

BRITISH COPYRIGHT COUNCIL

The British Copyright Council (BCC) is an association of bodies representing those who create, hold interests and manage rights in literary, dramatic, musical and artistic works, films, sound recordings, broadcasts or other material in which rights of copyright or related right subsist under laws applicable in the United Kingdom, and those who perform such works.

On the proposal for an Audiovisual Treaty, we welcome news that the consultations reported to the Committee are now "maturing views" on the importance of the issue.

The BCC particularly welcomes the requests for a timetable taking forward the Proposal.

Whilst there may well have been advances in technology since the Proposal was debated in 2000, it must be remembered that Treaty provisions already apply for performers whose performances are fixed in audio recordings.

It is to be hoped that examples of the way in which secondary payments are made or provided for actors and other audiovisual performances within many countries will be noted as a way of emphasising the real and practical importance of the rights behind the proposed Treaty.

These practical examples are directly relevant to the rights which are potentially to be properly recognised in the Proposal.

It is to be hoped that these examples will be useful within the fixed timetable for further debate, to be confirmed soon.

On the issue of limitations and exceptions, we welcome the debate on issues relating to facilitating access to persons with print disabilities. However, at the same time it is important to note the recognition given to "the expansive nature of education" within the recent helpful report on the second analytical document on Limitations and Exceptions, against the background of Berne.

In that report it has been noted that some countries formulate a broad national exception for education that includes teaching, research and education uses and multiple subcategories of uses. However, other countries have narrow exceptions which deal with specific and manifold aspects of teaching and research related activities.

These manifold activities can actually promote creativity within educational markets and encourage investment in creative works which, in the end, help to promote education in ways that a holistic approach to exceptions covering education in general may not.

It is to be hoped that this is recalled within the forthcoming debate.

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