storage of a work, an expression of folklore, a performance of a sound recording, or a video recording in digital form in an electronic medium.	
Berne Appendix	Brief provision adopting the license system of the Berne Appendix.	Art. 34
Source <sup>42</sup>	System of Literary and Artistic Property of Mali, Law No. 08-024 (23 July 2008), available at <a href="http://www.wipo.int/wipolex/en/text.jsp?file_id=197932">http://www.wipo.int/wipolex/en/text.jsp?file_id=197932</a> .	
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<sup>42</sup> Mali is a member of the Bangui Agreement, which includes copyright exceptions applicable to libraries and archives and provisions on anti-circumvention. See the charts of Benin's law in this report for a footnote with detailed information.

MALTA

<b>Library Use</b>			
Who can copy?	Archives and publicly accessible libraries, educational establishments, and museums.		Art. 9(1)(d)
	Conditions:	None.	
What can be copied?	Audiovisual works, databases, and literary works.		
	Conditions:	Computer programs and musical or artistic works are excluded.	
		The acts of reproduction may not be for direct or indirect economic or commercial advantage.	
Purpose of the copy?	Not specified.		
	Conditions:	None.	
Medium of the copy?	Any. "Reproduction" means the making of one or more copies in any material form of a literary, musical or artistic work, audiovisual work or sound recording and includes storing such work in any medium by electronic means (Article 2).		
Other provisions?	The provisions of Article 9 shall also apply to the neighboring rights conferred by this Act.		Art. 21

<b>Research or Study (Making Available)</b>			
Who can communicate?	Archives and publicly accessible libraries, educational establishments, and museums.		Art. 9(1)(v)
	Conditions:	None.	
What can be communicated?	An audiovisual work, a database, or a literary work contained in the institution's collections.		
	Conditions:	Computer programs and musical or artistic works are excluded.	
		The communication is permitted where the works are not subject to purchase or licensing terms.	
Purpose of the communication?	For research or study by individual members of the public.		
	Conditions:	None.	
Medium?	By dedicated terminals on the premises of the institutions.		
Other provisions?	The provisions of Article 9 shall also apply to the neighboring rights conferred by this Act.		Art. 21

<b>Anti-Circumvention of Technological Protection Measures</b>			
Circumvention provisions?	Yes.		Art. 42
Prohibited Acts?	The Act of Circumvention?	Circumventing technological measures is prohibited.	Art. 42(1)(c)
	Dealing in Devices?	Manufacturing, importing, distributing, selling, renting, advertising for sale or rental, or possessing for commercial	Art. 42(1)(d)

		purposes circumvention devices is prohibited.	
	Providing Services?	Providing, promoting, advertising, or marketing circumvention services is prohibited.	Art. 42(1)(e)
Access Control or Owner's Rights Control?	Both. The provisions relate to technological measures that prevent or restrict acts which are not authorized by the rightsholder, including access control or protection processes that achieve the protection objective.		Art. 2
Exemptions that could be used by libraries?	Yes. Where the application of technological measures to a work prevents a beneficiary of a copyright exception (including the library provision) from benefitting from that exception, the rightsholder shall make available to the beneficiary the means of benefitting from that exception.		Art. 42(2)
	Conditions:	Provided that the beneficiary has legal access to the protected work.	
		Provided that there is no voluntary measure taken by the rightsholder or agreement between the rightsholder and the other concerned party to enable the beneficiary to benefit from the copyright exception.	
		The exception does not apply to 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.	

<b>Miscellaneous</b>		
Three Step Test	The exceptions and limitations in the Copyright Act shall only be applied in such particular cases which do not conflict with a normal exploitation of the work and do not unreasonably prejudice the legitimate interest of the rightsholder.	Art. 9(3)
Personal Copying	Reproduction is permitted where made by a natural person for private use for ends that are neither directly or indirectly commercial; fair compensation is required. Certain works are excluded.	Art. 9(1)(c)
Orphan Works	Implements the European Union directive on orphan works, 2012/28/EC.	S.L. 415.05
Defined Term	"Reproduction" means the making of one or more copies in any material form of a literary, musical or artistic work, audiovisual work or sound recording and includes storing such work in any medium by electronic means.	Art. 2
Source	Copyright Act of Malta, Cap. 415, No. XIII (14 August 2000), as amended through No. VIII (2011), available at	

	<p><a href="http://www.wipo.int/wipolex/en/text.jsp?file_id=355524">http://www.wipo.int/wipolex/en/text.jsp?file_id=355524</a>; <i>AND</i> Orphan Works Regulations, Subsidiary Legislation 415.05 (7 November 2014), available at <a href="http://www.justiceservices.gov.mt">http://www.justiceservices.gov.mt</a>.</p>
Last edited:	30 November 2007; rev. 14 May 2015

MAURITANIA

<b>Library Provisions (none)</b>		
Library Provisions?	The copyright law of Mauritania includes no explicit library exceptions.	

<b>Anti-Circumvention of Technological Protection Measures</b>		
Circumvention provisions?	None.	

<b>Miscellaneous</b>	
Source	See the footnote below. <sup>43</sup>
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<sup>43</sup> Research indicates that Mauritania applies the French copyright law of 1957 and has not updated the applicable version as France revised the law; accordingly Mauritania applies a version without the library exceptions. Mauritania is a member of the Bangui Agreement, which includes copyright exceptions applicable to libraries and archives and provisions on anti-circumvention. See the charts of Benin's law in this report for a footnote with detailed information.

MAURITIUS

<b>Research or Study</b>			
Who can copy?	Any library or archive.		§ 21(a)
	Conditions:	The activities of the institution must not serve direct or indirect gain.	
What can be copied?	Published articles or other short works or short extracts.		
	Conditions:	The act of reproduction must be an isolated case occurring, if repeated, on separate and unrelated occasions.	
		There is no collective license available under which such copies can be made.	
Purpose of the copy?	For study, scholarship, or private research, to satisfy the request of a person.		
	Conditions:	The library or archive must be satisfied that the copy will be used solely for the permitted purpose.	
Medium of the copy?	Reprographic reproduction. See definition below.		

<b>Preservation and Replacement</b>			
Who can copy?	Any library or archive.		§ 21(b)
	Conditions:	The activities of the institution must not serve direct or indirect gain.	
What can be copied?	Works.		
	Conditions:	The work must be in the permanent collection of the library or archive making the copy or in the collection of another library or archive.	
		The copy can only be made if it is impossible to obtain the work under reasonable conditions.	
Purpose of the copy?	To preserve and, if necessary, in the event that it is lost, destroyed, or rendered unusable, replace a copy of the work.		
	To replace in the permanent collection of another similar library or archive a copy of the work which has been lost, destroyed, or rendered unusable.		
	Conditions:	None.	
Medium of the copy?	Reprographic reproduction. See definition below.		

<b>Anti-Circumvention of Technological Protection Measures</b>			
Circumvention provisions?	Yes.		§ 37(1) & (2)
Prohibited Acts?	The Act of Circumvention?	Yes.	
	Dealing in Devices?	Yes. Produce, import, sell, etc., circumvention devices is	

		prohibited.	
	Providing Services?	Yes.	
Access Control or Owner's Rights Control?	Access. The provisions relate to technical measures used to control uses of works by applying restrictions on access or protection processes.		
Exemptions that could be used by libraries?	The rightsholder shall remove the technological protection as necessary to enable the beneficiary of an exception to use it. The statute lists specific exceptions, including Section 21. This provision does not apply if the works are made available to the public on terms such that members of the public may access the works at a time and place of their choosing.		§ 37(3) & (4)

<b>Miscellaneous</b>		
Defined Term	"Reprographic reproduction" means the making of facsimile copies of the original or a copy of a work by means other than printing, such as photocopying, whether or not they are reduced or enlarged in scale.	§ 2
Personal Copying	Private reproduction of published works in single copy for personal purposes is permitted, under specified conditions.	§ 16
Public Lending	A library or archive whose activities do not directly or indirectly serve commercial gain may lend certain specified works to the public without the author's authorization but subject to equitable remuneration.	§ 27
Needs of Disabled Persons	Permits limited uses to serve the needs of persons who are blind, visually impaired, or print disabled.	§ 23
Source	Copyright Act of Mauritius, No. 2 (21 April 2014), available at <a href="http://www.wipo.int/wipolex/en/text.jsp?file_id=352198">http://www.wipo.int/wipolex/en/text.jsp?file_id=352198</a> .	
Last edited:	11 December 2007; rev. 14 May 2015	

MEXICO

<b>General Provisions (applicable to various statutory exceptions)</b>		
Author's consent?	No.	Art. 148
Remuneration to author?	No.	
Provide name of author?	Not specified.	
Provide source of borrowing?	Yes.	
Alteration?	No alteration of the work permitted.	

<b>Preservation</b>			
Who can copy?	Archives and libraries.		Art. 148(V)
	Conditions:	None.	
What can be copied?	Literary and artistic works already disclosed.		
	Conditions:	Where the work is out of print, not cataloged, or in danger of becoming unavailable.	
		Only a single copy can be made.	
Purpose of the copy?	For security and preservation.		
	Conditions:	None.	
Medium of the copy?	Any. See definition of "reproduction" below.		
Other provisions?	Provided that the normal exploitation of the work will not be affected.		Art. 151(IV)
	The utilization of the performances, phonographs, videotapes or broadcasts of interpretive or performing artists, producers of phonographs, videotapes, or broadcasting organizations shall not constitute violations to their rights when the use complies with Article 148.		

<b>Anti-Circumvention of Technological Protection Measures</b>			
Circumvention provisions?	Yes. The statute is generally limited to systems that are technical protection of computer programs, or of transmissions by electromagnetic waves and over telecommunication networks, or of programs containing electronic visual elements.		Art. 112
Prohibited Acts?	The Act of Circumvention?	Using circumvention devices is prohibited.	
	Dealing in Devices?	Importing, manufacturing, or distributing circumvention devices is prohibited.	
	Providing Services?	Providing circumvention services is prohibited.	
Access Control or Owner's Rights Control?	Not specified.		
Exemptions that could be used by libraries?	There are no explicit exemptions for circumvention.		

<b>Miscellaneous</b>		
Public Interest	The government may authorize publication of a translation of a work when necessary for the advancement of science and national culture and education and it is not possible to obtain permission.	Art. 147
Personal Copying	Permits reproduction of parts of literary and artistic works that have been disclosed for scientific, literary, or artistic criticism and investigation.	Art. 148(III)
	Permits one-time reproduction of a single literary or artistic work that has been disclosed for the private personal use of the person who makes it, without gainful intent. A legal entity may not use this provision, other than an educational or research institution.	Art. 148(IV)
Three Step Test	The statutory exceptions apply only when the normal exploitation of the work is not adversely affected by the use.	Art. 148
Defined Term	Reproduction is the making of one or more copies of a work, a phonograph or a videotape, in any tangible form, including any permanent or temporary storage on electronic media, including a two dimensional reproduction of a three dimensional work, or vice versa.	Art. 16
Source <sup>44</sup>	Federal Copyright Law of Mexico (5 December 1996), as amended through 14 July 2014, available at <a href="http://www.wipo.int/wipolex/en/text.jsp?file_id=340767">http://www.wipo.int/wipolex/en/text.jsp?file_id=340767</a> ; <i>AND</i> Regulations under the Federal Copyright Law of Mexico (14 September 2005), available at <a href="http://www.indautor.gob.mx/ingles/documentos_normas/reglamento_ing.pdf">http://www.indautor.gob.mx/ingles/documentos_normas/reglamento_ing.pdf</a> .	
Last edited:	11 December 2007; rev. 14 May 2015	

<sup>44</sup> This study benefited from an English-language version of the Copyright Law, current through 29 April 2013, available from the government of Mexico at [http://www.indautor.gob.mx/ingles/documentos\\_normas/ley\\_f\\_derecho\\_autor\\_ingles.pdf](http://www.indautor.gob.mx/ingles/documentos_normas/ley_f_derecho_autor_ingles.pdf).

MONACO

<b>Library Provisions (none)</b>		
Library Provisions?	The copyright law of Monaco includes no explicit library exceptions.	

<b>Anti-Circumvention of Technological Protection Measures</b>		
Circumvention provisions?	None.	

<b>Miscellaneous</b>		
Educational Copying	Limited right to make copies of literary or artistic works for publications that are scientific, educational, or part of anthologies.	Art. 16
Source	Law on the Protection of Literary and Artistic Property of Monaco, No. 491 (24 November 1948), available at <a href="http://www.wipo.int/wipolex/en/text.jsp?file_id=216484">http://www.wipo.int/wipolex/en/text.jsp?file_id=216484</a> .	
Last edited:	24 April 2014; rev. 14 May 2015	

MONGOLIA

<b>Library Use</b>		
Provide name of author?	Yes. Mention shall be made of the name of the author.	Art. 24.3
Provide source of borrowing?	Yes. Mention shall be made of the source.	
Who can copy?	Not specified.	Art. 24.1.3
	Conditions:   None.	
What can be copied?	Parts of works that are held in collections of archives, museums, or libraries	
	Conditions:   None.	
Purpose of the copy?	Not specified.	
	Conditions:   None.	
Medium of the copy?	Reproduction.	
Other provisions?	The following conditions shall be considered in the application of this exception: (1) any nonprofit purpose; (2) the extent of the use and the importance of the parts used; and (3) the value of the work and the effect of the use on the market.	Art. 24.2
	The work may be used only without contradicting the normal exploitation of published works and without affecting the legal interests of the right holders.	Art. 24.1

<b>Anti-Circumvention of Technological Protection Measures</b>	
Circumvention provisions?	None.

<b>Miscellaneous</b>		
Personal Copying	General provision allowing copying for private use, subject to some of the conditions of Article 24.	Art. 24.1.8
Source	Law of Copyright and Related Rights of Mongolia (22 June 1993), as amended through Law No. 7 (19 January 2006), available at <a href="http://www.wipo.int/wipolex/en/text.jsp?file_id=203959">http://www.wipo.int/wipolex/en/text.jsp?file_id=203959</a> .	
Last edited:	4 December 2007; rev. 29 August 2014; rev. 14 May 2015	

MONTENEGRO

<b>Internal Use</b>			
Who can copy?	Public archive, library, museum, or educational or scientific establishment.		Art. 52(2)
	Conditions:	None.	
What can be copied?	A disclosed work.		
	Conditions:	Copy may be made only from a copy owned by that legal entity.	
		Generally does not permit copies of entire books, sheet music, electronic databases, computer programs, as well as to the execution of architectural objects according to the design.	
		Reproduction of an entire book is allowed if such book has been out of print for a minimum of two years.	
		Reproduction of sheet music is allowed if transcripts are made in handwriting.	
		Article 52 does not apply to computer programs (Article 113).	
		Article 52 applies to the use of a substantial part of a disclosed database by an authorized user (Article 144).	
Purpose of the copy?	For internal use.		
	Conditions:	None.	
Medium of the copy?	Any medium.		
Other provisions?	Not more than three copies.		
	Must not be done for direct or indirect economic advantage.		
	Reproduction allowed without payment of remuneration.		
	Reproduction allowed without acquiring the economic rights.		
	The exception applies, provided it does not conflict with a normal exploitation of the work and does not unreasonably prejudice the legitimate interests of the author (Article 45, Par. (1)).		
	The user shall indicate the source and authorship of the work, unless this is not possible (Article 45, Par. (4)).		

<b>Research or Study (Making Available)</b>			
Who can communicate?	Archives, libraries, museums, and educational or scientific establishments		Art. 60
	Conditions:	None.	
What can be communicated?	Copyright works contained in collections of the institutions.		

	Conditions:	Provided the use of such works is not subject to purchase or licensing terms.	
Purpose of the communication?	Uses for the purpose of research or personal study.		
	Conditions:	By natural persons.	
Medium?	Through dedicated terminals on the premises of the listed institutions.		
Other provisions?	Use allowed without payment of remuneration.		
	Use allowed without acquiring the economic rights.		

<b>Anti-Circumvention of Technological Protection Measures</b>			
Circumvention provisions?	Yes.		Art. 186
Prohibited Acts?	The Act of Circumvention?	The act of circumvention is prohibited.	Art. 186
	Dealing in Devices?	Manufacturing, importing, distributing, selling, renting, advertising for sale or rental, or possessing for commercial purposes of devices is prohibited.	Art. 186
	Providing Services?	Trafficking in circumvention services is prohibited.	
Access Control or Owner's Rights Control?	Both. The provisions relate to technical measures that prevent access to a work or protect a right of the copyright owner.		Art. 185; Art. 186
Exemptions that could be used by libraries?	A rightholder who uses technological measures shall make available, upon request and without undue delay, appropriate means to enforce many of the copyright exceptions, including the exception for "internal reproduction," evidently referring to the library provision of Article 52.		Art. 188

<b>Miscellaneous</b>		
Exhaustion of Right of Distribution	Right of distribution is exhausted in respect to originals and copies of the work if the first sale or other transfer of ownership of that object is effected by the rightholder or with his consent.	Art. 42
Teaching Purposes	Limited right to make copies, to communicate to the public, or perform a disclosed work for teaching.	Art. 46(1); Art. 46(2); Art. 51
Persons with a Disability	Limited right to use or make copies of a work for the benefit of people with a disability.	Art. 48
Personal Copying	Limited right to make copies for personal use.	Art. 52(1)
Quotation	Limited right of quotation.	Art. 53
Free Adaptations	Limited right to adapt disclosed works for private use, for parody, cartoon or pastiche, or the adaptation is indispensable for the purpose of the use of the work.	Art. 58

Remuneration	Authors have a right to a share of remuneration associated with copying under Article 52, but that remuneration is paid on first sale or importation of some reproduction equipment and blank audio and video media.	Art. 36
Non-Waiver of Exception	The copyright exceptions in Article 52 and many other provisions may not be waived. A contract stipulating such a waiver is null and void.	Art. 45
Defined Terms	Article 52 applies to “disclosed works.” “Disclosure” is the making a copyright work or subject matter of related rights available to the public with the authorization of the authorized person.	Art. 3
Source	Law on Copyright and Related Rights of Montenegro, No. 07-1/11-1/15 (12 July 2011; promulgated by Decree No. 01-933/2 of 25 July 2011), available at <a href="http://www.wipo.int/wipolex/en/text.jsp?file_id=248552">http://www.wipo.int/wipolex/en/text.jsp?file_id=248552</a> .	
Last edited:	24 April 2014; rev. 14 May 2015	

MOROCCO

<b>Copying for Library Users</b>		
Who can copy?	Libraries and archives.	Art. 16(a)
	Conditions: The activities must not aim directly or indirectly at gaining commercial profit.	
What can be copied?	Articles or short works or short extracts of writings, including illustrations, published in collections of works or in newspapers or periodicals.	
	Conditions: Only a single copy can be made. Computer programs are excluded.	
Purpose of the copy?	To fulfill the request of an individual.	
	Conditions: None.	
Medium of the copy?	Reprographic reproduction.	

<b>Preservation and Replacement</b>		
Who can copy?	Libraries and archives.	Art. 16(b)
	Conditions: The activities must not aim directly or indirectly at gaining commercial profit.	
What can be copied?	Works.	
	Conditions: Only a single copy can be made.	
Purpose of the copy?	For preservation, or if necessary (if it appears to be lost, destroyed, or rendered unusable) for replacement.	
	For replacement in the permanent collection of another library or archive works that have been lost, destroyed, or rendered unusable.	
	Conditions: None.	
Medium of the copy?	Reprographic reproduction.	

<b>Anti-Circumvention of Technological Protection Measures</b>			
Circumvention provisions?	Yes.	Art. 65(a)	
Prohibited Acts?	The Act of Circumvention?		No.
	Dealing in Devices?		Manufacturing, importing, exporting, assembling, modifying, selling, renting, or leasing circumvention devices is prohibited.
	Providing Services?		No.
Access Control or Owner's Rights Control?	Both. The provisions relate to technical measures used to prevent or restrict reproduction of a work or to deteriorate the quality of copies made; they also include access control.		
Exemptions that could be used by libraries?	There are no explicit exemptions for circumvention. (See the limitations on remedies for libraries at		

	Article 65.1.)	
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<b>Limitation on Remedies</b>		
Who qualifies?	Libraries, archives, educational institutions, or public broadcasting organizations.	Art. 65.1
For what activity?	Violation of Article 65(a), relating to circumvention of technological protection measures.	
How are the remedies limited?	The institutions are not subjected to the criminal penalties.	
	The institutions are not subjected to the civil penalties, if they provide proof that they did not know and did not have reason to think that their acts constituted a prohibited activity.	

<b>Miscellaneous</b>		
Private Copying	Permits reproductions of most types of works for private uses.	Art. 12
Educational Uses	Permits use of some works for educational purposes.	Art. 13
Source	Law on Copyright and Related Rights of Morocco, No. 2-00 (15 February 2000), as amended by No. 34-05 (14 February 2006), available at <a href="http://www.wipo.int/wipolex/en/text.jsp?file_id=252835">http://www.wipo.int/wipolex/en/text.jsp?file_id=252835</a> .	
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MOZAMBIQUE

<b>Library Use</b>			
Who can copy?	Libraries and archive services.		Art. 12(1)
	Conditions:	The activities of the institution must not be directly or indirectly profit-making.	
What can be copied?	Works.		
	Conditions:	Isolated reproduction is permitted.	
Purpose of the copy?	Not specified.		
	Conditions:	None.	
Medium of the copy?	Reprographic reproduction. See definition below.		
Other Provisions?	Article 12(1) is drafted as if it could be used independently. However, it could be reasonably interpreted as a foundation for the application of Articles 12(2) and 12(3).		

<b>Research or Study</b>			
Who can copy?	Libraries and archive services.		Art. 12(1); 12(2)
	Conditions:	The activities of the institution must not be directly or indirectly profit-making.	
What can be copied?	Articles or short works, or short extracts of written works, including illustrations, published in collections of works or in editions of newspapers or magazines.		
	Conditions:	Computer programs are excluded.	
		The act of reproduction must be an isolated case or, if repeated, it must occur on separate, unrelated occasions.	
		The reproduction is only permitted where no collective license may be obtained that would allow the use of such copies.	
Purpose of the copy?	For university, private study, or research, by request of a natural person.		
	Conditions:	The institution must ensure that the copy will be used solely for the permitted purposes.	
Medium of the copy?	Reprographic reproduction. See definition below.		

<b>Preservation and Replacement</b>			
Who can copy?	Libraries and archive services.		Art. 12(1); 12(3)
	Conditions:	The activities of the institution must not be directly or indirectly profit-making.	
What can be copied?	Works in the permanent collection of the library or archive service.		
	Conditions:	The copying is permitted where it is	

		impossible to find a copy of the work on reasonable terms.	
		The act of reproduction must be an isolated act or, if repeated, it must occur on separate, unrelated occasions.	
Purpose of the copy?	To preserve or, if necessary, to replace a work on account of the work's having been lost, destroyed, or rendered unusable.		
	Conditions:	None.	
Medium of the copy?	Reprographic reproduction. See definition below.		

### Anti-Circumvention of Technological Protection Measures

Circumvention provisions?	None.
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### Miscellaneous

Personal Copying	Reproduction of a lawfully published work exclusively for the user's private purposes is permitted; certain types of works are excluded.	Art. 9
Remuneration	Payment of remuneration is not required for private use, use intended exclusively for education and scientific research, and any other uses that by virtue of this Law constitute exceptions in relation to works protected by copyright.	Art. 47
Defined Terms	"Reprographic reproduction of a work" means the production of facsimile copies of originals or of copies of the work by means other than painting. The production of reduced or enlarged facsimile copies is also considered "reprographic reproduction."	Annex (32)
Source	Copyright Law of Mozambique, No. 4/2001 (27 February 2001), available at <a href="http://www.wipo.int/wipolex/en/text.jsp?file_id=128885">http://www.wipo.int/wipolex/en/text.jsp?file_id=128885</a> .	
Last edited:	3 December 2007; rev. 14 May 2015	

MYANMAR

<b>Library Provisions (none)</b>		
Library Provisions?	The copyright law of Myanmar includes no explicit library exceptions.	

<b>Anti-Circumvention of Technological Protection Measures</b>		
Circumvention provisions?	None.	

<b>Miscellaneous</b>		
Fair Dealing	Fair dealing with any work for the purposes of private study, research, criticism, review, or newspaper summary is permitted.	Art. 2(1)(i)
Educational copying	Limited right to make copies for the use of schools. Specifically permits making collections of short passages from published literary works.	Art. 2(1)(iv)
Source	The Burma [Myanmar] Copyright Act (24 February 1914), available at <a href="http://www.wipo.int/wipolex/en/text.jsp?file_id=180315">http://www.wipo.int/wipolex/en/text.jsp?file_id=180315</a> .	
Last edited:	25 April 2014; rev. 14 May 2015	

NAMIBIA

<b>Library Provisions (none)</b>		
Library Provisions?	The copyright law of Namibia includes no explicit library provisions.	

<b>Anti-Circumvention of Technological Protection Measures</b>	
Circumvention provisions?	None.

<b>Miscellaneous</b>		
Fair Dealing	The fair dealing of a literary or artistic work for personal use or private study is not infringement.	§ 15 (1)(a)
Three Step Test	In addition to reproductions permitted in terms of this Act, reproduction of a work shall also be permitted as prescribed, 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.	§ 16
Source	Copyright and Neighboring Rights Protection Act of Namibia, No. 6 (5 May 1994), available at <a href="http://www.wipo.int/wipolex/en/text.jsp?file_id=222895">http://www.wipo.int/wipolex/en/text.jsp?file_id=222895</a> .	
Last edited:	4 December 2007; rev. 14 May 2015	

NEPAL

<b>Replacement</b>		
Who can copy?	Public libraries and archives.	§ 19
	Conditions: None.	
What can be copied?	Works made available in the library or archive.	
	Conditions: Only one copy can be made.	
Purpose of the copy?	To reproduce a work is lost, destroyed, old, or incapable of being obtained.	
	Conditions: The use must not derive economic profit directly or indirectly.	
Medium of the copy?	Not specified.	

<b>Research or Study</b>		
Who can copy?	Public libraries and archives.	§ 19
	Conditions: None.	
What can be copied?	Works made available in the library or archive.	
	Conditions: Only one copy can be made.	
Purpose of the copy?	Research or study, at the request of a person.	
	Conditions: The use must not derive economic profit directly or indirectly.	
Medium of the copy?	Not specified.	

<b>Anti-Circumvention of Technological Protection Measures</b>			
Circumvention provisions?	Yes.	§ 25(e)	
Prohibited Acts?	The Act of Circumvention?		No.
	Dealing in Devices?		Importing, producing, or renting circumvention devices is prohibited.
	Providing Services?		No.
Access Control or Owner's Rights Control?	Owner's Rights Control. The provisions relate to technical measures designed to discourage unauthorized reproduction.		
Exemptions that could be used by libraries?	There are no explicit exemptions for circumvention.		

<b>Miscellaneous</b>		
Personal Copying	No authorization is required for reproduction of portions of published works for personal uses.	§ 16
Educational Uses	Limited reproduction of works for educational purposes.	§ 18
Source	Copyright Act of Nepal, No. 8 (15 August 2002), available at <a href="http://www.wipo.int/wipolex/en/text.jsp?file_id=189128">http://www.wipo.int/wipolex/en/text.jsp?file_id=189128</a> .	
Last edited:	11 December 2007; rev. 14 May 2015	

NETHERLANDS

<b>Preservation, Replacement, and Obsolete Technology</b>		
Who can copy?	Publicly accessible libraries, educational institutions, and museums, or archives.	Art. 16n <sup>45</sup>
	Conditions: The institution is not seeking direct or indirect economic or commercial benefit.	
What can be copied?	Literary, scientific, or artistic works held in the collection of the institution.	
	Conditions: None.	
Purpose of the copy?	To restore the original or copy of the work.	
	To preserve a copy of the work for the institution, if the original or copy of the work is threatened with decay.	
	To preserve access to the work if the technology available to render it accessible becomes obsolete.	
	Conditions: None.	
Medium of the copy?	Not specified.	
Other provisions?	The author retains certain moral rights specified in Article 25.	Art. 10(f) (Related Rights Act)
	Reproduction of a recording of a performance, phonogram, first print of a film, or recording of a program may reproduction a work for preservation in the event of a demonstrable threat of it falling into disrepair or to keep the work in a condition in which it can be consulted if there is no technology available to render it accessible. The conditions of Article 16n apply.	

<b>Research or Study (Making Available)</b>		
Who can communicate?	Publicly accessible libraries, educational institutions, and museums, or archives.	Art. 15h
	Conditions: The institution is not seeking direct or indirect economic or commercial benefit.	
What can be communicated?	Literary, scientific, or artistic works forming part of the collections of the institution.	
	Conditions: The access is permitted unless otherwise agreed.	
Purpose of the communication?	For research or private study for individual members of the public.	
	Conditions: None.	
Medium?	By closed network through dedicated terminals on the premises of the institutions.	
Other provisions?	A recording of a performance, phonogram, first print of a film, or recording of a program that forms part of the collection of the institution can also be	Art. 10(c) (Related

<sup>45</sup> The citations refer to the Copyright Act unless otherwise specified.

	made accessible under similar conditions.	Rights Act)
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<b>Anti-Circumvention of Technological Protection Measures</b>			
Circumvention provisions?	Yes.		Art. 29a
Prohibited Acts?	The Act of Circumvention?	The act of circumvention is prohibited.	Art. 29a (2)
	Dealing in Devices?	Making, importing, distributing, selling, hiring out, advertising, or possessing circumvention devices is prohibited.	Art. 29a (3)
	Providing Services?	Providing circumvention services is prohibited.	
Access Control or Owner's Rights Control?	Both. The provisions relate to technical measures used to prevent or limit actions that have not been permitted by the rightsholder; it also includes the access control and protective procedures (e.g. encryption).		Art. 29a (1)
Exemptions that could be used by libraries?	Government orders may establish rules obliging the author to provide the user of a literary, scientific, or artistic work for personal or library copying (and other specified uses) with the means necessary to profit from the limitations.		Art. 29a (4)
	Conditions:	The user must have lawful access to the work.	
		The exemption does not apply to works made available to users under contractual conditions at a time and a place selected by the individual users.	
Other provisions?	Certain acts with respect to circumvention of protection of databases are prohibited. The government may also create regulations requiring the producer of the database to provide users with access under specified circumstances.		Art. 5a (Data-bases Act)

<b>Miscellaneous</b>		
Personal Copying	Reproduction of literary, scientific, and artistic work is permitted if it is restrict to a few specimens intended for personal exercise, study, or use by the person who has carried out the reproduction, without any indirect or direct commercial motivation. Certain works are excluded or limited to copying of portions. The reproduction is subject to remuneration. Similar provisions apply to reproduction of material protected by related rights, see Related Rights Act, Art. 10(e).	Art. 16b; Art. 16c
Public Lending	Educational establishments, research institutes and the	Art. 15c

	libraries attached to them are exempt from remuneration for public lending. <sup>46</sup> (Similar exemptions are found in the public lending law of the Related Rights Act, see Articles 2, 6, 7a, and 8.)	
Orphan Works	The Netherlands has implemented the European Union directive on orphan works, 2012/28/EC.	Art. 16o to 16r & 17. Art. 10(l) (Related Rights Act)
Needs of Disabled Persons	Permits reproduction and making available of works for disabled persons.	Art. 15i
Source <sup>47</sup>	Copyright Act of the Netherlands (23 September 1912), as amended through the Act of 8 October 2014, <i>Stb.</i> 2014, 388 (Orphan Works), available at <a href="http://wetten.overheid.nl/BWBR0001886/geldigheidsdatum_17-04-2015">http://wetten.overheid.nl/BWBR0001886/geldigheidsdatum_17-04-2015</a> ; <i>AND</i> Related Rights Act of the Netherlands (1993), as amended through the Act of 8 October 2014, <i>Stb.</i> 2014, 388 (Orphan Works), available at <a href="http://wetten.overheid.nl/BWBR0005921/geldigheidsdatum_17-04-2015">http://wetten.overheid.nl/BWBR0005921/geldigheidsdatum_17-04-2015</a> ; <i>AND</i> Law on the Legal Protection of Databases of the Netherlands (8 July 1999), as amended through the Act of 6 July 2004, <i>Stb.</i> 2004, 336, available at <a href="http://www.rijksoverheid.nl/documenten-en-publicaties/kamerstukken/2006/06/22/databases-act.html">http://www.rijksoverheid.nl/documenten-en-publicaties/kamerstukken/2006/06/22/databases-act.html</a> , as further amended by the Act of 8 March 2007, <i>Stb.</i> 2007, 108 (see Article IV), available at <a href="https://zoek.officielebekendmakingen.nl/stb-2007-108.html">https://zoek.officielebekendmakingen.nl/stb-2007-108.html</a> .	
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<sup>46</sup> Currently before the European Court of Justice is the question of whether lending of e-books by public libraries in the Netherlands is permitted consistent with the European Union Directive on Rental Right and Lending Right, 2006/115/EC, when the books are accessed by users from a library server and only single user copies are available at any time.

<sup>47</sup> This study benefited from the following unofficial English translation of the Copyright Act, as it was in force and effect as of 1 January 2012: Mireille van Eechoud, "Copyright Act – *Auteurswet*. Unofficial Translation," in *A Century of Dutch Copyright Law: Auteurswet 1912-2012*, eds. Bernt Hugenholtz, Antoon Quaedvlieg & Dirk Visser (Amsterdam: deLex, 2012), pp. 505-546. This study further benefited from an English translation of the Related Rights Act, current to 2006, available at <http://www.rijksoverheid.nl/documenten-en-publicaties/besluiten/2006/06/22/related-rights-act.html>.

NEW ZEALAND

<b>Research or Study (Literary, Dramatic, or Musical Works)</b>		
Who can copy?	Librarians of prescribed libraries, including persons working on behalf of the librarians.	§ 51
	Conditions: None.	
What can be copied?	Reasonable proportions of published editions of literary, dramatic, or musical works, including artistic work that appears within the proportions copied and the typographical arrangement.	
	Conditions: Computer programs are excluded.	
	Articles in periodicals are excluded. No person may be supplied on the same occasion with more than one copy of the same material.	
Purpose of the copy?	For research or private study.	
	Conditions: Where any person is supplied with, or otherwise comes into possession of, a copy made in accordance with this section, that person may use the copy only for the purposes of research or private study.	
Medium of the copy?	Any. See definition of "copying" below.	
	Conditions: Digital copies are allowed subject to two conditions: (1) Librarian provides user with a written statement of the terms of use of the copy; and (2) Librarian must destroy additional copies made in the process (Section 56B).	
Other provisions?	If a person is required to pay for the copy, the payment required must be no higher than a sum consisting of the total of the cost of production of the copy and a reasonable contribution to the general expenses of the library.	

<b>Research or Study (Articles)</b>		
Who can copy?	Librarians of prescribed libraries, including persons working on behalf of the librarians.	§ 52
	Conditions: None.	
What can be copied?	Literary, dramatic, or musical works, and any artistic work included in those works, that are contained in articles in periodicals, including the typographical arrangement.	
	Published editions that are articles in periodicals and the typographical arrangement.	
	Conditions: No person may be supplied on the same occasion with more than one copy of the same article. No person may be supplied on the same occasion with copies of more	

		than one article contained in the same issue of a periodical, unless the copies supplied all relate to the same subject-matter.	
Purpose of the copy?	For research or private study.		
	Conditions:	Where any person is supplied with, or otherwise comes into possession of, a copy made in accordance with this section, that person may use the copy only for the purposes of research or private study.	
Medium of the copy?	Any. See definition of "copying" below.		
	Conditions:	Digital copies are allowed subject to two conditions: (1) Librarian provides user with a written statement of the terms of use of the copy; and (2) Librarian must destroy additional copies made in the process (Section 56B).	
Other provisions?	If a person is required to pay for the copy, the payment required must be no higher than a sum consisting of the total of the cost of production of the copy and a reasonable contribution to the general expenses of the library.		

<b>Research or Study (Unpublished Works)</b>			
Who can copy?	Librarians of prescribed libraries, including persons working on behalf of the librarians.		§ 56
	Archivists of archives, including persons working on behalf of the archivists.		
	Conditions:	None.	
What can be copied?	Unpublished works in libraries or archives.		
	Conditions:	A copy may not be made if the copyright owner has prohibited copying of the work and at the time the copy is made the librarian or archivist making it is, or ought to be, aware of that fact.	
		No person may be supplied on the same occasion with more than one copy of the same work.	
Purpose of the copy?	Research or private study.		
	Conditions:	Where any person is supplied with, or otherwise comes into possession of, a copy made in accordance with this section, that person may use the copy only for the purposes of research or private study.	
Medium of the copy?	Any. See definition of "copying" below.		
	Conditions:	Digital copies are allowed subject to two conditions: (1) Librarian provides user with a written statement of the terms of use of the copy; and (2) Librarian must destroy	

		additional copies made in the process (Section 56B).	
Other provisions?	If a person is required to pay for the copy, the payment required must be no higher than a sum consisting of the total of the cost of production of the copy and a reasonable contribution to the general expenses of the library.		
	This section does not apply to the sound archive maintained by Radio New Zealand Limited, the film archive maintained by Television New Zealand Limited, or the film archive maintained by the New Zealand Film Archive Incorporated.		

<b>Supplying Copies to Other Libraries (For Users)</b>			
Who can copy?	Librarians of prescribed libraries, including persons working on behalf of the librarians.		§ 53
	Conditions:	Upon request from another prescribed library who received a request from a person.	
What can be copied?	Reasonable proportions of published literary, dramatic, or musical works including artistic work that appears within the proportions copied.		
	Whole literary, dramatic, or musical works that are contained in articles in periodicals, including artistic work that appears within the article.		
	Conditions:	Computer programs are excluded. If there is any other article in the same issue of the periodical relating to the same subject-matter as the first article copied, the whole of that other article and any artistic work included in that article.	
Purpose of the copy?	For supply to another prescribed library for research or private study.		
	Conditions:	Where any person is supplied with, or otherwise comes into possession of, a copy made in accordance with this section, that person may use the copy only for the purposes of research or private study.	
Medium of the copy?	Any. See definition of "copying" below.		
	Conditions:	Digital copies are permitted only if the library supplying the copy destroys as soon as practicable any additional copies made in the process (Section 56C).	

<b>Supplying Copies to Other Libraries (For Collections)</b>			
Who can copy?	Librarians of prescribed libraries, including persons working on behalf of the librarians.		§ 54
	Conditions:	None.	
What can be copied?	Literary, dramatic, or musical works, including any artistic work included in the work and the		

	typographical arrangement from published editions that are books.	
	Conditions: Computer programs are excluded. The receiving library must have been unable to obtain the work at an ordinary commercial price within the preceding six months. The receiving library must make and keep a record sufficient to identify the work copied.	
Purpose of the copy?	For supply to the librarian of another prescribed library.	
	Conditions: None.	
Medium of the copy?	Any. See definition of “copying” below.	
	Conditions: Digital copies are permitted only if the library supplying the copy destroys as soon as practicable any additional copies made in the process (Section 56C).	
Other provisions?	The receiving library must permit the inspection of the record by the copyright owner during normal office hours.	
	The receiving library must pay, on demand, equitable remuneration to the copyright owner for the work copied. “Equitable remuneration” means a sum agreed by the librarian and the copyright owner or, in the absence of agreement, a sum determined by the Tribunal on an application under Section 168.	

<b>Preservation and Replacement</b>		
Who can copy?	Librarians of prescribed libraries, including persons working on behalf of the librarians.	§ 55
	Archivists of archives, including persons working on behalf of the archivists.	
	Conditions: None.	
What can be copied?	Items in the collection of the library or archive.	
	Conditions: None.	
Purpose of the copy?	To preserve or replace the item by placing the copy in the collection of the library or archive in addition to or in place of the item.	
	Conditions: A copy may be made only where it is not reasonably practicable to purchase the item to fulfill the purpose. For this purpose, the copy may be digital if: (1) the original is at risk of loss, damage, or destruction; (2) the digital copy replaces the original; (3) the original is generally not made accessible; (4) it is not reasonably practicable to purchase a copy.	
	To replace in the collection of another prescribed library or archive an item that has been lost,	

	destroyed, or damaged.	
	Conditions: A copy may be made only where it is not reasonably practicable to purchase the item to fulfill the purpose.	
	For this purpose, the copy may be digital if: (1) the original has been lost, damaged, or destroyed; and (2) it is not reasonably practicable to purchase a copy.	
Medium of the copy?	Any. See definition of “copying” below.	
	Conditions: See references to digital copying in connection with purpose.	

<b>Communicating Works to Library Users (Making Available)</b>		
Who can communicate?	Librarians of prescribed libraries, including persons working on behalf of the librarians. Archivists of archives, including persons working on behalf of the archivists. Conditions: None.	§ 56A
What can be communicated?	A digital copy of a work. Conditions: Librarian or archivist has obtained the digital copy lawfully. The copy is communicated in a form that cannot be altered or modified.	
Purpose of the communication?	To communicate the digital copy of a work to an authenticated user. Conditions: Librarian or archivist ensures that the user is informed in writing about the limits under the law and uses must be in accordance with the copyright law. The number of users who can access the digital copy at any one time is not more than the digital copies purchased or licensed by the library or archives.	
Medium?	Digital.	
Other Provisions?	An “authenticated user” is a person with a legitimate right to use the services of the library or archives, or can access the copy through a verification system. To “communicate” a work means to transmit it or make it available by means of a communication technology, including by means of an electronic retrieval system (Section 2).	

<b>Anti-Circumvention of Technological Protection Measures</b>		
Circumvention provisions?	Yes.	§§ 226 to 226E
Prohibited Acts?	The Act of Circumvention? No.	

	Dealing in Devices?	Making, importing, selling, letting for hire, offering or exposing for sale or hire, advertising for sale or hire, or publishing information intended to enable the making of circumvention devices is prohibited.	
	Providing Services?	A person may not provide services to another person, intending or knowing that the services may enable circumvention.	
Access Control or Owner's Rights Control?	Owner's Rights Control. The provisions relate to devices that prevent or restrict the copying of a work or that impair the quality of copies made.		
Exemptions that could be used by libraries?	The TPM restrictions in general "do not prevent or restrict the exercise of a permitted act," suggesting that TPM cannot be used to prevent lawful uses of the work (Section 226D). The law further provides that circumvention is allowed for permitted uses (Section 226E). Librarians and archivists are among the "qualified persons" who may acquire circumvention devices. Individuals may also request that a library or archive act on its behalf to circumvent the TPM if the rightsholder has not provided the means or responded to a request.		

<b>Miscellaneous</b>		
Research or Private Study	Permits fair dealing of a work for purposes of research or private study. The statute sets for five factors for evaluating fair dealing.	§ 43
Educational Uses	Series of provisions permitting various specific uses of works for education.	§§ 44 to 49
Rental	Rental of works by educational establishments and libraries does not constitute an infringement under certain conditions.	§ 79
Defined Terms	"Prescribed library" means the National Library; the Parliamentary Library; certain law libraries; a library maintained by an educational establishment, government department, or local authority; and a library of any other class of library prescribed by regulations made under this Act, not being a library conducted for profit.	§ 50(1)
	"Archive" means Archives New Zealand; the National Library; sound archive maintained by Radio New Zealand Limited; film archive maintained by Television New Zealand Limited; film archive maintained by the New Zealand Film Archive Incorporated; or certain collection of documents of historical significance or public interest that is in the custody of and being maintained by a body, whether incorporated or unincorporated, that does not keep and maintain the collection for the purpose of deriving a profit; and	

	includes, in relation only to its holding of public archives (within the meaning of section 4 of the Public Records Act 2005), an approved repository within the meaning of that section of that Act.	
	“Copying” means, in relation to any description of work, reproducing or recording the work in any material form (including any digital format), in any medium and by any means; and includes, in relation to a literary, dramatic, musical, or artistic work, storing the work in any medium by any means; and includes, in relation to an artistic work, the making of a copy in 3 dimensions of a two-dimensional work and the making of a copy in 2 dimensions of a three-dimensional work; and includes, in relation to a film, television broadcast, or cable program, the making of a photograph of the whole or any substantial part of any image forming part of the film, broadcast, or cable program.	§ 2
	In Sections 51 to 56C, reference to a librarian or archivist includes a person acting on behalf of the librarian or archivist.	§ 50(2)
Source	Copyright Act of New Zealand, No. 143 (15 December 1994), as amended through Copyright Amendment Act, No. 86 (22 October 2013), available at <a href="http://www.wipo.int/wipolex/en/text.jsp?file_id=335333">http://www.wipo.int/wipolex/en/text.jsp?file_id=335333</a> .	
Last edited:	22 May 2008; rev. 14 May 2015	

NICARAGUA

<b>Preservation</b>			
Who can copy?	Libraries or archives whose activities are without direct or indirect commercial profit.		Art. 35
	Conditions:	None.	
What can be copied?	Work.		
	Conditions:	In its permanent collection.	
Purpose of the copy?	To preserve.		
	Conditions:	None.	
Medium of the copy?	Any. The statute allows the library or archive to reproduce the work. See the definition of "reproduction."		
Other provisions?	Must be an isolated example.		
	It is not possible to acquire such copy in a reasonable time and under reasonable conditions.		

<b>Replacement</b>			
Who can copy?	Libraries or archives whose activities are without direct or indirect commercial profit.		Art. 35
	Conditions:	None.	
What can be copied?	Work.		
	Conditions:	In its permanent collection.	
Purpose of the copy?	To replace.		
	Conditions:	If the work has been lost, destroyed, or rendered unusable.	
Medium of the copy?	Any. The statute allows the library or archive to reproduce the work. See the definition of "reproduction."		
Other provisions?	Must be an isolated example.		
	It is not possible to acquire such copy in a reasonable time and under reasonable conditions.		

<b>Anti-Circumvention of Technological Protection Measures</b>			
Circumvention provisions?	Yes.		Art. 111
Prohibited Acts?	The Act of Circumvention?	The act of circumvention is prohibited.	Art. 111(1)
	Dealing in Devices?	Manufacturing, importing, distributing, offering to the public, providing, or trafficking in circumvention devices is prohibited.	Art. 111(2)
	Providing Services?	Offering to the public or providing circumvention services is prohibited.	Art. 111(2)
Access Control or Owner's Rights Control?	Both. The provisions relate to technical measures that prevent access to a work or protect a right of the copyright owner.		Art. 111(1)

Exemptions that could be used by libraries?	Libraries, archives or nonprofit educational institutions may gain access to a work, performance or phonogram which they would not have been able to access otherwise, for the sole purpose of making decisions regarding acquisitions.	Art. 111
	The penal provisions of Article 111 shall not apply to the specific activities of libraries, archives, educational institutions, or nonprofit noncommercial public broadcasting bodies.	

<b>Miscellaneous</b>		
Personal Copying	Limited rights to make personal copies.	Art. 31
Quotation	Limited right to quote from disclosed works for analysis, commentary, or criticism.	Art. 32
Educational Use	Limited right to reproduce articles and other short published works for education.	Art. 33
Copying for the Blind	Limited rights to make copies using the Braille or other specific system for the private use of the blind.	Art. 34
Parody	Parodies of a divulged work are allowed.	Art. 37
Defined Terms	“Reproduction” means making one or more copies of a work, performance, phonogram or broadcast, directly or indirectly, in any medium or form, including the printing, photocopying, recording or permanent or temporary storage in electronic form. (See 2006 amendments.)	Art. 2.29
Source	Law on Copyright and Neighboring Rights of Nicaragua, No. 312 (6 July 1999), available at <a href="http://www.wipo.int/wipolex/en/text.jsp?file_id=128904">http://www.wipo.int/wipolex/en/text.jsp?file_id=128904</a> , as amended by Law on Amendments and Additions to Law No. 312, Law on Copyright and Related Rights of Nicaragua, No. 577 (16 March 2006), available at <a href="http://www.wipo.int/wipolex/en/text.jsp?file_id=177302">http://www.wipo.int/wipolex/en/text.jsp?file_id=177302</a> .	
Last edited:	25 April 2014; rev. 14 May 2015	

NIGER

<b>Research or Study</b>			
Who can copy?	Libraries and archives.		Art. 12(i)
	Conditions:	The activities of the institution are not directly or indirectly profit-making.	
What can be copied?	Articles or short works or short extracts of writings, with or without illustrations, published in collections, newspapers, or periodicals.		
	Conditions:	Only single copies can be made.	
		Computer programs are excluded.	
		The act of reproduction must be an isolate case occurring, if repeated, or separate and unrelated occasions.	
Reproduction is not permitted where there is a collective license that can be obtained to allow the making of such copies, offered by a collective management organization such that the library is or should be aware of.			
Purpose of the copy?	For university or private study or research, by request of individuals.		
	Conditions:	The library or archive ensures that the copy will be used only for the permitted purposes.	
Medium of the copy?	Reprographic reproduction. See definition below.		

<b>Preservation and Replacement</b>			
Who can copy?	Libraries and archives.		Art. 12(ii)
	Conditions:	The activities of the institution are not directly or indirectly profit-making.	
What can be copied?	Works.		
	Conditions:	Only single copies can be made.	
		Reproduction is permitted where it is impossible to get a replacement copy under reasonable conditions.	
		The act of reproduction must be an isolate case occurring, if repeated, or separate and unrelated occasions.	
Purpose of the copy?	To preserve a work.		
	To replace, if necessary, a work in the permanent collection of another library or archive, if the work has been lost, destroyed, or rendered unusable.		
	Conditions:	None.	
Medium of the copy?	Reprographic reproduction. See definition below.		

<b>Anti-Circumvention of Technological Protection Measures</b>	
Circumvention provisions?	None.

<b>Miscellaneous</b>		
Definition	“Reprographic Reproduction” is the making of facsimile copies of a work by means other than printing, for example, by photocopying; includes the making of facsimile copies in reduced or enlarged scale.	Art. 1(xvi)
Private Copying	Permits making copies of most works exclusively for the private use of the user.	Art. 9
Educational Use	Permits limited reproduction of works for teaching.	Art. 11
Source <sup>48</sup>	Law on Copyright, Related Rights, and Expressions of Folklore of Niger, Decree No. 93-027 (30 March 1993), available at <a href="http://www.wipo.int/wipolex/en/text.jsp?file_id=240540">http://www.wipo.int/wipolex/en/text.jsp?file_id=240540</a> .	
Last edited:	18 December 2007; rev. 25 April 2015	

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<sup>48</sup> Niger is a member of the Bangui Agreement, which includes copyright exceptions applicable to libraries and archives and provisions on anti-circumvention. See the charts of Benin’s law in this report for a footnote with detailed information.

NIGERIA

<b>Library Use (Public Interest)</b>			
Who can copy?	The government, public libraries, non-commercial documentation centers, and scientific or other institutions as may be prescribed.		Second Schedule (k)
	Conditions:	None.	
What can be copied?	Works.		
	Conditions:	None.	
Purpose of the copy?	Any use in the public interest.		
	Conditions:	No revenue may be derived from the use. If the work is communicated, then no admission fee may be charged.	
Medium of the copy?	Not specified.		
Other provisions?	This provision is not limited to reproduction but includes "any use" by the institution.		

<b>Library Use (Unavailable Works)</b>			
Who can copy?	By or under the direction of the persons in charge of public libraries.		Second Schedule (q)
	Conditions:	None.	
What can be copied?	Books, including pamphlets, sheet music, maps, charts, or plans.		
	Conditions:	Not more than three copies can be made.	
		The copying can only occur if the book is not available for sale in Nigeria.	
Purpose of the copy?	For use of the library.		
	Conditions:	None.	
Medium of the copy?	See definition of "copy" below.		

<b>Research or Study (Unpublished Works)</b>			
Who can copy?	Not specified. (Implicitly the library or the user could copy.)		Second Schedule (r)
	Conditions:	None.	
What can be copied?	Unpublished literary or musical works, kept in the library, museum, or other institution to which the public has access.		
	Conditions:	None.	
Purpose of the copy?	Research or private study.		
	Conditions:	None.	
Medium of the copy?	See definition of "copy" below.		

<b>Anti-Circumvention of Technological Protection Measures</b>	
Circumvention provisions?	None.

<b>Miscellaneous</b>		
Fair dealing	The fair dealing for purposes of research, private use, criticism or review, or the reporting of current events is not an infringement.	Second Schedule (a)
Compulsory License	Nigerian citizens or bodies incorporated in Nigeria can apply for a license to produce and publish a translation of or reproduce a published literary or dramatic work in printed or analogous form for purposes of teaching, scholarship, or research. Detailed conditions apply.	Fourth Schedule
National Archives	Reproduction of works stored in the National Archives or the public records of a state to supply to a person is not an infringement.	§ 14(2)
Defined Term	“Copy” means a reproduction in written form, in the form of a recording or cinematograph film, or in any other material form, so however that an object shall not be taken to be a copy of an architectural work unless the object is a building or model.	§ 39
Source	Copyright Act of Nigeria, Cap. C28 (1990), as amended through Decree No. 42 (1999) and codified in 2004, available at <a href="http://www.wipo.int/wipolex/en/text.jsp?file_id=268735">http://www.wipo.int/wipolex/en/text.jsp?file_id=268735</a> .	
Last edited:	4 December 2007; rev. 14 May 2015	

NIUE

<b>Research or Study</b>		
Who can copy?	By or on behalf of a teacher at any university or school, or the librarian of the General Assembly Library, or of the library maintained by any government department, local authority, public body, university, or school, or of a library of any other prescribed class.	§ 21(1)
	Conditions: Such library may not be conducted for profit.	
What can be copied?	A published literary, dramatic, or musical work, or a published edition of such a work, or a published artistic work.	
	Conditions: No copy shall extend to more than a reasonable proportion of the work or edition in question. Artistic works are exempt from this condition.	
	No copy shall extend to more than one article in a periodical publication, unless two or more articles in the same publication relate to the one subject-matter.	
Purpose of the copy?	To make copies and supply them to persons for purposes of research or private study.	
	Conditions: The persons requesting copies must satisfy the teacher or librarian or a person acting on his behalf that they require the copies for the purposes of research or private study and will not use them for any other purpose.	
	No person shall be furnished with more than one copy of the same artistic work, or the same article, or the same part of any other work or editions.	
Medium of the copy?	Not specified.	
Other provisions?	The institution may charge for the copies, but may not require a fee higher than the cost (including a contribution to the general expenses of the institution) attributable to their production.	

<b>Supply to other Libraries (Published Works)</b>		
Who can copy?	By or on behalf of the librarian of a library.	§ 21(2)
	Conditions:	
What can be copied?	A published literary, dramatic, or musical work, or a published edition of such a work, or a published artistic work.	
	Conditions: The librarian on whose behalf the copy is supplied does not know the name and address of any person	

		entitled to authorize the making of the copy, and could not by reasonable inquiry ascertain the name and address of such a person. This condition does not apply in the case of an article contained in a periodical publication.	
Purpose of the copy?	To make copies and supply them to the librarian of another library.		
	Conditions:		
Medium of the copy?	Not specified.		
Other provisions?	None.		

<b>Supply to other Libraries (Unpublished Works)</b>			
Who can copy?	By or on behalf of the librarian of a library.		§ 21(3)
	Conditions:	The library must have the work in its collections and be a library to which Section 21(1) applies.	
What can be copied?	An unpublished literary, dramatic, musical, or artistic work.		
	Conditions:	The copy may be of a work deposited at a library to which Section 21(1) applies.	
Purpose of the copy?	To make copies and supply them to the librarian of another library.		
	Conditions:	The receiving library must be a library to which Section 21(1) applies, or the persons requesting copies must satisfy the librarian or a person acting on the librarian's behalf that they require the copies for the purposes of research or private study and will not use them for any other purpose.	
Medium of the copy?	Not specified.		
Other provisions?	None.		

<b>Anti-Circumvention of Technological Protection Measures</b>		
Circumvention provisions?	None.	

<b>Miscellaneous</b>		
Private Study	Permits fair dealing of some works for research or private study.	§§ 19 and 20
Educational Uses	Permits various uses of copyrighted works for education.	§ 21(4) to 21(6)
Definitions	For purposes of Section 21, the following definitions apply: "Article" includes an item of any description. "School" covers a broad scope of primary or post-	§ 21(8)

	primary public or other registered schools. “University” includes a University College and a University College of Agriculture.	
Source	<p><i>Contextual note:</i> Niue is an independent country, governed as an associated state of New Zealand. The Niue Act of New Zealand, Public Act No. 38 (7 October 1966), provides at Article 686: “The Copyright Act 1962 [of New Zealand] shall be in force in Niue in the same manner in all respects as if Niue were for all purposes part of New Zealand, and the term New Zealand as used in that Act shall, both in New Zealand and in Niue, be read as including Niue accordingly.”</p> <p><i>For the current copyright statutes in effect in Niue, see:</i> Copyright Act of New Zealand, No. 33 (1962), available at <a href="http://www.paclii.org/nu/legis/nu-nz_act/ca1962133/">http://www.paclii.org/nu/legis/nu-nz_act/ca1962133/</a>, as amended by Tāoga Niue Act, No. 320 (12 September 2012) (Schedule 3), available at <a href="http://www.gov.nu/wb/media/Act%20320%20-%20Taoga%20Niue%20Act%202012.pdf">http://www.gov.nu/wb/media/Act%20320%20-%20Taoga%20Niue%20Act%202012.pdf</a>.</p>	
Last edited:	20 April 2015	

NORWAY

<b>Preservation</b>		
Who can copy?	Archives, libraries, museums, educational and research institutions.	§ 16
	Conditions:   None.	
What can be copied?	Works.	
	Conditions:   None.	
Purpose of the copy?	Conservation and safety purposes and other special purposes.	
	Conditions:   Commercial uses are not permitted.	
Other provisions?	This statutory provision is an authorization for the King of Norway to create regulations consistent with this section.	

<b>Research or Study (Making Available)</b>		
Who can make available?	Archives, libraries, museums, and educational institutions.	§ 16
	Conditions:   None.	
What can be made available?	Works from the collections of the institution.	
	Conditions:   The work may be made available to individuals only by using terminals on the premises of the organization.	
Purpose of availability?	Research or private study of an individual.	
	Conditions:   None.	
Other provisions?	This statutory provision is an authorization for the King of Norway to create regulations for making works available.	

<b>Copies for Library Users</b>		
Who can copy?	Archives, libraries, and museums within the scope of Section 16.	§ 16a
	Conditions:   None.	
What can be copied?	Published works from the collections of the institution.	
	Conditions:   None.	
Purpose of the copy?	To make the copies available to the public.	
	Conditions:   None.	
Other provisions?	This section also permits making the works available to the public.	
	All copying under this section must comply with the conditions of the applicable extended collective license pursuant to Section 36. Section 36 permits organizations representing authors to enter into such licenses, and the licenses may set the terms on which a user is permitted to make copies of works.	

<b>Anti-Circumvention of Technological Protection Measures</b>			
Circumvention Provisions?	Yes.		§ 53a
Prohibited Acts?	The Act of Circumvention?	The act of circumvention is prohibited.	
	Dealing in Devices?	Selling, renting, or in any other way making available; manufacturing, or importing for the making available to the public; advertising for sale or rental; and possessing for commercial purposes circumvention devices is prohibited.	
	Providing Services?	Offering circumvention services is prohibited.	
Access Control or Owner's Rights Control?	Owner's Rights Control. The provisions relate to technical measures that control the copying or making available to the public of a protected work.		
Exemptions that could be used by libraries?	The prohibition against the act of circumvention shall not hinder copying pursuant to Section 16, which allows library copying.		§ 53a
	Rightsholders shall ensure that beneficiaries who have legal access to a work, without hinder by an effective technological protection measure, can use the work and produce new copies, pursuant to Section 16 on library copying and other specifically listed exemptions to copyright protection.		§ 53b
	Conditions:	The provisions of Section 53b do not apply to computer programs.	
Other provisions?	The statute includes a procedure for beneficiaries to petition the rightsholder for access, and the rightsholder can be ordered by the Copyright Board to provide information enabling access. The Copyright Board may also rule that a beneficiary can circumvent the measure if the rightsholder fails to comply.		§ 53b
	The King of Norway may decide that some institutions in the sector of archives, libraries, and museums automatically shall receive the information necessary to ensure that circumvention of technological protection measures to enable the legal copying is possible.		

<b>Miscellaneous</b>		
Private Copying	Permits single copies of some works for private use.	§ 12
Educational Uses	Series of provisions allowing specific uses of works for education, including by means of extended collective licensing.	§§ 13 to 13b & 18 & 21
Needs of Disabled Persons	Permits uses of some works for purposes of serving the needs of the blind and persons with	§§ 17 to 17b

	other disabilities.	
Source	Act Relating to Copyright in Literary, Scientific, and Artistic Works etc. of Norway, No. 2 (12 May 1961), as amended through 22 December 2006, available at <a href="http://www.wipo.int/wipolex/en/text.jsp?file_id=248181">http://www.wipo.int/wipolex/en/text.jsp?file_id=248181</a> .	
Last Edited:	4 December 2007; rev. 14 May 2015	

OMAN

<b>General Provisions (applicable to each provision of Article 20)</b>		
Author's consent?	No.	Art. 20
Remuneration to author?	Not specified.	
Provide name of author?	Yes, if listed in the work.	
Provide source of borrowing?	Yes, if listed in the work.	
Moral Rights	The rights of use are subject to moral rights.	
Three-Step Test	A free use shall not be allowed 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.	

<b>Study or Private Research</b>		
Who can copy?	Public libraries, non-commercial document centers, educational establishments, and scientific and cultural institutions.	Art. 20(3)(a)
	Conditions: None.	
What can be copied?	Published article or short work.	
	Conditions: Copies allowed to the extent justified by the purpose.	
	Single copies. One-time reproduction or at varying intervals, or repeated copying on separate and unrelated occasions.	
Purpose of the copy?	Study or research.	
	Conditions: To meet the need of a natural person. Without the purpose of direct or indirect financial gain.	
Medium of the copy?	Reprographic means. "Reproduction" is defined below.	
Other provisions?	No collective license is available under which such reproduction can be made.	

<b>Preservation and Replacement</b>		
Who can copy?	Public libraries, non-commercial document centers, educational establishments, and scientific and cultural institutions.	Art. 20(3)(b)
	Conditions: None.	
What can be copied?	Protected works.	
	Conditions: None.	
Purpose of the copy?	To maintain the original copy.	
	To replace a copy which has been lost or damaged and for which it is not possible to obtain a substitute.	

	Conditions:	None.	
Medium of the copy?	Reprographic means. "Reproduction" is defined below.		
Other provisions?	None.		

<b>Anti-Circumvention of Technological Protection Measures</b>			
Circumvention provisions?	Yes.		Art. 40
Prohibited Acts?	The Act of Circumvention?	Yes.	
	Dealing in Devices?	No.	
	Providing Services?	No.	
Access Control or Owner's Rights Control?	Both. The definition of "effective technological measure" encompasses both concepts (Article 1(25)).		
Exemptions that could be used by libraries?	None.		

<b>Miscellaneous</b>		
Personal copying	Anyone may reproduce a work for personal and private purposes.	Art. 6(f)
Source	The Law on Copyright and Related Rights of Oman, Royal Decree No. 65/2008 (4 May 2008), available at <a href="http://www.wipo.int/wipolex/en/text.jsp?file_id=180949">http://www.wipo.int/wipolex/en/text.jsp?file_id=180949</a> .	
Last edited:	4 December 2007; rev. 27 August 2014; rev. 14 May 2015	

PAKISTAN

<b>Research, Study, or with a View to Publication (Unpublished Works)</b>		
Who can copy?	Libraries, museums, or other institutions. (Note: Actually, the statute allows copying of works kept in such organizations, and the copying may implicitly be made by anyone.)	§ 57 (1)(p)
	Conditions: The public must have access to the institution.	
What can be copied?	Unpublished literary, dramatic, or musical works kept in the institution.	
	Conditions: If the identity of the author is known to the organization, the reproduction must be more than fifty years after the date of the author's death. If joint authors, fifty years after the death of the last of the known authors to die.	
Purpose of the copy?	For research or private study or with a view to publication.	
	Conditions: None.	
Medium of the copy?	See definition of "reproduction" below.	

<b>Research or Study (Published Works)</b>		
Who can copy?	By or under the direction of the person in charge of a public library or a non-profit library. "Public Libraries" are defined to include the national library and others as designated. (Section 2(z))	§ 57 (1)(o)
	Conditions: None.	
What can be copied?	Books, including pamphlets, sheets of music, maps, charts, or plans.	
	Conditions: Can only copy if such work is not available for sale.	
	May make not more than three copies.	
Purpose of the copy?	For use by the public.	
	Conditions: Public use must be free of charge.	
Medium of copy?	See definition of "reproduction" below.	

<b>Library Internal Use</b>		
Who can copy?	By or under the direction of the people in charge of libraries attached to educational institutions.	§ 57 (1)(o)
	Conditions: None.	
What can be copied?	Books, including pamphlets, sheets of music, maps, charts, or plans.	
	Conditions: The reproduction is permitted only if such work is not available for sale.	
	The reproduction is limited to no more than three copies.	
Purpose of the copy?	For use by the library.	

	Conditions:	None.	
Medium of copy?	See definition of “reproduction” below.		

<b>Anti-Circumvention of Technological Protection Measures</b>	
Circumvention provisions?	None.

<b>Miscellaneous</b>		
Remedies—Limitation against Libraries	Seizure of infringing copies from public libraries (and others) is barred.	§ 74(1)
Legal Deposit	Publishers must deliver a copy of any book or periodical published in the country to each of the public libraries.	§ 47; § 48
Defined Terms	“Reproduction” in the case of a literary, dramatic or musical work, includes a reproduction in the form of a record or of a cinematographic work, and, in the case of an artistic work, includes a version produced by converting the work into a three-dimensional form, or if it is in three dimensions, by converting it into a two dimensional form.	§ 2(zd)
Source	Copyright Ordinance of Pakistan, No. XXXIV (1962), as amended through the Copyright Ordinance, 2000 (29 September 2000), available at <a href="http://www.wipo.int/wipolex/en/text.jsp?file_id=129351">http://www.wipo.int/wipolex/en/text.jsp?file_id=129351</a> .	
Last edited:	7 December 2007; rev. 14 May 2015	

PANAMA

<b>Preservation and Replacement</b>			
Who can copy?	Nonprofit libraries or archives.		Art. 69(2)
	Conditions:	None.	
What can be copied?	Lawfully disclosed works from the permanent collections of the institution.		
	Conditions:	None.	
Purpose of the copy?	To preserve the work.		
	If necessary, to replace a copy of a work in the permanent collections of another library or archive, if that copy has been lost or damaged.		
	Conditions:	Where it is not possible to acquire such a copy in a reasonable time and on reasonable terms.	

<b>Anti-Circumvention of Technological Protection Measures</b>			
Circumvention provisions?	Yes.		Art. 143-151
Prohibited Acts?	The Act of Circumvention?	Yes.	
	Dealing in Devices?	Yes. Manufacturing, importing, etc. are prohibited.	
	Providing Services?	No.	
Access Control or Owner's Rights Control?	Owner's rights.		
Exemptions that could be used by libraries?	Yes. Permits libraries and archives to access works for purposes of evaluating whether to acquire it.		Art. 146(1)

<b>Miscellaneous</b>		
Defined Term	"Reproduction" includes fixing a work for electronic storage.	Art. 2
Public Lending	Permits lending by libraries and archives that are not for profit.	Art. 69(6)
Source:	Law of Copyright and Neighboring Rights of Panama, No. 64 (10 October 2012), available at <a href="http://www.wipo.int/wipolex/en/text.jsp?file_id=350139">http://www.wipo.int/wipolex/en/text.jsp?file_id=350139</a> .	
Last edited:	14 December 2007; rev. 14 May 2015	

PAPUA NEW GUINEA

<b>Research or Study</b>		
Who can copy?	Public institutions.	§ 12(a)
	Conditions: The activities of the institution must not serve direct or indirect commercial gain.	
What can be copied?	Published articles, other short works, or short extracts of works.	
	Conditions: Only a single copy can be made.	
	The act of reproduction must be an isolated case occurring, where repeated, on separate and unrelated occasions.	
Purpose of the copy?	For study, scholarship, or private research, by request of a person.	
	Conditions: The public institution must be satisfied that the copy shall be used solely for the allowed purposes.	
Medium of the copy?	Reprographic reproduction. "Reprographic" is not a defined term. See the definition of "reproduction" below.	

<b>Preservation and Replacement</b>		
Who can copy?	Public institutions.	§ 12(b)
	Conditions: The activities of the institution must not serve direct or indirect commercial gain.	
What can be copied?	Works.	
	Conditions: The act of reproduction must be an isolated case occurring, where repeated, on separate and unrelated occasions.	
	The copy may only be made where it is impossible to obtain the work under reasonable conditions.	
Purpose of the copy?	To preserve or replace, where necessary, a work in that institution.	
	To replace, where necessary, a work that has been lost, destroyed, or rendered unusable in the permanent collection of another public institution.	
	Conditions: None.	
Medium of the copy?	Reprographic reproduction. "Reprographic" is not a defined term. See the definition of "reproduction" below.	

<b>Anti-Circumvention of Technological Protection Measures</b>			
Circumvention provisions?	Yes.		§ 29(1)
Prohibited Acts?	The Act of Circumvention?	No.	
	Dealing in Devices?	Manufacturing or importing for sale or rental a circumvention device is prohibited.	
	Providing Services?	No.	
Access Control or Owner's Rights Control?	Owner's Rights Control. The provisions relate to technical measures that prevent or restrict reproduction of a work or that impair the quality of copies made.		
Exemptions that could be used by libraries?	There are no explicit exemptions for circumvention.		

<b>Miscellaneous</b>		
Defined Terms	"Reproduction" means the making of one or more copies of a work or sound recording for a limited period of time for profit making purposes.	§ 2
Source	Copyright and Neighboring Rights Act of Papua New Guinea, No. 21 (19 July 2000), available at <a href="http://www.wipo.int/wipolex/en/text.jsp?file_id=129337">http://www.wipo.int/wipolex/en/text.jsp?file_id=129337</a> .	
Last edited:	7 December 2007; rev. 14 May 2015	

PARAGUAY

<b>Preservation and Replacement</b>		
Who can copy?	Non-profit-making public libraries or archives. Conditions: None.	Art. 39 (2)
What can be copied?	Disclosed works in the permanent collection of the library or archive.	
	Conditions: Only a single copy can be made. Reproduction is permitted, provided that it is not possible to acquire such a copy in a reasonable time and on acceptable terms.	
Purpose of the copy?	To preserve that copy and replace it in the event of its being lost, destroyed, or rendered unusable.	
	To replace the copy in the permanent collection of another library or archive that has been lost, destroyed, or rendered unusable.	
	Conditions: Reproduction is permitted insofar as it does not interfere with the normal exploitation of the work or unreasonably prejudice the legitimate interests of the author.	
Medium of the copy?	See definition of "reproduction" below.	

<b>Anti-Circumvention of Technological Protection Measures</b>			
Circumvention provisions?	Yes.	Art. 167 (10)	
Prohibited Acts?	Circumvention? No.		
	Dealing in Devices?		Manufacturing, importing, selling, renting, or bringing into circulation circumvention devices is prohibited.
	Providing Services?		Rendering circumvention services is prohibited.
Access Control or Owner's Rights Control?	Owner's Rights. The prohibition relates to devices that the owners have set in place to protect their rights.		
Exemptions that could be used by libraries?	There are no explicit exemptions for libraries.		

<b>Miscellaneous</b>		
Public Lending	The lending to the public of the lawful copy of a work expressed in writing by a library or archive that does not pursue any direct or indirect profit-making purpose is permitted.	Art. 39(5)
Defined Term	“Reproduction” means the fixation of the work in a material or medium that enables it to be communicated, including electronic storage, either permanent or temporary, and the production of copies of all or part thereof.	Art. 2(37)
Source	Law on Copyright and Related Rights of Paraguay, No. 1328/98 (27 August 1998), available at <a href="http://www.wipo.int/wipolex/en/text.jsp?file_id=129427">http://www.wipo.int/wipolex/en/text.jsp?file_id=129427</a> .	
Last edited:	11 December 2007; rev. 14 May 2015	

PERU

<b>Preservation and Replacement</b>			
Who can copy?	Public libraries and archives.		Art. 43(c)
	Conditions:	The institution must not pursue a direct or indirect profit-making purpose.	
What can be copied?	Works available in the permanent collection of the library or archive.		
	Conditions:	Individual reproduction is permitted.	
		Reproduction is only permitted where it has proved impossible to acquire such a copy within a reasonable time and on reasonable terms.	
Preamble to Article 43 limits the exception to works that have been lawfully disclosed.			
Purpose of the copy?	To preserve the work and replace it where it has been mislaid, destroyed, or rendered unusable.		
	To replace a work belonging to the permanent collection of another library or archive that has been mislaid, destroyed, or rendered unusable.		
	Conditions:	None.	
Medium of the copy?	Any. See definition of "reproduction" below.		
Other provisions?	In all cases specified in this Article, any use of works that competes with the author's exclusive right to exploit his work shall be equivalent to unlawful use.		Art. 43

<b>Anti-Circumvention of Technological Protection Measures</b>			
Circumvention provisions?	Yes.		Art. 196A
Prohibited Acts?	The Act of Circumvention?	No.	
	Dealing in Devices?	Manufacturing, assembling, importing, altering, selling, renting, offering for sale or rental or bringing into circulation circumvention devices.	
	Providing Services?	No.	
Access Control or Owner's Rights Control?	Owner's Rights Control. The provisions relate to devices that prevent or restrict the making of copies of works or that impair the quality of copies.		
Exemptions that could be used by libraries?	Statute permits access by libraries, archives, or educational non-profit institutions to works for the sole purpose of making decisions about acquisitions.		Art. 196B(IV)

<b>Miscellaneous</b>		
Restrictive Interpretation	The exceptions provided for in Articles 41 through 49 shall be interpreted restrictively, and may not be applied to cases that are contrary to proper practice.	Art. 50
Personal Copying	Reprographic reproduction of short fragments or of works published in graphic form that have been lawfully disclosed but are out of print is permitted for exclusively personal use.	Art. 43(b)
	Making copies of works, performances, or productions published as sound or audiovisual recordings is permitted for exclusively personal use; certain works are excluded.	Art. 48
Public Lending	Lending to the public the lawful copy of a work in written form by a library or archive whose activities have no direct or indirect profit-making purpose is permitted.	Art. 43(f)
Defined Terms	“Disclosure” means making the work, performance, or production available to the public by sale, rental, or lending, by any means that is or may yet become known of transferring ownership or possession of the said original or copy.	Art. 2(9)
	“Reproduction” means fixation of the work or intellectual production in a material medium that allows it to be communicated, including electronic storage, and the making of copies of all or part thereof.	Art. 2(37)
Source <sup>49</sup>	Copyright Law of Peru, No. 822 (23 April 1996), available at <a href="http://www.wipo.int/wipolex/en/text.jsp?file_id=129300">http://www.wipo.int/wipolex/en/text.jsp?file_id=129300</a> , as amended by Legislative Decree No. 1076 (27 June 2008), available at <a href="http://www.wipo.int/wipolex/en/text.jsp?file_id=183000">http://www.wipo.int/wipolex/en/text.jsp?file_id=183000</a> , and by Law No. 30276 (13 November 2014), available at <a href="http://www.wipo.int/wipolex/en/text.jsp?file_id=355131">http://www.wipo.int/wipolex/en/text.jsp?file_id=355131</a> .	
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<sup>49</sup> Bolivia, Colombia, Ecuador, and Peru are members of the Andean Community and signatories to the Cartagena Agreement of 1969. Decision 351 of the Commission of the Andean Community includes copyright exceptions applicable in the member countries, including provisions for libraries and archives. See details in the footnote accompanying the Bolivia charts in this report.

PHILIPPINES

<b>Lending Fragile or Rare Works (Preservation)</b>		
Who can copy?	Libraries and archives.	§ 188.1 (a) & § 188.2
	Conditions: The activities of the institution must not be for profit.	
What can be copied?	Works that by reason of their fragile character or rarity cannot be lent to a user in the original form.	
	Conditions: A single copy may be made.	
	Limited number of copies allowed as necessary to fulfill the institution's mandate (Section 188.1).	
	A volume of a work published in several volumes, a missing tome, or pages of magazines or similar works cannot be reproduced unless the volume, tome, or part is out of stock.	
Purpose of the copy?	For lending to users.	
	Conditions: None.	
Medium of the copy?	Reprographic reproduction. "Reprographic" is not a defined term; see definition of "reproduction" below.	

<b>Research or Study</b>		
Who can copy?	Libraries and archives.	§ 188.1 (b) & § 188.2
	Conditions: The activities of the institution must not be for profit.	
What can be copied?	Isolated articles contained in composite works.	
	Brief portions of published works.	
	Conditions: Reproduction is permitted where it is necessary and considered expedient to supply the works to users.	
	A volume of a work published in several volumes, a missing tome, or pages of magazines or similar works cannot be reproduced unless the volume, tome, or part is out of stock.	
	Limited number of copies allowed as necessary to fulfill the institution's mandate (Section 188.1).	
Purpose of the copy?	For research or study, as requested by users.	
	Conditions: The purpose of the copying must be to deliver copies instead of lending the volumes or booklets.	
Medium of the copy?	Reprographic reproduction. "Reprographic" is not a defined term; see definition of "reproduction"	

	below.	
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<b>Preservation and Replacement</b>			
Who can copy?	Libraries and archives.		§ 188.1 (c) & § 188.2
	Conditions:	The activities of the institution must not be for profit.	
What can be copied?	Works.		
	Conditions:	Limited number of copies allowed as necessary to fulfill the institution's mandate (Section 188.1).	
	Copies of the work are not available from the publisher.		
Purpose of the copy?	To preserve the work.		
	To replace, if necessary, a work that has been lost, destroyed, or rendered unusable.		
	To replace in the permanent collection of another similar library or archive a work that has been lost, destroyed, or rendered unusable.		
	Conditions:	None.	
Medium of the copy?	Reprographic reproduction. "Reprographic" is not a defined term; see definition of "reproduction" below.		

<b>Anti-Circumvention of Technological Protection Measures</b>			
Circumvention provisions?	Yes. Provisions added in 2012 are a definition and remedies for circumvention.		§§ 171.12 & 216.1
Prohibited Acts?	The Act of Circumvention?	Yes.	
	Dealing in Devices?	No.	
	Providing Services?	No.	
Access Control or Owner's Rights Control?	Owner's rights. The definition refers to acts in respect of a work that are not authorized by the rightsholder.		§ 171.12
Exemptions that could be used by libraries?	None.		

<b>Miscellaneous</b>			
Fair Use	The fair use of a copyrighted work for criticism, comment, news reporting, teaching including limited number of copies for classroom use, scholarship, research, and similar purposes is not an infringement of copyright. The statute specifies that decompilation of a computer program to achieve interoperability with other programs may also be fair use. The statute specifies the four factors: purpose of the use; nature of the work used; the amount of the work used; and effect of the use on the value of or market for the original.		§ 185
Neighboring Rights	The statutory exceptions also apply to the rights of		§ 212

	performers, producers of sound recordings, and broadcasting organizations.	
Legal Deposit	Where a library is entitled by law to receive copies of printed work, if special reasons so require, it may make a reproduction of a published work which is considered necessary for the collection of the library but is out of stock.	§ 188.2
	The deposit requirements for the Philippines are contained in Section 191.	§ 191
Importation	Up to 3 copies of works may be imported for use in libraries if the work is not available in the Philippines and several other requirements are met.	§ 190.1
Defined Terms	“Reproduction” is the making of one or more copies, temporary or permanent, in whole or in part, of a work or a sound recording in any manner or form without prejudice to the provision of Section 185 (on fair use).	§ 171.9
	“Published works” means works, which, with the consent of the authors, are made available to the public by wire or wireless means in such a way that members of the public may access these works from a place and time individually chosen by them: Provided, That availability of such copies has been such, as to satisfy the reasonable requirements of the public, having regard to the nature of the work.	§ 171.7
Source	Intellectual Property Code of the Philippines, Part IV, Republic Act No. 8293 (6 June 1997), available at <a href="http://www.wipo.int/wipolex/en/text.jsp?file_id=129343">http://www.wipo.int/wipolex/en/text.jsp?file_id=129343</a> , as amended by Republic Act No. 10372 (23 July 2012), available at <a href="http://www.wipo.int/wipolex/en/text.jsp?file_id=285068">http://www.wipo.int/wipolex/en/text.jsp?file_id=285068</a> .	
Last edited:	8 December 2007; rev. 30 August 2014; rev. 14 May 2015	

POLAND

<b>General Provisions (applicable to various statutory exceptions.)</b>		
Remuneration to author?	No, unless the specific statutory exception provides otherwise.	Art. 34
Provide name of author?	Yes, subject to existing conditions.	
Provide source of borrowing?	Yes, subject to existing conditions.	
Three Step Test	The permitted use must not infringe the normal use of the work or violate the rightful interests of the author.	Art. 35

<b>Copying for Users</b>			
Who can copy?	Libraries, archives, and schools.		Art. 28(1)
	Conditions:	None.	
What can be copied?	Disseminated works.		
	Conditions:	The copying must occur within the scope of the statutory objectives of the organization.	
		Excludes databases that qualify as protected works (Article 30 <sup>1</sup> ).	
		Excludes computer programs (Article 77).	
Purpose of the copy?	To provide free access to copies of disseminated works.		
	Conditions:	None.	
Other provisions?	None.		

<b>Preservation and Supplementation of the Institution's Collections</b>			
Who can copy?	Libraries, archives, and schools.		Art. 28(2)
	Conditions:		
What can be copied?	Disseminated works.		
	Conditions:	Single copies.	
		Excludes databases that qualify as protected works (Article 30 <sup>1</sup> ).	
		Excludes computer programs (Article 77).	
Purpose of the copy?	To supplement, maintain, and/or protect the collections of the organization.		
	Conditions:	None.	
Other provisions?	None.		

<b>Research or Study (Making Available)</b>			
Who can communicate?	Libraries, archives, and schools.		Art. 28(3)
	Conditions:	None.	
What can be communicated?	Works.		
	Conditions:	Excludes databases that qualify as protected works (Article 30 <sup>1</sup> ).	
		Excludes computer programs	

	(Article 77).	
Purpose of the communication?	Research or learning purposes of an individual.	
	Conditions: None.	
Medium?	Via information technology terminals located on the premises of the institution.	
Other provisions?	None.	

<b>Anti-Circumvention of Technological Protection Measures</b>		
Circumvention provisions?	Yes.	Art 118 <sup>1</sup> (1)-(2)
Prohibited Acts?	The Act of Circumvention?	Using circumvention devices is prohibited.
	Dealing in Devices?	Producing, carrying on trade, advertising for sale or rental, or keeping circumvention devices is prohibited.
	Providing Services?	No.
Access Control or Owner's Rights Control?	Both. The provisions relate to technical measures that protect against communication, recording, or reproducing works or objects of related rights, and include access or security measures that fulfill the protective goal.	Art. 6 (10)- (11)
Exemptions that could be used by libraries?	There are no explicit exemptions for circumvention.	
Other Provisions?	The rightsholder of a computer program may demand that the user of a computer program should destroy the technical means that he owns (including computer programs), used only to facilitate illegal removal or circumvention of the technical protection measures.	Art. 77 <sup>1</sup>

<b>Miscellaneous</b>		
Private Copying	Permits reproduction of most disseminated works for personal use.	Art. 23
Research Copying	Research and educational institutions can make copies of portions of published works for teaching and research purposes. (Note: Although a library may be a research institution, this statute seems aimed at research organizations that are conducting the research, in contrast to a library that makes copies for the research needs of others.)	Art. 27
	Centers of research and technical information and documentation may make and disseminate single copies of some works, limited to not more than one publishing sheet of excerpts of published works. (Note: This statute may apply to libraries, but it allows the organization to make, and give to users, a copy of only a small portion of published works.)	Art. 30
Needs of Disabled Persons	Permits broad uses of works for the needs of persons with disabilities.	Art. 33 <sup>1</sup>
Defined Term	A "disseminated work" shall mean a work which, with permission of its author, has been made available to the	Art. 6(3)

	public by any means whatsoever.	
Source	Copyright and Related Rights Act of Poland, No. 83 (4 February 1994), as amended through Alteration of the Law on Copyright and Neighboring Rights, No. 91 (10 October 2010), available at <a href="http://www.wipo.int/wipolex/en/text.jsp?file_id=129378">http://www.wipo.int/wipolex/en/text.jsp?file_id=129378</a> .	
Last edited:	7 December 2007; rev. 15 May 2015	

PORTUGAL

<b>General Provisions (applicable to various statutory exceptions)</b>		
Provide name of author?	Yes. Must provide where possible the name of the author and publisher, the title of the work, and other identifying information.	Art. 76(1)
Provide source of borrowing?	Yes. See above.	
Three Step Test	The use must not prejudice the interests of the rightsholders.	Art. 76(2)

<b>General Library Use</b>		
Who can copy?	Publicly library, public archive, public museum, noncommercial documentation center, or scientific or educational institution.	Art. 75(2)(e)
	Conditions:	
What can be copied?	Works previously made available to the public.	
	Conditions: The amount of the work copied and the number of copies are limited to the needs of the institution.	
Purpose of the copy?	To meet the needs of the institution.	
	To preserve the work.	
	Conditions: The use is not for direct or indirect economic or commercial advantage.	
Medium of the copy?	Not specified.	
Other provisions?	May be subject to remuneration to the author (Article 76(1)(b)).	

<b>Anti-Circumvention of Technological Protection Measures</b>			
Circumvention provisions?	Yes.	Art. 218	
Prohibited Acts?	The Act of Circumvention?		The act of circumvention is prohibited.
	Dealing in Devices?	Manufacturing, importing, distributing, selling, renting, advertising for sale or rental, or possessing for commercial purposes circumvention devices is prohibited.	Art. 219
	Providing Services?	Providing circumvention services is prohibited.	
Access Control or Owner's Rights Control?	Both. The provisions relate to technical measures used to prevent or restrict unauthorized acts; it includes access control and protection processes.	Art. 217	
Exemptions that could be used by libraries?	Where, because of technological protection measures, a user is unable to carry out acts permitted by copyright exemptions, the rights holders should take voluntary measures to permit access.	Art. 221	
	Conditions:	The exemption does not apply	Art. 222

		to 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.	
Other provisions?	When rights holders do not take voluntary measures to ensure that beneficiaries can use works, the beneficiary can apply to the Commission for Mediation and Arbitration.		Art. 221
	The provisions on technological protection measures do not apply to computer programs.		Art. 217

<b>Miscellaneous</b>	
Source	Code of Copyright and Related Rights of Portugal, Law No. 53/85 (14 March 1985), as amended through Law No. 16/2008 (1 April 2008), available at <a href="http://www.wipo.int/wipolex/en/text.jsp?file_id=198457">http://www.wipo.int/wipolex/en/text.jsp?file_id=198457</a> .
Last edited:	20 December 2007; rev. 15 May 2015

QATAR

<b>Research or Study</b>			
Who can copy?	Libraries and archives.		Art. 21 (2)(a)
	Conditions:	The activities of the institution must not serve direct or indirect gain.	
What can be copied?	Published articles, summaries, or extracts of works.		
	Conditions:	Only a single copy can be made.	
		The act of reproduction may be repeated only on separate and unrelated occasions.	
	The reproduction may only occur if there is no collective license available for reproduction by a competent authority in the collection management of rights of which the library or archive is or should be aware.		
Purpose of the copy?	For study, scholarship, or research, for the needs of a natural person.		
	Conditions:	The library or archive must be satisfied that the copy will be used solely for the permitted purposes.	
Medium of the copy?	Reprographic reproduction. "Reprographic" is not a defined term. See definition of "reproduction" below.		

<b>Preservation and Replacement</b>			
Who can copy?	Libraries and archives.		Art. 21 (2)(b)
	Conditions:	The activities of the institution must not serve direct or indirect gain.	
What can be copied?	Works.		
	Conditions:	Only a single copy can be made.	
		The act of reproduction must be an isolated case.	
	The reproduction is only permitted where it is impossible to obtain such a copy under reasonable conditions.		
Purpose of the copy?	To preserve the original copy.		
	To replace, when necessary, a lost, destroyed, or copy rendered unusable in the permanent collection of another similar library or archive.		
	Conditions:	None.	
Medium of the copy?	Reprographic reproduction. "Reprographic" is not a defined term. See definition of "reproduction" below.		

<b>Anti-Circumvention of Technological Protection Measures</b>		
Circumvention	Yes.	Art. 51

provisions?		
Prohibited Acts?	The Act of Circumvention?	No.
	Dealing in Devices?	Manufacturing or importing a circumvention device is prohibited.
	Providing Services?	No.
Access Control or Owner's Rights Control?	Owner's Rights Control. The provisions relate to devices designed to prevent or limit the reproduction of a work or meant to undermine the quality of the work.	
Exemptions that could be used by libraries?	There are no explicit exemptions for circumvention.	

<b>Miscellaneous</b>		
License to Translate and Reproduce	Citizens may obtain from the Minister of Economy and Trade a license for translation into Arabic of a foreign work and reproduce certain works on terms reflecting the Berne Appendix.	Art. 27
Defined Term	"Reproduction" means the production of one or more copies of work by means of printing, painting, engraving, photography, in form or in any manner, including permanent or temporary storage in electronic form.	Art. 1
Source	Law on the Protection of Copyright and Related Rights of Qatar, No. 7 (8 June 2002), available at <a href="http://www.wipo.int/wipolex/en/text.jsp?file_id=129461">http://www.wipo.int/wipolex/en/text.jsp?file_id=129461</a> .	
Last edited:	4 December 2007; rev. 15 May 2015	

REPUBLIC OF KOREA

<b>General Provisions (applicable to various statutory exceptions)</b>		
Provide name of author?	Yes. If the author's name or pseudonym is on the work, it must be indicated with the use.	Art. 37
Provide source of borrowing?	Yes. Must indicate the source of the work in a manner deemed reasonable in the situation.	Art. 37
Moral rights?	The statutory exceptions shall not be interpreted as affecting the author's moral rights.	Art. 38

<b>Research or Study</b>		
Who can copy?	Libraries identified under the Libraries Act and facilities, as prescribed by Presidential Decree, that provide books, documents, records, and other materials (collectively "books, etc.") for public use.	Art. 31(1)(1)
	Conditions: None.	
What can be copied?	Parts of books, etc., kept at the institution, that are already publicly available.	
	Conditions: Only a single copy can be made.	
	May also reproduce for the user a copy of a work obtained by the institution pursuant to Article 31(3).	
Purpose of the copy?	For research and study, at the request of a user.	
	Conditions: None.	
Medium of the copy?	See definition of "reproduction" below. Copies under this provision may not be in digital form.	
Other provisions?	Reproductions in digital form pursuant to Article 31(1)(1) are subject to remuneration to the rightsholder, except some reproductions for education (Article 31(5)).	
	If books, etc., are reproduced or transmitted in digital form pursuant to Article 31(1), the institution must take measures as prescribed by Presidential Decree to prevent infringements (Article 31(7)).	

<b>Preservation</b>		
Who can copy?	Libraries identified under the Libraries Act and facilities, as prescribed by Presidential Decree, that provide books, documents, records, and other materials (collectively "books, etc.") for public use.	Art. 31(1)(2)
	Conditions: None.	
What can be copied?	Books, etc.	
	Conditions: None.	
Purpose of the copy?	For preservation.	
	Conditions: Reproduction is permitted, where necessary for the stated purpose.	
Medium of the copy?	See definition of "reproduction" below. Copies under this provision may not be in digital form, if the books, etc., are being sold in digital form (Article 31(4)).	

Other provisions?	One institution may provide to another institution, at its request, copies of books, etc., that are out of print or for similar reason not widely available for purpose of preservation. Copies under this provision may not be in digital form (Article 31(1)(3)).	
	If books, etc., are reproduced or transmitted in digital form pursuant to Article 31(1), the institution must take measures as prescribed by Presidential Decree to prevent infringements (Article 31(7)).	

<b>Making Available by Computer at the Library</b>		
Who can communicate?	Libraries identified under the Libraries Act and facilities, as prescribed by Presidential Decree, that provide books, documents, records, and other materials (collectively "books, etc.") for public use.	Art. 31(2)
	Conditions: None.	
What can be communicated?	Books, etc.	
	Conditions: The number of users at any one time may not exceed the number of copies of books, etc., at the institution or otherwise authorized to be used.	
Purpose of the communication?	To reproduce or interactively transmit the works to allow users at the institution to peruse them by computer.	
	Conditions: None.	
Medium?	See definition of "reproduction" below. Copies under this provision may not be in digital form, if the books, etc., are being sold in digital form (Article 31(4)).	
Other Provisions?	If books, etc., are reproduced or transmitted in digital form pursuant to Article 31(2), the institution must take measures as prescribed by Presidential Decree to prevent infringements (Article 31(7)).	

<b>Making Available by Computer at Other Libraries</b>		
Who can copy?	Libraries identified under the Libraries Act and facilities, as prescribed by Presidential Decree, that provide books, documents, records, and other materials (collectively "books, etc.") for public use.	Art. 31(3)
	Conditions: None.	
What can be copied?	Books, etc.	
	Conditions: If the books, etc., have been published for sale, they may not be reproduced or transmitted until at least five years after the publication date.	
Purpose of the copy?	To reproduce or interactively transmit the works to allow users at other institutions to peruse them by computer.	
	Conditions: None.	

Medium of the copy?	See definition of “reproduction” below. Copies under this provision may not be in digital form, if the books, etc., are being sold in digital form (Article 31(4)).	
Other provisions?	Reproductions in digital form pursuant to Article 31(3) are subject to remuneration to the rightsholder, except some reproductions for education (Article 31(5)).	
	If books, etc., are reproduced or transmitted in digital form pursuant to Article 31(3), the institution must take measures as prescribed by Presidential Decree to prevent infringements (Article 31(7)).	

<b>Anti-Circumvention of Technological Protection Measures</b>			
Circumvention provisions?	Yes.		Art. 104bis
Prohibited Acts?	The Act of Circumvention?	Prohibition against intentionally or negligently circumventing measures.	
	Dealing in Devices?	Prohibition against manufacturing, importing, etc. of devices.	
	Providing Services?	Prohibition against providing relevant services.	
Access Control or Owner’s Rights Control?	Both. The definition of “technological protection measures” refers to measures that restrict access or restrict infringements. See Article 2(28).		
Exemptions that could be used by libraries?	The statute includes a list of diverse exemptions, including one permitting nonprofit libraries to circumvent measures in order to exercise rights of use under Article 31(1). This exemption applies only when any access to the work is impossible without circumventing technological protection measures. See Article 104bis(1)(5).		

<b>Miscellaneous</b>		
Educational Uses	Permits various uses on detailed terms for educational purposes.	Art. 25
Private Copying	Permits individual to make copies of publicly available works for non-commercial purposes, provided that this exception does not apply to the use of a photocopier available for public use.	Art. 30
Needs of Disabled Persons	Permits making versions of some works for the needs of the visually impaired.	Art. 33
Fair Use	Permits use works for news reporting, criticism, education and research when such use does not conflict with the normal exploitation of works and does not unreasonably prejudice the legitimate interests of the rightsholder. In determining whether a use is a fair use, the factors to be considered are the four factors comparable to U.S. fair use. The statute further provides that it does	Art. 35ter

	not apply to the specific exceptions, including the library exceptions of Article 31.	
Orphan Works	Where a person who wishes to use a work (other than a foreign work) has been unable to obtain a license because he could not identify or contact the holder of the economic rights, in spite of having made reasonable efforts, the person who wants to use protected contents may obtain a license through an approval from the Minister of Culture, Sports and Tourism upon the payment or deposit of compensation in the amount determined by that Minister.	Art. 50
Defined Term	“Reproduction” means the reproduction of works in a tangible form by means of printing, photographing, photocopying, sound or visual recording or other means; in the case of architectural works, it includes the construction of an architectural work according to the models or architectural plans.	Art. 2(22)
Source <sup>50</sup>	Copyright Act of the Republic of Korea, No. 432 (28 January 1957), as amended through No. 12137 (30 December 2013), available at <a href="http://www.wipo.int/wipolex/en/text.jsp?file_id=332405">http://www.wipo.int/wipolex/en/text.jsp?file_id=332405</a> .	
Last edited:	4 December 2007; rev. 13 May 2015	

<sup>50</sup> This study benefited from a 2011 version of the Copyright Act available in English at <http://www.wipo.int/wipolex/en/details.jsp?id=12873>.

REPUBLIC OF MOLDOVA

<b>General Provisions (applicable to various statutory exceptions)</b>		
Author's consent?	No. The use is permitted without consent of the author or other holder of the copyright.	Art. 27(1)
Remuneration to author?	No. The use is permitted without payment of remuneration.	
Provide name of author?	Yes. The use is permitted subject to mention of name of the author.	
Provide source of borrowing?	Yes. The use is permitted subject to mention of the source of the borrowing.	

<b>Replacement Copies</b>			
Who can copy?	Libraries or archive services.		Art. 27(1)(a)
	Conditions:	None.	
What can be copied?	Lawfully published works.		
	Conditions:	A single copy can be made, to the extent justified by the purpose.	
		If impossible to obtain copies of the work in the usual manner.	
Purpose of the copy?	To replace copies that have been lost, destroyed, or rendered unusable.		
	To make a copy available to other similar libraries or archives in order to replace in their collections works that have been lost, destroyed, or rendered unusable.		
	Conditions:	For no direct or indirect economic or commercial advantage.	
Medium of copy?	Reprographic reproduction. See definition below.		

<b>Private Study or Research</b>			
Who can copy?	Libraries or archives.		Art. 27(1)(b)
	Conditions:	None.	
What can be copied?	Isolated articles and other succinct works.		
	Relatively short extracts from lawfully published literary works.		
	Conditions:	Computer software is excluded.	
		A single copy can be made, to the extent justified by the purpose.	
	A work may be copied where no reprographic reproduction license is offered by a collective rights organization in a manner that the library or archive service is aware or should be aware of it.		
Purpose of the copy?	For study or research for the needs of individuals.		
	Conditions:	Not intended to be used to obtain a direct or indirect economic or commercial advantage.	
Medium of copy?	Reprographic reproduction. See definition below.		

<b>Anti-Circumvention of Technological Protection Measures</b>			
Circumvention provisions?	Yes.		Art. 52
Prohibited Acts?	The Act of Circumvention?	The act of circumvention is prohibited.	
	Dealing in Devices?	Manufacturing, importing, distributing (selling, renting, etc.), advertising any equipment or components thereof, holding for commercial purposes, and providing equipment or components for circumvention devices is prohibited.	
	Providing Services?	No.	
Access Control or Owner's Rights Control?	Both. The provisions prohibit the specified actions, regardless of whether an infringement results.		
Exemptions that could be used by libraries?	Parties who might benefit from certain of the exceptions, including the library exceptions, may apply to a governmental commission for mediation to assure that rightsholders provide the means to allow the benefits of the exceptions, provided that the party has lawful access to the work that is protected by copyright, neighboring rights, or other legal rights.		Art. 52(2)

<b>Miscellaneous</b>		
Archival Copying	Libraries may make electronic copies of works that are publicly accessible for archival purposes.	Art. 28(q)
Defined terms	"Reprographic reproduction" means the facsimile reproduction of the original of a written or other graphic work, whether in the same format, enlarged or reduced, by means of photocopying or with the aid of other technical means, except for those of publishing; reprographic reproduction does not include recording in an electronic (including digital) or optical form or in any other machine-readable form.	Art. 3
Source	Copyright Act of Moldova, No. 139 (2 July 2010), available at <a href="http://www.agepi.gov.md/pdf/law/l_139_2010-en.pdf">http://www.agepi.gov.md/pdf/law/l_139_2010-en.pdf</a> .	
Last edited:	4 December 2007; rev. 29 August 2014; rev. 14 May 2015	

ROMANIA

<b>General Provisions (applicable to various statutory exceptions)</b>		
Author's consent?	No.	Art. 33(1); Art. 33(4)
Remuneration to author?	No.	
Provide name of author?	Yes, for uses under Art. 33(1)(e).	
Provide source of original?	Yes, for uses under Art. 33(1)(e), and only for certain artworks and for photographs and architecture.	

<b>General Library Exception</b>		
Who can copy?	Publicly accessible libraries, educational establishments, museums, or archives.	Art. 33(1)(e); Art. 33(1)
	Conditions: None.	
What can be copied?	Works already disclosed to the public.	
	Conditions: None.	
Purpose of the copy?	Not specified.	
	Conditions: Must not be for direct or indirect economic or commercial advantage.	
Medium of the copy?	Any. See definition of "reproduction."	
Other provisions?	Must be a specific act of reproduction.	
	Provided such uses conform to proper practice, are not at variance with the normal exploitation of the work, and are not prejudicial to the author or to the owners of the exploitation rights.	

<b>Replacement</b>		
Who can copy?	Not specified, but implicitly one of the organizations listed below.	Art. 33(1)(d); Art. 33(1)
	Conditions: None.	
What can be copied?	Complete reproduction of a copy of a work that is already disclosed to the public.	
	Conditions: Must be the sole copy in an archive or library's permanent collection.	
Purpose of the copy?	For replacement.	
	Conditions: In the event of the destruction, serious deterioration, or loss of the work.	
Medium of the copy?	Any. See definition of "reproduction."	
Other provisions?	Must be within the framework of libraries, museums, film archives, sound archives, archives of nonprofit cultural or scientific public institutions.	
	Provided such uses conform to proper practice, are not at variance with the normal exploitation of the work, and are not prejudicial to the author or to the owners of the exploitation rights.	

<b>Research or Study</b>			
Who can copy?	Not specified, but implicitly one of the organizations listed below.		Art. 33(1)(d); Art. 33(1)
	Conditions:	None.	
What can be copied?	Brief excerpts from works that are already disclosed to the public.		
	Conditions:	None.	
Purpose of the copy?	For information or research.		
	Conditions:	None.	
Medium of the copy?	Any. See definition of "reproduction."		
Other provisions?	Must be within the framework of libraries, museums, film archives, sound archives, archives of nonprofit cultural or scientific public institutions.		
	Provided such uses conform to proper practice, are not at variance with the normal exploitation of the work, and are not prejudicial to the author or to the owners of the exploitation rights.		

<b>Anti-Circumvention of Technological Protection Measures</b>			
Circumvention provisions?	Yes.		Art. 138 <sup>5</sup>
Prohibited Acts?	The Act of Circumvention?	Yes.	
	Dealing in Devices?		
	Providing Services?		
Access Control or Owner's Rights Control?	Both. May implement technological measure for the protection of the rights recognized by the present law. An effective technological measure is made through application of an access control or protection measure.		Art. 138 <sup>5</sup> (1)-(3)
Exemptions that could be used by libraries?	Owners of rights that have instituted technological measures must provide to the beneficiaries of certain copyright exceptions (including the library exception in Art. 33(1)(e)) the necessary means for lawful access to the work. That provision does not apply if protected works made available to the public, according to the contractual clauses agreed between the parties, so that the members of the public to be permitted to have access to them in any place and at any time chosen, individually.		Art. 138 <sup>5</sup> (4)-(5)

<b>Miscellaneous</b>			
Public Lending	Lending by libraries does not require permission but the author is entitled to remuneration. The library lending right cannot be waived. Remuneration is not owned for lending by libraries that are part of educational institutions or by public libraries with free access.		Art. 14 <sup>4</sup>
Analysis, Commentary or Criticism, or for Illustration	It is permitted to use brief quotations from a work for the purpose of analysis, commentary or criticism, or for illustration.		Art. 33(1)(b)

Teaching Purposes	Limited right to use or make copies of isolated articles or brief excerpts from works in publications, television or radio broadcasts or sound or audiovisual recordings for teaching purposes; the representation and execution of a work as part of the activities of educational establishments for specific purposes; or of works for teaching or scientific research.	Art. 33(1)(c); Art. 33(1)(g); Art. 33(2)(d)
Needs of Disabled Persons	Limited right to make copies for the benefit of people with disabilities.	Art. 33(2)(e)
Personal Copying	Limited right to make copies for personal use.	Art. 34(1)
Related Rights	The exceptions in Art. 33 also apply to rights related to copying, including rights associated with performers, producers of recordings and audiovisual works, and radio and television broadcasts.	Art. 112; Art. 116
Defined Terms	“Reproduction” means the making, in whole or in part, of one or more copies of a work, directly or indirectly, temporarily or permanently, by any means and under any form, including the making of any sound or audiovisual recording of a work, as well as its permanent or temporary storage by electronic means.	Art. 14
Source	Law on Copyright and Neighboring Rights of Romania, No. 8 (14 March 1996), as amended through No. 329/2006 (31 July 2006), available at <a href="http://www.wipo.int/wipolex/en/text.jsp?file_id=160655">http://www.wipo.int/wipolex/en/text.jsp?file_id=160655</a> .	
Last edited:	25 April 2014; rev. 15 May 2015	

RUSSIAN FEDERATION

<b>Preservation</b>		
Who can copy?	Public libraries and archives where access to archival documents is not restricted.	Art. 1275(2)(1)
	Conditions:   None.	
What can be copied?	Works held by the library or archive and lawfully put into civil circulation.	
	The copy in the collection must also be in one of the following categories: (1) dilapidated, worn out, spoiled or defective; (2) singular or rare work or manuscript, if used by readers may lead to loss, spoilage, or destruction; (3) on a machine-readable media, for which there are no facilities for using it; or (4) a work of exceptional scientific and educational importance, provided the latest edition has not been published in the Russian Federation within the previous ten years.	
	Conditions:   Single copies.	
	Without consent of the author or other rightsholder.	
Purpose of the copy?	To ensure the safekeeping and availability of the works for users.	
	Conditions:   No aim to derive profits.	
Medium of the copy?	Any. The statute permits copies, in particular in electronic form.	
Other provisions?	Must cite the name of the author whose work is being used and the source of the borrowing.	
	Copies made in electronic form consistent with this provision may be made available to library users in a manner consistent with Article 1275(1). (See Article 1275(3).)	
	Libraries receiving copies of dissertations in compliance with the law obligating deposit of copies may make copies subject to the general conditions of and for the purposes set forth in Article 1275(2). (See Article 1275(4).)	
	Copies of dissertations made in electronic form consistent with the foregoing provision may be made available to library users in a manner consistent with Article 1275(1). (See Article 1275(4).)	

<b>Replacement</b>		
Who can copy?	Public libraries and archives where access to archival documents is not restricted.	Art. 1275(2)(2)
	Conditions:   None.	
What can be copied?	Works held by the library or archive and lawfully put into civil circulation.	

	Conditions:	Single copies. Without consent of the author or other rightsholder. Without payment of a fee to the author or other rightsholder.	
Purpose of the copy?	To restore or replace lost or spoiled copies. To provide copies of such work to other libraries or archives (where access to archival documents is not restricted) that have lost them from their collections for any reason.		
	Conditions:	No aim to derive profits.	
Medium of the copy?	Any. The statute permits copies, in particular in electronic form.		
Other provisions?	Must cite the name of the author whose work is being used and the source of the borrowing. Copies made in electronic form consistent with this provision may be made available to library users in a manner consistent with Article 1275(1). (See Article 1275(3).) Libraries receiving copies of dissertations in compliance with the law obligating deposit of copies may make copies subject to the general conditions of and for the purposes set forth in Article 1275(2). (See Article 1275(4).) Copies of dissertations made in electronic form consistent with the foregoing provision may be made available to library users in a manner consistent with Article 1275(1). (See Article 1275(4).)		

<b>Research or Study (Articles and Short Works)</b>		
Who can copy?	Public libraries and archives where access to archival documents is not restricted.	Art. 1275(5)
	Conditions: None.	
What can be copied?	Individual articles and short works lawfully published in collections, newspapers, and other periodicals. Short extracts from other lawfully published written works, with or without illustrations.	
	Conditions: Single copies. Without consent of the author or other rightsholder. Without payment of a fee to the author or other rightsholder.	
Purpose of the copy?	For scientific and educational purposes, as requested by citizens.	
	Conditions: No aim to derive profits.	
Medium of the copy?	Any. The statute permits copies, in particular in electronic form.	
Other provisions?	Must cite the name of the author whose work is being used and the source of the borrowing.	

<b>Research or Study (Making Available)</b>			
Who can communicate?	Public libraries and archives where access to archival documents is not restricted.		Art. 1275(1)
	Conditions:	None.	
What can be communicated?	Works lawfully put into civil circulation.		
	Conditions:	Without consent of the author or other rightsholder.	
		Without payment of a fee to the author or other rightsholder.	
Purpose of the communication?	To provide temporary and gratuitous use of the originals or copies of the works.		
	Conditions:	No aim to derive profits.	
		In particular to allow mutual use of library collections.	
Medium?	Not limited to any format or medium. However, digital copies of works may be provided only on the premises of the library or archive, and if it is impossible for users to make digital copies of the works.		
Other provisions?	None.		

<b>Anti-Circumvention of Technological Protection Measures</b>			
Circumvention provisions?	Yes.		Art. 1299
Prohibited Acts?	The Act of Circumvention?	Prohibits actions directed at eliminating technological protections.	
	Dealing in Devices?	Prohibits preparing, providing, importing a circumvention device, if for purpose of obtaining profit, and if the result is that the technological protection is made impossible or ineffective.	
	Providing Services?	Prohibits the rendering of services under similar conditions as dealing in devices.	
Access Control or Owner's Rights Control?	Both. The statute refers to controlling access and preventing unauthorized uses.		
Exemptions that could be used by libraries?	A provision allows a person who may benefit from a copyright exception to demand of the rightsholder the removal of the technological restriction or to provide an opportunity for use of the work. This provision applies only to certain statutory copyright exceptions, including Article 1274(2), but not Article 1275.		Art. 1299(4)

<b>Miscellaneous</b>		
Defined Terms	In the context of the statute on private copying, "reproduction" is defined as "the facsimile reproduction with the help of technical facilities," suggesting that reproduction may include any technological format so long as the reproduction is	Art. 1273(4)

	a facsimile image.	
Needs of the Blind	General provision permitting the making of special formats of works and reproduction and promulgation of works for persons who are blind or partially sighted (starblind). Neither of the two provisions for the blind may apply to works created specifically for use in special formats or to phonograms consisting mainly of musical works.	Art. 1274(2)
Libraries and the Blind	Provision explicitly authorizing libraries to provide to persons who are blind or partially sighted with copies of works created in special formats for temporary use at home and by access through information telecommunication networks. The government is authorized to determine the allowed formats, the procedures for access, and the libraries that may provide networked access.	Art. 1274(2)
Educational Uses	Educational institutions are permitted to make copies of articles and other short, published works and to provide the copies to trainees and pedagogical workers for conducting examinations and self-training.	Art. 1275(6)
Open License	Statutory provision that recognizes a legal effect of a license, whereby the author or other rightsholder grants a license to use a work of science, literature, or the arts by means of a simplified procedure. The terms of the license must be accessible to an indefinite circle of persons such that the licensees can be familiar with the terms before using the work. The licensor has rights against a licensee who does not follow the terms of the license. (The statute does not name any specific license system, but this provision is evidently consistent with Creative Commons and other systems for publicly licensing use of copyrighted works.)	Art. 1286.1
Source	Civil Code of the Russian Federation, No 230-FZ (18 December 2006), amended through 2014, available at <a href="http://www.wipo.int/wipolex/en/text.jsp?file_id=335879">http://www.wipo.int/wipolex/en/text.jsp?file_id=335879</a> , including the most recent amendment, No. 35-FZ (12 March 2014), available at <a href="http://www.wipo.int/wipolex/en/text.jsp?file_id=345444">http://www.wipo.int/wipolex/en/text.jsp?file_id=345444</a> .	
Last edited:	26 April 2008; rev. 26 October 2014; rev. 15 May 2015	

RWANDA

<b>Study or Private Research</b>			
Who can copy?	Any library or archive.		Art. 207(1)
	Conditions:	Whose activities do not serve direct or indirect gain.	
What can be copied?	A published article or other short work or short extract of a work.		
	Conditions:	May make a few copies of the work.	
		Isolated case of copying, or if repeated only on separate and unrelated occasions.	
	Without authorization of the author or other owner of copyright.		
Purpose of the copy?	Study, scholarship, or private research.		
	Conditions:	To satisfy the request of a natural person.	
		The library or archive is satisfied that the copy will be used solely for the allowed purpose.	
Medium of the copy?	Reprographic reproduction. "Reproduction" is defined below.		
Other provisions?	Applies only if no collective license is available.		

<b>Preservation and Replacement</b>			
Who can copy?	Any library or archive.		Art. 207(2)
	Conditions:	Whose activities do not serve direct or indirect gain.	
What can be copied?	Works.		
	Conditions:	May make a few copies of the work.	
		Isolated case of copying, or if repeated only on separate and unrelated occasions.	
	Without authorization of the author or other owner of copyright.		
Purpose of the copy?	To preserve a copy and if necessary replace a copy.		
	To replace a copy which has been lost, destroyed, or rendered unusable in the permanent collection of another similar library or archive.		
	To replace a copy which has been lost, destroyed, or rendered unusable.		
	Conditions:	None.	
Medium of the copy?	Reprographic reproduction. "Reproduction" is defined below.		
Other provisions?	None.		

<b>Anti-Circumvention of Technological Protection Measures</b>		
Circumvention provisions?	Yes.	Art. 269

Prohibited Acts?	The Act of Circumvention?	Yes.	
	Dealing in Devices?	Yes.	
	Providing Services?	No.	
Access Control or Owner's Rights Control?	Owner's rights.		
Exemptions that could be used by libraries?	No. The only statutory exception applies to the right to make single copies by individuals for private use under Article 203.		

<b>Miscellaneous</b>		
Definitions	<p>"Reproduction" is the making of one or more copies of a work or phonogram, or a part of both, in any manner or form, including recording of sounds and images, permanent or temporary storage of the work or phonogram in electronic form (Article 6(38)).</p> <p>"Reprographic reproduction of a work" is the making of copies in facsimile of original or of copies of the work by means other than painting; reducing or enlarging in facsimile are also considered to be a reprographic reproduction (Article 6(39)).</p>	Art. 6
Personal Copying	New version is enacted at Article 203.	Art. 18(I)(a)
Berne Appendix	The ability to secure a compulsory license to make reproductions and translations for education is enacted at Articles 238-241.	Art. 22-23; Art. 115-145
Limitations for Sound Recordings and Broadcasts	Article 247(6) provides that where a work may be used without authorization of the author or copyright owner, such as the library exception, that right of free use also applies to neighboring rights protections for performers, phonograms, and broadcasts.	Art. 105
Source	Law on the Protection of Intellectual Property of Rwanda, No. 31/2009 (26 October 2009), available at <a href="http://www.wipo.int/wipolex/en/text.jsp?file_id=194215">http://www.wipo.int/wipolex/en/text.jsp?file_id=194215</a> .	
Last edited:	30 November 2007; rev. 26 August 2014; rev. 15 May 2015	

SAINT KITTS AND NEVIS

<b>Preservation</b>			
Who can copy?	Librarian of a prescribed library or archive.		§ 64
	Conditions:	None.	
What can be copied?	Any item in the permanent collection of the library or archive.		
	Conditions:	Any literary, dramatic, or musical work.	
		Including any illustrations accompanying such work.	
		Including, in the case of published works, the typographical arrangement.	
Purpose of the copy?	To preserve the item.		
	Conditions:	By making a copy and placing the copy in such permanent collection in addition to or in place of the item.	
Medium of the copy?	Any. See definition of "copy."		
Other provisions?	Subject to prescribed conditions.		
	The prescribed conditions shall restrict the making of copies to cases where it is not reasonably practicable to purchase a copy of the item in question for the purpose.		

<b>Replacement</b>			
Who can copy?	Librarian of a prescribed library or archive.		§ 64
	Conditions:	None.	
What can be copied?	An item in the permanent collection of the library or archive.		
	Conditions:	Any literary, dramatic, or musical work.	
		Including any illustrations accompanying such work.	
		Including, in the case of published editions, the typographical arrangement.	
Purpose of the copy?	To replace the item.		
	Conditions:	By making a copy and placing the copy in such permanent collection in addition to or in place of the item.	
		In the alternative, by making a copy and replacing in the permanent collection of another prescribed library or archive.	
Medium of the copy?	Any. See definition of "copy."		
Other provisions?	Item in another prescribed library or archive must have been lost, destroyed, or damaged.		
	Subject to prescribed conditions.		
	The prescribed conditions shall restrict the making of copies to cases where it is not reasonably		

	practicable to purchase a copy of the item in question for the purpose.	
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<b>Supply to Other Libraries</b>		
Who can copy?	Librarian of a prescribed library or archive.	§ 63
	Conditions: None.	
What can be copied?	An article in a periodical.	
	The whole or part of a published edition of a literary, dramatic, or musical work.	
	Conditions:	See condition below regarding whole work.
		Including any illustrations accompanying such work.
	Including, in the case of published editions, the typographical arrangement.	
Purpose of the copy?	To make and supply a copy to another prescribed library or archive.	
	Conditions:	None.
Medium of the copy?	Any. See definition of "copy."	
Other provisions?	It is not permitted to make a copy of the whole or part of a published edition of a literary, dramatic, or musical work if, at the time the copy is made, the librarian making it knows or could, by reasonable inquiry, ascertain the name and address of a person entitled to authorize the making of the copy.	

<b>Research or Study (Published Works)</b>			
Who can copy?	Librarian of a prescribed library or archive.		§ 62
	Conditions:	None.	
What can be copied?	An article in a periodical.		
	A part of a literary, dramatic, or musical work from a published edition, not being an article in a periodical.		
	Conditions:	None.	
Purpose of the copy?	For research or private study.		
	Conditions:	Must satisfy the librarian that these are the only purposes.	
Medium of the copy?	Any. See definition of "copy."		
Other provisions?	Subject to prescribed conditions.		
	The prescribed conditions shall include: (a) that copies shall be supplied only to persons satisfying the librarian that they are required for research or private study and will not be used for any other purpose; (b) that no person shall be furnished more than one copy of an article or with more than one article from a periodical issue; (c) that no person shall be furnished more than one copy of the same material from other types of works or more than a reasonable proportion of the work; and (d) that persons receiving copies are required		

	to pay for the copies a sum not less than the cost attributable to their production including a contribution to the general expenses of the library.	
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<b>Research or Study (Unpublished Works)</b>		
Who can copy?	Librarian of a prescribed library or archive.	§ 65
	Conditions: None.	
What can be copied?	Whole or part of a literary, dramatic, or musical work.	
	Conditions: From a document in the library or archive.	
	Including any illustrations accompanying the work.	
Purpose of the copy?	To make and supply a copy for research or private study.	
	Conditions: Must satisfy the librarian that these are the only purposes.	
Medium of the copy?	Any. See definition of "copy."	
Other provisions?	Not permitted where the work is published before the document is deposited in the library or archive, and at the time of making the copy, the librarian ought to have been aware of that fact.	
	Not permitted where the copyright owner has prohibited copying of the work, and at the time of making the copy, the librarian ought to have been aware of that fact.	
	Subject to prescribed conditions.	
	The prescribed conditions shall include: (a) that copies shall be supplied only to persons satisfying the librarian that they are required for research or private study and will not be used for any other purpose; (b) that no person shall be furnished more than one copy of the same material; (c) that persons receiving copies are required to pay for the copies a sum not less than the cost attributable to their production including a contribution to the general expenses of the library.	

<b>Anti-Circumvention of Technological Protection Measures</b>		
Circumvention provisions?	None.	

<b>Miscellaneous</b>		
Prescribed Conditions	The Minister has authority to make regulations "prescribing anything that is by this Act authorised or required to be prescribed."	§ 150
Declarations by Users	The Minister may provide by regulation that a librarian or archivist who is required to be satisfied as to a matter before making or supplying a copy: (a) shall be entitled to rely on a declaration as to that matter, signed by the person requesting the	§ 61(2)

	copy, unless he or she is aware the declaration is false in any material particular; (b) shall not, in such cases as may be prescribed, make or supply a copy to any person in the absence of a declaration by that person.	
False Declarations	Where a person requesting a copy makes a declaration that is false in a material particular, the person may in some circumstances be liable for copyright infringement.	§ 61(3)
Additional Exceptions	The Minister has authority to issue orders establishing exceptions in the public interest, subject to evaluation of conditions and equitable remuneration.	§ 86
Research and Private Study	Fair dealing with a literary, dramatic, musical, or artistic work for the purposes of research or private study is allowed.	§ 52
Criticism, Review, and Reporting	Fair dealing for the purposes of criticism or review or for the purpose of report current events is allowed.	§ 53
Fair Dealing	In determining fair dealing, four factors shall be taken into account: (1) the nature of the work in question; (2) the extent and substantiality of that part of the work affected by the act in relation to the whole of the work; (3) the purpose and character of the use; and (4) the effect of the act upon the potential market for, or the commercial value of, the work.	§ 54
Educational Use	Limited right to make copies for educational use.	§§ 56-58
Reprographic Copying by Educational Establishment	Limited right to make reprographic copies of published literary, dramatic, or musical works by or on behalf of an educational establishment for the purposes of instruction.	§ 59
Archiving Broadcasts	Certain broadcasts and cable transmissions may be recorded for deposit in designated archives.	§ 82(1); § 128(1)
Typographical Arrangements	Typographical arrangements of published editions are protected for 25 years after publication.	§ 8; § 13
Defined Terms	“Copy” is given an elaborate definition for different types of works, but for many works it means a “reproduction of the work in any material form.”	§ 2(1)
	References to “librarian” or “archivist” include a person acting on his or her behalf.	§ 61(1)
Source	Copyright Act of Saint Kitts and Nevis, Cap. 18.08 (31 December 2002), available at <a href="http://www.wipo.int/wipolex/en/text.jsp?file_id=235248">http://www.wipo.int/wipolex/en/text.jsp?file_id=235248</a> .	
Last edited:	25 April 2014; rev. 15 May 2015	

SAINT LUCIA

<b>Research or Study (Published Works)</b>		
Who can copy?	Librarians of prescribed libraries and archives, or persons acting on their behalf.	
	Conditions:	None.
What can be copied?	Articles in periodicals, including accompanying illustrations and the typographical arrangement.	
	Parts of literary, dramatic, or musical works, not being articles in periodicals, from published editions, including accompanying illustrations and the typographical arrangement.	
	Conditions:	With respect to an article, no person shall be furnished with more than one article contained in the same issue of a periodical.
		With respect to a part of a literary, dramatic work, or musical work, no person shall be furnished with more than one copy of the same material or a copy of more than a reasonable proportion of the work.
	A copy cannot be made if or to the extent that there is a licensing scheme under which licenses are available authorizing the making of such copies, and the person making the copies knew or ought to have been aware of that fact.	
Purpose of the copy?	For research or study by persons.	
	Conditions:	The copies shall be supplied only to persons satisfying the librarian that they require them for the allowed purposes and will not use them for any other purpose.
		The copies shall be supplied only to a person satisfying the librarian that his requirement is not related to any similar requirement of another person. Requirements are deemed "similar" if the requirements are for copies of substantially the same material, at substantially the same time, and for substantially the same purpose. Requirements are deemed "related" if those persons receive instruction to which the material is relevant at the same time and place.
Medium of the copy?	Any. See definition of "copy" below.	
Other provisions?	The person to whom copies are supplied must pay for them a sum not less than the cost attributable to their production, including a contribution of the	

§ 69

	general expenses of the library.	
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<b>Supplying Copies to Other Libraries</b>			
Who can copy?	Librarians of prescribed libraries and archives, or persons acting on their behalf.		§ 70
	Conditions:	None.	
What can be copied?	Articles in periodicals, including accompanying illustrations and the typographical arrangement.		
	Whole or parts of literary, dramatic, or musical works from published editions, including accompanying illustrations and the typographical arrangement.		
	Conditions:	For works other than articles, the copy cannot be made if the librarian making it knows or could, by reasonable inquiry, ascertain the name and address of a person entitled to authorize the making of the copy.	
Purpose of the copy?	To supply a copy to another prescribed library or archive.		
	Conditions:	None.	
Medium of the copy?	Any. See definition of "copy" below.		

<b>Preservation and Replacement</b>			
Who can copy?	Librarians of prescribed libraries and archives, or persons acting on their behalf.		§ 71
	Conditions:	None.	
What can be copied?	Literary, dramatic, or musical works in the permanent collection of the library or archive, including accompanying illustrations and the typographical arrangement.		
	Conditions:	Prescribed conditions shall include provisions restricting the making of copies to cases where it is not reasonably practicable to purchase a copy of the item in question for the purpose.	
Purpose of the copy?	To preserve or replace the item by placing the copy in such permanent collection in addition to or in place of the item.		
	To replace in the permanent collection of another prescribed library or archive an item which has been lost, destroyed, or damaged.		
	Conditions:	None.	
Medium of the copy?	Any. See definition of "copy" below.		

<b>Research or Study (Unpublished Works)</b>			
Who can copy?	Librarians of prescribed libraries and archives, or persons acting on their behalf.		§ 72
	Conditions:	None.	
What can be copied?	Whole or parts of unpublished literary, dramatic, or		

	musical works from documents in the library or archive, including accompanying illustrations.	
	Conditions:	A copy cannot be made where the copyright owner has prohibited copying of the work, and at the time of the making of the copy, the librarian ought to have been aware of that fact.
		No person may be furnished with any more than one copy of the same material.
		A copy cannot be made if or to the extent that there is a licensing scheme under which licenses are available authorizing the making of such copies, and the person making the copies knew or ought to have been aware of that fact.
Purpose of the copy?	For research or study by persons.	
	Conditions:	The copies shall be supplied only to persons satisfying the librarian that they require them for the allowed purposes and will not use them for any other purpose.
Medium of the copy?	Any. See definition of "copy" below.	
Other provisions?	The person to whom copies are supplied must pay for them a sum not less than the cost attributable to their production, including a contribution of the general expenses of the library.	

**Anti-Circumvention of Technological Protection Measures**

Circumvention provisions?	None.
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**Miscellaneous**

Relationship to Fair Dealing	Copying for personal use other than by the research or student himself is not fair dealing if in the case of the librarian, or a person acting on behalf of a librarian, he does anything which regulations under Section 68 would not permit to be done under Sections 69 or 70.	§ 56
Declarations	Regulations may provide that a librarian or archivist who is required to be satisfied as to a matter before making or supplying a copy of a work is entitled to rely on a declaration as to that matter signed by the person requesting the copy, unless he is aware that the declaration is false in any material particular; and in such cases as may be prescribed, shall not make or supply a copy to any person in the absence of a declaration by that person.  Where a person requesting a copy makes a declaration that is false in a material particular and is	§ 68(2)

	supplied with a copy which would have been an infringing copy if made by him, that person shall be liable for infringement of copyright as if he had reproduced the copy himself, and the copy supplied shall be treated as an infringing copy.	
Defined Terms	<p>“Copy” in relation to –</p> <p>(a) a work that is a literary, dramatic, musical, or artistic work, means a reproduction of a work in any material form, and, in respect of an artistic work, includes a reproduction in three dimensions, if the artistic work is a two-dimensional work and a reproduction in two dimensions, if the artistic work is a three-dimensional work; and in respect of a literary, dramatic, or musical work, includes a reproduction in the form of a record or film;</p> <p>(b) a work that is a film, television broadcast, or cable program, includes a photograph of the whole or any substantial part of any image forming part of the film, broadcast, or cable program;</p> <p>(c) a work that is a typographical arrangement of a published edition means a facsimile copy of the arrangement; and</p> <p>(d) any category of work includes any copy of the work, however made and in whatever medium, that is transient or incidental to some other use of the work; and copy includes storing a work of any description in any medium by electronic means.</p>	§ 3
Source	<p>Copyright Act of Saint Lucia, No. 10 (6 September 1995), available at <a href="http://www.wipo.int/wipolex/en/text.jsp?file_id=128487">http://www.wipo.int/wipolex/en/text.jsp?file_id=128487</a>, as amended by No. 7 (27 March 2000), available at <a href="http://www.wipo.int/wipolex/en/text.jsp?file_id=128489">http://www.wipo.int/wipolex/en/text.jsp?file_id=128489</a>.</p>	
Last edited:	12 December 2007; rev. 15 May 2015	

SAINT VINCENT AND THE GRENADINES

<b>Research or Study (Published Works)</b>		
Who can copy?	Librarians of prescribed libraries and archives, including persons acting on their behalf.	
	Conditions:	None.
What can be copied?	Articles in periodicals, including accompanying illustrations and the typographical arrangement.	
	Parts of literary, dramatic, or musical works from published editions, including accompanying illustrations and the typographical arrangement.	
	Conditions:	With respect to articles, no person shall be furnished with more than one article contained in the same issue of a periodical.
		With respect to parts of literary, dramatic, or musical works, no person shall be furnished with more than one copy of the same material or a copy of more than a reasonable proportion of the work.
A copy cannot be made if or to the extent that there is a licensing scheme under which licenses are available authorizing the making of such copies, and the person making the copies knew or ought to have been aware of that fact.		
Purpose of the copy?	For research or private study by persons.	
	Conditions:	The copies shall be supplied only to persons satisfying the librarian that they require them for the permitted purposes and will not use them for any other purpose.
The copies shall be supplied only to a person satisfying the librarian that his requirement is not related to any similar requirement of another person. Requirements are deemed "similar" if the requirements are for copies of substantially the same material, at substantially the same time, and for substantially the same purpose. Requirements are deemed "related" if those persons receive instruction to which the material is relevant at the same time and place.		
Medium of the copy?	Any. See definition of "copy" below.	
Other provisions?	The person to whom copies are supplied must pay for them a sum not less than the cost attributable to their production, including a contribution of the general expenses of the library.	

§ 63

<b>Supplying Copies to Other Libraries</b>		
Who can copy?	Librarians of prescribed libraries and archives, including persons acting on their behalf.	§ 64
	Conditions:   None.	
What can be copied?	Articles in periodicals, including accompanying illustrations and the typographical arrangement.	
	Parts of literary, dramatic, or musical works from published editions, including accompanying illustrations and the typographical arrangement.	
	Conditions:   With respect to parts of literary, dramatic, or musical works, the copy cannot be made if the librarian making it knows or could, by reasonable inquiry, ascertain the name and address of a person entitled to authorize the making of the copy.	
Purpose of the copy?	To supply a copy to another prescribed library or archive.	
	Conditions:   None.	
Medium of the copy?	Any. See definition of "copy" below.	

<b>Preservation and Replacement</b>		
Who can copy?	Librarians of prescribed libraries and archives, including persons acting on their behalf.	§ 65
	Conditions:   None.	
What can be copied?	Literary, dramatic, or musical works in the permanent collection of the library or archive, including accompanying illustrations and the typographical arrangement.	
	Conditions:   Prescribed conditions shall include provisions restricting the making of copies to cases where it is not reasonably practicable to purchase a copy of the item in question for the purpose.	
Purpose of the copy?	To preserve or replace the item by placing the copy in such permanent collection in addition to or in place of the item.	
	To replace in the permanent collection of another prescribed library or archive an item which has been lost, destroyed, or damaged.	
	Conditions:   None.	
Medium of the copy?	Any. See definition of "copy" below.	

<b>Research or Study (Unpublished Works)</b>		
Who can copy?	Librarians of prescribed libraries and archives, including persons acting on their behalf.	§ 66
	Conditions:   None.	
What can be copied?	Whole or parts of unpublished literary, dramatic, or	

	musical works from documents in the library or archive, including accompanying illustrations.	
	Conditions:	The copying is not permitted where the work has been published at the time when the copies are made.
		A copy cannot be made where the copyright owner has prohibited copying of the work, and at the time of the making of the copy, the librarian ought to have been aware of that fact.
		No person may be furnished with any more than one copy of the same material.
		A copy cannot be made if or to the extent that there is a licensing scheme under which licenses are available authorizing the making of such copies, and the person making the copies knew or ought to have been aware of that fact.
Purpose of the copy?	For research or private study by persons.	
	Conditions:	The copies shall be supplied only to persons satisfying the librarian that they require them for the allowed purposes and will not use them for any other purpose.
Medium of the copy?	Any. See definition of "copy" below.	
Other provisions?	The person to whom copies are supplied must pay for them a sum not less than the cost attributable to their production, including a contribution of the general expenses of the library.	

**Anti-Circumvention of Technological Protection Measures**

Circumvention provisions?	None.
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**Miscellaneous**

Relationship to Fair Dealing	Copying by a person other than a researcher or student is not fair dealing if in the case of the librarian, or a person acting on behalf of a librarian, he does anything which regulations would not permit to be done under Sections 62(a) or 63(1)(b).	§ 50(2)
Declarations	Regulations may provide that a librarian or archivist who is required to be satisfied as to a matter before making or supplying a copy of a work is entitled to rely on a declaration as to that matter signed by the person requesting the copy, unless he is aware that the declaration is false in any material particular; and in such cases as may be prescribed, shall not make or supply a copy to any person in the absence of a declaration by that person.	§ 62(2)-(3)

	Where a person requesting a copy makes a declaration that is false in a material particular and is supplied with a copy which would have been an infringing copy if made by him, that person shall be liable for infringement of copyright as if he had reproduced the copy himself, and the copy supplied shall be treated as an infringing copy.	
Defined Term	<p>“Copy” includes:</p> <p>(a) in relation to a work that is literary, dramatic, musical or artistic work, a reproduction of the work in any material form; or</p> <p>(b) in respect of an artistic work, a reproduction in three dimensions, if the artistic work is a two-dimensional work and a reproduction in two dimensions if the artistic work is a three-dimensional work; or</p> <p>(c) in respect of a literary, dramatic or musical work includes a reproduction in the form of a record or film;</p> <p>(d) in relation to a work that is a film, television broadcast, or cable program includes a photograph of the whole or any substantial part of any image forming part of the film, broadcast or cable program;</p> <p>(e) in relation to a work that is a typographical arrangement of a published edition, a facsimile copy of the arrangement; and</p> <p>(f) any category however made and in whatever medium, that is transient or is incidental to some other use of the work; and</p> <p>(g) references to the “copying of a work of any description” shall be construed to include a reference to storing the work in any medium by electronic means.</p>	§ 2
Source	Copyright Act of Saint Vincent and the Grenadines, No. 21 (20 February 2003), available at <a href="http://www.wipo.int/wipolex/en/text.jsp?file_id=248049">http://www.wipo.int/wipolex/en/text.jsp?file_id=248049</a> .	
Last edited:	30 November 2007; rev. 15 May 2015	

SAMOA

<b>Research or Study</b>			
Who can copy?	Any library or archives.		§ 11(a)
	Conditions:	The activities of the institution may not serve direct or indirect financial gain.	
What can be copied?	Published articles or other short works.		
	Short extracts of works.		
	Conditions:	Only a single copy can be made.	
		The act of reproduction must be an isolate case occurring, if repeated, on separate and unrelated occasions.	
A reproduction can only be made if there is no collective license available, offered by a collective administration organization of which the library or archive is or should be aware, under which such copies can be made.			
Purpose of the copy?	For study, scholarship, or private research, by request of a physical person.		
	Conditions:	The library or archive must be satisfied that the copy will be used solely for the permitted purposes.	
Medium of the copy?	Any. See definition of "reproduction" below.		

<b>Preservation and Replacement</b>			
Who can copy?	Libraries and archives.		§ 11(b)
	Conditions:	The activities of the institution may not serve direct or indirect financial gain.	
What can be copied?	Works.		
	Conditions:	Only a single copy can be made.	
		The act of reproduction must be an isolated case occurring, if repeated, on separate and unrelated occasions.	
		A reproduction can only be made if it is impossible to obtain a copy under reasonable conditions.	
Purpose of the copy?	To preserve and, if necessary, replace a copy.		
	To replace a copy which has been lost, destroyed, or rendered unusable in the permanent collection of another similar library or archive.		
	Conditions:	None.	
Medium of the copy?	Any. See definition of "reproduction" below.		

<b>Anti-Circumvention of Technological Protection Measures</b>			
Circumvention provisions?	Yes.		§ 28(i)
Prohibited Acts?	The Act of Circumvention?	No.	
	Dealing in Devices?	Manufacturing or importing for sale or rental a circumvention device is prohibited.	
	Providing Services?	No.	
Access Control or Owner's Rights Control?	Owner's Rights Control. The provisions relate to devices intended to prevent or restrict reproduction of a work or to impair the quality of copies made.		
Exemptions that could be used by libraries?	There are no explicit exemptions for circumvention.		

<b>Miscellaneous</b>		
Personal Copying	Private reproduction of a published work in a single copy made by a person for his own personal purposes is permitted; certain works are excluded.	§ 8
Research and Private Study	Permits reproduction of works for research and private study by individuals.	§ 8A
Regulatory Exceptions	Authorizes prescribing of additional reproductions, provided the uses do not conflict with a normal exploitation of the work or unreasonably prejudice the legitimate interests of the owner of the copyright.	§ 8F
Defined Term	"Reproduction" means the making of one or more copies of a work or sound recording in any material form, including any permanent or temporary storage of the work or sound recording in electronic form.	§ 2
Source	Copyright Act of Samoa, No. 25 (16 July 1998), as amended through the Copyright Amendment Act, No. 10 (11 October 2011), available at <a href="http://www.wipo.int/wipolex/en/text.jsp?file_id=309851">http://www.wipo.int/wipolex/en/text.jsp?file_id=309851</a> .	
Last edited:	4 December 2007; rev. 15 May 2015	

SAN MARINO

<b>Library Provisions (none)</b>		
Library Provisions?	The copyright law of San Marino includes no explicit library provisions.	

<b>Anti-Circumvention of Technological Protection Measures</b>	
Circumvention provisions?	None.

<b>Miscellaneous</b>		
Private Copying	Reproduction of a disclosed work is permitted where it is strictly reserved for the private use of the person who makes them and is not intended for collective use. Copying is not permitted where the works are intended to be used for purposes identical to those for which the original work was created.	Art. 98(b)
Source	Law on the Protection of Copyright of San Marino, No. 8 (25 January 1991), available at <a href="http://www.wipo.int/wipolex/en/text.jsp?file_id=202238">http://www.wipo.int/wipolex/en/text.jsp?file_id=202238</a> , as amended by Law No. 63 (24 June 1997), available at <a href="http://www.wipo.int/wipolex/en/text.jsp?file_id=202872">http://www.wipo.int/wipolex/en/text.jsp?file_id=202872</a> , and further amended by Law No. 43 (22 February 2006), available at <a href="http://www.wipo.int/wipolex/en/text.jsp?file_id=203007">http://www.wipo.int/wipolex/en/text.jsp?file_id=203007</a> .	
Last edited:	30 November 2007; rev. 15 May 2015	

SÃO TOMÉ AND PRINCIPE

<b>General Library Exception</b>		
Who can copy?	Public entities, libraries, archives, and scientific institutions.	Art. 63
	Conditions:   None.	
What can be copied?	Excerpts from works not yet in the public domain.	
	Conditions:   None.	
Purpose of the copy?	For themselves, or for the private use of applicants.	
	Conditions:   None.	
Medium of the copy?	Reproduction.	
Other provisions?	It is in accordance with established uses.	
	Such reproductions are not permitted to be for a commercial use without the consent of the author.	

<b>Anti-Circumvention of Technological Protection Measures</b>		
Circumvention provisions?	None.	

<b>Miscellaneous</b>	
Source	Copyright Code of São Tomé and Príncipe, Decree-Law No. 46 980 (27 April 1966), available at <a href="http://www.wipo.int/wipolex/en/text.jsp?file_id=198054">http://www.wipo.int/wipolex/en/text.jsp?file_id=198054</a> .
Last edited:	25 April 2014; rev. 15 May 2015

SAUDI ARABIA

<b>General Provisions (applicable to various statutory exceptions)</b>		
Author's consent?	No.	Art. 15
Translation?	The work may be used in its original language or in a translation.	

<b>Library Use</b>		
Who can copy?	Public libraries and non-commercial documentation centers.	Art. 15 (3)
	Conditions: The use shall not be commercial or for-profit.	
What can be copied?	Works.	
	Conditions: The work must be out of print, lost, or damaged.	
	Only one or two copies may be made.	
	Copying is limited to the requirements of the activities.	
Purpose of the copy?	To meet the requirements of the institution's activities.	
	Conditions: None.	
Medium of the copy?	Any. See definition of "copying" below.	

<b>Anti-Circumvention of Technological Protection Measures</b>	
Circumvention provisions?	None.

<b>Miscellaneous</b>		
Defined Term	"Copying" means producing a copy of literary, artistic, or scientific works in any material means, including any sound or visual recording.	Art. 1
Personal Copying	Permits copying of most works for personal use.	Art. 15(1)
Source	Copyright Law of Saudi Arabia, Royal Decree. No. M/41 (30 August 2003), available at <a href="http://www.wipo.int/wipolex/en/text.jsp?file_id=129516">http://www.wipo.int/wipolex/en/text.jsp?file_id=129516</a> .	
Last edited:	7 December 2007; rev. 15 May 2015	

SENEGAL

<b>Library Provisions (none)</b>		
Library Provisions?	The copyright law of Senegal includes no explicit library exceptions.	

<b>Anti-Circumvention of Technological Protection Measures</b>			
Circumvention provisions?	Yes.	Art. 125	
Prohibited Acts?	The Act of Circumvention?		Yes.
	Dealing in Devices?		No.
	Providing Services?		No.
Access Control or Owner's Rights Control?	Owner's rights.		
Exemptions that could be used by libraries?	None.		

<b>Miscellaneous</b>		
Private Copying	Reproductions intended for personal and private use of works that have been lawfully made available to the public are permitted.	Art. 10
Source <sup>51</sup>	Law of Copyright and Neighboring Rights of Senegal, No. 2008-09 (25 January 2008), available at <a href="http://www.wipo.int/wipolex/en/text.jsp?file_id=243176">http://www.wipo.int/wipolex/en/text.jsp?file_id=243176</a> .	
Last edited:	7 December 2007; rev. 26 August 2014; rev. 25 April 2015	

<sup>51</sup> Senegal is a member of the Bangui Agreement, which includes copyright exceptions applicable to libraries and archives and provisions on anti-circumvention. See the charts of Benin's law in this report for a footnote with detailed information.

SERBIA

<b>General Provisions (applicable to various statutory exceptions)</b>		
Provide name of author?	Yes. The use is permitted provided that the name of the work's author is cited.	Art. 41(1)
Provide source of borrowing?	Yes. The use is permitted provided that the source of borrowing (publisher of the work, year and place of publication, periodical, newspaper, television or radio station in which the work or a part of it was originally published or directly taken from, and the like) is cited.	
Three Step Test	The scope of limitations may not conflict with a normal exploitation of the work nor may unreasonably prejudice the legitimate interests of the author.	Art. 41(2)

<b>Library Internal Use</b>		
Author's consent required?	No. The use is permitted without the author's permission.	Art. 45
Remuneration to author?	No. The use is permitted without paying remuneration.	
Who can copy?	Public libraries, educational institutions, museums, and archives.	
	Conditions: None.	
What can be copied?	Works.	
	Conditions: From the institution's own collections.	
Purpose of the copy?	For archival purposes.	
	Conditions: No intention to realize direct or indirect economic or commercial benefit.	
Medium of the copy?	Any. See definition of "reproduction" below.	

<b>Anti-Circumvention of Technological Protection Measures</b>			
Circumvention provisions?	Yes.	Art. 208(1)(4)	
Prohibited Acts?	The Act of Circumvention?		Yes. The act of circumvention is prohibited.
	Dealing in Devices?		Producing, importing, marketing, selling, renting, advertising for sale or rental, or holding for commercial purposes circumvention devices is prohibited.
	Providing Services?	Yes. Supplying or advertising circumvention services is prohibited.	
Access Control or Owner's Rights Control?	Owner's Rights Control. The provisions relate to technology that prevents or restricts acts which are not authorized by the holder of copyright or related	Art. 208(2)	

	rights.	
Exemptions that could be used by libraries?	The rightsholder using technological measures has an obligation to enable to persons who benefit under the copyright limitations, and who request access, to have access to the work as soon as possible, by the alteration or removal of technological measures or in some other way. A user may bring legal action to enforce this right.	Art. 208a

<b>Miscellaneous</b>		
Definition	Reproduction can occur regardless of the number of their copies, technique by which they are multiplied, or the durability of the copy.	Art. 20(3)
Educational Copying	The former Article 53 was a license to libraries and other organizations to make copies of certain works for education. The revised statute removes references to libraries, creating a more general provision that presumably may be used by libraries, but also by any other party complying with the terms.	Art. 55
Public Lending	The exclusion is limited to national libraries, libraries of public education institutions, and public specialized libraries.	Art. 40
Defined Term	The exclusive right of reproduction is described as the right to authorize or prohibit fixation or reproduction of his work in any tangible or intangible, permanent or temporary, direct or indirect manner.	Art. 20(1)
Source	Law of Copyright and Related Rights of Serbia, No. 104 (11 December 2009), as amended through No. 119 (4 January 2012), available at <a href="http://www.zis.gov.rs/legal-regulations/laws-and-regulations.110.html">http://www.zis.gov.rs/legal-regulations/laws-and-regulations.110.html</a> .	
Last edited:	17 December 2007; rev. 30 August 2014; rev. 15 May 2015	

SEYCHELLES

<b>Research or Study</b>			
Who can copy?	A library or archives.		§ 13(a)
	Conditions:	The activities of the institution may not serve direct or indirect financial gain.	
What can be copied?	Published articles or other short works.		
	Short extracts of works.		
	Conditions:	Only a single copy can be made.	
The act of reproduction must be an isolate case occurring, if repeated, on separate and unrelated occasions.			
Purpose of the copy?	A reproduction can only be made if there is no collective license available, offered by a collective administration organization, under which such copies can be made.		
	For study, scholarship, or private research, by request of a physical person.		
Medium of the copy?	Conditions:	The library or archive must be satisfied that the copy will be used solely for the permitted purposes.	
	Reprographic reproduction.		

<b>Preservation and Replacement</b>			
Who can copy?	A library or archives.		§ 13(b)
	Conditions:	The activities of the institution may not serve direct or indirect financial gain.	
What can be copied?	Works.		
	Conditions:	Only a single copy can be made.	
		The act of reproduction must be an isolated case occurring, if repeated, on separate and unrelated occasions.	
Purpose of the copy?	A reproduction can only be made if it is impossible to obtain a copy under reasonable conditions.		
	To preserve and, if necessary, replace a copy.		
Medium of the copy?	To replace a copy which has been lost, destroyed, or rendered unusable in the permanent collection of another similar library or archive.		
	Conditions:	None.	
Medium of the copy?		Any. See definition of "reproduction" below.	

<b>Anti-Circumvention of Technological Protection Measures</b>		
Circumvention provisions?	Yes.	§ 32

Prohibited Acts?	The Act of Circumvention?	Yes.	
	Dealing in Devices?	Yes. Prohibits producing, importing, selling, renting, etc., of devices for commercial purposes.	
	Providing Services?	Yes. Prohibition includes services.	
Access Control or Owner's Rights Control?	Both. The definitions refer to preventing or restricting acts that are not authorized and access controls.		§ 3 & § 32(2)
Exemptions that could be used by libraries?	Yes. Beneficiaries of certain exceptions, including Section 13, may request from the Registrar of Copyrights or the court the means to access and use the works. This exception does not apply if the rightsholder makes the works available to the public at time and place of the user's choosing.		§ 32(3) & (4)

<b>Miscellaneous</b>		
Defined Term	"Reproduction" is the making of one or more copies of a work or phonogram in any manner or form, including any permanent or temporary storage of the work or phonogram in electronic form.	§ 3
Private Copying	Permits single copies of most published works for personal purposes.	§ 9
Needs of Disabled Persons	Permits uses of works to serve the needs of the visually impaired.	§ 16
Source	Copyright Act of Seychelles, No. 5 (21 April 2014), available at <a href="http://www.wipo.int/wipolex/en/text.jsp?file_id=344478">http://www.wipo.int/wipolex/en/text.jsp?file_id=344478</a> .	
Last edited:	4 December 2007; rev. 15 May 2015	

SIERRA LEONE

<b>Study or Private Research</b>		
Who can copy?	Library or archive.	§ 31(a)
	Conditions: Whose activities do not serve direct or indirect gain.	
What can be copied?	A published article or other short work or short extract of a work.	
	Conditions: Single copy of the work.	
	Isolated case of copying, or if repeated only on separate and unrelated occasions.	
Purpose of the copy?	Without authorization of the author or other owner of copyright.	
	Study, scholarship, or private research.	
	Conditions: To satisfy the request of an individual.	
Medium of the copy?	The library or archive is satisfied that the copy will be used solely for the allowed purpose.	
	Reprographic reproduction. "Reproduction" is defined below.	
Other provisions?	Reproduction permitted if no collective license is offered by the Collecting Society of Sierra Leone of which the library or archive is or should be aware, under which the copy can be made.	

<b>Preservation and Replacement</b>		
Who can copy?	Library or archive.	§ 31(b)
	Conditions: Whose activities do not serve direct or indirect gain.	
What can be copied?	Works.	
	Conditions: Single copy of the work.	
	Isolated case of copying, or if repeated only on separate and unrelated occasions.	
Purpose of the copy?	Without authorization of the author or other owner of copyright.	
	To preserve a copy.	
	To replace a copy, if necessary, which has been lost, destroyed, or rendered unusable in the permanent collection of another similar library or archive.	
Medium of the copy?	Conditions: Impossible to obtain a copy under reasonable conditions.	
	Reprographic reproduction. "Reproduction" is defined below.	
Other provisions?	None.	

<b>Anti-Circumvention of Technological Protection Measures</b>			
Circumvention provisions?	Yes.		§ 74
Prohibited Acts?	The Act of Circumvention?	No.	
	Dealing in Devices?	Yes.	
	Providing Services?	No.	
Access Control or Owner's Rights Control?	Both. Manufacturing or importing for sale or rental devices for circumventing reproduction controls or access to broadcasts.		
Exemptions that could be used by libraries?	None.		

<b>Miscellaneous</b>		
Definition	"Reproduction" means the making of one or more copies or a work or sound recording in any manner or form, including a permanent or temporary storage of the work in electronic form.	§ 1(1)
Source	Copyright Act of Sierra Leone (6 October 2011), available at <a href="http://www.wipo.int/wipolex/en/text.jsp?file_id=328521">http://www.wipo.int/wipolex/en/text.jsp?file_id=328521</a> .	
Last edited:	17 December 2007; rev. 26 August 2014; rev. 15 May 2015	

SINGAPORE

<b>Research or Study</b>			
Who can copy?	Authorized officers of libraries and archives.		§ 45
	Conditions:	The library may not be conducted for the profit, direct or indirect, of an individual or individuals.	
What can be copied?	Whole or parts of articles contained in periodical publications, including accompanying illustrations in the whole or in the parts that were used to illustrate or explain that part (§ 50). See definition of "article" below.		
	Whole or parts of published literary, dramatic or musical works, including accompanying illustrations (§50).		
	Conditions:	With respect to articles, a copy may not be made where the request is for a copy of, or parts of, two or more articles contained in the same periodical publication unless the articles relate to the same subject-matter. (§ 45(4)).	
		With respect to literary, dramatic, or musical works, a copy may not be made where the request is for a copy of the whole work (other than an article) or to a copy of a part of such work that contains more than a reasonable portion of the work unless the work is part of the library or archives collection and an authorized officer has after reasonable investigation, made a declaration stating that he is satisfied that a copy, not being a secondhand copy, of the work cannot be obtained within a reasonable time at an ordinary commercial price. (§ 45(5)). (Note: "Reasonable portion" is a defined term consisting of precise page number or percentage requirements depending on several circumstances. See § 7.)	
Purpose of the copy?	For research or study of an individual person.		
	Conditions:	The person must submit a declaration, as detailed below.	
		The officer may not copy an item where the declaration contains a statement that to his knowledge is untrue in a material particular.	
		The copy must be supplied to the person who made the request,	

		<p>otherwise it is treated as an infringing copy. (§ 45(6)-(7)). However, this does not apply to electronic copies of an article or other published work in relation to a request for communication to the person who made the request unless, before or when the electronic copy is communicated to the person, a notice is given to the person in accordance with regulations stating that the electronic copy has been made under this section and the article or work might be subject to copyright and other matters as prescribed by regulation, or as soon as practicable after the electronic copy is communicated to the person, the electronic copy held by the library or archive is destroyed.</p> <p>(§ 45(9))</p>	
Medium of the copy?	Any. See special requirements for electronic copies, § 45(7A)-(9).		
Other provisions?	This provision permits the authorized officers to make, cause to be made, and supply copies to individuals.		
	Declaration: A person must furnish a request in writing to the officer-in-charge of the library or archive. The declaration must be signed by the person and state that he requires the copy for the purpose of research or study and will not use it for any other purpose and that the person has not previously been supplied with a copy of that article or other work, or the same part of the article or other work, by an authorized officer of the library or archives, or that the person has lost, destroyed, or damaged any such copy previously supplied to him.		
	Cost: Where a charge is made for making and supplying a copy to which a request relates, a copy may not be made if the amount of the charge exceeds the cost of making and supplying the copy and a reasonable contribution to the general expenses of the library.	§ 45(1)	
	Making available: If an article or other published work is acquired, in electronic form, as part of the collection of a library or archives, the copyright in the article or published work is not infringed by the officer-in-charge of the library or archives making it available online within the premises of the library or archives in such a manner that users cannot, by using any equipment supplied by the library or archives make an electronic copy of the article or work or communicate the article or work.	§ 45 (7A)	

	<p>Notation: The person or body may not rely upon § 45 in infringement proceedings unless at or about the time the copy was made, there was made on the copy a notation stating that the copy was made on behalf of that institution and the date on which it was made.</p>	<p>§ 201</p>
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<b>Supplying Copies to Other Libraries</b>				
<p>Who can copy?</p>	<p>Authorized officers of the library. References to the library include references to archives. (§ 46(8)).</p> <table border="1" data-bbox="526 593 1220 694"> <tr> <td data-bbox="526 593 718 694"> <p>Conditions:</p> </td> <td data-bbox="718 593 1220 694"> <p>The library may not be conducted for the profit, direct or indirect, of an individual or individuals.</p> </td> </tr> </table>	<p>Conditions:</p>	<p>The library may not be conducted for the profit, direct or indirect, of an individual or individuals.</p>	<p>§ 46</p>
<p>Conditions:</p>	<p>The library may not be conducted for the profit, direct or indirect, of an individual or individuals.</p>			
<p>What can be copied?</p>	<p>Whole or parts of articles contained in periodical publications, including accompanying illustrations in the whole or in the part that were used to illustrate or explain that part (§ 50). See definition of "article" below.</p> <p>Whole or parts of published literary, dramatic or musical works, including accompanying illustrations (§50).</p> <table border="1" data-bbox="526 974 1220 996"> <tr> <td data-bbox="526 974 718 996"> <p>Conditions:</p> </td> <td data-bbox="718 974 1220 996"> <p>None.</p> </td> </tr> </table>	<p>Conditions:</p>	<p>None.</p>	
<p>Conditions:</p>	<p>None.</p>			
<p>Purpose of the copy?</p>	<p>For including the copy in the collection of the library.</p> <p>For the purpose of supplying the copy to a user who has made a request under § 45.</p> <table border="1" data-bbox="526 1142 1220 1512"> <tr> <td data-bbox="526 1142 718 1512"> <p>Conditions:</p> </td> <td data-bbox="718 1142 1220 1512"> <p>With respect to including the copy in the collection of the library, the copy may not be in substitution for a subscription to such periodical publication or work or a purchase of such work.</p> <p>The officer-in-charge of the library must make the request, or cause another person to request, the officer-in-charge of another library to supply the copy.</p> </td> </tr> </table>	<p>Conditions:</p>	<p>With respect to including the copy in the collection of the library, the copy may not be in substitution for a subscription to such periodical publication or work or a purchase of such work.</p> <p>The officer-in-charge of the library must make the request, or cause another person to request, the officer-in-charge of another library to supply the copy.</p>	
<p>Conditions:</p>	<p>With respect to including the copy in the collection of the library, the copy may not be in substitution for a subscription to such periodical publication or work or a purchase of such work.</p> <p>The officer-in-charge of the library must make the request, or cause another person to request, the officer-in-charge of another library to supply the copy.</p>			
<p>Medium of the copy?</p>	<p>Not specified.</p>			
<p>Other provisions?</p>	<p>This provision permits the authorized officers to make, cause to be made, and supply copies to libraries or users.</p>			

	<p>Declaration: As soon as practicable after the request was made, an authorized officer of the library must make a declaration that sets out particulars of the request (including the purpose for which the copy was requested), and stating, in a case where a copy of the whole or a part of the article or other work had previously been supplied by request for inclusion in the collection of the library that the previous copy so supplied had been lost, destroyed, or damaged, or in the case where the copy was a copy of the whole of a literary, dramatic, or musical work (other than an article contained in a periodical) or of a part of such a work that contains more than a reasonable portion of the work, that the copy was made and supplied as part of an inter-library arrangement which does not have effect or the purpose of enabling participating libraries to receive copies of the whole works or parts thereof, by way of systematic reproduction and supply of copies, in such aggregate quantities as substitutes for a subscription to or purchase of such works.</p>	<p>§ 46(7)</p>
	<p>Infringement action: Where an authorized officer of a library makes a copy of the whole or part of a work and supplies it to the officer in charge of another library in accordance with the requirements of the statute, the copy is deemed to have been made on behalf of the requesting library for the purpose of which the copy was requested, and an action shall not be brought against the administering body of the library who fulfills the request for infringement as a result of making and supplying that copy. § 46(3). Where a copy of the whole or part of an article or of any other published literary, dramatic, or musical work, is deemed under (3) to have been made on behalf of an authorized officer of a library, the copyright in the article or other work is not infringed by the making of the copy. This provision may be excluded by regulation. § 46(5)</p>	<p>§ 46(3)-(4)</p>
	<p>Cost: Where a charge is made for making and supplying a copy to which a request relates, a copy may not be made if the amount of the charge exceeds the cost of making and supplying the copy and a reasonable contribution to the general expenses of the library.</p>	<p>§ 46(6)</p>
	<p>Notation: The person or body may not rely upon § 46 in infringement proceedings unless at or about the time the copy was made, there was made on the copy a notation stating that the copy was made on behalf of that institution and the date on which it was made.</p>	<p>§ 201</p>

**Research or Study or with a View to Publication (Unpublished Works)**

Who can copy?	Persons.		§ 47(1)
	By on or the behalf of officers-in-charge of the library or archives.		
	Conditions:	None.	
What can be copied?	Unpublished works (the originals or copies) that are kept in the collection of the library or archives.		
	Conditions:	The work must be open to public inspection, subject to any regulations governing the collection.	
		Copyright must subsist in the work.	
		More than 50 years must have passed after the expiration of the calendar year in which the author of a literary, dramatic, or musical work, or of an artistic work being a photograph or engraving, died, and more than 75 years must have passed after the time at which, or the expiration of the period during which, the work was made.	
Purpose of the copy?	For research, study, or with a view to publication of an individual.		
	Conditions:	If the copy is made by the officer-in-charge of the library or archives, the person must satisfy the officer-in-charge that he requires the copy or work for the purpose of research or study or with a view to publication and will not use it for any other purpose.	
Medium of the copy?	Not specified.		
Other provisions?	Making Available: The work may also be communicated under the same conditions as the copying is permitted.		
	Theses: Where the original version, or a copy, of a thesis or other similar literary work that has not been published is kept in a library of a university or other similar institution or in archives, the copyright in the thesis or other work is not infringed by the making of a copy, or the communication, of the thesis or other work by or on behalf of the officer-in-charge of the library or archives, if the copy, thesis or other work is supplied (whether by communication or otherwise) to a person who satisfies an authorized officer of the library or archives that he requires the copy, thesis or other work for the purpose of research or study.		
	Publication of unpublished works kept in libraries: § 49 governs the publication of unpublished works to which § 47(1) applied prior to the publication.		
			§ 47(2)
			§ 49

<b>Research, Study, or with a View to Publication (Sound Recordings and Films)</b>		
Who can copy?	Persons.	§ 112

	By or on the behalf of the officers-in-charge of the library or archives.	
	Conditions:   None.	
What can be copied?	Records embodying unpublished sound recordings.	
	Copies of unpublished cinematograph films.	
	Conditions:   The work must be kept in the collection of a library or archives and be open to public inspection, subject to any regulations governing the collection. More than 50 years must have passed after the time at which, or the expiration of the period during which, a sound recording or cinematograph film was made.	
Purpose of the copy?	For research or study or with a view to publication of an individual.	
	Conditions:   If the copy is made by the officer-in-charge of the library or archives, the person must satisfy the officer-in-charge that he requires the recording or film for the purpose of research or study or with a view to publication and will not use it for any other purpose.	
Medium of the copy?	Not specified.	
Other provisions?	Making Available: The work may also be communicated under the same conditions as the copying is permitted.	

<b>Preservation, Replacement, and Other Purposes</b>		
Who can copy?	By or on the behalf of the officer-in-charge of the library or archives.	§ 48
	Conditions:   None.	
What can be copied?	Works that form or formed part of the collection of the library or archives, together with accompanying illustrations (§ 50).	
	Conditions:	With respect to preservation or research purposes, the work copied must be the original version of the work.
		With respect to replacement purposes, the work must have been held in the collection in a published form.
		With respect to a work held in published form in the collection of a library or archives, an authorized officer of the library or archives must, after reasonable investigation, make a declaration stating that he is satisfied that a copy (not being a secondhand copy) of the work

		cannot be obtained within a reasonable time at an ordinary commercial price.	
		With respect to any other purpose, only a single copy may be made.	
Purpose of the copy?	For preserving the work against loss or deterioration.		
	For research that is being, or is to be, carried out at the library or archives in which the work is held, or at another library or archives.		
	For replacing the work, if the work has been damaged, has deteriorated, or has been lost or stolen.		
	For any purpose other than the above-mentioned purposes.		
	Conditions:	None.	
Medium of the copy?	Not specified.		
Other provisions?	Unpublished work: Where a copy of an unpublished work is made by or on behalf of the officer-in-charge of a library or archives for the purpose of research that is being, or is to be, carried out at another library or archives, the supply of the copy does not constitute publication of the work.		§ 48(4)
	Notation: The person or body may not rely upon § 48 in infringement proceedings unless at or about the time the copy was made, there was made on the copy a notation stating that the copy was made on behalf of that institution and the date on which it was made.		§ 201

<b>Preservation and Replacement, or Other Purposes (Sound Recordings and Film)</b>			
Who can copy?	By or on the behalf of the officer-in-charge of the library or archives.		§ 113
	Conditions:	None.	
What can be copied?	A sound recording that forms or formed part of the collection of a library or archives.		
	A cinematograph film that forms or formed part of the collection of a library or archives.		
	Conditions:	With respect to preservation or research purposes, the sound recording or film must be held in the collection in the form of a first record or first film copy.	
		With respect to replacement purposes, the sound recording or film must have been held in the collection in a published form.	
	With respect to a work held in published form in the collection of a library or archives, an authorized officer of the library or archives must, after reasonable investigation, make a declaration stating that he is		

		satisfied that a copy (not being a secondhand copy) of the sound recording or film cannot be obtained within a reasonable time at an ordinary commercial price.	
Purpose of the copy?	For preserving the work against loss or deterioration.		
	For research that is being, or is to be, carried out at the library or archives in which the record or film is held, or at another library or archives.		
	For replacing the record or film, if the record or film has been damaged, has deteriorated, or has been lost or stolen.		
	Conditions:	None.	
Medium of the copy?	Not specified.		
Other provisions?	Infringement of included matter: The making of a copy of a sound recording or film for replacement purposes where the record or film has been lost or stolen, the making of the copy also does not infringe any other subject-matter included in the sound recording or film.		
	Unpublished work: Where a copy of an unpublished sound recording or film is made by or on behalf of the officer-in-charge of a library or archives for the purpose of research that is being, or is to be, carried out at another library or archives, the supply of the copy does not constitute publication of the sound recording or film or any other subject-matter included therein.		§ 113 (4)
	Notation: The person or body may not rely upon § 113 in infringement proceedings unless at or about the time the copy was made, there was made on the copy a notation stating that the copy was made on behalf of that institution and the date on which it was made.		§ 201

<b>Anti-Circumvention of Technological Protection Measures</b>			
Circumvention provisions?	Yes.		§ 261C
Prohibited Acts?	The Act of Circumvention?	The act of circumvention is prohibited.	
	Dealing in Devices?	Manufacturing, importing, distributing, offering to the public, providing or otherwise trafficking in circumvention devices is prohibited.	
	Providing Services?	Offering to the public or providing a circumvention service is prohibited.	
Access Control or Owner's Rights Control?	Both. The provisions relate to technical measures used in connection with the exercise of the copyright; it includes access control measures.		

Exemptions that could be used by libraries?	The act of circumvention of an access control measure is not prohibited if the act is done to enable a non-profit library, any non-profit archives, and other specified institutions to have access to a work or other subject-matter or recording of a performance which is not otherwise available to the library, archives or institution, for the sole purpose of determining whether to acquire a copy of the work or other subject-matter or recording.	§ 261D
	The Minister may by regulation exclude the prohibition on circumvention in relation to a specified work or other subject-matter or performances, if he is satisfied that any dealing with the work, being a dealing which does not amount to an infringement of copyright therein or an unauthorized use thereof, has been adversely impaired or affected as a result of the operation of this section.	

<b>Miscellaneous</b>		
Fair Dealing	Fair Dealing is permitted under certain circumstances set forth in § 35.	§ 35
Infringing Reprographic Copies on Library Machines	The library or archives is not considered to have authorized the making of infringing copies by reprographic reproduction made on the library or archive's machines where a notice of the prescribed dimensions and form of copying permitted is affixed to or in close proximity to the machine.	§ 34
Infringing Audio-Visual Copies on Library Machines	The library or archives is not considered to have authorized the making of infringing copies of audio-visual items made on the library or archive's machines (including computers) where a notice of the prescribed dimensions and form of copying permitted is affixed to or in close proximity to the machine.	§ 105A
Regulations	The Minister may make regulations regarding the keeping and retention of records and declarations in relation to copies of works made by libraries, archives, and institutions.	§ 202
Defined Terms	"Archives" means archival material in the custody of the National Archives of Singapore established by the National Heritage Board Act, or a collection of documents or other material where the collection of documents or other material of historical significance or public interest that is in the custody of a body, whether corporate or unincorporated, is being maintained by the body for the purpose of conserving and preserving those documents or other material; and the body does not maintain and operate the collection for the purpose of deriving a profit.	§ 7

	A reference to the body administering a library or archives shall be read as a reference to the body (whether incorporated or not), or the person (including the Government), having ultimate responsibility for the administration of the library or archives.	
	A reference to a periodical publication shall be read as a reference to an issue of a periodical publication and a reference to articles contained in the same periodical publication shall be read as a reference to articles contained in the same issue of that periodical publication.	
	For the purposes of this Act, a library shall not be taken to be established or conducted for profit by reason only that the library is owned by a person carrying on business for profit.	§ 13
	A reference to an article contained in a periodical publication shall be read as a reference to anything (other than an artistic work) appearing in such a publication.	§ 44
Source	Copyright Act of Singapore, Chap. 63, No. 2 (10 April 1987), as amended through Copyright (Amendment) Act, No. 22 (13 August 2014), consolidated as of 31 March 2015, available at <a href="http://www.ipos.gov.sg/AboutIP/IPLegislation.aspx">http://www.ipos.gov.sg/AboutIP/IPLegislation.aspx</a> .	
Last edited:	11 December 2007; rev. 15 May 2015	

SLOVAKIA

<b>Research or Study</b>			
Who can copy?	Libraries and archives. (Note: The terms “library” and “archive” are defined by reference to other Acts.)		§ 31 (1)(a)
	Conditions:	None.	
What can be copied?	Works from the institution’s collection.		
	Conditions:	None.	
Purpose of the copy?	For education al purposes or science and research purposes, upon request of a natural person.		
	Conditions:	The person must use the copy exclusively within the premises of the institution.	
Medium of the copy?	Not specified.		
Other provisions?	This provision applies to the rights of a performing artist, producer of phonograms, producer of audiovisual fixations, and broadcaster.		§ 69

<b>Preservation and Replacement</b>			
Who can copy?	Libraries and archives. (Note: The terms “library” and “archive” are defined by reference to other Acts.)		§ 31 (1)(b)
	Conditions:	None.	
What can be copied?	Works from the institution’s collection.		
	Conditions:	None.	
Purpose of the copy?	For replacement, archiving, or preservation of the original work in the case of loss, destruction, or damage.		
	Where the permanent collection is being constituted.		
	Conditions:	None.	
Medium of the copy?	Not specified.		
Other provisions?	This provision applies to the rights of a performing artist, producer of phonograms, producer of audiovisual fixations, and broadcaster.		§ 69

<b>Anti-Circumvention of Technological Protection Measures</b>			
Circumvention provisions?	Yes.		§ 59(1)
Prohibited Acts?	The Act of Circumvention?	Using a circumvention device for economic gain is prohibited.	
	Dealing in Devices?	Developing, producing, offering for sale, rental or lending, importing, or distributing a circumvention device for economic gain is prohibited.	
	Providing Services?	Providing circumvention services for economic gain is prohibited.	

Access Control or Owner's Rights Control?	Owner's Rights Control. The provisions relate to a device that prevents, restricts, or excludes the illicit interference into copyright.	§ 59(2)
Exemptions that could be used by libraries?	None. The library copying provisions shall not prejudice the provisions of this act on the protection measures that prevent unauthorized making of a copy of a work as well as other unauthorized acts.	§ 31(3)

<b>Miscellaneous</b>		
Personal Copying	A natural person may make a copy of a disclosed work for private use with no direct or indirect commercial purpose. Statute includes remuneration provisions.	§ 24
Educational Uses	Permits uses of some works for teaching.	§ 28
Needs of Disabled Persons	Permits uses of works to meet the needs of persons with disabilities.	§ 29
Three Step Test	Application of the statutory exceptions is permitted only in the special cases provided in the statutes, and use of the work may not conflict with the normal exploitation of the work and may not unreasonably prejudice the legitimate interests of the author.	§ 38
Source	Law of Copyright and Related Rights of Slovakia, No. 618/2003 (4 December 2003), as amended through No. 453/2008 (2008), available at <a href="http://www.wipo.int/wipolex/en/text.jsp?file_id=189474">http://www.wipo.int/wipolex/en/text.jsp?file_id=189474</a> .	
Last edited:	3 December 2007; rev. 16 May 2015	

SLOVENIA

<b>Library Internal Use</b>			
Who can copy?	Publicly accessible archives and libraries, museums, and educational or scientific establishments.		Art. 50(3)
	Conditions:	None.	
What can be copied?	Disclosed works. "Disclosure" means the work has been made available to the public with the consent of the rights holder. Disclosure is a broader concept than publication (Article 3).		
	Conditions:	Written works to the extent of the whole book; graphic editions of musical works; electronic databases; computer programs; and building or architectural structures are excluded (Article 50(4)). However, copying is permitted of written works to the extent of the whole book, if the work is out of print for a minimum of two years; and graphic editions of musical works may be copied by means of handwritten transcription (Article 50(5)).	
	The library may make no more than three copies of a work.		
Purpose of the copy?	For internal use by the library or other permitted organization.		
	Conditions:	Copying may not be for direct or indirect economic advantage.	
Medium of the copy?	Any. See definition of "reproduction" below.		
Other provisions?	Library copying of a work is subject to equitable remuneration paid to authors, but that payment is imposed not at the time of making the copy, but instead on the sale or importation of the photocopier or other equipment (Article 37).		
	Collective management of authors' rights shall be mandatory for reproduction of works for private or other internal use and its photocopying beyond the scope of Article 50 (Article 147).		

<b>Anti-Circumvention of Technological Protection Measures</b>			
Circumvention provisions?	Yes.		Art. 166a
Prohibited Acts?	The Act of Circumvention?	The act of circumvention is prohibited.	

	Dealing in Devices?	Manufacturing, importing, distributing, selling, renting, advertising for sale or rental, or possessing for commercial purposes circumvention devices is prohibited.	
	Providing Services?	No.	
Access Control or Owner's Rights Control?	Owner's Rights Control. The provisions relate to technical measures that protect author's works.		
Exemptions that could be used by libraries?	To the extent of the library exemptions in Article 50, the rightsholder who uses technological protection measures shall make available to the library the appropriate means by which the library can enforce the exemptions, consistent with the terms of the exceptions. The library may commence mediation processes to enforce the exception.		Art. 166c

<b>Miscellaneous</b>		
Database Use	Lawful users of a published database shall be free to use a substantial part of its contents for private or other internal use of the contents of a non-electronic database, provided that the conditions of Article 50 are fulfilled.	Art. 141g
Defined Term	The author's exclusive right of reproduction is described as the right to fix the work in a material medium or in another copy directly or indirectly, temporarily or permanently, by any means and in any form, in whole or in part.	Art. 23
Source	Copyright and Related Rights Act of Slovenia, No. 21 (1995), as amended through No. 16 (15 December 2006), available at <a href="http://www.wipo.int/wipolex/en/text.jsp?file_id=180840">http://www.wipo.int/wipolex/en/text.jsp?file_id=180840</a> .	
Last edited:	18 December 2007; rev. 16 May 2015	

SOMALIA

<b>General Library Exception</b>		
Who can copy?	Public libraries, schools, colleges, or other educational institutions.	Art. 35(4)
	Conditions: None.	
What can be copied?	Published literary, artistic, or scientific works.	
	Conditions: The number of copies must not exceed the needs of the institution.	
	May not change the language of the original. See preamble of Article 35.	
Purpose of the copy?	Not specified.	
	Conditions: None.	
Medium of the copy?	Photocopying or other means of reproduction.	
Other provisions?	The reproduction should no harm the interests of the author.	

<b>Miscellaneous</b>		
Personal Copying	Permits limited copying for personal use.	Art. 35(2)
Educational Uses	Limited uses in schools, universities, and training programs.	Art. 35(4)
Source	Copyright Law (Sharciga Xuquuqda) of Somalia, Sharci Law No. 66 (7 September 1966), published in <i>Official Bulletin of the Somali Democratic Republic</i> (Faafinta Rasmi ah), Issue No. 11 (1 November 1977), available [forthcoming] at <a href="http://www.somalilandlaw.com/somaliland_copyright_law.html#Title">http://www.somalilandlaw.com/somaliland_copyright_law.html#Title</a>	
Last edited:	22 May 2015	

SOUTH AFRICA

<b>Library Provisions</b>		
Library Provisions?	The copyright statutes of South Africa do not include any explicit exemptions for libraries.	
Regulatory Exceptions	Authorizes governmental regulations permitting reproduction of a work, but in 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. Based on this authorization, the Minister of Economic Affairs has created the library exceptions outlined below.	§ 13

<b>Preservation, Security, and Deposit in Another Library (Unpublished Work)</b>		
Who can copy?	Library or archives depot, including employees acting within the scope of employment.	Reg. 3 Reg. 2
	<table border="1"> <tr> <td>Conditions:</td> <td>The collections of the library or archives must be open to the public or available not only to researchers affiliated with the library or archives or with the institution of which it is a part, but also to other persons doing research in a specialized field.</td> </tr> </table>	
Conditions:	The collections of the library or archives must be open to the public or available not only to researchers affiliated with the library or archives or with the institution of which it is a part, but also to other persons doing research in a specialized field.	
What can be copied?	Unpublished works, currently in the collection of the institution.	
	<table border="1"> <tr> <td>Conditions:</td> <td>Not more than one copy of a reasonable portion of the work, having regard to the totality and meaning of the work.</td> </tr> </table>	
Conditions:	Not more than one copy of a reasonable portion of the work, having regard to the totality and meaning of the work.	
Purpose of the copy?	For preservation and security.	
	For deposit for research in another qualifying institution.	
	<table border="1"> <tr> <td>Conditions:</td> <td>The reproduction and distribution must be made without any intention of deriving indirect commercial advantage.</td> </tr> </table>	
Conditions:	The reproduction and distribution must be made without any intention of deriving indirect commercial advantage.	
Medium of copy?	Duplicated in facsimile form.	
	<table border="1"> <tr> <td>Conditions:</td> <td>None.</td> </tr> </table>	
Conditions:	None.	
Other provisions?	This provision permits reproduction and distribution.	
	The copy shall incorporate a copyright warning.	
	The cumulative effect of the reproduction does not conflict with the normal exploitation of the work to the unreasonable prejudice of the legal interest and residuary rights of the author.	

<b>Replacement (Published Work)</b>			
Who can copy?	Library or archives depot, including employees acting within the scope of employment.		Reg. 3 Reg. 2
	Conditions:	The collections of the library or archives must be open to the public or available not only to researchers affiliated with the library or archives or with the institution of which it is a part, but also to other persons doing research in a specialized field.	
What can be copied?	Published works.		
	Conditions:	Not more than one copy of a reasonable portion of the work, having regard to the totality and meaning of the work.	
		Reproduction is permitted where the institution has determined, after a reasonable effort, that an unused replacement cannot be obtained at a fair price.	
Purpose of the copy?	For replacement of a copy that is deteriorating or that is damaged, lost, or stolen.		
	Conditions:	The reproduction and distribution must be made without any intention of deriving indirect commercial advantage.	
Medium of copy?	Duplicated in facsimile form.		
	Conditions:	None.	
Other provisions?	The copy shall incorporate a copyright warning.		
	The cumulative effect of the reproduction does not conflict with the normal exploitation of the work to the unreasonable prejudice of the legal interest and residuary rights of the author.		

<b>Research or Study (Articles and Short Works)</b>		
Who can copy?	Library or archives depot, including employees acting within the scope of employment.	Reg. 3 Reg. 2
	Conditions: The collections of the library or archives must be open to the public or available not only to researchers affiliated with the library or archives or with the institution of which it is a part, but also to other persons doing research in a specialized field.	
What can be copied?	One article or other contribution to a copyrighted collection or periodical issue from the collection of the institution or another library or archive depot.	
	Reasonable portion of other works, from the collection of the institution or another library or archive depot.	
	Conditions: Only a single copy can be made.	
	Literary works only, with pictorial or graphic works published as illustrations, diagrams, or similar adjuncts to the literary works.	
	Not more than one copy of a reasonable portion of the work, having regard to the totality and meaning of the work.	
Purpose of the copy?	For private study or personal or private use.	
	Conditions: The library or archives must not have notice that the copy is for any purpose other than the permitted purposes.	
	The copy must become the property of the user.	
	The reproduction and distribution must be made without any intention of deriving direct or indirect commercial advantage.	
Medium of copy?	Not specified.	
Other provisions?	The copy shall incorporate a copyright warning.	
	The library must display prominently, at the place where orders are accepted, and include on its order form, a warning of copyright in accordance with Regulation 6.	
	The cumulative effect of the reproduction does not conflict with the normal exploitation of the work to the unreasonable prejudice of the legal interest and residuary rights of the author.	

<b>Research or Study (Entire Works)</b>		
Who can copy?	Library or archives depot, including employees acting within the scope of employment.	Reg. 3 Reg. 2

	Conditions:	The collections of the library or archives must be open to the public or available not only to researchers affiliated with the library or archives or with the institution of which it is a part, but also to other persons doing research in a specialized field.	
What can be copied?	Entire works and substantial parts of works from the collection of the institution or another institution.		
	Conditions:	Only a single copy can be made.	
		The institution must first determine, on the basis of a reasonable investigation, that an unused copy of the work cannot be obtained at a fair price.	
Literary works only, with pictorial or graphic works published as illustrations, diagrams, or similar adjuncts to the literary works.			
Purpose of the copy?	For private study or personal or private use.		
	Conditions:	The library must not have notice that the copy is for any purpose other than the permitted purposes.	
		The copy must become the property of the user.	
The reproduction and distribution must be made without any intention of deriving direct or indirect commercial advantage.			
Medium of copy?	Not specified.		
Other provisions?	The copy shall incorporate a copyright warning.		
	The library must display prominently, at the place where orders are accepted, and include on its order form, a warning of copyright in accordance with regulation 6.		
	The cumulative effect of the reproduction does not conflict with the normal exploitation of the work to the unreasonable prejudice of the legal interest and residuary rights of the author.		

**Supplying Copies to Other Libraries (Interlibrary Loan)**

Who can copy?	Library or archives depot, including employees acting within the scope of employment.		
	Conditions:	The collections of the library or archives must be open to the public or available not only to researchers affiliated with the library or archives or with the institution of which it is a part, but also to other persons doing research in a specialized field.	
What can be copied?	This code section is explicitly about the ability of a		

	library to receive copies; presumably the copies are lawfully made.	
	<p>Conditions: The regulations generally bar systematic reproduction or distribution of copies, but that restriction does not prevent a library or archive from participating in interlibrary arrangements.</p> <p>The library or archives may participate in interlibrary arrangements that do not have, as their purpose or effect, that the library or archives receives such copies for distribution in such aggregate quantities as to substitute for a subscription to or purchase of such work.</p>	
Purpose of the copy?	For receipt of materials through interlibrary arrangements.	
	<p>Conditions: The reproduction and distribution must be made without any intention of deriving direct or indirect commercial advantage.</p>	
Medium of the copy?	Not specified.	

<b>Anti-Circumvention of Technological Protection Measures</b>		
Circumvention provisions? <sup>52</sup>	Yes.	§ 86(3) & (4)
Prohibited Acts?	The Act of Circumvention?	Yes. Unlawful to engage in any of uses of devices in order to unlawfully overcome security measures.
	Dealing in Devices?	Yes. Unlawful to produce, sell, offer to sell, procure for use, design, adapt for use, distribute or possess any device.
	Providing Services?	No.
Access Control or Owner's Rights Control?	Broader. The provision relates to the protection of "data," which is defined as "electronic representations of information in any form" (Section 1).	
Exemptions that could be used by libraries?	There are no exemptions in the statutes.	

<b>Miscellaneous</b>		
Unsupervised Machines	Library or archive depot or employee is not liable for infringements committed from the unsupervised use of reproducing equipment on	Reg. 4(a)

<sup>52</sup> This Section 86 is from the Electronic Communications and Transactions Act of South Africa.

	the premises, provided that the equipment displays a notice that the making of a copy may be subject to copyright law.	
Later Use of Copies	Nothing in the regulations absolves a user of a copy from infringement for actions that are not permitted by law.	Reg. 4(b)
Relationship to Contracts	Nothing in the regulations affects any contractual obligations assumed by the library or archives when it acquired a work for its collections.	Reg. 4(c)
Private Copying	Copying a literary or musical work for purposes of research or private study by an individual is permitted.	§ 12
Source	<p>Copyright Act of South Africa, No. 98 (20 June 1978), as amended through Copyright Amendment Act, No. 9 (25 June 2002), available at <a href="http://www.wipo.int/wipolex/en/text.jsp?file_id=130429">http://www.wipo.int/wipolex/en/text.jsp?file_id=130429</a>, as further amended by the Intellectual Property Laws Amendment Act, No. 28 (10 December 2013), available at <a href="http://www.wipo.int/wipolex/en/text.jsp?file_id=315146">http://www.wipo.int/wipolex/en/text.jsp?file_id=315146</a>;  <i>AND</i>            Copyright Regulations of South Africa (1978), as amended through GN 1375 (1985), available at <a href="http://www.wipo.int/wipolex/en/text.jsp?file_id=130435">http://www.wipo.int/wipolex/en/text.jsp?file_id=130435</a>;  <i>AND</i>            Electronic Communications and Transactions Act of South Africa, No. 25 (31 July 2002), available at <a href="http://www.internet.org.za/ect_act.html">http://www.internet.org.za/ect_act.html</a>.</p>	
Last edited:	26 April 2008; rev. 16 May 2015	

SPAIN

<b>Research</b>		
Who can copy?	Museums, libraries, record libraries, film libraries, newspaper libraries, or archives.	§ 37(1)
	Conditions: The institutions must be in public ownership or form part of institutions of cultural or scientific character.	
What can be copied?	Works.	
	Conditions: None.	
Purpose of the copy?	For research.	
	Conditions: The copying must be without gainful intent.	
Medium of the copy?	Any. See definition of "reproduction" below.	

<b>Preservation</b>		
Who can copy?	Museums, libraries, record libraries, film libraries, newspaper libraries, or archives.	§ 37(1)
	Conditions: The institutions must be in public ownership or form part of institutions of cultural or scientific character.	
What can be copied?	Works.	
	Conditions: None.	
Purpose of the copy?	For preservation.	
	Conditions: The copying must be without gainful intent.	
Medium of the copy?	Any. See definition of "reproduction" below.	

<b>Research (Making Available)</b>		
Who can communicate?	Museums, archives, libraries, newspaper libraries, recording libraries, or film libraries.	§ 37(3)
	Teaching institutions integrated in the Spanish educational system.	
	Conditions: The institutions must be in public ownership or belong to institutions of general cultural, scientific, or educational interest without gainful intent. (Note: This requirement does not apply to teaching institutions integrated in the Spanish educational system.)	
What can be communicated?	Works held in the institution's collections.	
	Conditions: The works may not be communicated or made available if they are subject to acquisition terms or license.	
Purpose of the communication?	For research by members of the public.	
	Conditions: None.	

Medium?	Via a closed and internal network by means of terminals located within the premises of the institutions.	
Other provisions?	The author retains the right to receive a fair compensation.	

<b>Anti-Circumvention of Technological Protection Measures</b>			
Circumvention provisions?	Yes.		Art. 160(1)
Prohibited Acts?	The Act of Circumvention?	The act of circumvention is prohibited.	
	Dealing in Devices?	Manufacturing importing, distributing, dealing, advertising, or possessing with commercial intent a circumvention device is prohibited.	
	Providing Services?	Offering circumvention services is prohibited.	
Access Control or Owner's Rights Control?	Both. The provisions relate to technical measures that prevent or restrict acts that take place without the authorization of the rightsholder; it includes access control and protection measures.		Art. 160(3)
Exemptions that could be used by libraries?	Rightsholders using technological safeguards must give the beneficiaries of limitations (including the personal copying and library provisions) the appropriate means to enjoy the works.		Art. 161
	Conditions:	The users must have legal access to the work.	
		The provision does not require rightsholders to cease limiting the number of private copies that users can make.	
		The provision does not apply to on-demand contracts.	

<b>Miscellaneous</b>		
Public Lending	Libraries and other qualifying institutions may lend works, subject to remuneration.	Art. 37(2)
Personal Copying	Reproduction of disclosed works is permitted when done by physical persons for private use on the basis of works which have been lawfully accessed, provided that the copying is not used for collective or gainful purposes. Databases and computer programs are excluded. Remuneration is required.	Art. 31(2)
Orphan Works	Implements the European Union directive on orphan works, 2012/28/EC.	Art. 37bis
Definition	"Reproduction" means the incorporation of the work in a medium that enables it to be communicated and copies of all or part of it to be made.	Art. 18
Source	Law of Intellectual Property of Spain, Royal Legislative Decree No. 1 (12 April 1996), as amended through Law No. 2 (4 March 2011), available at	

	<a href="http://www.wipo.int/wipolex/en/text.jsp?file_id=244508">http://www.wipo.int/wipolex/en/text.jsp?file_id=244508</a> , as further amended by Law No. 21 (4 November 2014), available at <a href="http://www.wipo.int/wipolex/en/text.jsp?file_id=350838">http://www.wipo.int/wipolex/en/text.jsp?file_id=350838</a> .
Last edited:	10 December 2007; rev. 16 May 2015

SRI LANKA

<b>Study or Private Research</b>			
Who can copy?	Any library or archives.		§ 12(5)(a)
	Conditions:	Whose activities do not serve any direct or indirect commercial gain.	
What can be copied?	A published article or other short work or short extract of a work.		
	Conditions:	Single copy.	
		Isolated occurrence, or if repeated only on separate and unrelated occasions.	
Without authorization of the owner of copyright.			
Purpose of the copy?	Study, scholarship, or private research.		
	Conditions:	To satisfy the request of a physical person.	
The library or archives is satisfied that the copy will be used solely for the allowed purpose.			
Medium of the copy?	Reprographic reproduction. "Reproduction" is defined below.		
Other provisions?	None.		

<b>Preservation and Replacement</b>			
Who can copy?	Any library or archive.		§ 12(5)(b)
	Conditions:	Whose activities do not serve any direct or indirect commercial gain.	
What can be copied?	Works.		
	Conditions:	Single copy.	
		Isolated occurrence, or if repeated only on separate and unrelated occasions.	
		Without authorization of the owner of copyright.	
It is not possible to obtain such a copy under reasonable conditions.			
Purpose of the copy?	To preserve a copy and if necessary replace a copy.		
	To replace a copy which has been lost, destroyed, or rendered unusable in the permanent collection of another similar library or archives.		
	Conditions:	None.	
Medium of the copy?	Reprographic reproduction. "Reproduction" is defined below.		
Other provisions?	None.		

<b>Anti-Circumvention of Technological Protection Measures</b>			
Circumvention provisions?	Yes.	§ 23	
Prohibited Acts?	The Act of Circumvention?		
	Dealing in Devices?		Yes.
	Providing Services?		
Access Control or Owner's Rights Control?	Both. Prohibits manufacture or import of devices to circumvent protections on reproduction of works or on incepting broadcasts.		
Exemptions that could be used by libraries?	None.		

<b>Miscellaneous</b>		
Definition	"Reproduction" means the making of one or more copies of a work or sound recording in any material form, including any permanent or temporary storage of a work or sound recording in electronic form.	§ 5
Fair Use	The fair use of a work, including such use by reproduction in copies or by any other means specified by [Section 9(1) on rights of owners], for purposes such as criticism, comment, news reporting, teaching (including multiple copies for classroom use), scholarship or research, shall not be an infringement of copyright. The following factors shall be considered in determining whether the use made of a work in any particular case is fair use: the purpose of the use; the nature of the copyrighted work; the amount of the work uses; and the effect of the use on the market for or value of the work.	§ 11(1) & (2)
Relation of Fair Use to Other Exceptions	"The acts of fair use shall include the circumstances specified in section 12." Section 12 is a list of specific exceptions, including the library exceptions.	§ 11(3)
Personal Copying	Reproduction of a lawfully published work used exclusively for personal and private use is permitted.	§ 12(1)
Source	Intellectual Property Act of Sri Lanka, No. 36 (12 November 2003), available at <a href="http://www.wipo.int/wipolex/en/text.jsp?file_id=184465">http://www.wipo.int/wipolex/en/text.jsp?file_id=184465</a> .	
Last edited:	11 December 2007; rev. 27 August 2014; rev. 16 May 2015	

SUDAN

<b>Preservation or Replacement</b>			
Who can copy?	Any library or archiving service.		§ 31(2)
	Conditions:	None.	
What can be copied?	Protected works.		
	Conditions:	A copy of which is in the possession of the library or archives.	
		May make two copies.	
	The copy in possession might be out of stock or is impossible to obtain at a reasonable price.		
Purpose of the copy?	To copy of work that meets the condition below.		
	Conditions:	The copy in possession might be lost or damaged or about to be damaged.	
Medium of the copy?	Any. The statute refers to "copy or photocopy."		
Other provisions?	Application of the exception is without prejudice to moral rights.		§ 25

<b>Preservation (Unpublished Works)</b>			
Who can copy?	Any library or archiving service.		§ 31(1)
	Conditions:	None.	
What can be copied?	Protected unpublished works.		
	Conditions:	A copy of which is in the possession of the library or archives.	
		May make two copies.	
Purpose of the copy?	To keep the original copy.		
	Conditions:	None.	
Medium of the copy?	Any. The statute refers to "copy or photocopy."		
Other Provisions?	Application of the exception is without prejudice to moral rights.		§ 25

<b>Anti-Circumvention of Technological Protection Measures</b>			
Circumvention provisions?	Yes.		§ 62
Prohibited Acts?	The Act of Circumvention?	Yes. Violation of the copyright law by a person who deceives, revokes, or delays any of the effective technological arrangements (Section 62(1)(f)).	
	Dealing in Devices?	Yes. Violation can be by making, importing, selling, or offering for sale or rental of devices (Section 62(1)(g)).	
	Providing Services?	Yes.	
Access Control or Owner's Rights Control?	Owner's Rights. Definition of "effective technological arrangements" that control the		

	extracting or copying not authorized by the rightsholder (Section 62(2)(b)).	
Exemptions that could be used by libraries?	None.	

<b>Miscellaneous</b>		
Defined Term	“Copying” means making one or more duplicate copies of the work, or part of it, by any form or method, including printing, photographing, recording on tapes, disks, compact disk, or computer memory.	§ 3
Educational Uses	Permits use or copy of short pieces of published works for education.	§ 26
License for Copying or Translation	Provides for the ability of any person to apply to the government for a compulsory license for copying or translating works in accordance with regulations consistent with the Berne Appendix.	§ 37
Source	Copyright and Neighboring Rights (Protection) Act of Sudan (2013).	
Last edited:	3 December 2007; rev. 27 May 2015	

SURINAME

<b>Library Provisions (none)</b>		
Library Provisions?	The Copyright Law of Suriname includes no explicit library exceptions.	

<b>Anti-Circumvention of Technological Protection Measures</b>		
Circumvention provisions?	None.	

<b>Miscellaneous</b>		
Quotations	Limited right to reproduce short quotations from newspaper or magazine articles.	Art. 15(a)
Educational or Scientific Purposes	Limited right to make copies for educational or scientific purposes or in the context of a notice of assessment or a polemic or scientific treatise.	Art. 16
Private Copies	Limited right to make copies of literary, scientific or artistic works for private practice, study, or use.	Art. 17
Source	Copyright Law of Suriname, G.B. 1913 No. 15 (22 March 1913), as amended through S.B. 1981 No. 23 (1981), consolidated 2005, available at <a href="http://www.wipo.int/wipolex/en/text.jsp?file_id=209837">http://www.wipo.int/wipolex/en/text.jsp?file_id=209837</a> .	
Last edited:	25 April 2014; rev. 16 May 2015	

SWAZILAND

<b>Library Provisions (none)</b>		
Library Provisions?	Swaziland's Copyright Act does not contain any explicit provisions for libraries.	

<b>Anti-Circumvention of Technological Protection Measures</b>	
Circumvention provisions?	None.

<b>Miscellaneous</b>		
Private Study and Research	Any fair dealing with any work for the purposes of private study, research, criticism, review, or newspaper summary is permitted.	§ 4 (1)(a)
Source	Copyright Act of Swaziland (1 July 1912), available at <a href="http://www.wipo.int/wipolex/en/text.jsp?file_id=139455">http://www.wipo.int/wipolex/en/text.jsp?file_id=139455</a> .	
Last edited:	3 December 2007; rev. 16 May 2015	

SWEDEN

<b>General Provisions (applicable to various statutory exceptions)</b>		
Provide source of borrowing?	Yes. When a work is used publicly pursuant to an exception, the source shall be stated to the extent and in the manner required by proper usage.	Art. 11(2)
Alteration of the Work	When a work is used publicly pursuant to an exception, the work may not be altered more than necessary for the use.	

<b>Preservation</b>		
Who can copy?	Public libraries.	Art. 16
	Scientific and research libraries that are operated by public authorities.	
	Governmental and municipal archival authorities.	
	The National Archive for Recorded Sound and Moving Images.	
	Certain other archives and libraries designated by the Government.	
	Conditions:   None.	
What can be copied?	Works.	Art. 16
	Conditions:   Computer programs are excluded.	
Purpose of the copy?	For preservation.	Art. 16
	Conditions:   None.	
Medium of the copy?	Not specified; "copy" is not defined.	Art. 16

<b>Completion</b>			
Who can copy?	Public libraries.	Art. 16; Reg. 1993: 1212, § 2	
	Scientific and research libraries that are operated by public authorities.		
	Governmental and municipal archival authorities.		
	The National Archive for Recorded Sound and Moving Images.		
	Certain other archives and libraries designated by the Government.		
	Conditions:   None.		
What can be copied?	Works.	Art. 16; Reg. 1993: 1212, § 2	
	Conditions:		Computer programs are excluded.
			Reproduction is permitted where the incomplete work has been published in parts and the missing part cannot be acquired in the market.
Purpose of the copy?	For completion of incomplete works in collections.	Art. 16; Reg. 1993: 1212, § 2	
	Conditions:   None.		
Medium of the copy?	Not specified.	Art. 16; Reg. 1993: 1212, § 2	
Other provisions?	A work may also be copied if the work cannot be acquired on the market and the reproduction takes place at an archive or in a library which is entitled to receive statutory deposit copies of the actual	Art. 16; Reg. 1993: 1212, § 2	

	type of productions.	
	This exception for completion also applies to protected performances, sound recordings, broadcasts, and databases.	

<b>Research</b>		
Who can copy?	Public libraries.	Art. 16
	Scientific and research libraries that are operated by public authorities.	
	Governmental and municipal archival authorities.	
	The National Archive for Recorded Sound and Moving Images.	
	Certain other archives and libraries designated by the Government.	
	Conditions:   None.	
What can be copied?	Works.	
	Conditions:   Computer programs are excluded.	
Purpose of the copy?	For research.	
	Conditions:   None.	
Medium of the copy?	Not specified.	

<b>Copying for Users</b>		
Who can copy?	Public libraries.	Art. 16; Art. 42d
	Scientific and research libraries that are operated by public authorities.	
	Governmental and municipal archival authorities.	
	The National Archive for Recorded Sound and Moving Images (services of this agency are now the responsibility of The Royal Library of Sweden).	
	Certain other archives and libraries designated by the Government.	
	Conditions:   None.	
What can be copied?	Single articles or short extracts of works.	
	Material which for security reasons must not be given away in original form.	
	Conditions:   None.	
Purpose of the copy?	To satisfy requests from borrowers.	
	For use in reading devices.	
	Conditions:   None.	
Medium of the copy?	Not specified; "copy" is not defined. Copies made on paper may be distributed to library borrowers; by implication a library may send a digital copy to another library, which in turn may distribute paper copies to library borrowers. Copies made for reading devices are not limited to paper media, and by implication may be allowed to be distributed to users in digital formats.	

<b>Making Available</b>			
Who can communicate?	Libraries and archives within Section 16.		Art. 21
	Conditions:	None.	
What can be communicated?	Works contained in the collection of the institution.		
	Conditions:	None.	
Purpose of the communication?	To make the works available to individual users.		
	Conditions:	None.	
Medium?	Via technical devices on the premises of the institution for individual users.		

<b>Anti-Circumvention of Technological Protection Measures</b>			
Circumvention provisions?	Yes.		
Prohibited Acts?	The Act of Circumvention?	Circumvention is prohibited. However, the prohibition does not apply when someone, who in a lawful way has access to a copy of a work protected by copyright, circumvents a technological measure in order to be able to watch or listen to the work.	Art. 52d
	Dealing in Devices?	Manufacturing, importing, transferring, distributing by sale or rental, or possessing for commercial purposes a circumvention device is prohibited.	Art. 52e
	Providing Services?	Making available circumvention services is prohibited.	
Access Control or Owner's Rights Control?	Owner's Rights Control. The provisions relate to technological measures that are designed to prevent or restrict the reproduction or the making available to the public of a copyright-protected work without the consent of the author.		Art. 52b
Exemptions that could be used by libraries?	Anyone who, pursuant to the library provisions (and other specified provisions), is entitled to exploit a work protected by copyright shall be entitled to make use of a copy of a work that he lawfully has access to, notwithstanding the fact that the copy is protected by a technological measure.		Art. 52f
	Conditions:	This exemption does not apply to works that have been made available to the public in accordance with agreed contractual stipulations in a way that makes it possible for members of the public to get access to the work by means of a communication from a place and a time that they themselves have chosen.	

Other provisions?	Where a technological measure prevents a use in the exemption cited above, a Court may, at the request by a user entitled to that use, order, upon penalty of a fine, the author (or his successor in title) to make it possible for the user to exploit the work in the way prescribed in the provision referred to.	
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<b>Miscellaneous</b>		
Collective License	Where a collective license applies, and if the author has not made a prohibition against such use, the libraries and archives within Article 16 are entitled to make copies of works that are from their own collections and that already have been made public, and make the copies available to the public.	Art. 42d
Needs of Disabled Persons	Libraries are specifically authorized to make copies of works under detailed conditions to serve the needs of persons with disabilities. Libraries making copies under such provision to give to users may be required to pay remuneration to rightsholders.	Art. 17
Private Copying	Anyone (which presumably includes libraries) may make copies of many types of works for private use only.	Art. 12
Orphan Works	Implements the European Union directive on orphan works, 2012/28/EC.	Art. 16a to 16d
Source	Act on Copyright in Literary and Artistic Works of Sweden, SFS 1960:729 (30 December 1960), as amended through No. 884 (29 October 2014), available at <a href="http://www.government.se/content/1/c6/25/22/04/a0eb1ba8.pdf">http://www.government.se/content/1/c6/25/22/04/a0eb1ba8.pdf</a> ; <i>AND</i> Copyright Regulation of Sweden, Act 1993:1212 (25 November 1993), as amended through Act 2005:362 (26 May 2005), available at <a href="http://www.government.se/content/1/c6/06/27/66/602a03ce.pdf">http://www.government.se/content/1/c6/06/27/66/602a03ce.pdf</a> .	
Last edited:	7 December 2007; rev. 21 October 2014; rev. 16 May 2015	

SWITZERLAND

<b>Preservation</b>			
Who can copy?	Public libraries, educational institutions, museums, and archives accessible to the public.		Art. 24(1bis)
	Conditions:	None.	
What can be copied?	Works.		
	Conditions:	None.	
Purpose of the copy?	To secure and preserve the collections.		
	Conditions:	Not made for financial or commercial gain.	
Medium of the copy?	Not specified.		
Other provisions?	None.		

<b>Anti-Circumvention of Technological Protection Measures</b>			
Circumvention provisions?	Yes.		
Prohibited Acts?	The Act of Circumvention?	The act of circumvention is prohibited.	Art. 39a(1)
	Dealing in Devices?	Manufacturing, importing, offering, transferring or otherwise distributing, renting, giving for use, and advertising or possessing for commercial purposes circumvention devices is prohibited.	Art. 39a(3)
	Providing Services?	Trafficking in circumvention services is prohibited.	Art. 39a(3)
Access Control or Owner's Rights Control?	Both. The provisions relate to technical measures that prevent access to a work or protect a right of the copyright owner.		Art. 39a(2)
Exemptions that could be used by libraries?	Yes. The ban on circumvention may not be enforced against those persons who undertake circumvention exclusively for legally permitted uses.		Art. 39a(4)
	The Federal Council may establish a monitoring office regarding technological protections and require that the office take measures required by the public interest in the copyright exceptions and limitations.		Art. 39b(2)

<b>Miscellaneous</b>		
Exhaustion	Where the author has transferred the rights to a copy of a work or has consented to such a transfer, these rights may subsequently be further transferred or otherwise distributed.	Art. 12
Personal Use	Limited right to make copies of published works for personal use.	Art. 19(1)(a)
Educational Purposes	May make any use of published works by a teacher and his class for educational purposes.	Art. 19(1)(b)

Internal Information or Documentation	Limited right to make copies for internal information or documentation.	Art. 19(1)(c)
Equipment on Premises	Persons who are allowed to make copies for private use (evidently uses in Art. 19) may have them made by third parties. Libraries, other public institutions, and businesses that make copying apparatuses available to their users are deemed to be third parties.	Art. 19(2)
Orphan Works	Limited rights to make copies of orphan works, applying only to phonograms or audiovisual fixations.	Art. 22 <i>b</i>
Archive Copies	One copy of a work may be made to ensure its preservation. The original or the copy must be stored in an archive not accessible to the general public and be marked as the archive copy.	Art. 24(1)
Archive Copies of Computer Programs	Any person entitled to use a computer program may make one backup copy, and this right may not be waived by contract.	Art. 24(2)
Use by People with Disabilities	Limited right to make copies of works for use by people with disabilities.	Art. 24 <i>c</i>
Quotation	Limited right to quote published works if the quotation serves as an explanation, a reference or an illustration.	Art. 25
Museum, Exhibition and Auction Catalogues	Limited right to reproduce works forming part of a collection accessible to the public in a catalogue issued by the administrators of the collection.	Art. 26
Source	Federal Act on Copyright and Related Rights of Switzerland (9 October 1992), as amended through No. 1 (5 October 2007), consolidated 1 January 2011, available at <a href="http://www.wipo.int/wipolex/en/text.jsp?file_id=302621">http://www.wipo.int/wipolex/en/text.jsp?file_id=302621</a> .	
Last edited:	27 April 2014; rev. 16 May 2015	

SYRIAN ARAB REPUBLIC

<b>General Provisions (applicable to various statutory exceptions)</b>		
Author's consent?	No.	Art. 37
Translation?	Yes. The work may be used in its source language or in translation.	

<b>Library Use</b>			
Author's consent required?	No. Reproduction is permitted without need of the author's or creator's approval.		Art. 37(5)
Who can copy?	Public libraries, non-commercial documentary centers, scientific organizations, or educational institutes.		
	Conditions:	None.	
What can be copied?	Literary, artistic, or scientific works.		
	Conditions:	The work must be previously legitimately available to the public.	
Purpose of the copy?	Not specified.		
	Conditions:	The copies must be made in compliance with the activities of the institutions.	
Medium of the copy?	Photography or similar means.		
Other provisions?	This provision permits exploitation in the source language or its translation.		
	The reproduction must not adversely affect the financial exploitation of the work or prejudice the legitimate interests of the creator or author.		

<b>Anti-Circumvention of Technological Protection Measures</b>	
Circumvention provisions?	None.

<b>Miscellaneous</b>		
Private Copying	Translating, adapting, or reproducing a work in a single copy for personal use.	Art. 37(1)
Source	Copyright Law of Syria, No. 12/2001 (21 February 2001), available at <a href="http://www.wipo.int/wipolex/en/text.jsp?file_id=183256">http://www.wipo.int/wipolex/en/text.jsp?file_id=183256</a> .	
Last edited:	17 December 2007; rev. 16 May 2015	

TAJIKISTAN

<b>General Provisions (applicable to each provision of Article 20)</b>		
Author's consent required?	No. The use is permitted without the author's consent.	Art. 20
Remuneration to author?	No. The use is permitted without payment of remuneration.	
Provide name of author?	Yes. The use is permitted, provided that the name of the author is mentioned.	
Provide source of borrowing?	Yes. The use is permitted, provided that the source of borrowing is mentioned.	

<b>Replacement</b>			
Who can copy?	Libraries and archive services.		Art. 20 (7)(a)
	Conditions:	None.	
What can be copied?	Lawfully published works.		
	Conditions:	With respect to providing copies to other libraries, the copying is only permitted if it is impossible to get the copy in another way.	
Purpose of the copy?	To restore or replace lost or damaged copies in the library or archive.		
	To place copies at the disposal of other libraries that, for any reason, have lost works from their own collections.		
	Conditions:	None.	
Medium of the copy?	Reprographic reproduction. See definition below.		

<b>Research or Study</b>			
Who can copy?	Libraries and archive services.		Art. 20 (7)(b)
	Conditions:	None.	
What can be copied?	Isolated articles or succinct works lawfully published in collections, newspapers, or other periodical publications.		
	Short extracts from lawfully published written works, including illustrations.		
	Conditions:	None.	
Purpose of the copy?	For study or research purposes of natural persons.		
	Conditions:	None.	
Medium of the copy?	Reprographic reproduction. See definition below.		

<b>Anti-Circumvention of Technological Protection Measures</b>	
Circumvention provisions?	None.

<b>Miscellaneous</b>		
Personal Copying	The reproduction of a lawfully published work for exclusively personal purposes is permitted under specified conditions. Works of architecture, whole or substantial parts of databases, computer programs, whole books, and musical scores are excluded.	Art. 19
Defined Term	“Reprographic reproduction” means the facsimile reproduction in one or more copies, regardless of the dimensions and form thereof, of originals or copies of written or other graphic works by means of photocopying or with the aid of other technical means different from publishing. Reprographic reproduction shall not include the storage or reproduction of the said copies in electronic (including digitized) or optical form, or in any other machine-readable form.	Art. 3
Source	Law of Copyright and Related Rights of Tajikistan (13 November 1998), as amended through No. 12 (2009), available at <a href="http://www.wipo.int/wipolex/en/text.jsp?file_id=237350">http://www.wipo.int/wipolex/en/text.jsp?file_id=237350</a> .	
Last edited:	4 December 2007; rev. 16 May 2015	

THAILAND

<b>Research or Study</b>		
Who can copy?	Librarians.	§ 34
	Conditions:   None.	
What can be copied?	Parts of works.	
	Conditions:   “Reasonable reproduction” is permitted.	
Purpose of the copy?	For research or study by a person.	
	Conditions:   The purpose must not be for profit.	
Medium of the copy?	Any. See definition of “reproduction” below.	
Other provisions?	The use must not conflict with a normal exploitation of the copyright work by the owner of copyright or unreasonably prejudice the legitimate right of the owner of copyright. (Section 32)	
	The section also applies to performer’s rights (Section 53).	

<b>Library Use</b>		
Who can copy?	Librarians.	§ 34
	Conditions:   None.	
What can be copied?	Works.	
	Conditions:   None.	
Purpose of the copy?	For use in the library or another library.	
	Conditions:   The purpose must not be for profit.	
Medium of the copy?	Any. See definition of “reproduction” below.	
Other provisions?	The use must not conflict with a normal exploitation of the copyright work by the owner of copyright or unreasonably prejudice the legitimate right of the owner of copyright. (Section 32)	
	The section also applies to performer’s rights (Section 53).	

<b>Anti-Circumvention of Technological Protection Measures</b>			
Circumvention provisions? <sup>53</sup>	Yes.	§ 53(4)	
Prohibited Acts?	The Act of Circumvention?		Yes.
	Dealing in Devices?		No.
	Providing Services?		Yes, if provided knowing that the use would cause or induce infringement.
Access Control or Owner’s Rights Control?	Owner’s rights.		
Exemptions that could	Two provisions may apply. First, an exemption	§ 53(5)	

<sup>53</sup> The new amendment is summarized in *Informed Counsel*, a newsletter of the law firm Tilleke & Gibbons, vol. 6, February 2015 (see [www.tilleke.com](http://www.tilleke.com)).

be used by libraries?	permits libraries, educational institutions, and public broadcasters to access a work for nonprofit purposes. Second, a general exemption permits access for uses within copyright exceptions.	
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<b>Miscellaneous</b>		
Personal Copying	Reproduction for research, study, or personal benefit is permitted, as long as the use does not conflict with a normal exploitation of the copyright work by the owner of copyright or unreasonably prejudice the legitimate right of the owner of copyright.	§ 32
Defined Term	“Reproduction” includes any method of copying, imitation, duplication, block-making, sound recording, video recording or sound and video recording for the material part from the original, Copy, or publication whether of the whole or in part and, as for computer program, means duplication or making copies of the program from any medium for the substantial part with any method without a character of creating a new work whether of the whole or in part.	§ 4
Source	Copyright Act of Thailand, B.E. 2537 (9 December 1994), available at <a href="http://www.wipo.int/wipolex/en/text.jsp?file_id=129763">http://www.wipo.int/wipolex/en/text.jsp?file_id=129763</a> , as amended by acts published in the <i>Royal Gazette</i> (5 February 2015).	
Last edited:	7 December 2007; rev. 21 May 2015	

THE FORMER YUGOSLAV REPUBLIC OF MACEDONIA

<b>Library Internal Use</b>			
Who can copy?	Public libraries, educational establishments, museums, or archives.		Art. 52(1)(2)
	Conditions:	None.	
What can be copied?	Copyrighted works that have been disclosed (Article 51(1)).		
	Conditions:	Computer programs are excluded (Article 51(3)).	
Purpose of the copy?	For the purpose of carrying out the activity of the institution.		
	Conditions:	Without direct or indirect economic or commercial advantage.	
		Without remuneration to the rightsholder.	
Medium of the copy?	Any. See definition of "reproduction" below.		

<b>Anti-Circumvention of Technological Protection Measures</b>			
Circumvention provisions?	Yes.		Art. 163
Prohibited Acts?	The Act of Circumvention?	Using a circumvention device is prohibited.	
	Dealing in Devices?	Manufacturing, importing, possessing for commercial purposes, distributing, or renting a circumvention device is prohibited.	
	Providing Services?	No.	
Access Control or Owner's Rights Control?	Owner's Rights Control. The provisions relate to any device whose sole or main purpose is unauthorized removal or damage of technology that is used as legal protection against unauthorized use.		
Exemptions that could be used by libraries?	With respect to the library exception and certain other specified exceptions, the rightsholder who uses technological measures shall be obliged, without delay, and in the shortest period possible, upon request from the entity with a legal access to the copyright work, to enable the entity to have access and use of the work through removal of the technological measures or by providing other appropriate means. Contractual provisions to the contrary are null and void (Article 164(4)). This provision does not apply to exceptions to the right of making available (Article 164(3)).		Art. 164(1)

<b>Miscellaneous</b>		
Three-Step Test	The statutory exceptions can be carried out only in	Art.

	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.	51(2)
Definition	(1) Reproduction shall mean fixation, i.e. recording of the work in a material or other appropriate medium (electronic and other), as well as making one or more copies of a copyright work, in whole or in part, directly or indirectly, temporarily or permanently, by any means and in any form. (2) The reproduction under paragraph 1 of this Article shall be carried out, in particular, by graphic processes (graphic reproduction), by three-dimensional reproduction, by photocopying and other photographic processes achieving the same effect, by building or performing works of architecture, by sound or visual fixation, by storage of the work in electronic form (electronic fixation), and by transfer of the work from an analogue into a digital system.	Art. 28
Database Use	The use of a database or of a copy thereof by the lawful user shall be without remuneration, if it is necessary for access and normal use of its components.	Art. 53(2)
Source	Law of Copyright and Related Rights of Macedonia (23 August 2010), available at <a href="http://www.wipo.int/wipolex/en/text.jsp?file_id=263877">http://www.wipo.int/wipolex/en/text.jsp?file_id=263877</a> .	
Last edited:	3 December 2007; rev. 29 August 2014; rev. 14 May 2015	

TOGO

<b>Library Provisions (none)</b>		
Library Provisions?	The copyright law of Togo includes no explicit library exceptions.	

<b>Anti-Circumvention of Technological Protection Measures</b>	
Circumvention provisions?	None.

<b>Miscellaneous</b>		
Private Uses	Reproductions, translations, and adaptations of works lawfully made available to the public are permitted for a strictly personal and private use.	Art. 20(2)
License to Translate and Reproduce Works	The translation (and publication of that translation in Togo) of a work in French and in the national languages, under the terms of an authorization granted by the proper authority, are lawful even in the absence of the authorization of the author. The reproduction of a work (and publication of a given edition of the work in Togo), under the terms of an authorization granted by the proper authority, are lawful even in the absence of the authorization of the author.	Art. 25 & 26
Source <sup>54</sup>	Law on the Protection of Copyright, Folklore, and Related Rights of Togo, No. 91-12 (10 June 1991), available at <a href="http://www.wipo.int/wipolex/en/text.jsp?file_id=270260">http://www.wipo.int/wipolex/en/text.jsp?file_id=270260</a> .	
Last edited:	21 December 2007; rev. 25 April 2015	

<sup>54</sup> Togo is a member of the Bangui Agreement, which includes copyright exceptions applicable to libraries and archives and provisions on anti-circumvention. See the charts of Benin's law in this report for a footnote with detailed information.

TONGA

<b>Research or Study</b>		
Who can copy?	Libraries and archives.	§ 12(a)
	Conditions: The activities of the institution must not serve direct or indirect commercial gain.	
What can be copied?	Published articles, other short works, or short extract of works.	
	Conditions: Only a single copy can be made.	
	The act of reproduction must be an isolated case occurring, if repeated, on separate and unrelated occasions.	
Purpose of the copy?	The copy may only be made if there is no collective license available under which such copies can be made, offered by a collective administration organization of which the library or archive is or should be aware.	
	For study, scholarship, or private research, by request of a natural person.	
Medium of the copy?	Conditions: The library or archive must be satisfied that the copy will be used solely for the allowed purposes.	
	Reprographic reproduction. See definitions of “reprography” and “reproduction” below.	

<b>Preservation and Replacement</b>		
Who can copy?	Libraries and archives.	§12(b)
	Conditions: The activities of the institution must not serve direct or indirect commercial gain.	
What can be copied?	Works.	
	Conditions: Only a single copy can be made.	
	A copy may be made only if it is impossible to obtain such a copy under reasonable conditions.	
Purpose of the copy?	The reprographic reproduction must be an isolated case occurring, if repeated, on separate and unrelated occasions.	
	To preserve or replace a work in the library or archive.	
Medium of the copy?	To replace a copy which has been lost, destroyed or rendered unusable in the permanent collection of another similar library or archive.	
	Conditions: None.	
Medium of the copy?	Reprographic reproduction. See definitions of “reprography” and “reproduction” below.	

<b>Anti-Circumvention of Technological Protection Measures</b>			
Circumvention provisions?	Yes.		§ 30 (1)(a)
Prohibited Acts?	The Act of Circumvention?	No.	
	Dealing in Devices?	Manufacturing or importing for sale or rental a circumvention device is prohibited.	
	Providing Services?	No.	
Access Control or Owner's Rights Control?	Owner's Rights Control. The provisions relate to technological measures used to prevent or restrict reproduction of a work or to impair the quality of copies made.		
Exemptions that could be used by libraries?	There are no explicit exemptions for circumvention.		

<b>Miscellaneous</b>			
Defined Terms	"Reproduction" means the making of one or more copies of a work or phonogram in any manner or form, including any permanent or temporary storage of the work or phonogram in electronic form.		§ 2
	"Reprography" means the making of a facsimile copy of the original or a copy of the work, including photocopying.		
Source	Copyright Act of Tonga, No. 12 (30 July 2002), available at <a href="http://www.wipo.int/wipolex/en/text.jsp?file_id=173176">http://www.wipo.int/wipolex/en/text.jsp?file_id=173176</a> .		
Last edited:	7 December 2007; rev. 16 May 2015		

TRINIDAD AND TOBAGO

<b>Research or Study</b>		
Who can copy?	Libraries and archives.	§ 12(a)
	Conditions: The activities of the institution must not serve direct or indirect commercial gain.	
What can be copied?	Published articles, short works, or short excerpts of works.	
	Conditions: A single copy may be reproduced.	
	The act of reproduction must be an isolated case occurring, if repeated, on separate and unrelated occasions.	
Purpose of the copy?	The copy may only be made if there is no collective license available under which such copies can be made (offered by a collective administration organization of which the library or archive is or should be aware).	
	For study, scholarship or private research, by request of a natural person.	
	Conditions: The person must satisfy the library or archive that the copy is solely for study, scholarship, or private research.	
Medium of the copy?	Reprographic reproduction.	

<b>Preservation and Replacement</b>		
Who can copy?	Libraries and archives.	§12(b)
	Conditions: The activities of the library or archive must not serve direct or indirect commercial gain.	
What can be copied?	Works.	
	Conditions: A single copy can be made.	
	A copy may be made only if it is impossible to obtain such a copy under reasonable conditions.	
Purpose of the copy?	The reproduction must be an isolated case occurring, if repeated, on separate and unrelated occasions.	
	To preserve or replace a work.	
	To replace a copy which has been lost, destroyed or rendered unusable in the permanent collection of another similar library or archive.	
Medium of the copy?	Conditions: None.	
	Reprographic reproduction.	

<b>Anti-Circumvention of Technological Protection Measures</b>			
Circumvention provisions?	Yes.		§ 34A
Prohibited Acts?	The Act of Circumvention?	No.	
	Dealing in Devices?	Manufacturing or importing for sale or rental a circumvention device is prohibited.	
	Providing Services?	No.	
Access Control or Owner's Rights Control?	Owner's Rights Control. The provisions relate to technical measures used to prevent or restrict reproduction of a work or to impair the quality of copies made.		
Exemptions that could be used by libraries?	There are no explicit exemptions for circumvention.		

<b>Miscellaneous</b>		
Private Copying	Permits single copies of most published works for personal purposes.	§ 9
Source	Copyright Act of Trinidad and Tobago, Cap. 82:80, No. 8 (15 April 1997), as amended through the Copyright Amendment Act, No. 5 (1 May 2008), available at <a href="http://www.wipo.int/wipolex/en/text.jsp?file_id=183966">http://www.wipo.int/wipolex/en/text.jsp?file_id=183966</a> .	
Last edited:	7 December 2007; rev. 16 May 2015	

TUNISIA

<b>Preservation and Replacement</b>		
Who can copy?	Public libraries, non-commercial centers, departments of archives, and libraries of education and training establishments.	Art. 12
	Conditions: Without authorization from the author or the author's counterpart.	
What can be copied?	Works.	
	Conditions: The copy may be in one or two specimens.	
Purpose of the copy?	To preserve the work.	
	To replace the work if it would be destroyed, lost, or made unusable.	
	Conditions: For the needs of teaching and without that having a commercial or lucrative goal.	
Medium of the copy?	Reproduction.	
Other provisions?	None.	

<b>Research or Study</b>		
Who can copy?	Public libraries, non-commercial centers, departments of archives, and libraries of education and training establishments.	Art. 12
	Conditions: Without authorization from the author or the author's counterpart.	
What can be copied?	An article or a short extract of a writing published in a collection of works.	
	An issue of a newspaper or a periodical publication.	
	Conditions: May not be a computer program.	
Purpose of the copy?	Research and teaching.	
	Conditions: In response to the request of a natural person.	
Medium of the copy?	Reproduction.	
Other provisions?	None.	

<b>Anti-Circumvention of Technological Protection Measures</b>	
Circumvention provisions?	None.

<b>Miscellaneous</b>		
Licenses for Reproduction and Translation	The Ministry in charge of culture may issue nonexclusive licenses to make reproductions and translations of works for education and research, subject to detailed provisions, reflecting the Berne Appendix.	Art. 13 & 14
Source	Law of Literary and Artistic Property of Tunisia, No. 94-36 (24 February 1994), amended through No. 2009-33 (23 June	

	2009), available at <a href="http://www.wipo.int/wipolex/en/text.jsp?file_id=181075">http://www.wipo.int/wipolex/en/text.jsp?file_id=181075</a> .
Last edited:	4 December 2007; rev. 26 August 2014; rev. 16 May 2015

TURKEY

<b>General Library Exception</b>			
Who can copy?	Public libraries, museums, and similar institutions.		Art. 46
	Conditions:	The authority to allow persons to benefit from the works shall be determined by regulation. Libraries and the other public institutions listed in the statute can by regulation have authority to make copies and other uses of the works.	
What can be copied?	Works that have not yet been published or made public and whose term of economic rights has expired.		
	Conditions:	Whose author has not expressly prohibited reproduction and publication.	
		Which are preserved in public libraries, museums, or similar institutions.	
Purpose of the copy?	For scientific and other reasons.		
	Conditions:	None.	
Medium of the copy?	Not specified.		
Other provisions?	Such works shall belong to the public institution or organization in which they are kept.		
	The authority which shall give permission to persons who would like to benefit from such works for scientific and other reasons and to public institutions and organizations, the fees to be charged, and the cultural purposes for which such fees shall be spent, and other matters, shall be determined by a regulation to be issued by the Ministry of Culture and Tourism.		

<b>Anti-Circumvention of Technological Protection Measures</b>			
Circumvention provisions?	Yes.		Art. 72
Prohibited Acts?	The Act of Circumvention?	No.	
	Dealing in Devices?	Producing, putting up for sale, or possessing for non-private use circumvention devices with regards to computer programs is prohibited.	Art. 72
	Providing Services?	No.	
Access Control or Owner's Rights Control?	Owner's Rights Control. The provision relates to technical measures intended to prevent illegal reproduction of computer programs.		Art. 72
Exemptions that could be used by libraries?	No.		

<b>Miscellaneous</b>		
Performances of Works for Education	Limited right to perform published works in educational institutions for the purpose of face-to-face education and without directly or indirectly aiming for profit.	Art. 33
Educational and Instructional Purposes	Limited right to create selected or collected works, which are dedicated to educational purposes, by making quotations from published musical, literary, and scientific works and works of fine arts that are made public.	Art. 34
Quotations	Limited right to quote public or published works.	Art. 35
Personal Use	Limited right to make copies for personal use.	Art. 38
Defined Terms	A work disclosed to the public with the consent of the rightsholder shall be deemed to have been made "public."	Art. 7
	A work shall be deemed to have been "published," if copies obtained by reproduction of the original are supplied to the public by way of selling, distributing or otherwise putting into commercial circulation with the consent of the rightsholder.	Art. 7
	The making of a second copy of the original of the work or the recording of the work on all types of devices now known or to be developed in the future enabling the transmission or repetition of signs, sounds and images, all kinds of sound and music recordings as well as the application of plans, projects and sketches of architectural works are deemed "reproduction."	Art. 22
Source	Law of Intellectual and Artistic Works of Turkey, No. 5846 (5 December 1951), as amended through Law No. 5728 (23 January 2008), available at <a href="http://www.wipo.int/wipolex/en/text.jsp?file_id=246493">http://www.wipo.int/wipolex/en/text.jsp?file_id=246493</a> .	
Last edited:	25 April 2014; rev. 16 May 2015	

TURKMENISTAN

<b>General Provisions (applicable to each provision of Article 20)</b>		
Author's consent?	No.	Art. 20
Remuneration to author?	No.	
Provide name of author?	Yes. Must specify the name of the author whose work is used.	
Provide source of borrowing?	Yes. Must provide the source.	

<b>Replacement</b>			
Who can copy?	Libraries and archives.		Art. 20(1)(1)
	Conditions:	None.	
What can be copied?	Lawfully published works.		
	Conditions:	The reproduction must occur in individual cases.	
		Impossible to obtain such works by other means under normal conditions.	
Purpose of the copy?	To replace copies that are lost, destroyed, or rendered unusable.		
	To provide copies to other libraries that no longer have such works in their collections because they are lost, destroyed, or rendered unusable.		
	Conditions:	None.	
Medium of the copy?	Reprographic reproduction.		
Other provisions?	None.		

<b>Research or Study</b>			
Who can copy?	Libraries and archives.		Art. 20(1)(2) & 20(2)
	Conditions:	None.	
What can be copied?	Isolated articles or succinct works lawfully published in collections, newspapers, and other periodicals.		
	Excerpts from lawfully published written works.		
	Conditions:	Computer programs are excluded.	
Purpose of the copy?	Education and research.		
	Conditions:	At the request of individuals.	
Medium of the copy?	Reprographic reproduction.		
Other provisions?	Copying is allowed only in if a collective license society has not offered a license for reprographic reproduction, and the library or archives knew or should have been aware of the license.		

<b>Anti-Circumvention of Technological Protection Measures</b>			
Circumvention provisions?	Yes.		Art. 45
Prohibited Acts?	The Act of	No.	

	Circumvention?		
	Dealing in Devices?	Yes. Prohibits manufacture, distribution, leasing, etc. of devices.	
	Providing Services?	No.	
Access Control or Owner's Rights Control?	Both. Refers to controlling access and preventing actions that are not authorized by the rightsholder.		
Exemptions that could be used by libraries?	There are no exemptions in the statute.		

<b>Miscellaneous</b>		
Defined Terms	Reprographic reproduction: Facsimile reproduction in any size (increase or decrease) of the original or copy of the work (written and other graphic work) by photocopying or by other technical means other than by publication; reprographic reproduction does not include copying in electronic (including digital), optical or other machine-readable form.	Art. 1
Source	Law of Copyright and Related Rights of Turkmenistan, No. 257-IV (10 January 2012), available at <a href="http://www.wipo.int/wipolex/en/text.jsp?file_id=252913">http://www.wipo.int/wipolex/en/text.jsp?file_id=252913</a> .	
Last edited:	11 December 2007; rev. 26 August 2014; rev. 16 May 2015	

TUVALU

<b>Library Provisions (none)</b>		
Library Provisions?	The copyright statutes of Tuvalu include no explicit library exceptions.	

<b>Anti-Circumvention of Technological Protection Measures</b>		
Circumvention provisions?	None.	

<b>Miscellaneous</b>	
Source	Copyright Ordinance of Tuvalu, Cap 40.24 (13 June 1917), edition of 1978, available at <a href="http://www.wipo.int/wipolex/en/text.jsp?file_id=196668">http://www.wipo.int/wipolex/en/text.jsp?file_id=196668</a> .
Last edited:	24 April 2014; rev. 16 May 2015

UGANDA

<b>General Library Exception</b>		
Who can copy?	Public library, non-commercial documentation center, scientific institution, or educational institute.	§ 15(1)(j)
	Conditions: None.	
What can be copied?	Literary, artistic, or scientific work.	
	Conditions: In its original language or in a translation.	
Purpose of the copy?	Not specified.	
	Conditions: None.	
Medium of the copy?	Any. See definition of "reproduction."	
Other provisions?	Subject to conditions prescribed by the Minister.	
	Reproduction and the copies made do not conflict with the normal exploitation of the work reproduced.	
	Reproduction and the copies made do not unreasonably affect the right of the author in the work.	
	Section 15(1) opens by referring to the listed uses as "fair use" of a protected work. Section 15(2) specifies the four factors as indicated below. The statute is unclear about whether fair use is a separate exception or is a four-factor analysis applicable to the uses in Section 15(1).	

<b>Anti-Circumvention of Technological Protection Measures</b>		
Circumvention provisions?	None.	

<b>Miscellaneous</b>		
Personal Use	Limited right to produce, translate, adapt, arrange, or otherwise transform a work for private personal use.	§ 15(1)(a)
Quotation	Limited right to quote from a published work, where the quotation is compatible with fair practice, the extent of the quotation does not exceed what is justified for the purpose of the use, and acknowledgement is given to the original work.	§ 15(1)(b)
Teaching Purposes	Limited right to use a published work for teaching purposes in so far as the use is compatible with fair practice and acknowledgement is given to the work and the author.	§ 15(1)(c); § 15(1)(d)
Persons with Disabilities	It is permitted to transcribe any work into braille or sign language for the educational purpose of persons with disabilities.	§ 15(1)(k)

Fair Use	<p>In determining whether a use is fair use, the following factors shall be considered:</p> <ul style="list-style-type: none"> <li>(a) the purpose and character of the use;</li> <li>(b) the nature of the protected work (though the fact that a work is not published shall not of itself prejudice the requirement of fair use.);</li> <li>(c) the amount and substantiality of the portion used in relation to the protected work as a whole; and</li> <li>(d) the effect of the use upon the potential market for value of the protected work.</li> </ul> <p>The fact that a piece of work is not published shall not of itself prejudice the requirement of fair use in accordance with the four factors.</p>	§ 15(2); § 15(3)
Berne Appendix	The Act includes provisions implementing the Appendix to the Berne Convention, allowing reproductions, translations, and broadcasts of certain works under specified conditions for teaching, scholarship, or research.	§ 17; § 18; § 19
Defined Terms	“Copy” means a production of a work in a written, recorded, or fixation form or in any other material form, but an object shall not be taken to be a copy of an architectural work unless the object is a building or a model.	§ 2
	“Minister” means the Minister responsible for justice.	§ 2
	“Reproduction” means the making of one or more copies of a work or sound recording in any manner or form including any permanent or temporary storage of the work or sound recording in electronic form.	§ 2
Source	Copyright and Neighboring Rights Act of Uganda (31 May 2006), available at <a href="http://www.wipo.int/wipolex/en/text.jsp?file_id=141975">http://www.wipo.int/wipolex/en/text.jsp?file_id=141975</a> .	
Last edited:	27 April 2014; rev. 16 May 2015	

UKRAINE

<b>General Provisions (applicable to various statutory exceptions)</b>		
Author's consent required?	No. The use is permitted without the consent of the author or other copyright holder.	Art. 21 (10)
Provide name of author?	Yes. The use is permitted with a mandatory indication of the author's name.	
Provide source of borrowing?	Yes. The use is permitted with a mandatory indication of the source of borrowing.	

<b>Research or Study</b>		
Who can copy?	Libraries and archives.	Art. 22(1)
	Conditions: The activities of the institutions may not be aimed directly or indirectly at generating profit.	
What can be copied?	Separately published articles or other small works, including illustrations.	
	Excerpt from written works, including illustrations.	
	Conditions: Only one copy can be made.	
	Computer software and databases are excluded.	
	Reproduction of the work must be a "one-off, not a regular, event."	
Purpose of the copy?	For education, training, or private research, upon request of an individual.	
	Conditions: The library or archive must have sufficient reason to believe that such a copy will be used for the permitted purposes.	
	Reproduction can only occur if there are no restrictions on the part of collective management organizations concerning the terms and conditions for producing such copies.	
Medium of the copy?	Reprographic reproduction. See definition below.	
Other provisions?	It is permissible to reproduce performances, phonograms, videograms, or broadcast programs for training or scientific research purposes or for personal purposes according to the conditions set forth in Art. 21 and 22. The rightsholders retain the right to receive remuneration.	Art. 42

<b>Preservation and Replacement</b>		
Who can copy?	Libraries and archives.	Art. 22(2)
	Conditions: The activities of the institutions may not be aimed directly or indirectly at generating profit.	
What can be copied?	Works.	
	Conditions: Only one copy can be made.	

		Reproduction is permitted when it is impossible to obtain a copy of the work by other means.	
		Reproduction of the work must be a “one-off, not a regular, event.”	
Purpose of the copy?	To preserve or replace a lost, damaged or unusable copy in the library or archive.		
	To renew a lost, damaged, or unusable copy from the collection of a similar library or archive.		
	Conditions:	None.	
Medium of the copy?	Reprographic reproduction. See definition below.		

<b>Anti-Circumvention of Technological Protection Measures</b>			
Circumvention provisions?	Yes.		Art. 50(f)
Prohibited Acts?	The Act of Circumvention?	The act of circumvention is prohibited.	
	Dealing in Devices?	Producing, distributing, and importing for distribution circumvention devices is prohibited.	
	Providing Services?	No.	
Access Control or Owner’s Rights Control?	Both. The provisions relate to technical measures designed to create an obstacle to the infringement of copyright during reception and/or duplication of protected (encoded) recordings in phonograms (videograms) and broadcasting organization transmissions, or to control access to the use of objects of copyright.		Art. 1
Exemptions that could be used by libraries?	There are no explicit exemptions for circumvention.		

<b>Miscellaneous</b>			
Personal Copying	It is permissible to reproduce exclusively for personal purposes certain previously lawfully disclosed works.		Art. 25
Defined Term	“Reprographic reproduction” means facsimile reproduction in any size (including enlarged or reduced) of original written or other graphic work or its copy by photocopying or other similar methods, in addition to recording in electronic (including digital), optical, or other readable form by computer		Art. 1
Three Step Test	The statutory exceptions, including the library exceptions, shall be effected, provided that they do not prejudice the use of a work or unjustifiably limit the author’s legitimate interests.		Art. 15(6)
Exhaustive List	The list of exceptions set forth in the copyright act is exhaustive.		Art. 21(10)
Source	Law of Copyright and Related Rights of Ukraine, No. 3793-XII (23 December 1993), as amended through No. 1294-IV (20 November 2003), available at <a href="http://www.wipo.int/wipolex/en/text.jsp?file_id=142655">http://www.wipo.int/wipolex/en/text.jsp?file_id=142655</a> ,		

	and as further amended by No. 5460-VI (16 October 2012), available at <a href="http://www.wipo.int/wipolex/en/text.jsp?file_id=336562">http://www.wipo.int/wipolex/en/text.jsp?file_id=336562</a> .
Last edited:	4 December 2007; rev. 16 May 2015

UNITED ARAB EMIRATES

<b>Preservation and Replacement</b>		
Who can copy?	Records houses, archives, libraries, or documentation centers.	Art. 22 (4)(a)
	Conditions: The institutions must not seek direct or indirect profit.	
What can be copied?	Works.	
	Conditions: Only a single copy can be made.	
	Reproduction is permitted where a substitute copy cannot be obtained under reasonable conditions.	
Purpose of the copy?	For preservation of the original work or to exchange it for a lost or destroyed copy, or a copy that is not suitable for use.	
	Conditions: None.	
Medium of the copy?	Any. See definition of "reproduction" below.	

<b>Research or Study</b>		
Who can copy?	Records houses, archives, libraries, or documentation centers.	Art. 22 (4)(b)
	Conditions: The institutions must not seek direct or indirect profit.	
What can be copied?	Works.	
	Conditions: Only a single copy can be made.	
	The copying may only be granted for one time or for interrupted periods of time.	
	The copy can only be made provided that obtaining a license became impossible in accordance with the provisions of the law.	
Purpose of the copy?	For research or study, by request of a natural person.	
	Conditions: None.	
Medium of the copy?	Any. See definition of "reproduction" below.	

<b>Anti-Circumvention of Technological Protection Measures</b>		
Circumvention provisions?	Yes.	Art. 38
Prohibited Acts?	The Act of Circumvention?	Delaying or disgracing technological protection is prohibited.
	Dealing in Devices?	Manufacturing or importing circumvention devices is prohibited.

	Providing Services?	No.	
Access Control or Owner's Rights Control?	Owner's Rights Control. The provisions relate to equipment, instruments, or apparatus designed for the purpose of fraud against any technology used by the author or the holder of the neighboring right to arrange or administer such rights or for preservation of specific standard of quality of the copies.		
Exemptions that could be used by libraries?	There are no explicit exemptions for circumvention.		

<b>Miscellaneous</b>		
Application to Neighboring Rights	The restrictions on the economic rights of authors shall apply to the holders of neighboring rights.	Art. 24
License for Reproduction or Translation	Any person may ask the ministry to grant a compulsory license for either copying or translation or for both of any work on terms that reflect the Berne Appendix.	Art. 21
Defined Term	"Reproduction" means to make a copy or more of a work, phonogram, broadcasting program or any performance in any shape including permanent or temporary electronic storing.	Art. 1
Source	Federal Law Concerning Copyrights and Neighboring Rights of the United Arab Emirates, No. 7 (1 July 2002), available at <a href="http://www.wipo.int/wipolex/en/text.jsp?file_id=124612">http://www.wipo.int/wipolex/en/text.jsp?file_id=124612</a> .	
Last edited:	17 December 2007; rev. 16 May 2015	

UNITED KINGDOM

<b>Research or Study (Making Available)</b>		
Who can copy?	Library, archive, museum, or educational establishment.	§ 40B
	Conditions:   None.	
What can be copied?	A work or a copy of a work.	
	Conditions:   Must be lawfully acquired by the institution.	
	Use complies with any purchase or license terms.	
Purpose of the copy?	To communicate the work or make it available to individual members of the public for research or private study.	
	Conditions:	
Medium of the copy?	Via dedicated terminals on the premises of the institution.	
Other provisions?	A parallel provision applies similar terms to the use of recordings of performances. See Schedule 2, new Paragraph 6C.	

<b>Supply of Copies to Other Libraries</b>		
Who can copy?	A librarian.	§ 41
	Conditions:	
What can be copied?	Whole or part of a published work.	
	Conditions:   Single copy.	
	At the time of making the copy, the librarian does not know, or could not reasonably find out, the name and address of a person entitled to authorize the making of a copy of the work. This condition does not apply to making a copy of an article in a periodical.	
Purpose of the copy?	To supply it in response to a request from a library.	
	Conditions:   The requesting library is not conducted for profit.	
Medium of the copy?	Any. See definition of "copying."	
Other provisions?	Where a library makes a charge for supplying a copy, the amount charged must be calculated by reference to the costs attributable to the production of the copy.	
	To the extent that a term in a contract purports to prevent or restrict the doing of any act which, by virtue of this section, would not infringe copyright, that term is unenforceable.	
	A parallel provision applies similar terms to the use of published recordings of performances. See Schedule 2, new Paragraph 6D.	

<b>Preservation and Replacement</b>			
Who can copy?	A librarian, archivist, or curator of a library, archive, or museum.		§ 42
	Conditions:	None.	
What can be copied?	An item in that institution's permanent collections.		
	Conditions:	It is not reasonably practicable to purchase a copy of the item to achieve the purpose.	
		The item is included in the part of the collection kept wholly or mainly for the purposes of reference on the institution's premises; or is included in a part of the collection not accessible to the public; or is available on loan only to other libraries, archives, or museums.	
Purpose of the copy?	To preserve or replace the item in the collection.		
	Conditions:	None.	
Medium of the copy?	Any.		
Other provisions?	For this section, "item" means a work or a copy of a work.		
	To the extent that a term in a contract purports to prevent or restrict the doing of any act which, by virtue of this section, would not infringe copyright, that term is unenforceable.		
	A parallel provision applies similar terms to the use of recordings of performances (Schedule 2, new Paragraph 6E).		

<b>Replacement of Works in Another Collection</b>			
Who can copy?	A librarian, archivist, or curator of a library, archive, or museum.		§ 42
	Conditions:	The library, archive, or museum may not be conducted for profit.	
What can be copied?	An item in the permanent collections of another library, archive, or museum.		
	Conditions:	The item has been lost, destroyed, or damaged.	
		It is not reasonably practicable to purchase a copy of the item to achieve the purpose.	
		The item is included in the part of the collection kept wholly or mainly for the purposes of reference on the institution's premises; or included in a part of the collection not accessible to the public; or available on loan only to other libraries, archives or museums.	
Purpose of the copy?	To replace an item in the permanent collection of that library, archive, or museum.		
	Conditions:	None.	
Medium of the copy?	Any.		

Other provisions?	Where an institution makes a charge for supplying a copy to another institution, the amount charged must be calculated by reference to the costs attributable to the production of the copy.	
	For this section, "item" means a work or a copy of a work.	
	To the extent that a term in a contract purports to prevent or restrict the doing of any act which, by virtue of this section, would not infringe copyright, that term is unenforceable.	
	A parallel provision applies similar terms to the use of recordings of performances. See Schedule 2, new Paragraph 6E.	

<b>Copies for Research or Study (Published Works)</b>		
Who can copy?	Librarian.	§ 42A
	Conditions: Of a library that is not conducted for profit.	
What can be copied?	An article in any one issue of a periodical, or a reasonable proportion of any other published work.	
	Conditions: Single copy.	
Purpose of the copy?	To supply a copy for the purpose of research for a non-commercial purpose or private study.	
	Conditions:	The copy is supplied in response to a request from a person who has provided the librarian with a declaration in writing (including electronic format) containing the information specified in the statute, and the librarian is not aware that the declaration is false in any material particular.
Medium of the copy?	Any.	
Other provisions?	The declaration must state: (a) the name of the person who requires the copy and the material required; (b) that the person has not previously been supplied with a copy of that material by any library; (c) that the person requires the copy for the purpose of research for a non-commercial purpose or private study and will use it only for those purposes, and will not supply the copy to any other person; and (d) that to the best of that person's knowledge no other person with whom the person works or studies has made or intends to make at or about the same time as the person's request, a request for substantially the same material for substantially the same purpose.	
	If the person makes a declaration that is false in any material particular and is supplied with a copy that would have been an infringing copy if made by the person, the person is liable for infringement as if he had made it himself and the copy is treated as an infringing copy.	

	Where a library makes a charge for supplying a copy, the amount charged must be calculated by reference to the costs attributable to the production of the copy.	
	To the extent that a term in a contract purports to prevent or restrict the doing of any act which, by virtue of this section, would not infringe copyright, that term is unenforceable.	
	A parallel provision applies similar terms to the use of published recordings of performances. See Schedule 2, Paragraph 6F.	

<b>Copies for Research or Study (Unpublished Works)</b>		
Who can copy?	Librarian or archivist.	§ 43
	Conditions: None.	
What can be copied?	The whole or part of a work.	
	Conditions:	Single copy. (a) The work had not been published or communicated to the public before the date that it was deposited in the library or archive; or (b) the copyright owner has not prohibited the copying of the work and at the time of making the copy the librarian or archivist is, or ought to be, aware of that fact.
Purpose of the copy?	To supply a copy for the purpose of research for a non-commercial purpose or private study.	
	Conditions:	The copy is supplied in response to a request from a person who has provided the librarian or archivist with a declaration in writing (including electronic format) containing the information specified in the statute, and the librarian or archivist is not aware that the declaration is false in any material particular.
Medium of the copy?	Any.	
Other provisions?	The declaration must state: (a) the name of the person who requires the copy and the material required; (b) that the person has not previously been supplied with that material by any library or archive; and (c) that the person requires the copy for the purpose of research for a non-commercial purpose or private study, will use it only for those purposes and will not supply the copy to any other person.	
	If the person makes a declaration that is false in any material particular and is supplied a copy that would have been an infringement if made by the person, the person is liable for infringement as if he had made the copy himself and the copy is treated as an infringing copy.	



	is directly or indirectly for a commercial purpose.	
	“Public library” means a library administered by or on behalf of a local government library authority as defined by the Public Libraries and Museums Act 1964, the Public Libraries (Scotland) Act 1955 and the Education and Libraries (Northern Ireland) Order 1986.	§ 178
	“Writing” includes any form of notation or code, whether by hand or otherwise and regardless of the method by which, or medium in or on which, it is recorded	§ 178
Public Lending	Lending of a book by a public library within the public lending right is not an infringement. Such a library may also make a copy and lend a copy of an audio-book or e-book, where the copy is incidental to the lending.	§ 40A(1)
Lending	A library, other than a public library, which is not conducted for profit, or an educational establishment, may lend a work without infringing copyright.	§§ 36A & 40A(2)
Recordings of Folksongs	Detailed provisions allow nonprofit archives to make copies of recordings of folksongs.	§ 61
Recordings of Broadcasts	Recordings of broadcasts allowed for deposit with nonprofit archives. See also Schedule 2, Paragraph 21(b).	§ 75
Orphan Works	Set of provisions for implementation of the European Union Directive 2012/28/EU on orphan works. The statute references Schedule ZA1, which sets forth most of the details of the conditions for use of orphan works.	§§ 44B & 76A
	The statutes also include a governmental licensing scheme for orphan works and for orphaned recordings of performances, beyond requirements of the E.U. directive. The statutes also provide for extended collective licensing that can support mass digitization of copyrighted works and recordings of performances, including orphan works. (See also Schedule 2A.)	§§ 116A to 116D
Private Copying	Permits copies of most works for personal use. Contracts that purport to prevent or restrict such uses are not enforceable.	§ 28B
Private Study or Research	Fair dealing of works for noncommercial research or private study is permitted. Libraries or archives may make copies on behalf of individuals, but only within the parameters of Section 42A. Contracts that purport to prevent or restrict such uses are not enforceable.	§ 29
Text and Data Analysis	Permits copying of works for purposes of computational analysis of the content for noncommercial research. Contracts that purport to prevent or restrict such uses are not enforceable.	§ 29A
Needs of Disabled Persons	Multiple provisions allowing copies and uses of diverse works to meet the needs of persons with disabilities.	§§ 31A to 31F

Educational Uses	Multiple provisions allowing diverse uses of works in connection with education. Contracts that purport to prevent or restrict some uses are not enforceable.	§§ 32 to 36A
Quotation Right	Right to make a quotation from a work that has been made available to the public, within fair dealing, subject to conditions in the statute. A parallel provision applies similar terms to performances and recordings (see Schedule 2, Paragraph 2(1)). Contracts that purport to prevent or restrict such uses are not enforceable (Section 30(4)).	§ 30(1ZA)
Export Copies	If a work of cultural or historical importance may not be exported unless a copy is made and deposited in a library or archives, that copy is not an infringement.	§ 44
Legal Deposit	Permits copying of works from the internet by deposit libraries for fulfillment of the legal deposit requirement.	§ 44A
Source	<p>Copyright, Designs, and Patents Act of the United Kingdom, Chapter 48 (15 November 1988), as amended through Copyright and Rights in Performances (Research, Education, Libraries and Archives) Regulations 2014, Statutory Instrument 2014 No. 1372 (19 May 2014), available at <a href="http://bit.ly/1z9tb38">http://bit.ly/1z9tb38</a>;</p> <p><i>AND</i></p> <p>Copyright and Rights in Performances (Certain Permitted Uses of Orphan Works) Regulations 2014, Statutory Instrument 2014 No. 2861 (27 October 2014), available at <a href="http://www.wipo.int/wipolex/en/text.jsp?file_id=353635">http://www.wipo.int/wipolex/en/text.jsp?file_id=353635</a>;</p> <p><i>AND</i></p> <p>Copyright and Rights in Performances (Licensing of Orphan Works) Regulations 2014, Statutory Instrument 2014 No. 2863 (27 October 2014), available at <a href="http://www.wipo.int/wipolex/en/text.jsp?file_id=353615">http://www.wipo.int/wipolex/en/text.jsp?file_id=353615</a>;</p> <p><i>AND</i></p> <p>Copyright and Rights in Performances (Extended Collective Licensing) Regulations 2014, Statutory Instrument 2014 No. 2588 (11 September 2014), available at <a href="http://www.legislation.gov.uk/uksi/2014/2588/contents/made">http://www.legislation.gov.uk/uksi/2014/2588/contents/made</a>.</p>	
Last edited:	26 May 2008; rev. 30 August 2014; rev. 19 May 2015	

UNITED REPUBLIC OF TANZANIA

<b>Library Use</b>		
Author's consent required?	No. The use is permitted without the author's consent.	§ 12(1)
Remuneration to author?	No. The use is permitted without obligation to pay remuneration.	
Who can copy?	Public libraries, non-commercial documentation centers, scientific institutions, and educational establishments.	§ 12(7)
	Conditions: None.	
What can be copied?	Literary and artistic works that have been lawfully made available to the public.	
	Conditions: The reproduction, number of copies made, and use thereof must be limited to the purpose.	
Purpose of the copy?	For the needs of the regular activities of the entity reproducing the work.	
	Conditions: None.	
Medium of the copy?	Reproduction by photography of sound or video recording, or electronic storage.	
Other provisions?	The reproduction must neither conflict with the normal exploitation of the work nor unreasonably prejudice the legitimate interests of the author.	
	The use is permitted in the original or in a translation.	§ 12(1)

<b>Anti-Circumvention of Technological Protection Measures</b>			
Circumvention provisions?	Yes.	§ 44(1) (i)	
Prohibited Acts?	Circumvention?		No.
	Dealing in Devices?		Manufacturing a circumvention device or importing it for sale or rental is prohibited.
	Providing Services?		No.
Access Control or Owner's Rights Control?	Owner's Rights Control. The provisions relate to technical means that prevent or restrict reproduction of a work or impair the quality of copies made.		
Exemptions that could be used by libraries?	There are no explicit exemptions for circumvention.		

<b>Miscellaneous</b>		
Official Archives	Where a recording by a broadcasting organization has an exceptional documentary character, a copy of it may be preserved in official archives.	§ 12 (10)

Source <sup>55</sup>	Copyright and Neighboring Rights Act of Tanzania, No. 7 (14 April 1999), available at <a href="http://www.wipo.int/wipolex/en/text.jsp?file_id=179714">http://www.wipo.int/wipolex/en/text.jsp?file_id=179714</a> .
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<sup>55</sup> The 2014 study of library exceptions includes tables analyzing the copyright law of Zanzibar, a semi-autonomous region of Tanzania. Because the current study is limited to countries that are members of WIPO, Zanzibar is not included here. For the 2014 study, see: [http://www.wipo.int/meetings/en/doc\\_details.jsp?doc\\_id=290457](http://www.wipo.int/meetings/en/doc_details.jsp?doc_id=290457).

UNITED STATES OF AMERICA

<b>Preservation, Security, or Deposit in Another Library</b>			
Who can copy?	Libraries or archives, including employees acting within the scope of employment.		§ 108(a); § 108(b)
	Conditions:	The collections of the library or archives must be open to the public or available not only to researchers affiliated with the library or archives or with the institution of which it is a part, but also to other persons doing research in a specialized field.	
What can be copied?	Unpublished works, currently in the collection of the institution.		
	Conditions:	Three copies can be made.	
Purpose of the copy?	For preservation and security.		
	For deposit for research in another qualifying institution.		
	Conditions:	The reproduction and distribution must be made without any purpose of direct or indirect commercial advantage.	
Medium of copy?	Copies and phonorecords. See definitions below.		
	Conditions:	Copies made in digital format may not be made available to the public in that format outside the premises of the institution.	
Other provisions?	This provision permits reproduction and distribution.		
	The copy must include the notice of copyright from the work or, if no such notice can be found on the work, a legend stating that the work may be protected by copyright.		

<b>Replacement</b>			
Who can copy?	Libraries or archives, including employees acting within the scope of employment.		§ 108(a); § 108(c)
	Conditions:	The collections of the library or archives must be open to the public or available not only to researchers affiliated with the library or archives or with the institution of which it is a part, but also to other persons doing research in a specialized field.	
What can be copied?	Published works.		
	Conditions:	Three copies can be made.	
		Reproduction is permitted where the institution has determined, after a reasonable effort, that an unused	

		replacement cannot be obtained at a fair price.	
Purpose of the copy?	For replacement of a copy that is damaged, deteriorating, lost, or stolen, or if the existing format in which the work is stored has become obsolete. (A format is "obsolete" if the necessary machine or device is no longer manufactured or is no longer reasonably available in the commercial marketplace.)		
	Conditions:	The reproduction and distribution must be made without any purpose of direct or indirect commercial advantage.	
Medium of copy?	Copies and phonorecords. See definitions below.		
	Conditions:	Copies made in digital format may not be otherwise distributed in that format or made available to the public in that format outside the premises of the institution.	
Other provisions?	The copy must include the notice of copyright from the work, or if no such notice can be found on the work, a legend stating that the work may be protected by copyright.		

<b>Research or Study (Articles and Short Works)</b>			
Who can copy?	Libraries or archives, including employees acting within the scope of employment.		§ 108(a); § 108(d)
	Conditions:	The collections of the library or archives must be open to the public or available not only to researchers affiliated with the library or archives or with the institution of which it is a part, but also to other persons doing research in a specialized field.	
What can be copied?	Single articles or other contributions to a copyrighted collection or periodical issue, including illustrations, diagrams, or similar adjuncts to works, from the collection of the institution or another qualifying institution.		
	One small part of other works, from the collection of the institution or another qualifying institution.		
	Conditions:	Only a single copy can be made.	
		The work may not be a musical work, a pictorial, graphic or sculptural work, or a motion picture or other audiovisual work other than an audiovisual work dealing with the news, but the copy may include pictorial or graphic works included as illustrations or other adjuncts to works otherwise allowed (Section 108(i)).	

Purpose of the copy?	For private study, scholarship, or research, by request of a user.	
	Conditions:	The library or archives must not have notice that the copy is for any purpose other than the permitted purposes.
		The copy must become the property of the user.
		The reproduction and distribution must be made without any purpose of direct or indirect commercial advantage.
Medium of copy?	Copies and phonorecords. See definitions below.	
Other provisions?	This provision permits reproduction and distribution.	
	The library must display prominently, at the place where orders are accepted, and include on its order form, a warning of copyright in accordance with regulations from the U.S. Copyright Office.	
	The copy must include the notice of copyright from the work, or if no such notice can be found on the work, a legend stating that the work may be protected by copyright.	

<b>Research or Study (Entire Works)</b>		
Who can copy?	Libraries or archives, including employees acting within the scope of employment.	
	Conditions:	The collections of the library or archives must be open to the public or available not only to researchers affiliated with the library or archives or with the institution of which it is a part, but also to other persons doing research in a specialized field.
What can be copied?	Entire works or substantial parts of works, including illustrations, diagrams, or similar adjuncts to works, from the collection of the institution or another qualifying institution.	
	Conditions:	Only a single copy can be made.
		The institution must first determine, on the basis of a reasonable investigation, that a copy of the work cannot be obtained at a fair price.
	The work may not be a musical work, a pictorial, graphic or sculptural work, or a motion picture or other audiovisual work other than an audiovisual work dealing with the news, but the copy may include pictorial or graphic works included as illustrations or other	

		adjuncts to works otherwise allowed (Section 108(i)).	
Purpose of the copy?	For private study, scholarship, or research.		
	Conditions:	The library must not have notice that the copy is for any purpose other than the permitted purposes.	
		The copy must become the property of the user.	
		The reproduction and distribution must be made without any purpose of direct or indirect commercial advantage.	
Medium of copy?	Copies and phonorecords. See definitions below.		
Other provisions?	This provision permits reproduction and distribution.		
	The library must display prominently, at the place where orders are accepted, and include on its order form, a warning of copyright in accordance with regulations from the U.S. Copyright Office.		
	The copy must include the notice of copyright from the work, or if no such notice can be found on the work, a legend stating that the work may be protected by copyright.		

<b>Supplying Copies to Other Libraries (Interlibrary Loan)</b>			
Who can copy?	Libraries or archives, including employees acting within the scope of employment.		§ 108 (g)(2)
	Conditions:	The collections of the library or archives must be open to the public or available not only to researchers affiliated with the library or archives or with the institution of which it is a part, but also to other persons doing research in a specialized field.	
What can be copied?	Implicitly, works that may be copied consistent with Section 108 or other provisions of the Copyright Act. This code section is explicitly about the ability of a library to receive copies; presumably the copies are lawfully made.		
	Conditions:	Section 108 generally bars systematic reproduction or distribution of copies, but that restriction does not prevent a library or archive from participating in interlibrary arrangements.	
		The library or archives may participate in interlibrary arrangements that do not have, as their purpose or effect, that the library or archives receives such copies for distribution in such aggregate quantities as to substitute for a subscription to or	

		purchase of such work.	
		This quantity restriction was interpreted by the CONTU Commission to mean in most cases not more than five copies of articles from a single journal during one year. <sup>56</sup>	
Purpose of the copy?	For receipt of materials through interlibrary arrangements.		
	Conditions:	The reproduction and distribution must be made without any purpose of direct or indirect commercial advantage.	
Medium of the copy?	Copies and phonorecords. See definitions below.		
Other provisions?	The copy must include the notice of copyright from the work, or if no such notice can be found on the work, a legend stating that the work may be protected by copyright.		

<b>Copying During Final 20 Years of Protection</b>			
Who can copy?	Libraries or archives, including employees acting within the scope of employment.		§ 108(a); § 108(h)
	Nonprofit educational institutions that function as a library or archives.		
	Conditions:	The collections of the library or archives must be open to the public or available not only to researchers affiliated with the library or archives or with the institution of which it is a part, but also to other persons doing research in a specialized field.	
What can be copied?	Whole or parts of published works, during the last 20 years of any term of copyright.		
	Conditions:	Only a single copy can be made.	
		Based on reasonable investigation, the library has determined that each of the following conditions apply: (a) the work is not subject to normal commercial exploitation; (b) a copy cannot be obtained at a reasonable price; and (c) the copyright owner has not provided notice pursuant to regulations that either of the conditions set forth in (a) and (b) apply.	
Purpose of the copy?	For preservation, scholarship, or research.		

<sup>56</sup> The CONTU (National Commission on New Technological Uses of Copyrighted Works) Commission report, and the guidelines it offered for copying of articles, can be found at: <http://digital-law-online.info/CONTU/contu1.html>.

	Conditions:	The work may be reproduced, distributed, displayed, or performed for the allowed purposes.	
		The reproduction and distribution must be made without any purpose of direct or indirect commercial advantage.	
Medium of the copy?	In facsimile or digital form.		
Other provisions?	This provision permits reproduction, distribution, display, or performance.		
	This provision does not apply to any subsequent uses by users other than the library or archives.		
	Copy must include the notice of copyright from the work, or if no such notice can be found on the work, a legend stating that the work may be protected by copyright.		

<b>Anti-Circumvention of Technological Protection Measures</b>				
Circumvention provisions?	Yes.			
Prohibited Acts?	The Act of Circumvention?	The act of circumvention is prohibited.	§ 1201 (a)(1)(A)	
	Dealing in Devices?	Manufacturing, importing, offering to the public, providing, or trafficking in circumvention devices is prohibited.	§ 1201 (a)(2); § 1201 (b)	
	Providing Services?	Trafficking in circumvention services is prohibited.		
Access Control or Owner's Rights Control?	Both. The provisions relate to technical measures that prevent access to a work or protect a right of the copyright owner.		§ 1201 (a)(2); § 1201 (b)	
Exemptions that could be used by libraries?	Nonprofit libraries, archives, or educational institutions may gain access to a commercially exploited copyrighted work solely in order to make a good faith determination of whether to acquire a copy of that work for the sole purpose of engaging in conduct permitted by the copyright act.			§ 1291 (d)
	Conditions:	The copy may not be retained longer than necessary to make such a good faith determination.		
		The copy may not be used for any other purpose.		
		This exemption is only available where a copy of the work is not reasonably available in another form.		
		This exemption does not permit an institution to manufacture, import, offer to the public, provide or traffic in technological measures.		

		The collections of the library or archives must be open to the public or available not only to researchers affiliated with the library or archives or with the institution of which it is a part, but also to other persons doing research in a specialized field.	
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<b>Miscellaneous</b>			
Unsupervised Machines	Library or archives is not liable for infringements committed from the unsupervised use of reproducing equipment on the premises, provided that the equipment displays a notice that the making of a copy may be subject to copyright law.	§ 108(f)(1)	
Limitation on Remedies	Statutory damages shall be remitted against a library or archive, or an employee or agent, who infringes a work by reproducing it in copies, if the infringer believed and had reasonable grounds for believing that the use was within fair use.	§ 504(c)(2)	
Relationship to Fair Use	Nothing in Section 108 of the Copyright Act affects the right of fair use under Section 107.	§ 108(f)(4); § 108 (f)(2)	
	Nothing in Section 108 excuses the user of a copy received from the library or archives, or made on equipment at the library or archives, from liability for infringement if the user's actions or uses of the copy exceed fair use.		
Relationship to Contracts	Nothing in Section 108 affects any contractual obligations assumed by the library or archives when it acquired a work for its collections.	§ 108(f)(4)	
Audiovisual News	Nothing in Section 108 limits a library's or an archives' ability to reproduce and distribute by lending a limited number of copies and excerpts of an audiovisual news program, subject to Section 108(a), subsections (1), (2), and (3).	§ 108(f)(3)	
Fair Use	The fair use of a work, based on an application of four factors in the statute, is not an infringement of copyright.	§ 107	
Defined Terms	"Copies" are material objects, other than phonorecords, in which a work is fixed by any method now known or later developed, and from which the work can be perceived, reproduced, or otherwise communicated, either directly or with the aid of a machine or device. The term "copies" includes the material object, other than a phonorecord, in which the work is first fixed.	§ 101	
	"Phonorecords" are material objects in which sounds, other than those accompanying a motion picture or other audiovisual work, are fixed by any method now known or later developed, and from which the sounds can be		

	perceived, reproduced, or otherwise communicated, either directly or with the aid of a machine or device. The term “phonorecords” includes the material object in which the sounds are first fixed.	
Source	Copyright Act of the United States, Public Law No. 94-553 (19 October 1976), as amended through Public Law No. 111-295 (9 December 2010), available at <a href="http://www.wipo.int/wipolex/en/text.jsp?file_id=338108">http://www.wipo.int/wipolex/en/text.jsp?file_id=338108</a> ; <i>AND</i> Code of Federal Regulations of the United States, Title 37, compiled as of 3 January 2013, available at <a href="http://www.wipo.int/wipolex/en/text.jsp?file_id=303118">http://www.wipo.int/wipolex/en/text.jsp?file_id=303118</a> .	
Last edited:	17 December 2007; rev. 16 May 2015	

URUGUAY

<b>Library Provisions (none)</b>		
Library Provisions?	The copyright statutes of Uruguay include no explicit library exceptions.	

<b>Anti-Circumvention of Technological Protection Measures</b>			
Circumvention provisions?	Yes.		
Prohibited Acts?	The Act of Circumvention?	The act of circumvention is prohibited.	Art. 46(B)
	Dealing in Devices?	Manufacturing, importing, selling, leasing or providing circumvention devices is prohibited.	Art. 46(B)
	Providing Services?	Trafficking in circumvention services is prohibited.	Art. 46(B)
Access Control or Owner's Rights Control?	Owner's Rights Control. The provisions relate to technical measures taken by the copyright owner to protect the copyright to his works.		Art. 46(B)
Exemptions that could be used by libraries?	No.		

<b>Miscellaneous</b>		
News Exception	Limited right to make copies of news reports.	Art. 45
Commentary, Criticism or Controversy	Can make copies for purposes of commentary, criticism, or controversy.	Art. 45
Source	Law of Copyright of Uruguay, No. 9.739 (17 December 1937), as amended through Law No. 18.046 (24 October 2006), available at <a href="http://www.wipo.int/wipolex/en/text.jsp?file_id=196343">http://www.wipo.int/wipolex/en/text.jsp?file_id=196343</a> .	
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UZBEKISTAN

<b>Replacement</b>		
Who can copy?	Libraries and archives.	Art. 27
	Conditions: None.	
What can be copied?	Published works.	
	Conditions: Only a single copy can be made. Must reference the name of the author and the source of the work used.	
Purpose of the copy?	For restoration or replacement of lost or damaged copies.	
	For providing copies to other libraries and archives that have lost the work from their collection for some reason.	
	Conditions: The purposes cannot be for profit-making.	
Medium of the copy?	Reprographic reproduction. See definition below.	

<b>Research or Study</b>		
Who can copy?	Libraries and archives.	Art. 27
	Conditions: None.	
What can be copied?	Individual articles and small-size works that are published in collections, newspapers, and other periodical editions, including illustrations.	
	Short excerpts from published written works, including illustrations.	
	Conditions: Only a single copy can be made. Must reference the name of the author and the source of the work used.	
Purpose of the copy?	For education and research, by the request of persons.	
	Conditions: The purposes cannot be for profit-making.	
Medium of the copy?	Reprographic reproduction. See definition below.	

<b>Making Available</b>		
Who can communicate?	Libraries.	Art. 26(7)
	Conditions: None.	
What can be communicated?	Works that have been entered into public circulation.	
	Conditions: Including works provided by mutual shared use of library resources. Must include the author's name and the source of borrowing.	
Purpose of the	To provide temporary use of copies of works.	

communication?	Conditions:	None.	
Medium?	Digital copies on the premises of the library.		
Other provisions?	Library may not permit users to make copies of the works in digital form.		

<b>Anti-Circumvention of Technological Protection Measures</b>			
Circumvention provisions?	Yes.		Art. 63
Prohibited Acts?	The Act of Circumvention?	The act of circumvention is prohibited.	
	Dealing in Devices?	Producing, distributing, lending, giving for temporary use, importing, or advertising circumvention devices is prohibited.	
	Providing Services?	Providing circumvention services is prohibited.	
Access Control or Owner's Rights Control?	Both. The provisions relate to technical measures used for protection from infringement; it includes access control and protection processes.		
Exemptions that could be used by libraries?	There are no explicit exemptions for circumvention.		

<b>Miscellaneous</b>			
Defined Terms	Reprographic reproduction includes facsimile reproduction in any size and in any form of one or more copies of originals of written and other works, or copies by the photocopying or with the help of other devices. Reprographic reproduction does not include the storage or reproduction of copies in digital form, except for the case of creation of temporary copies, as a means for reprographic reproduction by use of the device.		Art. 3
Three Step Test	The exceptions are applied only when they do not make any unjustified harm to the normal use of the work and do not infringe in an unreasonable manner the legal interests of the author.		Art. 24
Exhaustive List	Limitations on the rights of owners are allowed only in the cases stated in the statutory exceptions.		Art.24
Personal Copying	Reproduction of published works is permitted for personal purposes without the right owner's consent and without paying remuneration; certain types of works are excluded.		Art. 25
Source	Law of Copyright and Related Rights of Uzbekistan, No. 42 (20 July 2006), available at <a href="http://www.wipo.int/wipolex/en/text.jsp?file_id=222470">http://www.wipo.int/wipolex/en/text.jsp?file_id=222470</a> .		
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VANUATU

<b>Preservation</b>		
Who can copy?	Library or archive that does not operate for commercial gain.	§ 14(1); § 14(3)(a)(i); § 14(3)(b)
	Conditions:   None.	
What can be copied?	A work.	
	Conditions:   In a single copy.	
Purpose of the copy?	To preserve a copy of the work.	
	Conditions:   None.	
Medium of the copy?	Any. See definition of "reproduction."	
Other provisions?	It is impossible to obtain such a copy under reasonable conditions.	

<b>Replacement</b>		
Who can copy?	Library or archive that does not operate for commercial gain.	§ 14(1); § 14(3)(a)(ii); § 14(3)(b)
	Conditions:   None.	
What can be copied?	A copy of the work which has been lost, destroyed, or rendered unusable in the permanent collection of another similar library or archive.	
	Conditions:   In a single copy.	
Purpose of the copy?	To replace a copy of the work.	
	Conditions:   None.	
Medium of the copy?	Any. See definition of "reproduction."	
Other provisions?	It is impossible to obtain such a copy under reasonable conditions.	

<b>Research or Study</b>		
Who can copy?	Library or archive that does not operate for commercial gain.	§ 14(1); § 14(2)
	Conditions:   None.	
What can be copied?	Published article or short extract of a work.	
	Conditions:   In a single copy.	
Purpose of the copy?	To satisfy the request of an individual.	
	Conditions:   The library is satisfied the copy will be used solely for the purposes of study, scholarship, or private research.	
Medium of the copy?	Any. See definition of "reproduction."	
Other provisions?	A collective license to reproduce the work is not available to the library or archive.	

<b>Anti-Circumvention of Technological Protection Measures</b>		
Circumvention provisions?	Yes.	
Prohibited Acts?	The Act of Circumvention?	The act of circumvention is not explicitly prohibited.
		§ 36

	Dealing in Devices?	Manufacturing or importing for sale or rental circumvention devices is prohibited.	§ 36
	Providing Services?	No.	
Access Control or Owner's Rights Control?	Both. The provisions relate to technical measures that prevent reproduction of enable decryption of broadcasts.		§ 36
Exemptions that could be used by libraries?	No.		

<b>Miscellaneous</b>			
Personal Copying	Limited right to make copies for personal use.		§ 10
Temporary Reproduction	Limited right to make temporary copies.		§ 11
Quotation	Limited right to make copies of short parts of a published works in the form of a quotation if compatible with fair practice among other requirements.		§ 12
Educational Copying	Limited right to make copies of a short part of a published work for teaching purposes if compatible with fair practice among other requirements.		§ 13(1); § 13(2)
Research and Study	Fair dealing of a work for research or study is not an infringement.		§ 13(3)
Public Lending	One of the rights of a copyright owner is the right of public lending.		§ 8(1)(h)
Defined Terms	"Reproduction" is the making of one or more copies of a work or sound recording in any manner or form, including any permanent or temporary storage of the work or sound recording in electronic form.		§ 1(1)
	"Public Lending" means the lending by a public institution, such as a public library or archive, of the original or a copy of a work or a sound recording for a limited period of time for nonprofit making purposes.		§ 1(1)
Source	Copyright and Related Rights Act of Vanuatu, No. 42 (29 December 2000), available at <a href="http://www.wipo.int/wipolex/en/text.jsp?file_id=241761">http://www.wipo.int/wipolex/en/text.jsp?file_id=241761</a> .		
Last edited:	27 April 2014; rev. 17 May 2015		

VENEZUELA (BOLIVARIAN REPUBLIC OF)

<b>Preservation and Replacement</b>			
Who can copy?	Noncommercial libraries and archives.		Art. 44(4)
	Conditions:	None.	
What can be copied?	Works where the original is in the permanent stock of the institution.		
	Conditions:	Only a single copy can be made.	
		The copying for other libraries is only permitted insofar as it is not possible to acquire such a copy in due time and on reasonable terms.	
Purpose of the copy?	To preserve the originals and replace them in case of need.		
	To replace in the permanent stocks of other libraries or archives copies that have been mislaid, destroyed, or rendered unusable.		
	Conditions:	None.	
Medium of the copy?	Not specified.		

<b>Anti-Circumvention of Technological Protection Measures</b>	
Circumvention provisions?	None.

<b>Miscellaneous</b>		
Personal Copying	Photomechanical reproduction for exclusive personal use is permitted for small parts of protected works or works out of print, subject to remuneration.	Art. 44(2)
Source	Copyright Law of Venezuela, No. 4.638 (14 August 1993), available at <a href="http://www.wipo.int/wipolex/en/text.jsp?file_id=130135">http://www.wipo.int/wipolex/en/text.jsp?file_id=130135</a> .	
Last edited:	3 December 2007; rev. 17 May 2015	

VIET NAM

<b>Research or Study</b>		
Who can copy?	Libraries.	Art. 25 (1)(e)
	Conditions:   None.	
What can be copied?	Published works.	
	Conditions:   Architectural works, sculptural works, and computer programs are excluded (Article 25(3)).	
	Must indicate the name of the author and the source of the work used (Article 25(2)).	
Purpose of the copy?	For archival and research purpose.	
	Conditions:   None.	
Medium of the copy?	Any. See definition of “reproduce” below.	

<b>Anti-Circumvention of Technological Protection Measures</b>		
Circumvention provisions?	Yes.	Art. 28 (14)
Prohibited Acts?	The Act of Circumvention?   No.	
	Dealing in Devices?   Producing, assembling, altering, distributing, importing, exporting, selling or leasing a circumvention device.	
	Providing Services?   No.	
Access Control or Owner’s Rights Control?	Owner’s Rights Control. The provisions relate to technical measures taken by the copyright owner to protect the copyright to his works.	
Exemptions that could be used by libraries?	There are no explicit exemptions for circumvention.	

<b>Miscellaneous</b>		
Defined Term	“Reproduce” is defined as the making of one or more copies of a work or a phonogram in whatever mode or form, including permanent or provisional backup of the work in electronic form.	Art. 4 (10)
Three Step Test	Use of works under various statutory exceptions, including the library exception, shall not affect the normal exploitation of the works nor prejudice the rights of the authors or copyright owners.	Art. 25(2)
Source	Law of Intellectual Property of Viet Nam, Law No. 50/2005/QH11 (29 November 2005), available at <a href="http://www.wipo.int/wipolex/en/text.jsp?file_id=274445">http://www.wipo.int/wipolex/en/text.jsp?file_id=274445</a> , as amended by Law No. 36/2009/QH12 (19 June 2009), available at <a href="http://www.wipo.int/wipolex/en/text.jsp?file_id=182541">http://www.wipo.int/wipolex/en/text.jsp?file_id=182541</a> .	
Last edited:	7 December 2007; rev. 28 August 2014; rev. 17 May 2015	

YEMEN

<b>Library Provisions (none)</b>		
Library Provisions?	The copyright law of Yemen includes no explicit library provisions.	

<b>Anti-Circumvention of Technological Protection Measures</b>	
Circumvention provisions?	None.

<b>Miscellaneous</b>		
Private Copying	Permits uses of a published work by reading it, quoting paragraphs or chapters from it, summarizing them for personal knowledge, or using them in studies or research. Reference must be made to the work title, author's name, place and date of issue, and chapter, paragraph, or page number.	Art. 15
Source	Intellectual Property Law of Yemen, No. 19 (29 October 1994), available at <a href="http://www.wipo.int/wipolex/en/text.jsp?file_id=224171">http://www.wipo.int/wipolex/en/text.jsp?file_id=224171</a> .	
Last edited:	4 December 2007; rev. 17 May 2015	

ZAMBIA

<b>Preservation and Replacement</b>		
Who can copy?	Libraries and archives designated by the Minister. Conditions: None.	§ 21 (1)(j)
What can be copied?	Items in the collections of the institution. Conditions: None.	
Purpose of the copy?	To preserve or replace the item by placing the copy in the permanent collection in addition to or in place of the item.	
	To replace in the permanent collection of another designated library or archive an item which has been lost, destroyed, or damaged. Conditions: With respect to replacing an item in another library, it must not be reasonably practicable to purchase a copy of the item.	
Medium of the copy?	Any. See definition of "copy" below.	

<b>Anti-Circumvention of Technological Protection Measures</b>			
Circumvention provisions?	Yes.		§ 28(2)
Prohibited Acts?	The Act of Circumvention?	No.	
	Dealing in Devices?	Making or importing for sale or hire a circumvention device is prohibited.	
	Providing Services?	No.	
Access Control or Owner's Rights Control?	Owner's Rights Control. The provisions relate to technical measures that prevent or control the reproduction of a work.		
Exemptions that could be used by libraries?	There are no explicit exemptions for circumvention.		

<b>Miscellaneous</b>		
Personal Copying	Fair dealing with a work for private study or research for non-profit purposes is permitted.	§ 21 (1)(a)
	Fair dealing with a performance or recording for private study or research for non-profit purposes is permitted.	§ 50 (1)(a)
Fair Dealing	Some of the exceptions in Section 21, but not the library exception, are expressed as "fair dealing," and Article 21 employs language of the three-step test: An act is not treated as fair dealing if it conflicts with the normal exploitation of the work, or it unreasonably prejudices the legitimate commercial interests of the copyright owner. Similar language appears at Section 50(2).	§ 2(2)
Orphan Works	The copyright a literary, musical, or artistic work is	§ 21(3)

	not infringed by acts done at a time when the work is of unknown authorship, and it is reasonable to assume that the copyright has expired or that the author died 50 years or more before the beginning of the calendar year in which the act is done or arrangements are made.	
Defined Term	“Copy” means a reproduction of a work or of an adaptation of a work, whatever the medium in which the reproduction is made or stored.	§ 2
Source	Copyright and Performance Rights Act of Zambia, No. 44 (31 December 1994), available at <a href="http://www.wipo.int/wipolex/en/text.jsp?file_id=176492">http://www.wipo.int/wipolex/en/text.jsp?file_id=176492</a> , as amended by Copyright and Performance Rights (Amendment) Act, No. 25 (14 August 2010), available at <a href="http://www.wipo.int/wipolex/en/text.jsp?file_id=215911">http://www.wipo.int/wipolex/en/text.jsp?file_id=215911</a> .	
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ZIMBABWE

<b>Preservation and Replacement</b>			
Who can copy?	Librarians and archivists.		§ 26(1)
	Conditions:	None.	
What can be copied?	Works in the permanent collections of the institutions.		
	Conditions:	The copying is not permitted where it is reasonably practicable to purchase a copy of the work rather than reproducing it.	
		Regulations may prescribe other circumstances in which copying is not permitted.	
Purpose of the copy?	To preserve or replace the work by placing the copy in the permanent collection in addition to or in place of it.		
	To replace in the permanent collection of another library or archive an item which has been lost, destroyed, or damaged.		
	Conditions:	None.	
Medium of the copy?	See definition of "copy" below.		

<b>Research or Study (Unpublished Works)</b>			
Who can copy?	Librarians and archivists.		§ 26(2)
	Conditions:	None.	
What can be copied?	Unpublished works in the permanent collections of the institutions.		
	Conditions:	No person may be supplied with more than one copy of the work.	
		Copying is permitted where the owner of the copyright has not expressly prohibited copy of the work.	
Purpose of the copy?	For research or private study, by request of a person.		
	Conditions:	The person must satisfy the librarian or archivist that he requires the work for the permitted purposes and will not use it for any other purpose.	
Medium of the copy?	See definition of "copy" below.		

<b>Anti-Circumvention of Technological Protection Measures</b>			
Circumvention provisions?	Yes.		§ 129
Prohibited Acts?	The Act of Circumvention?	No.	
	Dealing in Devices?	Making, importing, exporting, selling, letting for hire, offering or exposing for sale or hire, or	

		possessing a circumvention device is prohibited.	
	Providing Services?	Publishing information to enable persons to circumvent technological measures is also prohibited.	
Access Control or Owner's Rights Control?	Owner's Rights Control. The provisions relate to technical measures that prevent or restrict the making of unauthorized copies of a work or that impair the quality of copies made.		
Exemptions that could be used by libraries?	There are no explicit exemptions for circumvention.		

<b>Miscellaneous</b>		
Research Copying	Permits fair dealing of works for the purpose of research or private study by the person using it.	§ 24
Orphan Works	The copyright is not infringed by the doing of anything at a time when, or pursuant to arrangements made at a time when, it is not possible by reasonable inquiry to ascertain the identity of the author and it is reasonable to assume that the copyright has expired or that the author died 50 years or more before the beginning of the calendar year in which the act is done or arrangements are made.	§ 27
Other Prescribed Dealings	Reproduction is also permitted as prescribed by regulation. The regulations must not permit reproduction that is in conflict with a normal exploitation of the work or that unreasonably prejudices the legitimate interests of the copyright owner.	§ 44
Levies	Regulations may establish levies on the use of an apparatus or process for reprographic copying by education institutions and libraries which reproduce or are likely to reproduce works.	§ 135
Compulsory Licenses	The Minister of Justice, Legal and Parliamentary Affairs can provide for the issue of compulsory licenses permitted reproduction, publication, performance, or circulation by educational institutions of any work or for the translation of any work for the purpose of teaching, scholarship, or research or for use in a broadcast for any such purpose. Detailed conditions apply, reflecting the Berne Appendix.	§ 135 (2)(b); § 135(4) & (5)
Defined Term	"Reproduce" means to make a copy of a work in any manner or form, and includes storing the work permanently or temporarily in electronic form.	§ 2
	"Copy", in relation to— (a) a literary or musical work, includes a copy in the form of a record or an audio-visual work; (b) an artistic work, includes a version produced by converting the work into a three-dimensional form or, if it is already in three dimensions, by converting it into a two-dimensional form;	

	(c) an audio-visual work or a broadcast, includes a still photograph made from the audio-visual work or broadcast; (d) an architectural work, does not include anything that is not a building or a model of or for a building; (e) any work, includes a copy held in electronic form and a copy made from a copy of the work.	
Source	Copyright and Neighboring Rights Act of Zimbabwe, Chapter 26:05, Act 11/2000 (2000), as amended through Act 32/2004 (10 September 2004), available at <a href="http://www.wipo.int/wipolex/en/text.jsp?file_id=214696">http://www.wipo.int/wipolex/en/text.jsp?file_id=214696</a> .	
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