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WORLD INTELLECTUAL PROPERTY ORGANIZATION
GENEVA

**DIPLOMATIC CONFERENCE
ON THE PROTECTION OF AUDIOVISUAL PERFORMANCES**

Geneva, December 7 to 20, 2000

AMENDMENT TO ARTICLE 12

OF THE BASIC PROPOSAL FOR THE SUBSTANTIVE PROVISIONS
OF AN INSTRUMENT ON THE PROTECTION OF AUDIOVISUAL PERFORMANCES
TO BE CONSIDERED BY THE DIPLOMATIC CONFERENCE
(DOCUMENT IA/VP/DC/3)

*Proposal by the Delegations of Algeria, Benin, Burkina Faso, Cameroon, Congo,
Côte d'Ivoire, Egypt, Eritrea, Ghana, Guinea, Kenya, Liberia, Madagascar, Mali, Morocco,
Namibia, Nigeria, Senegal, South Africa, Sudan, Togo, Tunisia
and the United Republic of Tanzania*

Article 12

Law Applicable to Exercise of Right of Authorization

In the absence of a written agreement to the contrary, the exercise of any of the exclusive rights of authorization granted under this [Treaty] shall be governed by the law of the country most closely connected with the particular audiovisual fixation.

Agreed statement concerning Article 12

Without prejudice to international obligations, it is understood that the country most closely connected with a particular audiovisual fixation as used in this Article, to the extent that the law applicable to the contract has not been chosen, shall be determined considering the following: (i) the country of which the majority of the performers are nationals; (ii) the country in which the producer has its headquarters; and (iii) the country in which the greater part of the performance took place.

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