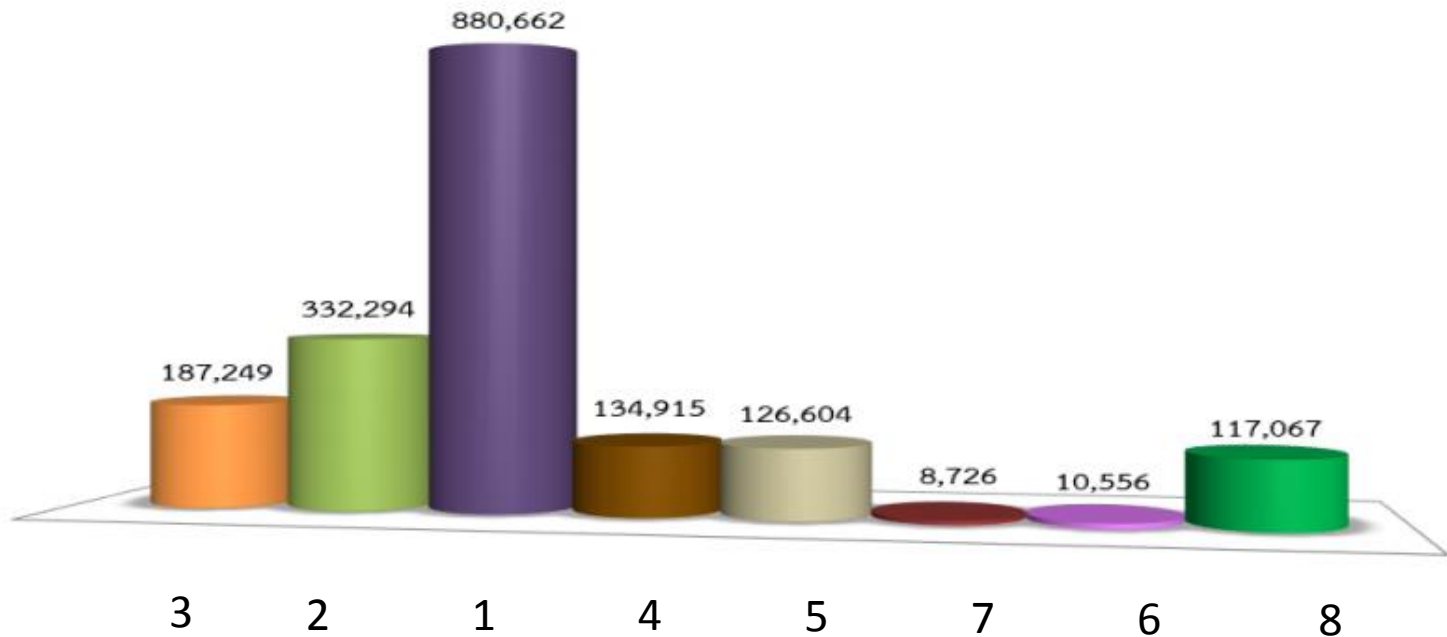


# **The Promotion and the Implementation of the Marrakesh Treaty into National Legislation**

**Thailand**



1 Persons with physical disabilities	880,662 persons
2 Persons with hearing impairments	332,294 persons
3 Persons with visual impairments	187,249 persons
4 Persons with mental or behavioural impairments	134,915 persons
5 Persons with intellectual impairments	126,604 persons
6 Persons with autism	10,556 persons
7 Persons with learning disabilities	8,726 persons
8 Persons with more than one disabilities	117,067 persons

**section 32 of the Copyright Act B.E. 2537 (1994)  
as amended by the Copyright Act (No.3) B.E. 2558 (2015)**

Any act against a copyright work of another person under this Act, which does not conflict with a normal exploitation of the copyright work by the copyright owner and does not unreasonably prejudice the legitimate interests of the author, shall not be deemed an infringement of copyright.

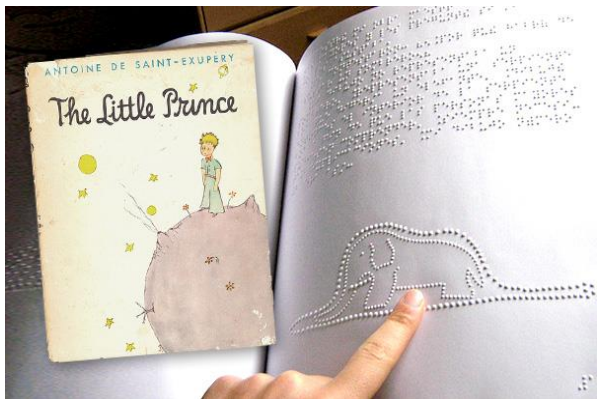
Subject to the provision in the first paragraph, any act against a copyright work referred to in the first paragraph shall be deemed an infringement of copyright provided that such act is any of the following:

- (1) research or study of the work provided that such act is not for profit;
- (2) .....
- (3) .....
- (4) .....

(9) reproduction or adaption of a copyrighted work for a non-profit purpose and for the benefit of a person with disabilities unable to access copyrighted works due to **visual or hearing or intellectual or learning impairments or other disabilities as prescribed by the Ministerial Regulation**; provided that the reproduction or adaptation form, which is necessary for the person with disabilities, and the implementing organisation, as well as and rules and procedures for the reproduction or adaptation, shall comply with a Notification issued by the Minister and published in the Government Gazette.”

# The Copyright Act (No.3) B.E. 2558 (2015)

- reproduction or adaption of a copyrighted work
- for a non-profit purpose
- persons with visual or hearing or intellectual or learning impairments or other disabilities as prescribed by Ministerial Regulation



พยัญชนะไทย

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# **Plans to accede to the Marrakesh Treaty**

- **April 19, 2016** Approval by the Council of Ministers to start the law amendment process in order to prepare for the accession to the Marrakesh Treaty in the near future as proposed by the Ministry of Social Development and Human Security
- The Department of Intellectual Property under the Ministry of Commerce has prepared a new draft amendment of the Copyright Law.
  - The Copyright Law Reform Committee has been appointed by the DG.
  - Several meetings were held. All stakeholders including copyright owners and persons with disabilities were invited to the meetings to consider the draft law.
- **April 21, 2017** Approval by the National Legislative Assembly on Thailand's accession to the Marrakesh Treaty

# Draft amendment

- Include all listed groups of beneficiaries as prescribed in Art. 3 of the Marrakesh Treaty
- Add an exception for the right of distribution & making available & import and export of accessible format copies
- Compatible with the three-step test



The draft amendment is now under the consideration of the Council of State.

**THANK YOU**