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**REVISED SCOPING STUDY ON ACCESS TO COPYRIGHT PROTECTED WORKS
BY PERSONS WITH DISABILITIES**

prepared by Professor Blake E. Reid and Professor Caroline B. Ncube

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EXECUTIVE SUMMARY

Many copyrighted works exist in formats inaccessible to individuals with disabilities. This inaccessibility is problematic, as many countries have passed laws that support equal societal participation for individuals with disabilities. Access to copyrighted content for individuals with disabilities generally requires some type of assistive technology that transforms some or all of the content of the work from one medium to another. However, these transformations can implicate the exclusive rights granted to copyright and related rights holders.

The study was conducted by researchers at the University of Cape Town in South Africa and at the University of Colorado Law School's Samuelson-Glushko Technology Law and Policy Clinic. Researchers augmented the previous scoping study, which involved questionnaires sent to and submitted by member states, with independent research that reviewed and analyzed the copyright regimes of member states and disability provisions within those regimes.

Among other findings, this study discovered that more than half of all member states have some sort of exception for disabilities written into their copyright laws, and that of those members, a third of them provide exceptions for all disabilities.

INTRODUCTION

Almost all WIPO member states have enacted some form of copyright regime that vests exclusive rights in the authors of creative works. This protection, while long-extant and accepted in legal theory around the globe, also intersects with the ability of people with disabilities to access certain copyrighted works in a way that may pose difficulties to accessing those works. Creating and disseminating accessible forms of copyrighted work—for example, a captioned television program or audio version of a book—can present difficulty because doing so can implicate the exclusive rights protected by copyright regimes in WIPO member states, such as the rights to reproduction and distribution.¹ Creating accessible versions of protected works is necessary to ensure that people with disabilities are able to fully participate in and contribute to their societies.

A human-rights based conception of disability emphasizes contextual barriers that can be addressed to improve access for people with disabilities.² A human-rights based conception of disability understands disability as the result of an interaction between an impairment and societal barriers or factors that results in a disabled person being unable to participate equally in society.³

As new technologies like automatic speech recognition begin to materialize, there is great potential to increase access to copyrighted materials and those protected by related rights (“protected works”) by facilitating the accessibility of works at scale. However, it is necessary to

¹ Creating accessible formats may implicate both reproduction and distribution rights. First, altering the content of original copyrighted works to make them accessible often violates the exclusive right of reproduction. Second, accessibility efforts are only effective to the extent they are provided or distributed to individuals with disabilities. Therefore, accessibility efforts may also implicate exclusive distribution rights, too.

² Bill Albert and Rachel Hurst, *Disability and a human rights approach to development*, <https://pdfs.semanticscholar.org/bd51/f5ecf571cf152b45c8cf6195eaa66242eb89.pdf>

³ CRPD prov. 1, Mar. 30, 2007, 2515 U.N.T.S. 3 [hereinafter CRPD].

think prospectively about how copyright and related rights law can flexibly facilitate access for people with disabilities.

In previous sessions of the Standing Committee on Copyright and Related Rights (SCCR), the Member States of the SCCR requested that the WIPO Secretariat commission a scoping paper on limitations and exceptions for persons with disabilities not covered by the Marrakesh Treaty to Facilitate Access to Published Works for Persons who are Blind, Visually Impaired or Otherwise Print Disabled.⁴

This study builds upon the previously commissioned study first presented in November 2017.⁵ However, its methodology is much different. Instead of gathering data directly from WIPO Member States via a tailored questionnaire, the authors of this study independently researched copyright statutes of each WIPO Member State. This study provides further analysis regarding the current state of whether and to what extent Member States have adopted or implemented the measures consistent with the Marrakesh Treaty.

First, this study provides background on the problem of inaccessibility, particularly in the context of copyrighted works. This section of the study aims to further inform Member States on the challenges faced by individuals with disabilities. Furthermore, this section discusses various accessibility technologies that are used to facilitate societal participation for individuals with disabilities.

Second, this study describes the methodology of its findings. Specifically, this section details the independent research conducted by the authors and explains how the authors gathered the data. It also discusses the intentions of this approach in light of the previous study: by conducting independent research rather than asking for responses to questionnaires, the authors of this study were able to gather a wider set of data and tailor research to answer specific questions.

Third, this study analyzes compiled research and identifies clear patterns and trends, including whether disability-specific provisions are used or a general exception and limitation clause is relied upon to facilitate the creation and dissemination of accessible works. Another point of comparison included whether the legislation used a one of these approaches or a combination of both, in which case the approach is characterized as “mixed” or “hybrid.” Because the authors were able to gather information on every WIPO Member State, this section highlights trends at a high level.

Fourth, this study comprehensively details each Member State’s copyright statute, describing whether and to what extent each affords and exceptions or limitations for individuals with disabilities.

⁴ See *e.g.*, WIPO Standing Committee on Copyright and Related Rights, Secretariat’s Draft Report 30th Session, 99 (Sep. 14th, 2015).

⁵ WIPO Standing Committee on Copyright and Related Rights, Scoping Study on Access to Copyright Protected Works by Persons with Disabilities (Nov. 13-17, 2017).

BACKGROUND

This section details specific categories of disabilities and how those disabilities intersect with copyright and related rights, in addition to presenting the potential of machine learning to resolve this intersection of copyright and disability.

People with Disabilities and Accessibility Technologies

The World Health Organization (WHO) estimates that approximately 15% of people have a disability.⁶ Disabilities disproportionately affect those in developing countries.⁷ Furthermore, the WHO claims that the rate of disability is on the rise.⁸ The preamble to the CRPD conceptualizes disability broadly:

Disability results from the interaction between persons with impairments and attitudinal and environmental barriers that hinders their full and effective participation in society on an equal basis with others.⁹

This human rights based conception of disability is a shift from medical models that are viewed as a limitation of the rights of people with disabilities and which bars their full participation in society.¹⁰ As mentioned in the previous study, while each person with a disability faces unique challenges, it is useful to define several distinct, broad categories of disability in order to recognize common needs of these populations.¹¹ This study has identified multiple categories of disabilities, in addition to and overlapping the print disabilities covered by the Marrakesh Treaty, that are affected by access to copyrighted materials.

- *Aural*: People who are deaf or hard of hearing face barriers to accessing audio or audiovisual materials.
- *Visual*: People who are deafblind or otherwise blind and hard of hearing or deaf and visually impaired face challenges to accessing visual, audio, and audiovisual works.
- *Cognitive*: People with cognitive and intellectual disabilities face a spectrum of challenges to accessing a range of protected media including visual, audio, and audiovisual works
- *Physical*: People with physical or motor disabilities are unable to interact physically with the copyrighted material, preventing them from accessing its content including visual, audio, and audiovisual works.
- *Multiple*: People with multiple disabilities face unique challenges as different or multiple transformations are required to access content.

⁶ World Health Organization, Disability and Health Fact Sheet (Nov. 2016), <http://www.who.int/mediacentre/factsheets/fs352/en/>.

⁷ *Id.*

⁸ *Id.*

⁹ CRPD, *supra* note 1, preamble.

¹⁰ See Marit Rasmussen and Oliver Lewis, Introductory Note to the United Nations Convention on the Rights of Persons with Disabilities, 46 I.L.M. 441 (2007).

¹¹ https://www.wipo.int/edocs/mdocs/copyright/en/sccr_35/sccr_35_3_rev.pdf

Persons with a print disability covered by the Marrakesh Treaty are considered in the scope of this study for works not covered under the treaty. Those protected by the definition of the Marrakesh Treaty can benefit from access to protected materials other than print. Print is only one segment of the cultural materials that a person with disabilities accesses to participate equally in their communities. People who qualify as beneficiaries under the Marrakesh Treaty may still be prevented by their disabilities from accessing other protected materials. Concurrently, works in the form of text are also considered for people with disabilities not covered by the definition of the Marrakesh Treaty.

Categories of Protected Works and Disabilities

Copyright and related rights protection in each member state's jurisdiction is generally set out in national legislation. However, national legislation is informed by a country's commitments to minimum levels of protection as agreed to in international treaties that bind it.¹² WIPO-administered international agreements that provide for copyright are the Berne Convention for the Protection of Literary and Artistic Works (Berne),¹³ and the WIPO Copyright Treaty (WCT).¹⁴ The WCT includes anti-circumvention provisions which support right-holders' attempts to provide additional protection of protected materials by technological protection mechanisms. Treaties providing for the protection of related rights include International Convention for the Protection of Performers, Producers of Phonograms and Broadcasting Organizations (Rome Convention) 1961,¹⁵ the TRIPS Agreement 1995,¹⁶ the WIPO Performances and Phonograms Treaty (WPPT) 2002¹⁷ and the Beijing Treaty on Audiovisual Performances (Beijing Treaty) 2012 (not yet in force)¹⁸.

National copyright law protects specific categories of original works that are reduced to material format:

- Literary works,
- Musical works;
- Artistic works;
- Dramatic works;
- Cinematographic works;
- Sound recordings; and
- Broadcasts (usually protected by related rights).

The exclusive rights that right-holders have in relation to these works include:

¹² Some countries may treat treaties as self-executing. See member state Responses in Table 6 Appendix.

¹³ Berne Convention for the Protection of Literary and Artistic Works, 9 September 1886, as amended 28 September 1979. 1161 UNTS 3 (Berne Convention).

¹⁴ WIPO Copyright Treaty, adopted 20 December 1996, entered into force on March 6 2002. 36 ILM 65 (WCT).

¹⁵ International Convention for the Protection of Performers, Producers of Phonograms and Broadcasting Organizations (Rome Convention) Oct. 26, 1961.

¹⁶ TRIPS, *supra* note 15.

¹⁷ WIPO Performances and Phonograms Treaty (WPPT) Dec. 20, 2002.

¹⁸ Beijing Treaty on Audiovisual Performances (Beijing Treaty) Jun. 24, 2012.

- Reproduction;
- Adaptation
- Distribution (including rental and lending)
- Broadcasting by wireless means;
- Other communication to the public by electronic transmission and public performance;
- The ability to enforce import/export restrictions; and
- Enforcement of anti-circumvention measures.¹⁹

The implications of such exclusivity for the making of accessible formats for people with disabilities are discussed further below after the discussion of the categories of works and the accessibility technologies in use.

Dividing disabilities and protected materials into broad categories is a useful framework for understanding how different communities of people with disabilities access different types of content. Transformations of material into other mediums is required to make content accessible for people with disabilities. Some of the major categories we have identified are:

Aural works and disabilities

People with aural disabilities may be unable to adequately perceive sound. As a result, works consisting of or containing aural elements may be inaccessible without the substitution or addition of transformations of the aural components into a visual, tactile, or other format.

A common transformation for aural accessibility is the closed captioning of audiovisual materials such as films and TV programs. The spoken dialogue and other information about the audio contained in the material are transcribed into text that can then be embedded in or distributed alongside the audiovisual components. This allows the person with a disability to access the aural components of the program in an appropriate medium.

Visual works and disabilities

People with visual disabilities may be unable to perceive works fixed in visual mediums and therefore are unable to access some protected works that contain visual components. This includes print works such as books, audiovisual works such as movies and television, content on computers including websites and computer software, and pictorial, graphical or sculptural works.

These works must be at least partially transformed into a medium that is not dependent on visual information. For the blind or visually impaired, the transformation converts the information into auditory or tactile mediums. Information conveyed visually, such as the picture in a movie, must be transformed into an audio description of the image or a tactile description such as braille in order for the person with the visual disability to successfully perceive the content.

¹⁹ Judith Sullivan, *Study on Copyright Limitations and Exceptions for the Visually Impaired*, 16 (2006).

Cognitive and intellectual disabilities and protected works

Cognitive disabilities cover a wide range of disabilities that affect mental processes of a person.²⁰ This includes genetic disabilities such as Down syndrome and autism, learning disabilities like dyslexia, brain injuries from illness or trauma, and dementia.²¹ These disabilities, while related in their cognitive bases, express differently and therefore require a range of transformations to adapt protected content for people with this type of disability.

Most commonly cognitive disabilities express as difficulty in processing complex information, requiring a transformation of material into more easily understood forms. This is referred to as a plain and simple language transformation. Due to the wide variety of causes and needs, people with cognitive disabilities require a range of transformations to fit their individual needs, such as:

- Plain and simple language versions of written and audio works;
- Changes in formatting;
- Text-to-speech technology, which helps people with dyslexia to access print content.²²

Because these disorders affect the processing and perception of a variety of information mediums, the necessary transformations may convert every type of work mentioned in this paper.

Physical disabilities and protected works

People with physical disabilities may face difficulties in interacting with different formats. For example, someone with limited motor ability may not be able to turn the pages of a book, and therefore be unable to read print media without assistance. While there are assistive technologies like automatic page turners, they may or may not work well for a person depending on the specifics of his or her disability.²³ Transforming a print work into an audio work instead may provide greater ease of access.

While many physical disabilities may be covered by the provisions of the Marrakesh Treaty, people with physical disabilities may face other barriers in accessing copyrighted works on their computers and require transformations of software to function on alternate inputs such as voice commands or devices like trackballs or switches to access computer based content such as webpages or video games.²⁴ Computer software ideally is designed to function with a diverse range of alternate inputs but if software is not accessible by default, modifications may be required to allow alternate inputs to interoperate with the software in question.²⁵

²⁰ Disability World, *Cognitive Disability: Information on Intellectual Disabilities*, (Jun. 6, 2016), <https://www.disabled-world.com/disability/types/cognitive/>.

²¹ *Id.*

²² The Yale Center for Creativity and Disability, *Accommodations*, http://dyslexia.yale.edu/DYS_Accommodations.html (last visited Feb. 19, 2019).

²³ Broadened Horizons, *Automatic Page Turner*, <http://www.broadenedhorizons.com/automatic-page-turner-for-books> (last visited Feb. 19, 2019).

²⁴ DO-IT, *Working Together: People with Disabilities and Computer Technology*, <http://www.washington.edu/doing/working-together-people-disabilities-and-computer-technology> (last visited Feb. 19, 2019s).

²⁵ Disabled World, *Assistive Electronic Devices and Software*, <https://www.disabled-world.com/assistivedevices/computer/> (last visited Feb. 19, 2019).

People with multiple disabilities and protected works:

People with multiple disabilities will face challenges to accessing a variety of protected works. People with multiple disabilities require transformations of all facets of works that they are not able to perceive into a medium that they are able to perceive. For example, people who are both blind and deaf (DeafBlind) are unable to access audio and visual materials and require transformations of audiovisual works into tactile formats such as Braille. A person who has both cognitive and aural disabilities may require both captions and plain and simple language transformation of those captions to access aural content. These accessibility transformations may implicate copyright and related rights, thereby requiring the permission of the copyright holder to create and distribute absent an applicable exception or limitation.

Accessibility Technologies and Artificial Intelligence

Closed captioning and audio descriptions are both examples of technologies that enable individuals with disabilities to access copyrighted works for educational, entertainment, and all manner of other purposes. Accessibility technologies like these are at the heart of creating accessible works for people with disabilities, but the economics surrounding efforts to make copyrighted works accessible are complex. Remediating certain types of copyrighted works into accessible formats is often labor-intensive, and current remediation techniques for copyright works can also be costly. Differences between video and text, and differences between aural, visual, and cognitive disabilities means that remediation on a small, individual scale may not be a sustainable way to achieve the goal of wide access to copyrighted works.

As such, an increasingly important factor in accessibility technology is the rise of artificial intelligence (AI) and machine learning. Machine learning, for instance, has the potential to facilitate technologies that could make text easier to understand for persons with cognitive disabilities by producing more comprehensible versions of text automatically, without the use of human editors. Researchers at IBM are working on a language processing software that would replace figures of speech such as “raining cats and dogs” with plainer terms such as “raining hard,” and trim or break up lengthy sentences with multiple clauses and indirect language.²⁶ Google has also used machine learning to develop its Cloud Vision API, which uses neural networks to classify images and extract textual information for those who experience visual impairment.²⁷

Machine learning already in use, like Amazon Alexa or Google Home, also has the potential to be extended to assist individuals with speech and language disabilities.²⁸ These technologies, called artificial cognitive assistants, could one day be utilized as part of a remote caregiver service that could alert hospitals and nurses when someone shows signs of danger or distress.²⁹

²⁶ Tom Smionite, *Machine Learning opens Up New Ways to Help People with Disabilities*, MIT Technology Review (Mar. 23, 2017), <https://www.technologyreview.com/s/603899/machine-learning-opens-up-new-ways-to-help-disabled-people/>

²⁷ Joe Chidzik, *5 Ways AI Could Transform Digital Accessibility*, <https://www.abilitynet.org.uk/news-blogs/5-ways-ai-could-transform-digital-accessibility>

²⁸ Clayton Lewis, *Implications of Developments in Machine Learning for People with Cognitive Disabilities*, Coleman Institute for Cognitive Disabilities (Nov. 2, 2018), <https://www.colemaninstitute.org/wp-content/uploads/2018/12/white-paper-coleman-version-1.pdf>.

²⁹ Id.

Accessibility technologies enabled by machine learning can overcome the inefficiencies in individual remediation by automating otherwise costly accessibility efforts and enabling the ability to remediate works at scale. The use of machine learning is thus an important tool in fulfilling the goal of broader access to materials by persons with disabilities.

METHODOLOGY

This study differs from the previous study (“2017 WIPO Study”) in methodology while continuing to build upon the data gathered in 2017. The 2017 WIPO Study involved questionnaires that were sent to and filled out by member states themselves, while the authors of this study conducted independent research into the copyright regimes of WIPO member states, augmenting the previous study with research tailored to answer specific questions about disability provisions within copyright regimes.

2017 Iteration of Study

The 2017 WIPO Study involved sending out questionnaires to member states and gathering data based on the responses. Questionnaires were distributed to the member states in April 2017 regarding copyright and related rights, which asked member states to provide brief qualitative information about the provisions of their copyright and related rights and accessibility laws. The survey provided important information on the current state of copyright law and disability access in the national law regimes of member states, taking into account the fact that the Marrakesh Treaty’s entry into force took place on September 30, 2016. Since then, a significant number of countries have implemented provisions dealing with disabilities and access to literary works, reflecting a wide range of approaches to works, disabilities, and accessibility measures not covered by the Marrakesh Treaty. However, only 25 member states submitted responses to the survey and only 22 authorized their responses to be published.

2019 Updated Methodology

This report presents the results of the member state questionnaire in addition to independent research to inform further discussion of the current state of national legal frameworks covering the topic of access by people with disabilities to works that are protected by copyright and related rights.

The study incorporates both data from the 2017 questionnaire in addition to independent research conducted by graduate students at the University of Cape Town and student attorneys at the Samuelson-Glushko Technology Law & Policy Clinic at Colorado Law. Collectively, the authors researched the varied copyright laws of all WIPO member states and any provisions within those laws providing for accessible use of copyrighted works for people with disabilities.

While answers to the 2017 questionnaire from various member states are included in this study, the vast majority of research and analysis was done independently and does not reflect any official interpretation on the national legislation. This study relies on a hybrid of independent research and self-reporting to present a fuller picture of the copyright regimes enacted by WIPO member states. The complicated surveys involved in self-reporting analysis were hampered by language barriers and other practical obstacles, while independent research has allowed for clearer analysis of questions.

The WIPOLex website provides easily accessible links to each member state’s copyright statute, but the links are in each country’s native language.³⁰ To solve this problem, the authors utilized online translation tools to correct for such difficulties. The authors acknowledge that reliance on translation tools is not a perfect substitute for gathering insight from member states themselves. The authors welcome any feedback directly from WIPO member states regarding any misunderstandings or mistranslations in the underlying research for this study, and corrections will be made in a future revision to the study report.

Upon compiling this data, the authors were able to draw inferences and arrive at the conclusions discussed in the study’s “Analysis” section. As of January 2019, WIPO TK member states, and the study analyzes each of their copyright statutes.³¹

ANALYSIS

Previous studies have considered exceptions and limitations for educational activities and libraries and archives, respectively.³² These exceptions may apply to persons with disabilities in those contexts—for example, where an educational disability services office remediates a book or video into an accessible format. However, invariably these exceptions and limitations do not, on their own, fully serve persons with disabilities because they do not inherently include the making of accessible formats. In most instances, they must be supplemented by provisions facilitating the making of an accessible format of a work so that it can be used in the applicable context—for example, in an educational context.

This study goes beyond the Marrakesh Treaty by considering other disabilities beyond print, and other works beyond literary and artistic in the form of text and related illustrations. However, it is important to note, at the outset, that the Marrakesh VIP Treaty’s definition of “print disabilities,” includes visual disabilities but also overlaps to some extent with cognitive/intellectual and physical/motor disabilities.

Findings

The study established that there are two main categories of applicable exceptions and limitations: namely, specific and general provisions. These provisions are used in a single or mixed/hybrid approach. In a single approach only general or specific provisions are used. In a mixed/hybrid approach the copyright legislation contains both specific and general provisions. Graphically this is illustrated as follows:

³⁰ WIPO Lex, <https://wipolex.wipo.int/en/main/legislation>

³¹ WIPO member states as of 30 January 30, 2019 at <https://www.wipo.int/members/en/>

³² Kenneth D. Crews, *Study on Copyright Limitations and Exceptions for Libraries and Archives: Updated and Revised* (2017 Edition), SCCR/35/6 (Nov. 2, 2017), available at https://www.wipo.int/edocs/mdocs/copyright/en/sccr_35/sccr_35_6.pdf; Daniel Seng, *Study on Copyright Limitations and Exceptions for Educational Activities*, SCCR/33/6 (Nov. 9, 2016), available at https://www.wipo.int/edocs/mdocs/copyright/en/sccr_33/sccr_33_6.pdf.

Single Approach	Single Approach	Mixed/hybrid approach
<div style="border: 1px solid black; padding: 5px; width: fit-content; margin: 0 auto;">Specific provisions</div>	<div style="border: 1px solid black; padding: 5px; width: fit-content; margin: 0 auto;">General provisions</div>	<div style="border: 1px solid black; padding: 5px; width: fit-content; margin: 0 auto;">General provisions</div> <div style="border: 1px solid black; padding: 5px; width: fit-content; margin: 5px auto;">Specific Provisions</div>

Member state legislation with specific provisions spells out the relevant disabilities (aural, visual, cognitive, or physical). Then it sets out who may make the accessible format copies, which kinds of works and rights are subject to the exception together with which conditions must be met. Some countries also have import/export provisions and anti-circumvention provisions which also allow one to raise the defense that the circumvention was carried out to facilitate the making of accessible format copies which are permitted by relevant exceptions in the copyright legislation (“disability exceptions”). Where such provisions do not exist in the legislation, then the anti-circumvention provisions will hinder the making of accessible format copies. General provisions do not expressly mention disability but they are so broadly worded, as to include the making and dissemination of accessible format copies for the benefit of persons with disabilities.

Single or mixed/hybrid approach

Some WIPO member states have adopted only one of these approaches and have only a specific or general provision in their copyright statutes. Examples of states that have taken this singular approach include Australia and Armenia. Australia’s Copyright Act’s³³ s113E provides for fair dealing for purpose of access by persons with a disability and article 22 of Armenia’s Law on Copyright and Related Rights³⁴ provides for the non-commercial reproduction of works “in braille or other special ways ... for the blind.”

Other WIPO member states have taken a mixed approach and have both specific and general clauses. The U.S. is a prime example of this—the Copyright Act’s fair use doctrine,³⁵ a creature of the United States’ Constitution’s First Amendment,³⁶ is broad enough to permit the making of accessible format copies³⁷ and Sections 121 and 121A of the Copyright Act,³⁸ introduced by the Chafee Amendment³⁹ and updated following the implementation of the Marrakesh Treaty,⁴⁰ provides for an exception to reproduction rights for the benefit of the blind or other people with

³³ Copyright Act 1968 (consolidated as of January 1, 2019) available at <https://wipolex.wipo.int/en/text/501166>

³⁴ Law of the Republic of Armenia of June 15, 2006, on Copyright and Related Rights (as amended on September 30, 2013), available at http://www.wipo.int/wipolex/en/text.jsp?file_id=490086

³⁵ 17 U.S.C. § 107.

³⁶ *Golan v. Holder*, 565 U.S. 302, 328 (2012) (citing *Eldred v. Ashcroft*, 537 U.S. 186, 219 (2003)).

³⁷ *HathiTrust*, 755 F.3d at 101-03.

³⁸ 17 U.S.C. §§ 121, 121A.

³⁹ P.L. 104–197, 110 Stat. 2394 (Sept. 16, 1996).

⁴⁰ Marrakesh Treaty Implementation Act, P.L. 115-261, 132 Stat. 3667 (Oct. 9, 2018).

disabilities. Another example of a country with a mixed approach or a hybrid model is Israel.⁴¹ Section 19 of the Copyright Act contains a fair use clause and sections 28A-28E contain specific provisions, which are discussed in the following section.

Specific Provisions

Specific provisions take two forms of which several examples are given. These examples are not geographically representative because these provisions are not evenly geographically distributed, as will be apparent from the country by country summary tables.

The first type of specific clause provides an exception for making accessible formats copies for persons with disabilities. The United States' Sections 121 and 121A, mentioned above, are examples of such clauses. Other examples are the provisions in the copyright laws of Argentina,⁴² Armenia,⁴³ India⁴⁴ and Israel.⁴⁵

The second type of specific provision is a fair dealing clause that enumerates the making of accessible format copies for persons with disabilities as one of the permitted uses. Australia's Copyright Act 1968 (consolidated as of January 1, 2019) is one example.

There is a significant difference between specific provisions related to fair dealing for purpose of access by persons with a disability and general fair use provisions. They may both be characterized as "general" because they apply to multiple categories of purpose, such as research and criticism based on application of a common balancing test. They differ, however, in the extent of their reach.

Fair use is premised on a non-exhaustive list of permitted purposes that meet the fairness standard as enumerated in the factors to be considered. Specific provisions addressing fair dealing, in contrast, are statutory mechanisms used to facilitate unremunerated and unauthorized uses of copyright-protected works in specific instances. They set out an exhaustive list of permitted purposes and do not enumerate the factors to be considered in determining the fairness of use. They are complemented by a series of other exceptions that provide for other uses such as illustration for teaching and judicial reporting. Courts in some jurisdictions have confirmed that permitted uses under fair dealing clauses are exhaustive, while others are yet to directly address the issue.

⁴¹ Copyright Act, 2007 (as amended on July 28, 2011) available at <https://wipolex.wipo.int/en/text/495410> and amended by the Law for Making Works, Performances and Broadcasts Accessible for Persons with Disabilities (Law Amendments), 2014, available at <http://www.wipo.int/edocs/lexdocs/laws/en/il/il035en.pdf>

⁴² Article 36 of Argentina's Law No. 11.723 of September 28, 1933, on Legal Intellectual Property Regime (Copyright Law, as amended up to Law No. 26.570 of November 25, 2009)

⁴³ Article 22 Law of the Republic of Armenia of June 15, 2006, on Copyright and Related Rights (as amended on September 30, 2013), available at http://www.wipo.int/wipolex/en/text.jsp?file_id=490086. This section provides for free use of materials for persons who are blind.

⁴⁴ section 52 (1) (zb) (rendering of accessible formats for the benefit of persons with any disabilities for private or personal use, educational purpose or research) and s31B (compulsory licenses for making and distributing accessible formats for any other purpose on a commercial basis).

⁴⁵ s28A-E of Israel's Copyright Act, 2007 which was introduced by 2014 amendments (Law for Making Works, Performances and Broadcasts Accessible for Persons with Disabilities (Law Amendments), 2014) the Marrakesh VIP Treaty, the Israeli Supreme Court's decision in HCJ 8536/11 *Bizchut – The Israel Human Rights Centre v Ministry of Education* (Dec. 19, 2013) and the Law for Equality of Rights of Persons with Disabilities 1998.

Fair dealing provisions typically include conditions that are applicable to the use of the work, such as attribution and an indication of the source of the work. Some national statutes such as Australia and Canada's Copyright legislation include a list of factors to be considered in establishing the fairness of the use. The most important aspect of fair dealing clauses is that they have to enumerate the making of accessible formats in the exhaustive list of permitted uses. If they do not, then it is not possible to rely on the fair dealing clause for that purpose. Fair use clauses, in contrast, do not have exhaustive lists of permitted uses and simply include a non-exhaustive or illustrative list. It is this openness that facilitates the making of accessible formats for persons with disabilities.

In some cases, fair dealing clauses are worded in a way that renders them open to any purpose. Where that is the case, they are noted in the both the summary of findings table and the relevant WIPO member state's country table.

General Provisions

General provisions are also of relevance to the extent that they facilitate the making of accessible formats. For instance, U.S. courts have confirmed that the fair use clause permits the making of accessible format copies for persons with visual disabilities.⁴⁶ There is nothing to suggest that other disabilities are excluded.

In Authors Guild v. HathiTrust, the court held that granting print disabled people access to digital copies of universities' collections would constitute a permissible use under the fair use doctrine.⁴⁷

Another example is the fair use provision in sections 11(1) – (2) of Sri Lanka's Intellectual Property Act, No. 36 of 2003, which enables the making of accessible format copies for the benefit of persons with disabilities because it is broadly worded and does not contain an exhaustive list of permitted uses.

Section 19 of Israel's Copyright Act, 2007 (as amended)⁴⁸ also provides for fair use.

This provision, as is the case in the US and Sri Lanka, would permit the rendering of accessible format copies. In addition, sections 28A-E of the Act contain a specific provision that has been mentioned above. Therefore, Israel, akin to the US, has a hybrid model that consists of both specific provisions and a fair use provision.

Summary of Findings on Specific and General Provisions

The table below presents a statistical summary of the prevalence of these clauses across member states.

Table 1: Summary of Findings

⁴⁶ *Sony v. Universal City Studios*, 464 U.S. 417 (1984).

⁴⁷ *HathiTrust*, 755 F.3d at 101-03.

⁴⁸ Copyright Act, 2007 (as amended on July 28, 2011) available at <https://wipo.lex.wipo.int/en/text/495410> and amended by the Law for Making Works, Performances and Broadcasts Accessible for Persons with Disabilities (Law Amendments), 2014, available at <http://www.wipo.int/edocs/lexdocs/laws/en/il/il035en.pdf>.

Exceptions	Number of Countries	Countries
None	91	Afghanistan, Algeria, Andorra, Angola, Antigua & Barbuda, Bahrain, Bangladesh, Barbados, Benin, Bhutan, Bolivia, Botswana, Brunei Darussalam, Burkina Faso, Burundi, Cambodia, Comoros, Congo, Costa Rica, Cuba, Cyprus, Democratic Republic of the Congo, Djibouti, Egypt, Equatorial Guinea, Eritrea, Eswatini, Ethiopia, Gambia, Ghana, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Iran, Iraq, Jordan, Kenya, Kiribati, Lebanon, Lesotho, Libya, Madagascar, Maldives, Mali, Marshall Islands, Mauritania, Monaco, Morocco, Mozambique, Myanmar, Namibia, Niger, Oman, Pakistan, Palau, Papua New Guinea, Qatar, Saint Kitts and Nevis, Saint Lucia, Samoa, San Marino, Saudi Arabia, Senegal, Sierra Leone, Solomon Islands, Somalia, South Africa, Sudan, Suriname, Syrian Arab Republic, Tajikistan, Timor-Leste, Togo, Tonga, Trinidad & Tobago, Tunisia, Turkmenistan, Tuvalu, United Arab Emirates, United Republic of Tanzania, Uzbekistan, Vanuatu, Venezuela, Yemen, Zambia, Zimbabwe
Exception for all disabilities (*does not specify disability)	28	Austria, Belgium, Bosnia and Herzegovina, Croatia, Czech Republic, Ecuador, Estonia, Gabon, Germany, Hungary, India, Israel, Italy, Liechtenstein, Malta, Mexico, Montenegro, Netherlands, Poland, Republic of Moldova, Romania, Sao Tome and Principe, Serbia, Slovakia, Slovenia, Switzerland, Republic of Macedonia, Turkey
Exception for persons with aural disabilities	25	Australia, Bahamas, Belize, Cabo Verde, Chile, Cote d'Ivoire, Denmark, Fiji, Greece, Ireland, Jamaica, Japan, Liberia, Lithuania, Luxembourg, Malaysia, Mongolia, New Zealand, Niue, Norway, Saint Vincent and the Grenadines, Thailand, Uganda, United Kingdom, United States of America
Exception for persons with cognitive/mental disabilities	22	Albania, Argentina, Australia, Belize, Cabo Verde, Canada, Fiji, France, Ireland, Japan, Latvia, Lithuania, Malaysia, New Zealand, Niue, Philippines, Saint Vincent and the Grenadines, Singapore, Spain, Thailand, United Kingdom, Uruguay

Exception for persons with physical disabilities	19	Argentina, Australia, Belize, Cote d'Ivoire, Denmark, Dominican Republic, Fiji, France, Ireland, Latvia, Lithuania, Malaysia, New Zealand, Niue, Saint Vincent and the Grenadines, Spain, Thailand, United Kingdom, Uruguay
Exception for persons with visual disabilities only limited to print/text works	24	Argentina, Armenia, Azerbaijan, Belarus, Brazil, Bulgaria, Cameroon, China, Democratic People's Republic of Korea, Georgia, Grenada, Indonesia, Kazakhstan, Lao People's Democratic Republic, Mauritius, Nicaragua, Panama, Paraguay, Peru, Philippines, Rwanda, Ukraine, Uruguay, Vietnam
Exception for persons with visual disabilities beyond print/text works/works not specified	72	Albania, Australia, Austria, Bahamas, Belize, Bosnia and Herzegovina, Cabo Verde, Canada, Chile, Colombia, Cook Islands, Cote d'Ivoire, Croatia, Czech Republic, Denmark, Ecuador, El Salvador, Estonia, Fiji, Finland, France, Gabon, German, Greece, Hungary, Iceland, India, Ireland, Israel, Italy, Jamaica, Japan, Kuwait, Kyrgyzstan, Latvia, Liberia, Liechtenstein, Lithuania, Luxembourg, Malawi, Malaysia, Malta, Mexico, Mongolia, Montenegro, Netherlands, New Zealand, Nigeria, Niue, Norway, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Saint Vincent and the Grenadines, Sao Tome and Principe, Serbia, Seychelles, Singapore, Slovakia, Spain, Sweden, Switzerland, Thailand, The former Yugoslav Republic of Macedonia, Turkey, Uganda, United Kingdom, United States of America
General provisions (fair use) that enable the making of accessible format copies	6	Dominica, Israel, Kyrgyzstan, Micronesia, Sri Lanka, United States of America
Import/export provisions	13	Canada (import and export), Cook Islands (import and export), Indonesia (import and export), Japan (import and export), Liberia (Import), Mauritius (import and export), Norway (import and export), Rwanda (import), Seychelles (import), Singapore (import and export), Slovakia (import and export), Switzerland (Export), United States of America (import and export)

Anti-Circumvention of Technological Protection Measures – Exemption for Disability	23	Argentina, Australia, Belarus, Cook Islands, Croatia, Denmark, Ecuador, France, Germany, Greece, Indonesia, Jamaica, Japan, Liberia, Lithuania, Malawi, Netherlands, Portugal, Romania, Singapore, Slovakia, Sweden, United States of America
Does not specifically refer to disabilities, but generally allows for modification, translation, alteration, or development into another work	1	Kuwait
Could not ascertain because of language barrier	3	Central African Republic, Holy See, Russian Federation

/...

COMPREHENSIVE FINDINGS FOR EACH MEMBER STATE

The following tables indicate whether the relevant member state has provisions that allow persons with a disability (or persons or entities acting on their behalf) to alter the original work (to make the work accessible to persons with disabilities) without the authorization of the copyright holder. These provisions are referred to as 'specific provisions.' Where national legislation contains these specific provisions, the table also indicates the following:

- a) Who may make accessible format copies
- b) Any applicable conditions
- c) Types of Works to which the provision applies
- d) which exclusive rights may be abridged in relation to the work.
- e) Whether there are any import/export provisions
- f) Whether there are any other relevant provisions, e.g. anti - circumvention provisions which provide an exception for disability

The tables also include a section covering 'general provisions' that enable the making of accessible formats such as fair use provisions.

Afghanistan

Specific Provisions	None
General Provisions	None
Marrakesh VIP Treaty	Signature: June 28, 2013 Ratification: July 26, 2018 In force: October 26, 2018
Source	Law Supporting the Rights of Authors, Composers, Artists and Researchers (Copyright Law) Adopted: July 21, 2008, available at http://www.wipo.int/wipolex/en/text.jsp?file_id=241541

Albania

Specific Provisions	Article 77 The use of works intended for disabled persons 1. The use of the copyright works shall be permitted for the natural and legal persons, approved by the respective state institution which represents the interests of disabled persons, when they act without economic profit purposes, without the authorization of the author of a work or the holder of the copyright for this work, and with no reward, but by showing, whenever possible, the source, including the name of the author, to use a work lawfully published or transmitting to the public, as is provided in paragraphs 2 and 3 of this Article, provided the condition that only disabled persons will have the possibility to use and access these works, to the	Art 77
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	<p>extent demanded by the specific disability, with the exception of the works created specifically for this purpose.</p> <p>2. For the purpose of the limitation provided for in paragraph 1 of this Article, shall be permitted to be reproduced, published, adapted and communicated for the public, including even the making available to the public of a work through computer networks (internet), by means of an audio version or in electronic form, and by means of a version in the form of reading and writing on reliefs of the work (Braille).</p> <p>3. The use of copyright works shall be permitted for the persons with mental disabilities and of the reading ones, in order to reproduce, publish, adapt, and to communicate to the public, including even the making available to the public of a work by computer networks (internet), works specially tailored to these people. The adjustment of the works for these people means a linguistic transformation of the works in such a way as to make them accessible for people with such disabilities</p>	
Which disabilities are provided for?	<ul style="list-style-type: none"> • Mental • Reading • Visual 	
Who may make accessible formats?	Natural and legal persons	
Conditions	<ul style="list-style-type: none"> • approval by the relevant state institution, representing the interests of persons with disabilities • Cannot be for profit • Indication of source, including the author's name • using a legitimate or publicly-published work <p>Only persons with disabilities will have the opportunity to use and access these works, to the extent that dictates specific invalidity, with the exception of works specifically created for this purpose</p>	
Works	Unspecified	
Exclusive rights	<ul style="list-style-type: none"> • Reproduction • Publication • Adaptation (Adapting works to these persons means a linguistic transformation of works in such a way as to make them accessible.) • Communication to the public, including even the making available to the public of a work through computer networks (internet), by means of an audio version or in electronic form, and by means of a version in the form of reading and writing on reliefs of the work (Braille). 	
Import/export provisions	None	

Other provisions?	None	
Marrakesh VIP Treaty	None	
Source	Law No. 35/2016 of March 31, 2016, on Copyright and Related Rights; available at https://wipolex.wipo.int/en/text/490547	

Algeria

Specific Provisions	None	
General Provisions	None	
Marrakesh VIP Treaty	None	
Source	Copyrights and Related Rights Act of Algeria, No. 03-05 (19 July 2003), available at https://wipolex.wipo.int/en/text/178342	

Andorra

Specific Provisions	None	
General Provisions	None	
Marrakesh VIP Treaty	None	
Source	Law on Copyright and Neighboring Rights of Andorra, No. 38 (10 June 1999), available at http://www.wipo.int/wipolex/en/text.jsp?file_id=192960 .	

Angola

Specific Provisions	None	
General Provisions	None	
Marrakesh VIP Treaty	None	

Source	Law on Author's Rights of Angola, No. 4/90 (10 March 1990), available at http://www.wipo.int/wipolex/en/text.jsp?file_id=179377
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Antigua and Barbuda

Specific Provisions	None
General Provisions	None
Marrakesh VIP Treaty	None
Source	Copyright Act of Antigua and Barbuda, No. 22 (18 December 2003), available at http://www.wipo.int/wipolex/en/text.jsp?file_id=180198 .

Argentina

Specific Provisions	The reproduction and distribution of scientific or literary works used in special systems for the unsighted or persons with other sensory disabilities shall be exempt from the payment of copyright fees, provided that such reproduction and distribution are handled by authorized bodies.	Art 36
Which disabilities are provided for?	<ul style="list-style-type: none"> • Visual • Sensory – meaning severe visual impairment, amblyopia, dyslexia or any other physical or neurological impairment which affects the reading, handling or understanding of conventionally printed texts” 	
Who may make accessible formats?	<p>Authorized bodies.</p> <p>“Authorized body” means a State entity or non-profit association with legal status, whose primary task is to assist the unsighted or persons with other sensory disabilities</p>	
Conditions	<ul style="list-style-type: none"> • The exemption shall not apply to the reproduction and distribution of works which were originally published in special systems for the visually impaired or persons with other sensory disabilities and which are available commercially. • The following information must be recorded for works which are reproduced and distributed using special systems: the details of the authorized body, the date of original publication and the name of the individual or legal entity holding the copyright. • Likewise, there must be a warning that those making unauthorized use of these reproductions are liable to imprisonment, in accordance with Article 172 of the Criminal Code 	

	<p>---</p> <p>“Special systems” mean Braille, digital texts and audio recordings, provided that these are solely intended for the persons referred to in the previous paragraph;</p>	
Works	<ul style="list-style-type: none"> • “Scientific works” – meaning treaties, texts, popular science books, articles from specialized journals, and any material relating to the various branches of science or technology; • “Literary works” mean poetry, short stories, novels, philosophy, history, essays, encyclopaedias, dictionaries, texts and all other writings in which form and content combine to express knowledge and ideas of universal or national interest; 	
Exclusive Rights	<ul style="list-style-type: none"> • Reproduction • Distribution 	
General provisions	None	
Import/export provisions	None	
Other provisions?	<p>Anti-circumvention</p> <p>This exemption shall also cover works that are distributed electronically, encrypted or protected by any other system which prevents them being read by unauthorized persons.</p> <p>The authorized bodies shall allocate and administer the access codes to the protected Works.</p> <p>-----</p> <p>“Encrypted” means material ciphered in such a way that it cannot be read by persons who do not have an access code. The use of such protection or a similar system is deemed essential for the purpose of this exemption, given that unprotected dissemination could unreasonably prejudice the legitimate interests of the author or impede the normal exploitation of the works;</p> <p>“Authorized body” means a State entity or non-profit association with legal status, whose primary task is to assist the unsighted or persons with other sensory disabilities;</p>	
Marrakesh VIP Treaty	<p>Signature: May 21, 2014</p> <p>Ratification: April 1, 2015</p> <p>In force: September 30, 2016</p>	
Source	<p>Law No. 11.723 of September 28, 1933, on Legal Intellectual Property Regime (Copyright Law, as amended up to Law No. 26.570 of November 25, 2009), available at</p> <p>http://www.wipo.int/wipolex/en/text.jsp?file_id=225488</p>	

Armenia

Specific Provisions		Art 22(h)
Which disabilities are provided for?	Blindness	
Who may make accessible formats?	Unspecified	
Conditions:	<ul style="list-style-type: none"> • Indication of the author's name and the primary source of the product, which is not contrary to the requirements of the normal exploitation of the work and does not harm the legitimate interests of the author in relation to the product. • Lawfully published • Cannot be for profit 	
Works	Unspecified	
Exclusive rights	Reproduction	
General Provisions	None	
Import/export provisions	None	
Other provisions?	None	
Marrakesh VIP Treaty	None	
Source	Law of the Republic of Armenia of June 15, 2006, on Copyright and Related Rights (as amended on September 30, 2013), available at http://www.wipo.int/wipolex/en/text.jsp?file_id=490086	

Australia

Specific Provisions	<p>113E Fair dealing for purpose of access by persons with a disability</p> <p>(1) A fair dealing with copyright material does not infringe copyright in the material if the dealing is for the purpose of one or more persons with a disability having access to copyright material (whether the dealing is by any of those persons or by another person).</p> <p>(2) The matters to which regard must be had, in determining whether the dealing is a fair dealing for the purposes of this section, include the following matters:</p> <p>(a) the purpose and character of the dealing; (b) the nature of the copyright material; (c) the effect of the dealing upon the potential market for, or value of, the</p>	S10 S113D-F
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	<p>material; (d) if only part of the material is dealt with—the amount and substantiality of the part dealt with, taken in relation to the whole material.</p> <p>113F Use of copyright material by organisations assisting persons with a disability An organisation assisting persons with a disability, or a person acting on behalf of such an organisation, does not infringe copyright in copyright material by using the material if:</p> <p>(a) the use is for the sole purpose of assisting one or more persons with a disability to access the material in a format that the person or persons require because of the disability (whether the access is provided by or on behalf of the organisation or by another body or person); and</p> <p>(b) the organisation, or the person acting on behalf of the organisation, is satisfied that the material (or a relevant part of the material) cannot be obtained in that format within a reasonable time at an ordinary commercial price</p> <p>Section 10: “person with a disability means a person with a disability that causes the person difficulty in reading, viewing, hearing or comprehending copyright material in a particular form.”</p> <p>“organisation assisting persons with a disability means:</p> <p>(a) an educational institution; or</p> <p>(b) a not-for-profit organisation with a principal function of providing assistance to persons with a disability (whether or not the organisation has other principal functions).”</p>	
Which disabilities are provided for?	<ul style="list-style-type: none"> • Visual • Aural • Cognitive • Physical 	
Who may make accessible formats?	<ul style="list-style-type: none"> • Persons with a disability • An organisation assisting persons with a disability, or a person acting on behalf of such an organisation • Persons holding print disability radio licenses 	
Conditions	<ul style="list-style-type: none"> • Must consider: <ul style="list-style-type: none"> ○ the purpose and character of the dealing; ○ the nature of the copyright material; ○ the effect of the dealing upon the potential market for, or value of, the material; ○ if only part of the material is dealt with—the amount and substantiality of the part dealt with, taken in relation to the whole material. • the use must be for the sole purpose of assisting one or more persons with a disability to access the 	

	<p>material in a format that the person or persons require because of the disability; and</p> <ul style="list-style-type: none"> the organisation, or the person acting on behalf of the organisation, must be satisfied that the material (or a relevant part of the material) cannot be obtained in that format within a reasonable time at an ordinary commercial price <p>Work must be published</p>	
Works	<ul style="list-style-type: none"> Literary Dramatic Sound recordings 	
Exclusive rights	Unspecified	
General Provisions	None	
Import/export provisions	None	
Other provisions?	Anti-Circumvention: 113D Note 2: A person may circumvent an access control technological protection measure to enable the person to do an act that, under this Part, does not infringe copyright (if the act is prescribed by regulations made for the purposes of paragraph 116AN(9)(c)).	
Marrakesh VIP Treaty	Signature: June 23, 2014 Ratification: December 10, 2015 In force: September 30, 2016	
Source	Copyright Act 1968 (consolidated as of January 1, 2019) available at https://wipolex.wipo.int/en/text/501165	

Austria

Specific Provisions		Sec 21 and Sec 42D
Which disabilities are provided for?	Unspecified	
Who may make accessible formats?	Unspecified	
Conditions	<ul style="list-style-type: none"> Work must be published Work must be either unavailable to or substantially difficult to use for disabled person 	

Works	Unspecified
Exclusive rights	<ul style="list-style-type: none"> • Reproduction • Adaptation • Distribution • Communication to the public, making available to the public in such a way that members of the public may access the work at a place and time individually chosen by them
General Provisions	None
Import/export provisions	None
Other provisions?	None
Marrakesh VIP Treaty	Signature: June 25, 2014
Source	<p>Federal Law on Copyright in Literary and Artistic Works and Related Rights (Copyright Law 1936, as amended up to Federal Law published in the Federal Law Gazette I No. 63/2018 (BGBl. I No. 63/2018))</p> <p>Consolidated Federal Law: Entire Legislation for Copyright Law, version of 28.01.2019, available at https://www.ris.bka.gv.at/GeltendeFassung.wxe?Abfrage=Bundesnormen&Gesetzesnummer=10001848</p>

Azerbaijan

Specific Provisions	<p>Article 19. Use of a Works for informational, scientific, educational and other purposes</p> <p>The following shall be permitted without the consent of the author or other copyright holder and without paying the author's remuneration, but with mandatory indication of the author's name and of the source of borrowing:</p> <p>6. the reproduction of lawfully published works in Braille characters or other special means without commercial purpose (except for the works created especially for publication by such means)</p>	Art 19(6)
Which disabilities are provided for?	Visual	
Who may make accessible formats?	Unspecified	
Conditions	<ul style="list-style-type: none"> • Lawfully published works 	

	<ul style="list-style-type: none"> Without commercial purpose (except for the works created especially for publication by such means). Mandatory indication of the author's name and of the source of borrowing. 	
Exclusive rights	Reproduction	
General Provisions	None	
Import/export provisions	None	
Other provisions?	None	
Marrakesh VIP Treaty	Accession: September 24, 2018 In force: December 24, 2018	
Source	Law of the Republic of Azerbaijan on Copyright and Related Rights (as amended up to Law No. 636-IVQD of April 30, 2013), available at https://wipolex.wipo.int/en/text/317315 .	

Bahamas

Specific Provisions	<p>75. Notwithstanding the provisions of section 9, the following are not infringement of copyright</p> <p>(b) performance of a non-dramatic, literary or musical work or display of a work, by or in the course of a transmission, if —</p> <p>(i) the performance or display is a regular part of the systematic instructional activities of a governmental body or educational establishment, (ii) the performance or display is directly related and is of material assistance to the teaching content of the transmission, and</p> <p>(iii) the transmission is made primarily for —</p> <p>(B) reception by persons to whom the transmission is directed because their disabilities or other special circumstances prevent their attendance in classrooms or similar places of instruction,</p> <p>(g) performance of non-dramatic literary work, by or in the course of transmission specifically designed for and primarily directed to blind or other handicapped persons who are unable to read normal printed material as a result of their handicap, or deaf or other handicapped persons who are unable to hear the aural signals accompanying a transmission of visual signals, if the performance is made</p>	Section 75 b, g, h
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	<p>without any purpose of direct or indirect commercial advantage and its transmission is made through the facilities of — (i) a governmental body, or (ii) a cable system, or (iii) a non-commercial educational broadcast station;</p> <p>(h) performance on a single occasion of a dramatic literary work published at least five years before the date of the performance, by or in the course of a transmission specifically designed for and primarily directed to blind or other handicapped persons who are unable to read normal printed material as a result of the handicap, if the performance is made without any purpose of direct or indirect commercial advantage and its transmission is made through the facilities of a governmental body.</p>	
Which disabilities are provided for?	<ul style="list-style-type: none"> • Blindness • Deafness • Other 	
Who may make accessible formats?	<ul style="list-style-type: none"> • Government body • Cable system • Non-commercial educational broadcast station 	
Conditions:	<ul style="list-style-type: none"> • Transmission must be made primarily for reception by persons to whom the • transmission is directed because of their • disabilities • Cannot be for-profit, unless covered by 75(b) (iii)(B) • Work must have been published for at least 5 years, unless covered by 75(b)(iii)(B) 	
Works	<ul style="list-style-type: none"> • Non-dramatic • Literary • Musical 	
Exclusive rights	Performance	
General Provisions	None	
Import/export provisions	None	
Other provisions?	None	
Marrakesh VIP Treaty	None	
Source	Copyright Chapter 323, available at http://www.wipo.int/edocs/lexdocs/laws/en/bs/bs001en.pdf	

Bahrain

Specific Provisions	None
General Provisions	None
Marrakesh VIP Treaty	None
Source	Law Relating to the Protection of Copyright and Neighboring Rights of Bahrain, Act No. 22 (25 June 2006), available at http://www.wipo.int/wipolex/en/text.jsp?file_id=255293 .

Bangladesh

Specific Provisions	None
General Provisions	None
Marrakesh VIP Treaty	None
Source	Copyright Act of Bangladesh, No. XXVIII (18 July 2000), available at http://copyrightoffice.portal.gov.bd/sites/default/files/files/copyrightoffice.portal.gov.bd/law/121de2e9_9bc9_4944_bfef_0a12af0864a5/Copyright,2000(1)%20(2).pdf

Barbados

Specific Provisions	None
General Provisions	None
Marrakesh VIP Treaty	None
Source	Copyright Act of Barbados (5 March 1998), as amended through Copyright (Amendment) Act 2006-1 (23 February 2006), available at http://www.wipo.int/wipolex/en/text.jsp?file_id=191403 .

Belarus

Specific Provisions		Art 34
Which disabilities are provided for?	Visual	
Who may make accessible formats?	Unspecified	
Conditions:	<ul style="list-style-type: none"> • The source/author must be indicated. • Each copy of the work shall contain direct indication that this copy is intended for visually disabled people. Distribution of such copies of works shall be carried out in the ways preventing wide access of people to whom they are not intended. 	
Works	"duly disclosed works" excluding "works specially created for the respective means of representation and works in the form of sound records and objects of related rights"	
Exclusive rights	<ul style="list-style-type: none"> • Representation • Distribution 	
General Provisions	None	
Import/export provisions	None	
Other provisions?	Anti-Circumvention - The holder of the right to another person, who has applied technological measures or who is authorized or has the opportunity to remove them, shall, with a view to ensuring the effective implementation of paragraph 1 of this Article, clearly and distinctly indicate the application of technological measures for each copy of copyrighted work that has been produced for the purpose of trading, including information on the technological measure and its effects, as well as its name and contact address.	
Marrakesh VIP Treaty	None	
Source	Law of the Republic of Belarus No. 262-Z of May 17, 2011, on Copyright and Related Rights, available at http://www.wipo.int/edocs/lexdocs/laws/en/by/by058en.pdf	

Belgium

Specific Provisions		Art XI.190, 15° & 17°
Which disabilities are provided for?	Unspecified	

Who may make accessible formats?	Unspecified	
Conditions:	<ul style="list-style-type: none"> • The reproduction and communication to the public of works for the benefit of people with a disability, which are directly related to that disability and of a non-commercial nature, to the extent required by the specific disability and insofar it does not conflict with a normal exploitation of the work and it does not unreasonably prejudice the legitimate interests of the author • The reproduction of broadcasts made by recognized hospitals, prisons, and institutions providing help to the youth or providing help to disabled persons, insofar these hospitals, prisons, or institutions do not pursue a lucrative goal and that the reproduction is reserved to the exclusive use of physical persons who are living there. 	
Works	Unspecified	
Exclusive rights	<ul style="list-style-type: none"> • Reproduction • Distribution 	
General Provisions	None	
Import/export provisions	None	
Other provisions?	None	
Marrakesh VIP Treaty	Signature: June 25, 2014	
Source	Law of June 30, 1994, on Copyright and Neighboring Rights (as amended by the Law of April 3, 1995, available at https://wipolex.wipo.int/en/text/125254)	

Belize

Specific Provisions	<p>83.-(1) A designated body may, for the purpose of providing people who are hearing-impaired, or physically or mentally handicapped in other ways, with copies which are sub-titled or otherwise modified for their special needs, make copies of television broadcasts or cable programs and issue copies to the public, without infringing any copyright in the broadcasts or cable programs or works included in them.</p> <p>(2) A “designated body” means a body designated for the purposes of this section by Order of the Minister, who shall not designate a body unless he is satisfied that it is not established or conducted for profit.</p> <p>(3) An Order made under subsection (1) shall be subject to negative resolution by the House of Representatives.</p>	Sec 83
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Which disabilities are provided for?	<ul style="list-style-type: none"> • Aural • Physical • Mental 	
Who may make accessible formats?	“designated bodies”	
Conditions:	<ul style="list-style-type: none"> • Cannot be for profit • Subject to a “negative resolution” by the House of Representatives 	
Works	<ul style="list-style-type: none"> • Television broadcasts • Cable programs 	
Exclusive rights	<ul style="list-style-type: none"> • Reproduction • Distribution 	
General Provisions	None	
Import/export provisions	None	
Other provisions?	None	
Marrakesh VIP Treaty	Accession: November 9, 2018 In Force: February 9, 2019	
Source	Copyright Act, available at http://www.wipo.int/edocs/lexdocs/laws/en/bz/bz019en.pdf	

Benin

Specific Provisions	None
General Provisions	None
Marrakesh VIP Treaty	None

Source	<p>Law of Copyright and Neighboring Rights of Benin, No. 2005-30 (5 April 2006), available at http://www.wipo.int/wipolex/en/text.jsp?file_id=260895</p> <p>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</p>
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Bhutan

Specific Provisions	None
General provisions	None
Marrakesh VIP Treaty	None
Source	Copyright Act of the Kingdom of Bhutan, 2001, available at https://wipolex.wipo.int/en/text/166215

Bolivia (Plurinational State of)

Specific Provisions	None
General Provisions	None
Marrakesh VIP Treaty	None
Source	<p>Law on Copyright of Bolivia, No. 1322 (13 April 1992), available at http://www.wipo.int/wipolex/en/text.jsp?file_id=225957.</p> <p>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.</p>

Bosnia and Herzegovina

Specific Provisions	<p>Article 42 (Disabled Persons) The reproduction and distribution of a work shall be allowed for the benefit of disabled persons if such work is not available in the desired form, if the use thereof is</p>	Art 42
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	directly related to the disability of such persons and limited to the extent of it, and if it is not done with the intention to gain direct or indirect economic advantage. In that case, the source and authorship shall be indicated if they are indicated on the work used.	
Which disabilities are provided for?	Unspecified	
Who may make accessible formats?	Unspecified	
Conditions:	<ul style="list-style-type: none"> • Cannot be done with the intention to gain direct or indirect economic advantage • The use must be “directly related to the disability of such persons and limited to the extent of it” • Source and authorship must be indicated if indicated on the work used • Work must be unavailable in the desired form 	
Works	Unspecified	
Exclusive rights	<ul style="list-style-type: none"> • Reproduction • Distribution 	
General Provisions	None	
Import/export provisions	None	
Other provisions?	None	
Marrakesh VIP Treaty	Signature: June 28, 2013	
Source	Copyright and Related Rights Law, available at http://www.wipo.int/edocs/lexdocs/laws/en/ba/ba011en.pdf	

Botswana

Specific Provisions	None
General Provisions	None
Marrakesh VIP Treaty	Accession: October 5, 2016 Entry into force January 5, 2017
Source	Copyright & Neighboring Rights Act, 2000 (Act No. 6 of 2006), available at http://www.wipo.int/wipolex/en/text.jsp?file_id=224943 .

Brazil

Specific Provisions	Art. 46. Does not constitute copyright infringement: I - reproduction: d) of literary, artistic or scientific works, for the exclusive use of the visually impaired, where the non-commercial reproduction is made by the Braille system or other procedure on any medium for those recipients	Art. 46(l)(d)
Which disabilities are provided for?	Visual	
Who may make accessible formats?	Unspecified	
Conditions:	<ul style="list-style-type: none"> • Cannot be for profit • Must be for the exclusive use of the visually impaired 	
Works	<ul style="list-style-type: none"> • Literary • Artistic • Scientific 	
Exclusive rights	Reproduction	
General Provisions	None	
Import/export provisions	None	
Other provisions?	None	
Marrakesh VIP Treaty	Signature: June 38, 2013 Ratification: December 11, 2015 In Force: September 30, 2016	
Source	Law No. 9.610 of February 19, 1998 (Law on Copyright and Neighbouring Rights, as amended by Law No. 12.853 of August 14, 2013), available at https://wipolex.wipo.int/en/text/492818	

Brunei Darussalam

Specific Provisions	None
General Provisions	None

Marrakesh VIP Treaty	None
Source	Emergency Copyright Order of Brunei Darussalam, No. S 14 (18 December 1999), available at http://www.wipo.int/wipolex/en/text.jsp?file_id=187417 .

Bulgaria

Specific Provisions	Art. 24. The following shall be permissible without the consent of the copyright holder and without payment of compensation: 10. Reproduction of already disclosed works in Braille or another analogous method, if not done for gainful purposes.	Art 24(10)
Which disabilities are provided for?	<ul style="list-style-type: none"> • Visual • Persons needing analogous formats 	
Who may make accessible formats?	Unspecified	
Conditions:	Cannot be done for gainful purposes	
Works	Unspecified	
Exclusive rights	Unspecified	
General Provisions	None	
Import/export provisions	None	
Other provisions?	None	
Marrakesh VIP Treaty	None	
Source	Law of Copyright and Neighboring Rights of Bulgaria, No. 56 (29 June 1993), as amended through SG 25 (25 March 2011), available at https://wipolex.wipo.int/en/text/125323	

Burkina Faso

Specific Provisions	None
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General Provisions	None
Marrakesh VIP Treaty	Signature: June 28, 2013 Ratification: July 31, 2017 Entry into force: October 31, 2017
Source	Law No. 032-99/AN of December 22, 1999, on the Protection of Literary and Artistic Property, available at http://www.wipo.int/wipolex/en/text.jsp?file_id=188420 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

Burundi

Specific Provisions	None
General Provisions	None
Marrakesh VIP Treaty	Signed: June 28, 2013
Source	Act on the Protection of Copyright and Related Rights in Burundi, No. 1/021 (30 December 2005), available at http://www.wipo.int/wipolex/en/text.jsp?file_id=224340 .

Cabo Verde

Specific Provisions	1. The following shall be permitted, without the authorization of the author and without remuneration, at the request of disabled persons, with motor, intellectual, aural or visual impairments or of legal entities acting in the interests of such persons, as long as access to the work in the available versions, is not possible due to their impairment, and the reproduction is carried out on a non-profit basis: (a) the production of a copy or audio recording of a literary or dramatic work, with the exception of a cinematographic, musical or artistic work, on a material carrier intended for those disabled by the impairments listed above; (b) the translation, adaptation or reproduction in sign language of a literary or dramatic work, with the exception of a cinematographic work, fixed on a material	Art 64
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	<p>carrier intended for those disabled by any of the impairments listed above; (c) the public performance in sign language of a literary or dramatic work, except cinematographic, or the public performance of such a work fixed on a carrier which may be of use to those disabled by any of the impairments listed above; (d) reproduction or other form of use, using Braille or another system for blind persons; (e) distribution in any of the cases provided for in the preceding subparagraphs, as long as it is justified by the intent of the authorized act of reproduction. 2. The author or the copyright holder shall be entitled to compensation for the reproduction and distribution of more than one copy. 3. This right may only be exercised by legal entities acting in the interests of disabled persons, after authorization from the competent administrative authority</p>	
Which disabilities are provided for?	<ul style="list-style-type: none"> • Motor • Intellectual • Aural • Visual 	
Who may make accessible formats?	Governmentally approved entities	
Conditions:	<ul style="list-style-type: none"> • Cannot be for profit • Must be unavailable in accessible format • Accessible format copies can only be used by those with the disability for which they were created • The author or the copyright holder shall be entitled to compensation for the reproduction and distribution of more than one copy. • Production of audio recording and translation, adaptation, public performance or reproduction in sign language limited to literary or dramatic (non-cinematographic) works 	
Works	<ul style="list-style-type: none"> • Literary • Artistic • Dramatic (except film) • Musical 	
Exclusive rights	<ul style="list-style-type: none"> • Reproduction • Translation • Adaptation • Public performance (except cinematographic) • Distribution 	
General Provisions	None	
Import/export provisions	None	
Other provisions?	None	

Marrakesh VIP Treaty	None
Source	Decree Law No. 1/2009 of April 27, available at http://www.wipo.int/edocs/lexdocs/laws/en/cv/cv022en.pdf

Cambodia

Specific Provisions	None	Art 67
Which disabilities are provided for?	Unspecified	
General provisions?	Unspecified	
Marrakesh VIP Treaty	Signature: June 28, 2013	
Source	Law on Copyrights and Related Rights, available at http://www.wipo.int/edocs/lexdocs/laws/en/kh/kh003en.pdf	

Cameroon

Specific Provisions	29. —(1) Where the work was published with the authorization of the author, he may not forbid: (g) Braille reproductions for the blind;	Sec 29(1)(g)
Which disabilities are provided for?	Blindness	
Who may make accessible formats?	Unspecified	
Conditions:	Original work must have been published “by the authorisation of the author”	
Works	Unspecified	
Exclusive rights	Reproduction	
General Provisions	None	
Import/export provisions	None	
Other provisions?	None	
Marrakesh VIP Treaty	Signature: June 28, 2013	
Source	Law No. 2000/011 of December 19, 2000 on Copyright and Neighbouring Rights, available at http://www.wipo.int/edocs/lexdocs/laws/en/cm/cm001en.pdf	

	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
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Canada

<p>Specific Provisions</p>	<p>Reproduction in alternate format 32 (1) It is not an infringement of copyright for a person with a perceptual disability, for a person acting at the request of such a person or for a non-profit organization acting for the benefit of such a person to (a) reproduce a literary, musical, artistic or dramatic work, other than a cinematographic work, in a format specially designed for persons with a perceptual disability; (a.1) fix a performer's performance of a literary, musical, artistic or dramatic work, other than a cinematographic work, in a format specially designed for persons with a perceptual disability; (a.2) reproduce a sound recording, or a fixation of a performer's performance referred to in paragraph (a.1), in a format specially designed for persons with a perceptual disability; (b) translate, adapt or reproduce in sign language a literary or dramatic work, other than a cinematographic work, in a format specially designed for persons with a perceptual disability; (b.1) provide a person with a perceptual disability with, or provide such a person with access to, a work or other subject-matter to which any of paragraphs (a) to (b) applies, in a format specially designed for persons with a perceptual disability, and do any other act that is necessary for that purpose; or (c) perform in public a literary or dramatic work, other than a cinematographic work, in sign language, either live or in a format specially designed for persons with a perceptual disability Limitation (2) Subsection (1) does not apply if the work or other subject-matter is commercially available, within the meaning of paragraph (a) of the definition commercially available in section 2, in a format specially designed to meet the needs of the person with a perceptual disability referred to in that subsection. Print disability — outside Canada 32.01 (1) Subject to this section, it is not an infringement of copyright for a non-profit organization acting for the benefit of persons with a print disability to do any of the following: (a) for the purpose of doing any of the acts set out in paragraph (b), (i) reproduce a literary, musical, artistic or dramatic work, other than a cinematographic work, in a format specially designed for persons with a print disability, (ii) fix a performer's performance of a literary, musical, artistic or dramatic work, other than a cinematographic work, in a</p>	<p>Sec 32</p>
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	<p>format specially designed for persons with a print disability, or (iii) reproduce a sound recording, or a fixation of a performer's performance referred to in subparagraph (ii), in a format specially designed for persons with a print disability; (b) provide either of the following with, or provide either of the following with access to, a work or other subject-matter to which any of subparagraphs (a)(i) to (iii) applies, in a format specially designed for persons with a print disability, and do any other act that is necessary for that purpose:</p> <p>(i) a non-profit organization, in a country other than Canada, acting for the benefit of persons with a print disability in that country, or (ii) a person with a print disability, in a country other than Canada, who has made a request to be provided with, or provided with access to, the work or other subject-matter through a non-profit organization acting for the benefit of persons with a print disability in that country. Available in other country (2)</p> <p>Paragraph (1)(b) does not apply if the work or other subject-matter, in the format specially designed for persons with a print disability, is available in the other country within a reasonable time and for a reasonable price and may be located in that country with reasonable effort.</p> <p>Marrakesh Treaty country (3) An injunction is the only remedy that the owner of the copyright in the work or other subject-matter has against a non-profit organization relying on the exception set out in paragraph (1)(b) if (a) the other country referred to in that paragraph is a Marrakesh Treaty country; and (b) the non-profit organization infringes copyright by reason only that the work or other subject-matter, in the format described in subsection (2), is available, and may be located, as described in that subsection. The owner of the copyright bears the burden of demonstrating that the work or other subject-matter, in the format described in subsection (2), is available, and may be located, as described in that subsection. Not Marrakesh Treaty country (3.1) An injunction is the only remedy that the owner of the copyright in the work or other subject-matter has against a non-profit organization relying on the exception set out in paragraph (1)(b) if (a) the other country referred to in that paragraph is not a Marrakesh Treaty country;</p> <p>(b) the non-profit organization infringes copyright by reason only that the work or other subject-matter, in the format described in subsection (2), is available, and may be located, as described in that subsection; and (c) the non-profit organization demonstrates that it had reasonable grounds to believe that the work or other subject-matter, in the format described in subsection (2), was not available, and could not be located, as described</p>	
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	<p>in that subsection. Royalty (4) A non-profit organization relying on the exception set out in subsection (1) shall pay, in accordance with the regulations, any royalty established under the regulations to the copyright owner. If copyright owner cannot be located (5) If the organization cannot locate the copyright owner, despite making reasonable efforts to do so, the organization shall pay, in accordance with the regulations, any royalty established under the regulations to a collective society.</p> <p>Reports (6) A non-profit organization relying on the exception set out in subsection (1) shall submit reports to an authority, in accordance with the regulations, on the organization's activities under this section. Regulations (7) The Governor in Council may make regulations (a) requiring that, before a non-profit organization provides, or provides access to, a work or other subject-matter under paragraph (1)(b), the organization enter into a contract with respect to the use of the work or other subject-matter with, as the case may be, the recipient non-profit organization or the non-profit organization through which the request was made; (b) respecting the form and content of such contracts; (c) respecting any royalties to be paid under subsections (4) and (5); (d) respecting to which collective society a royalty is payable in relation to works or other subject-matter, or classes of works or other subject-matter, for the purposes of subsection (5); (e) respecting what constitutes reasonable efforts for the purposes of subsection (5); and (f) respecting the reports to be made, and the authorities to which the reports are to be submitted, under subsection (6).</p> <p>Definitions (8) The following definitions apply in this section. Marrakesh Treaty country means a country that is a party to the Marrakesh Treaty to Facilitate Access to Published Works for Persons Who Are Blind, Visually Impaired, or Otherwise Print Disabled, done at Marrakesh on June 27, 2013. (pays partie au Traité de Marrakech) print disability means a disability that prevents or inhibits a person from reading a literary, musical, artistic or dramatic work in its original format and includes such a disability resulting from (a) severe or total impairment of sight or the inability to focus or move one's eyes; (b) the inability to hold or manipulate a book; or (c) an impairment relating to comprehension. (féficigncg de lecture des imprimés) 2012, c. 20, s. 37; 2016, c. 4, s. 2.</p> <p>Definition of non-pof organization 32.02 In sections 32 and 32.01, non-pof organization includes a department, agency or other portion of any order of government, including a municipal or local government, when it is acting on a non-profit basis.</p>	
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Which disabilities are provided for?	<ul style="list-style-type: none"> • Perceptual • Print 	
Who may make accessible formats?	<ul style="list-style-type: none"> • Person with disability • Person (or non-profit) acting at the request of person with disability 	
Conditions:	<ul style="list-style-type: none"> • Cannot be for profit • Work must not be publically available in the format needed • A non-profit organization relying on the exception set out in subsection (1) shall pay, in accordance with the regulations, any royalty established under the regulations to the copyright owner. 	
Works	<ul style="list-style-type: none"> • (other than cinematographic) • Literary • Musical • Artistic • Dramatic • Sound recording 	
Exclusive rights	<ul style="list-style-type: none"> • Reproduction • Translation • Adaptation • Distribution • Public performance 	
General Provisions	None	
Import/export provisions	<ul style="list-style-type: none"> • Import • Export 	
Other provisions?	None	
Marrakesh VIP Treaty	Accession: June 30, 2016 In Force: September 30, 2016	
Source	Copyright Act ,available at https://wipolex.wipo.int/en/text/441765	

Central African Republic

Specific Provisions	Cannot ascertain due to language barrier*
General Provisions	None
Marrakesh VIP Treaty	Signature: June 28, 2013
Source	Ordinance on Copyrights of Central African Republic, No. 85.002 (5 January 1985), available at http://www.wipo.int/wipolex/en/text.jsp?file_id=195238

	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
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Chad

Specific Provisions	None
General Provisions	None
Marrakesh VIP Treaty	Signature: June 28, 2013
Source	<p>Law on the Protection of Copyright, Neighboring Rights, and Folklore of Chad, No. 005/PR/2003 (2 May 2003), available at http://www.wipo.int/wipolex/en/text.jsp?file_id=260828</p> <p>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</p>

Chile

Specific Provisions	Article 71C. – It shall be lawful, without paying or obtaining the consent of the copyright holder, to perform any act of reproduction, adaptation, distribution or communication to the public, of a lawfully published work, if this is done for the benefit of persons with visual, hearing or other impairments that prevent them from accessing the work normally, provided that such use remains directly related to the impairment in question, and is carried out by means of an appropriate 2010 procedure or medium to overcome the impairment, for noncommercial purposes. Art. 1, No. 8 D.O. May 4, The copies shall specifically refer to the fact that they were made under the exception provided for in this Article and to the prohibition on their distribution and making available, on any basis, to persons who do not suffer from the same impairment.	Art 71C
Which disabilities are provided for?	<ul style="list-style-type: none"> • Visual • Hearing • “or other impairments that prevent the person from accessing the work normally” 	
Who may make accessible formats?	Unspecified	

Conditions:	<ul style="list-style-type: none"> • Cannot be for profit • original work must be lawfully published • Modification must remain directly related to the impairment in question • Must be carried out by means of an appropriate procedure or medium to overcome the impairment • “The copies shall specifically refer to the fact that they were made under the exception provided for in this Article and to the prohibition on their distribution and making available, on any basis, to persons who do not suffer from the same impairment” 	
Works	Unspecified	
Exclusive rights	<ul style="list-style-type: none"> • Reproduction • Adaptation • Distribution • Communication to the public 	
General Provisions	None	
Import/export provisions	None	
Other provisions?	None	
Marrakesh VIP Treaty	Signature: June 28, 2013 Ratification: May 10, 2016 In Force: September 30,2016	
Source	Law No.17,336 Intellectual Property, available at http://www.wipo.int/edocs/lexdocs/laws/en/cl/cl004en.pdf	

China

Specific Provisions	<p>Article 22 In the following cases, a work may be exploited without permission from, and without payment of remuneration to, the copyright owner, provided that the name of the author and the title of the work shall be mentioned and the other rights enjoyed by the copyright owner by virtue of this Law shall not be prejudiced:</p> <p>(12) transliteration of a published work into Braille and publication of the work so transliterated.</p>	Art 22 (12)
Which disabilities are provided for?	Unspecified	
Who may make accessible formats?	Unspecified	

Conditions:	<ul style="list-style-type: none"> • The name of the original author and the title of the original work must be mentioned • Also applies to the rights of publishers, performers, producers of sound recordings and video recordings, radio stations and television stations 	
Works	Unspecified	
Exclusive rights	<ul style="list-style-type: none"> • Publication • Transliteration 	
General Provisions	None	
Import/export provisions	None	
Other provisions?	None	
Marrakesh VIP Treaty	Signature: June 28, 2013	
Source	Copyright Law of the People's Republic of China, Available at https://wipolex.wipo.int/en/text/186569	

Colombia

Specific Provisions		Art 12
Which disabilities are provided for?	Visual	
Who may make accessible formats?	Unspecified	
Conditions:	<ul style="list-style-type: none"> • Cannot be for profit • The author and title of original work must be cited 	
Works	<ul style="list-style-type: none"> • Literary • Audio • Artistic • Audiovisual • “works produced in any form” 	
Exclusive rights	<ul style="list-style-type: none"> • Reproduction • Distribution • Communication • Translation • Adaptation • Transformation • Arrangement 	
General Provisions	None	

Import/export provisions	None	
Other provisions?	None	
Marrakesh VIP Treaty	Signature: June 28, 2013	
Source	Law No. 1680 of November 20, 2013, relating to Guarantees of the Access to Information, Communications, Knowledge and Information and Communication Technologies for People with Blindness or Low Vision, available at http://www.wipo.int/wipolex/en/text.jsp?file_id=430774	

Comoros

Specific Provisions	None	
General Provisions	None	
Marrakesh VIP Treaty	Signature: June 28, 2013	
Source	Law on Literary and Artistic Property of Comoros (11 March 1957) available at http://www.wipo.int/wipolex/en/text.jsp?file_id=214449 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	

Congo

Specific Provisions	None	
General Provisions	None	
Marrakesh VIP Treaty	Signature: June 28, 2013	
Source	Law on Copyright and Neighboring Rights of Congo, No. 24/82 (7 July 1982), available at http://www.wipo.int/wipolex/en/text.jsp?file_id=152625 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	

Cook Islands

Specific Provisions	<p>Copying for persons with reading disability (1) A person does not infringe copyright in a work if the person, without the authorisation of the owner of the copyright in the work,- (a) makes an accessible format of the work for a person with a disability; or (b) supplies an accessible format of the work or copies of it to 1 or more persons with disabilities by any means, including by way of lending or electronic communication. (2) Subsection (1) applies only if the person making the accessible format of the work or copies of it- (a) has lawful access to the work or copy from which the accessible format of the work is made; and (b) does not make any changes to the work other than those necessary to make the work or copy accessible; and (c) acknowledges the source of the work and the author's name (if it appears in the work); and (d) the copying is not for commercial purposes. (3) A person with a disability who electronically receives a work or a copy of it under (1) may make a copy of the work for personal use without the authorisation of the owner of the copyright.</p> <p>(4) A person or an organisation does not infringe copyright in a work by exporting or importing copies of an accessible format of a work without the authorisation of the owner of the copyright in the work if.-- (a) the person is a person with a disability or the organisation is an organisation that serves people With disabilities; and (b)the copies acknowledge the source of the work and the author's name (if it appears in the work); and (c)the exporting or importing is not for commercial purposes.</p> <p>(5) In this section,- accessible format, in relation to a work or a copy of a work, means a format that will allow a person with a disability to access and use the work to substantially the same degree as a person without a disability person with a disability means a person who requires a work or a copy of a work to be manipulated in some way to enable the person to access and use the work to substantially the same degree as a person without the same disability.</p>	Sec 24 and 25
Which disabilities are provided for?	Reading	
Who may make accessible formats?	Unspecified	
Conditions:	<ul style="list-style-type: none"> • Cannot be for profit • Original work must be published • Modifications must be limited to the extent necessary • 4. Author and source of original work must be acknowledged 	

Works	Unspecified	
Exclusive rights	<ul style="list-style-type: none"> • Reproduction • Adaptation • Distribution 	
General Provisions	None	
Import/export provisions	<ul style="list-style-type: none"> • Import • Export 	
Other provisions?	<p>Circumstances in which person may circumvent technological protection measures (l) This section applies if.- (a) a person has the right to use or copy a work, or use or copy a copy of a work, in accordance with any of sections 14 to 24; and (b) some form of technological protection has been applied to the work or the copy of the work. (2) The person may, where necessary to make the work accessible, circumvent the protection technological.</p>	
Marrakesh VIP Treaty	None	
Source	Copyright Act 2013, available at https://wipolex.wipo.int/en/text/357971	

Costa Rica

Specific Provisions	None	
General Provisions	None	
Marrakesh VIP Treaty	Signature: June 28, 2013 Ratification: October 9, 2017 In force: January 9, 2018	
Source	Law on Copyright and Related Rights of Costa Rica, No. 6683 (1982), as amended through No. 8834 (3 May 2010), available at http://www.wipo.int/wipolex/en/text.jsp?file_id=247913 .	

Côte d'Ivoire

Specific Provisions		Art 32
Which disabilities are provided for?	<ul style="list-style-type: none"> • Visual • Aural • Physical (unable to hold or handle 	

	<ul style="list-style-type: none"> a book, or fix eyes or move them to the point of allowing reading) 	
Who may make accessible formats?	Unspecified	
Conditions:	Unspecified	
Works	Unspecified	
Exclusive rights	Reproduction	
General Provisions	None	
Import/export provisions	None	
Other provisions?	None	
Marrakesh VIP Treaty	Signature: June 28, 2013	
Source	Available at, https://wipolex.wipo.int/en/text/492160 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	

Croatia

Specific Provisions	Use Of Copyright Works By Disabled Persons Article 86 The use of copyright works for the benefit of people with a disability shall be permitted where the work is used in a manner directly related to the disability of such people to the extent required by the specific disability, and where such use is of a non-commercial nature.	Sec 86, 98
Which disabilities are provided for?	Unspecified	
Who may make accessible formats?	Unspecified	
Conditions:	<ul style="list-style-type: none"> Cannot be for profit The work must be used in a manner directly related to the disability in question and only t the extent required 	
Works	Unspecified	
Exclusive rights	Unspecified	

General Provisions	None	
Import/export provisions	None	
Other provisions?	Article 98 (1) Where the use of a copyright work without the author's authorization is allowed under Articles 82 - 87 of this Act, and where the use of the work or the access to it are prevented by the application of technological measures referred to in Article 175 of this Act, the authors or other persons, who applied such measures or who are authorized or have the possibility to remove them, shall be obliged, by providing special measures or concluding contracts, to enable the users or their associations access to such works and the use thereof in accordance with the limitations referred to in Articles 82 - 87 of this Act. The provisions of this paragraph shall not apply to computer programs.	
Marrakesh VIP Treaty	None	
Source	Copyright and Related Rights Act, available at http://www.wipo.int/edocs/lexdocs/laws/en/hr/hr100en.pdf	

Cuba

Specific Provisions	None	
General Provisions	None	
Marrakesh VIP Treaty	None	
Source	Copyright Law of Cuba, Law No. 14 (28 December 1977), as amended by Law No. 156 (28 September 1994), available at https://wipolex.wipo.int/en/text/492066	

Cyprus

Specific Provisions	None	
General Provisions	None	

Marrakesh VIP Treaty	Signature: June 28, 2013
Source	The Copyright Law of Cyprus, No. 59 (3 December 1976), as amended through No. 18(I) (1993), available at https://wipolex.wipo.int/en/text/126086

Czech Republic

Specific Provisions	<p>Article 38 License for Disabled</p> <p>(1) Copyright is not infringed by anybody who:</p> <p>a) exclusively for the benefit of people with disability and not for the purpose of direct or indirect economic or commercial advantage, makes a reproduction or has a reproduction made of a published work to the extent required by the specific disability; a reproduction so made may also be distributed and communicated by the same person, unless this is done for the purpose of direct or indirect economic or commercial advantage; b) exclusively for the benefit of people with vision disability and not for the purpose of direct or indirect economic or commercial advantage, provides the verbal expression of the visual component and adds it to the audio component of an audiovisual recording of an audiovisual work; the audio component of the audiovisual recording of an audiovisual work may also be reproduced, distributed and communicated by the same person, unless this is done for the purpose of direct or indirect economic or commercial advantage. (2) Copyright is not infringed by the person referred to in Article 37 (1), if the originals or reproductions of published works are lent to meet the needs of people with disability in connection with their disability. (3) Provisions of Article 30 (5) shall apply mutatis mutandis.</p>	Art 38
Which disabilities are provided for?	Unspecified	
Who may make accessible formats?	Unspecified	
Conditions:	<ul style="list-style-type: none"> • Cannot be for profit • Modification must only be to the extent necessary for disabled persons • Work must be lawfully published, with the exception of computer programs 	
Works	All works	
Exclusive rights	<ul style="list-style-type: none"> • Reproduction • distribution • Adaptation 	

	<ul style="list-style-type: none"> • Communication to the public • “Making available to the public in such a way that members of the public may access these works from a place and at a time individually chosen by them” 	
General Provisions	None	
Import/export provisions	None	
Other provisions?	None	
Marrakesh VIP Treaty	Signature: June 24, 2013	
Source	Available at https://wipolex.wipo.int/en/legislation/details/5067	

Democratic People's Republic of Korea

Specific Provisions	Article 32 (Use of copyrighted work without permission) A copyrighted work may be used without the permission of the copyright holder in the following cases: 9. when a copyrighted work is sound-recorded or reproduced in Braille for blind people.	Article 32(9)
Which disabilities are provided for?	Blind	
Who may make accessible formats?	Unspecified	
Conditions:	None	
Works	Unspecified	
Exclusive rights	Reproduction	
General Provisions	None	
Import/export provisions	None	
Other provisions?	None	
Marrakesh VIP Treaty	Signature: June 28, 2013 Ratification : February 19, 2016 In Force: September 30, 2016	
Source	Copyright Law of the Democratic People's Republic of Korea (as amended by Decree No. 1532 of February 1, 2006, of the Presidium of the Supreme People's Assembly), available at https://wipolex.wipo.int/en/text/226323	

Democratic Republic of the Congo

Specific Provisions	None
General Provisions	None
Marrakesh VIP Treaty	Signed June 28, 2013
Source	Law on Copyright and Neighboring Rights of Congo, No. 24/82 (7 July 1982), available at http://www.wipo.int/wipolex/en/text.jsp?file_id=152625 .

Denmark

Specific Provisions	<p>Visually- and Hearing-handicapped Persons 17.–(1) is permitted to use and distribute copies of published works if the use and the distributed copies are specifically intended for the blind, visually impaired, the deaf and sufferers from speech impediments, as well as persons who on account of handicap are unable to read printed text. The provision of the first sentence does not apply to the use or distribution of copies for commercial purposes. (2) The provision of subsection (1) does not apply to sound recordings of literary works or use that consists solely of sound recordings of musical works. (3) Sound recordings of published literary works may be used and distributed for use by visually impaired persons and backward readers if this is not done for commercial purposes. The author is entitled to remuneration. If agreement can not be made on the size of remuneration, each party is entitled to bring the dispute before the Copyright License Tribunal, cf. § 47. (4) Government or municipal institutions and other social or non-profit institutions may, for the use of visually handicapped and hearing-impaired persons, by means of sound or visual recording produce copies of works broadcast on the radio or television, provided the requirements regarding the extended collective license according to section 50 have been met. Such recording may only be used for the purpose of activities covered by the agreement presumed in section 50.</p>	Sec 17 Clauses 1-4 and 75d
Which disabilities are provided for?	<ul style="list-style-type: none"> • Blind • Visually impaired • Deaf • Sufferers of speech impediments 	

	<ul style="list-style-type: none"> Persons unable to read printed material because of a handicap 	
Who may make accessible formats?	Unspecified	
Conditions:	<ul style="list-style-type: none"> The original author is entitled to remuneration Work must be published Modified work must be specifically intended for the use of the disabled subsection (1) does not apply to sound recordings of literary works or use that consists solely of sound recordings of musical works. Sound recordings of published literary works may be used and distributed for use by visually impaired persons and backward readers if this is not done for commercial purposes. The author is entitled to remuneration. If agreement can not be made on the size of remuneration, each party is entitled to bring the dispute before the Copyright License Tribunal, cf. § 47. 	
Works	Unspecified	
Exclusive rights	<ul style="list-style-type: none"> Use Distribution 	
General Provisions	None	
Import/export provisions	None	
Other provisions?	<p>75 d.–(1) The Copyright License Tribunal, cf. section 47(1), may, upon request, order a rightholder who has used the effective technological measures mentioned in section 75 c(1) to make such means available to a user which are necessary for the latter to benefit from the provisions of section 15 and 16, section 17(1)-(3), section 18(1) and (2), section 21(1)(ii), section 23(1) and sections 26-28, 31 and 68. If the rightholder does not comply with the order within 4 weeks from the decision of the Tribunal, the user may circumvent the effective technological measure, notwithstanding the provision of section 75 c(1). The provisions of the first and second sentences shall apply only to users with legal access to the work or the performance or the production, etc. (2) The provision of subsection (1) shall apply only to the extent that the rightholder has not, by voluntary measures, including agreements with other parties concerned, ensured that the user may benefit from the provisions mentioned in subsection (1) notwithstanding the use of effective technological measures. (3) The provision of subsection (1) shall not apply to works and performances or productions, etc. made available to the public on agreed contractual terms in such a way that members of the public</p>	

	may access them from a place and at a time individually chosen by them, cf. the second division of section 2(4)(i).	
Marrakesh VIP Treaty	Signature: June 28, 2013	
Source	Consolidated Act on Copyright 2014, Visually- and Hearing-handicapped Persons, available at https://wipolex.wipo.int/en/details.jsp?id=1146	

Djibouti

Specific Provisions	None	
General Provisions	None	
Marrakesh VIP Treaty	Signature June 28, 2013	
Source	Law on the Protection of Copyright and Neighboring Rights of Djibouti, No. 154/AN/06 (23 July 2006), available at https://wipolex.wipo.int/en/text/492201	

Dominica

Specific Provisions	None	
General Provisions	66. For the purpose of determining whether an act done in relation to a work constitutes fair practice, the court determining the question shall take account of all factors which appears to it to be relevant, including (a) the nature of the work in question; (b) the extent and substantiality of that part of the work affected by the act in relation to the whole of the work; (c) the effect of that act upon the potential market on the commercial value of the work.	
Marrakesh VIP Treaty	None	
Source	Copyright Act of Dominica, Act 5 (29 April 2003), available at http://www.wipo.int/wipolex/en/text.jsp?file_id=126422 .	

Dominican Republic

Specific Provisions	Art. 44. The following shall be considered the sole exceptions to the right of public communication for the purposes of this Law: (3) communications that are made, without being reproduced, for sightless persons and persons with other physical disabilities, where the performance is not for profitmaking purposes;	Article 44
Which disabilities are provided for?	Sightless persons Physical	
Who may make accessible formats?	Unspecified	
Conditions:	Cannot be for profit	
Works	Unspecified	
Exclusive rights	Public communication	
General Provisions	None	
Import/export provisions	None	
Other provisions?	None	
Marrakesh VIP Treaty	Signature: June 28, 2013 Ratification: June 5, 2018 In Force: September 5, 2018	
Source	Law No. 65-00 on August 21, 2000, on Copyright, available at http://www.wipo.int/edocs/lexdocs/laws/en/do/do002en.pdf	

Ecuador

Specific Provisions		
Which disabilities are provided for?	Unspecified	
Who may make accessible formats?	Unspecified	
Conditions:	<ul style="list-style-type: none"> • Cannot be for profit, however non-profit entities who solely serve the disabled • The work must be provided exclusively for the use of persons with disabilities, provided that such use is directly related to the specific disability in question; 	

	<ul style="list-style-type: none"> • The person or organization wishing to make any legitimate use of a work must have legal access to the work or a copy of it; • The adaptation cannot introduce more changes than necessary to the nature of the original format; • Accessible format copies made under this exception must clearly state that they were made under the exception and cannot be distributed. 	
Works	Unspecified	
Exclusive rights	<ul style="list-style-type: none"> • Adaptation • Distribution • Translation • Communication • Making available to the public 	
General Provisions	None	
Import/export provisions	None	
Other provisions?	Anti-circumvention exemption	
Marrakesh VIP Treaty	Signature: May 8, 2014 Ratification: June 29, 2016 In Force: September 30, 2016	
Source	Law on Intellectual Property, available at https://wipolex.wipo.int/es/text.jsp?file_id=445842	

Egypt

Specific Provisions	None	
General Provisions	None	
Marrakesh VIP Treaty	None	
Source	Law on the Protection of Intellectual Property Rights of Egypt, No. 83 (2 June 2002), available at http://www.wipo.int/wipolex/en/text.jsp?file_id=126540	

El Salvador

Specific Provisions		Art 44(d)
Which disabilities are provided for?	<ul style="list-style-type: none"> • Blindness 	

	<ul style="list-style-type: none"> • Other 	
Who may make accessible formats?	Unspecified	
Conditions:	Cannot be for profit	
Works	Unspecified	
Exclusive rights	Communication to the public	
General Provisions	None	
Import/export provisions	None	
Other provisions?	None	
Marrakesh VIP Treaty	Signature: October 11, 2013 Ratification: October 1, 2014 In Force: September 30, 2016	
Source	the Law on Intellectual Property (as amended up to Legislative Decree No. 611 of February 15, 2017), available at http://www.wipo.int/wipolex/en/details.jsp?id=17480	

Equatorial Guinea

Specific Provisions	None
General Provisions	None
Marrakesh VIP Treaty	None
Source	Law on Intellectual Property of Equatorial Guinea (10 January 1879), available at http://www.wipo.int/wipolex/en/text.jsp?file_id=240885 . 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

Eritrea

Specific Provisions	None
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General Provisions	None
Marrakesh VIP Treaty	None
Source	Provisional Commercial Code of Eritrea and Provisional Civil Code of Eritrea (1993) (extracts relating to IP rights), available at http://www.wipo.int/wipolex/en/text.jsp?file_id=244453 .

Estonia

Specific Provisions	The following is permitted without the authorisation of the author and without payment of remuneration if mention is made of the name of the author of the work, if it appears thereon, the name of the work and the source publication: 6) the reproduction, distribution and communication to the public of a lawfully published work in the interests of disabled persons in a manner which is directly related to their disability on the condition that such use is not carried out for commercial purposes. Works created especially for disabled persons may not be reproduced, distributed and made available without the authorisation of the author;	Sec 19
Which disabilities are provided for?	Unspecified	
Who may make accessible formats?	Unspecified	
Conditions:	<ul style="list-style-type: none"> • Author name and source of work must be cited • Modification must be limited to extent necessary and directly related to disability • Cannot be for profit • Work must be lawfully published 	
Works	Unspecified	
Exclusive rights	<ul style="list-style-type: none"> • Reproduction • Distribution • Communication to the public 	
General Provisions	None	
Import/export provisions	None	
Other provisions?	None	
Marrakesh VIP Treaty	None	
Source	Copyright Act (as amended up to 2000), Available at https://wipolex.wipo.int/en/text/431814	

Eswatini

Specific Provisions	None
General Provisions	None
Marrakesh VIP Treaty	None
Source	Copyright Act of eSwazitini (1 July 1912), available at http://www.wipo.int/wipolex/en/text.jsp?file_id=139455 .

Ethiopia

Specific Provisions	None
General Provisions	None
Marrakesh VIP Treaty	Signature: June 28, 2013
Source	Proclamation to Protect Copyright and Neighboring Rights of Ethiopia, No. 410/2004 (24 July 2004), available at http://www.wipo.int/wipolex/en/text.jsp?file_id=174729 .

Fiji

Specific Provisions	185.-(1) A prescribed body may, for the purpose of providing people who are deaf or hard of hearing or physically or mentally handicapped in any other way, with copies that are subtitled or otherwise modified for their special needs, make recordings of television broadcasts or cable programmes without infringing any right conferred by this Part in relation to a performance or recording included in the broadcast or cable programme. (2) A body must not be prescribed for the purposes of subsection (1) if it is established or conducted for-profit	S185
Which disabilities are provided for?	<ul style="list-style-type: none"> • Deaf • Hard of hearing 	

	<ul style="list-style-type: none"> Physical Mental Other 	
Who may make accessible formats?	Prescribed non-profit body	
Conditions:	Non-commercial	
Works	<ul style="list-style-type: none"> Television broadcasts Cable programmes 	
Exclusive rights	Unspecified	
General Provisions	None	
Import/export provisions	None	
Other provisions?	None	
Marrakesh VIP Treaty	None	
Source	Copyright Act of Fiji (19 March 1999) as amended by <u>Copyright (Amendment) (No. 18) Decree, 2009 (FJ014)</u> available at http://www.wipo.int/wipolex/en/text.jsp?file_id=179081 .	

Finland

Specific Provisions		Sec 17
Which disabilities are provided for?	<ul style="list-style-type: none"> Visual Other 	
Who may make accessible formats?	Government-approved entities	
Conditions:	<ul style="list-style-type: none"> Work must be published Does not apply to sound recordings (Sound recordings can only be made by government-approved entities) or moving pictures Cannot be for profit 	
Works	<ul style="list-style-type: none"> Literary Musical 	
Exclusive rights	Unspecified	
General Provisions	None	
Import/export provisions	None	
Other provisions?	None	

Marrakesh VIP Treaty	Signature: June 20, 2014
Source	Copyright Act, 1961, Available at http://www.wipo.int/wipolex/en/text.jsp?file_id=467065

France

Specific Provisions		L 122-5 L331-5 to L331-21
Which disabilities are provided for?	<ul style="list-style-type: none"> • Motor • Physical • Sensory • Mental • Cognitive 	
Who may make accessible formats?	<ul style="list-style-type: none"> • Persons with disabilities or someone acting on their behalf • Authorized entities 	
Conditions:	<ul style="list-style-type: none"> • Cannot be for profit • Work must be lawfully disclosed 	
Works	Published	
Exclusive rights	<ul style="list-style-type: none"> • Reproduction • Public performance 	
General Provisions	None	
Import/export provisions	None	
Other provisions?	Anti-circumvention exception	
Marrakesh VIP Treaty	Signature: April 30, 2014	
Source	Intellectual Property Code, available at https://wipolex.wipo.int/en/text/498455	

Gabon

Specific Provisions	Article 33. When the work has been lawfully made available to the public, the author may not prohibit: - communications such as performance, execution, diffusion: where they are private, made exclusively within a family circle and generate no receipts of any kind; if they are made free of charge for strictly educational or welfare purposes or during a religious service in premises reserved for that purpose; -reproductions, translations and adaptations intended for strictly personal and private use.	Art 33
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Which disabilities are provided for?	Unspecified	
Who may make accessible formats?	Unspecified	
Conditions:	<ul style="list-style-type: none"> • Work must be lawfully published • Must be limited to welfare purposes 	
Works	Published	
Exclusive rights	<ul style="list-style-type: none"> • Reproduction • Translation • Adaptation • Communication 	
General Provisions	None	
Import/export provisions	None	
Other provisions?	None	
Marrakesh VIP Treaty	None	
Source	<p>Law Instituting Protection for Copyright and Neighboring Rights of Gabon, No. 1/87 (29 July 1987), available at http://www.wipo.int/wipolex/en/text.jsp?file_id=362136.</p> <p>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</p>	

Gambia

Specific Provisions	None
General Provisions	None
Marrakesh VIP Treaty	None
Source	http://www.wipo.int/wipolex/en/text.jsp?file_id=221246 .

Georgia

Specific Provisions	Without the consent of the author and without paying remuneration to him/her, but subject to mandatory indication of the author and the source used, the following shall be permitted: f) reproduction of a lawfully published work, made for the blind using the Braille printing or other specific means, without any commercial advantage, except for the works specially created for such uses.	Art 23(f)
Which disabilities are provided for?	Visual	
Who may make accessible formats?	Unspecified	
Conditions:	<ul style="list-style-type: none"> • Cannot be for profit • Author and source must be indicated • Work must be lawfully disclosed 	
Works	Unspecified	
Exclusive rights	Reproduction	
General Provisions	None	
Import/export provisions	None	
Other provisions?	None	
Marrakesh VIP Treaty	None	
Source	Law of Georgia on Copyright and Related Rights, available at http://www.wipo.int/edocs/lexdocs/laws/en/ge/ge055en.pdf	

Germany

Specific Provisions	Section 45a Persons with disabilities (1) The reproduction of a work for non-commercial purposes shall be permissible for, and its distribution exclusively to, persons whose access to the work, because of a disability, is not possible or is made considerably more difficult by the already available means of sensual perception, if such reproduction is necessary to facilitate access. (2) An equitable remuneration shall be paid to the author for reproduction and distribution; production solely of individual copies shall be exempted. Claims may only be asserted through a collecting society.	Art 45a, 63 and 95b 45a
Which disabilities are provided for?	those which prevent (or make difficult) perception of the work in its available form(s)	
Who may make accessible formats?	Unspecified	
Conditions:	<ul style="list-style-type: none"> • Cannot be for profit • Remuneration must be paid to the original author if more than one copy is made and/or distributed • Accessible version of work must be unavailable • Source/publishing house shall be indicated, if known 	
Works	Unspecified	
Exclusive rights	<ul style="list-style-type: none"> • Reproduction • Distribution • Transliteration/translation 	
General Provisions	None	
Import/export provisions	None	
Other provisions?	Anti-Circumvention Exception: 95b (1) Where a rightholder applies the technological measures in accordance with this Act, he shall be obliged to provide to the beneficiaries of the provisions below, where they have legal access to the work or the protected subject-matter concerned, the means of benefiting from these provisions to the necessary extent: 2. section 45a (Persons with disabilities),	
Marrakesh VIP Treaty	Signature: June 20, 2014	
Source	Act on Copyright and Related Rights, Available at https://wipolex.wipo.int/en/text/474263	

Ghana

Specific Provisions	None
General Provisions	None
Marrakesh VIP Treaty	Signature: June 28, 2013 Ratification: May 11, 2018 In force: August 11, 2018
Source	Copyright Act of Ghana, No. 690 (3 June 2005), Copyright (Amendment) Act, 2009 (Act 788), adopted on 31st December, 2009 available at http://www.wipo.int/wipolex/en/text.jsp?file_id=148037 .

Greece

Specific Provisions		Articles 28A, 28C and 66A
Which disabilities are provided for?	<ul style="list-style-type: none"> • Blindness • Deafness 	
Who may make accessible formats?	Unspecified	
Conditions:	<ul style="list-style-type: none"> • Cannot be for profit • Work must be lawfully disclosed • Modification must be directly related to the disability, specifically required by the disability, and not exceed the necessary extent • Normal exploitation and interests of the author cannot be negatively affected 	
Works	Unspecified	
Exclusive rights	Reproduction	
General Provisions	None	
Import/export provisions	None	
Other provisions?	Anti-circumvention exception	
Marrakesh VIP Treaty	Signature: April 30, 2014	
Source	Law 2121/1993 Copyright, Related Rights and Culture, available at https://wipolex.wipo.int/en/legislation/details/18205	

Grenada

Specific Provisions		Sec 14(1)
Which disabilities are provided for?	Visual	
Who may make accessible formats?	Unspecified	
Conditions:	<ul style="list-style-type: none"> • Cannot be for profit • The works must not be reasonably available in an identical or largely equivalent form, enabling its perception by the visually impaired • Source of original work and original author's name must be indicated • Original work must be published 	
Works	<ul style="list-style-type: none"> • Literary • Artistic 	
Exclusive rights	<ul style="list-style-type: none"> • Reproduction • Distribution 	
General Provisions	None	
Import/export provisions	None	
Other provisions?	None	
Marrakesh VIP Treaty	None	
Source	Copyright Act Cap. 67, Act No. 21 of 2011, available at http://www.wipo.int/edocs/lexdocs/laws/en/gd/qd013en.pdf	

Guatemala

Specific Provisions	None	
General Provisions	None	
Marrakesh VIP Treaty	Signature: June 2, 2014 Ratification: June 29, 2016 In force: September 30, 2016	
Source	Law of Copyright and Related Rights of Guatemala (27 September 2000), available at http://www.wipo.int/wipolex/en/text.jsp?file_id=127669 .	

Guinea

Specific Provisions	None
General Provisions	None
Marrakesh VIP Treaty	Signature: June 28, 2013
Source	Law Adopting Provisions on Copyright and Neighboring Rights of Guinea, Act No. 043/APN/CP (9 August 1980), available at http://www.wipo.int/wipolex/en/text.jsp?file_id=328659 . 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

Guinea-Bissau

Specific Provisions	None
General Provisions	None
Marrakesh VIP Treaty	None
Source	Copyright Code of Guinea-Bissau, Decree-Law No. 46.980 (27 April 1966) as amended 28 March 1972, available at http://www.wipo.int/wipolex/en/text.jsp?file_id=272169 . 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

Guyana

Specific Provisions	None
General Provisions	None

Marrakesh VIP Treaty	None
Source	Copyright Act of Guyana 1956 (Cap. 74) available at http://www.wipo.int/wipolex/en/text.jsp?file_id=229365 ; The Copyright (British Guiana) Order 1966 (Order No. 79 of 1966), available at http://www.wipo.int/wipolex/en/text.jsp?file_id=182143

Haiti

Specific Provisions	None
General Provisions	None
Marrakesh VIP Treaty	Signature: June 28, 2013
Source	Decree Relating to Copyright in Literary, Scientific, and Artistic Works of Haiti (9 January 1968), available at http://www.wipo.int/wipolex/en/text.jsp?file_id=158756 .

Holy See

Specific Provisions	Language Barrier *	
Which disabilities are provided for?	Unclear	
Who may make accessible formats?	Unclear	
Conditions:	Unclear	
Works	Unclear	
Exclusive rights	Unclear	
General Provisions	Unclear	
Import/export provisions	Unclear	
Other provisions?	Unclear	

Marrakesh VIP Treaty	Signature: June 28, 2013
Source	Available at https://wipolex.wipo.int/en/legislation/details/9257

Honduras

Specific Provisions	None
General Provisions	None
Marrakesh VIP Treaty	Accession: March 29, 2017 In force: June 29, 2017
Source	Copyright and Neighboring Rights Law of Honduras, Decree No. 4-99-E (2006), available at http://www.wipo.int/wipolex/en/text.jsp?file_id=234858 .

Hungary

Specific Provisions		Art 41 (1) and 33
Which disabilities are provided for?	Unspecified	
Who may make accessible formats?	Unspecified	
Conditions:	<ul style="list-style-type: none"> • Work must be lawfully disclosed • Cannot be for profit • Modification must be directly related to the disability and not exceed extent necessary 	
Works	Unspecified	
Exclusive rights	Unspecified	
General Provisions	None	
Import/export provisions	None	
Other provisions?	None	
Marrakesh VIP Treaty	None	
Source	Copyright Act of Hungary, Act No. LXXVI of 1999 on Copyright (consolidated text of January 1, 2015), available at https://wipolex.wipo.int/en/text/484348	

Iceland

Specific Provisions		
Which disabilities are provided for?	<ul style="list-style-type: none"> • Blind • Sight-Impaired • Deafness • Reading • Print • Other 	
Who may make accessible formats?	Unspecified	
Conditions:	<ul style="list-style-type: none"> • Cannot be for profit • Does not apply to the reproduction of sound recordings • Authors are entitled to fair compensation when sound recording techniques are used to make copies of literature 	
Works	Printed materials	
Exclusive rights	<ul style="list-style-type: none"> • Reproduction • Distribution 	
General Provisions	None	
Import/export provisions	None	
Other provisions?	None	
Marrakesh VIP Treaty	None	
Source	Copyright Act No. 73 of May 29, 1972 (as amended up to Act No. 97 of June 30, 2006), available at https://wipolex.wipo.int/en/text/190312	

India

Specific Provisions	<p>31B. Compulsory licence for benefit of disabled.— (1) Any person working for the benefit of persons with disability on a profit basis or for business may apply to the Appellate Board, in such form and manner and accompanied by such fee as may be prescribed, for a compulsory licence to publish any work in which copyright subsists for the benefit of such persons, in a case to which clause (zb) of sub-section (1) of section 52 does not apply and the Appellate Board shall dispose of such application as expeditiously as possible and endeavour shall be made to dispose of such application within a period of two months from the date of receipt of the application.</p>	31B and 52(1)(zb)
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	<p>(2) The Appellate Board may, on receipt of an application under sub-section (1), inquire, or direct such inquiry as it considers necessary to establish the credentials of the applicant and satisfy itself that the application has been made in good faith.</p> <p>(3) If the Appellate Board is satisfied, after giving to the owners of rights in the work a reasonable opportunity of being heard and after holding such inquiry as it may deem necessary, that a compulsory licence needs to be issued to make the work available to the disabled, it may direct the Registrar of Copyrights to grant to the applicant such a licence to publish the work.</p> <p>(4) Every compulsory licence issued under this section shall specify the means and format of publication, the period during which the compulsory licence may be exercised and, in the case of issue of copies, the number of copies that may be issued including the rate or royalty: Provided that where the Appellate Board has issued such a compulsory licence it may, on a further application and after giving reasonable opportunity to the owners of rights, extend the period of such compulsory licence and allow the issue of more copies as it may deem fit.</p> <p>52. Certain acts not to be infringement of copyright.— (1) The following acts shall not constitute an infringement of copyright, namely,—</p> <p>(zb) the adaptation, reproduction, issue of copies or communication to the public of any work in any accessible format by— (i) any person to facilitate persons with disability to access to works including sharing with any person with disability of such accessible format for private or personal use, educational purpose or research; or (ii) any organisation working for the benefit of the persons with disabilities in case the normal format prevents the enjoyment of such works by such persons: Provided that the copies of the works in such accessible format are made available to the persons with disabilities on a non-profit basis but to recover only the cost of production: Provided further that the organisation shall ensure that the copies of works in such accessible format are used only by persons with disabilities and takes reasonable steps to prevent its entry into ordinary channels of business.</p>	
Which disabilities are provided for?	Unspecified	
Who may make accessible formats?	<ul style="list-style-type: none"> • License holders if for-profit (s31B) • any person or organisation working for the benefit of persons with disabilities (s52(1)(zb)) 	
Conditions:	<p>Compulsory licenses reviewed on an individual basis</p> <ul style="list-style-type: none"> • copies of the works in such accessible format are made available to the persons with disabilities on a 	

	<p>non-profit basis but to recover only the cost of production</p> <ul style="list-style-type: none"> the organisation shall ensure that the copies of works in such accessible format are used only by persons with disabilities and takes reasonable steps to prevent its entry into ordinary channels of business. 	
Works	<ul style="list-style-type: none"> Literary Musical Artistic Dramatic (other than cinematographic) 	
Exclusive rights	<ul style="list-style-type: none"> Reproduction Distribution Performance 	
General Provisions	None	
Import/export provisions	None	
Other provisions?	None	
Marrakesh VIP Treaty	<p>Signature: April 30, 2014 Ratification: June 24, 2014 In Force: September 30, 2016</p>	
Source	Copyright Act, 1957 (Act No. 14 of 1957, as amended up to Act No. 27 of 2012) available at https://wipolex.wipo.int/en/text/390852	

Indonesia

Specific Provisions		Article 44 Paragraphs (2) and (4)
Which disabilities are provided for?	Visual	
Who may make accessible formats?	Unspecified	
Conditions:	Source must be cited in full	
Works	Written	
Exclusive rights	<ul style="list-style-type: none"> Reproduction Adaption Distribution Communication to the public 	
General Provisions	None	
Import/export provisions	<ul style="list-style-type: none"> Import Export 	
Other provisions?	Anti-Circumvention exemption	

Marrakesh VIP Treaty	Signature: September 24, 2013
Source	Law of the Republic of Indonesia No. 28 of September 16, 2014, on Copyright , available at https://wipolex.wipo.int/en/legislation/details/15600

Iran (Islamic Republic of)

Specific Provisions	None
General Provisions	None
Marrakesh VIP Treaty	Signature: June 27, 2014
Source	Copyright Law of Iran (12 January 1970), available at http://www.wipo.int/wipolex/en/text.jsp?file_id=197798 .

Iraq

Specific Provisions	None
General Provisions	None
Marrakesh VIP Treaty	None
Source	Copyright Protection Law of Iraq, No. 3 (1971), available at http://www.wipo.int/wipolex/en/text.jsp?file_id=238415 , as amended by Coalition Provisional Authority Order, No. 83 (29 April 2004), available at http://www.wipo.int/wipolex/en/text.jsp?file_id=181110 .

Ireland

Specific Provisions	<p>104.—(1) A designated body may— (a) make a copy of a work for the purpose of modifying that copy to meet the special needs of a person who has a physical or mental disability, and (b) supply that modified copy to that person, without infringing the copyright in that work.</p> <p>(2) Where a copy which would otherwise be an infringing copy is made under this section, but is subsequently sold, rented or lent, or offered or exposed for sale, rental or</p>	Sec 104, 106 & 252
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	<p>loan, or otherwise made available to the public, it shall be treated as an infringing copy for those purposes and for all subsequent purposes.</p> <p>(3) In this section, “designated body” means a body designated for the purposes of this section by order of the Minister who shall not designate a body unless he or she is satisfied that the body is not established or conducted for profit.</p> <p>106. It is not an infringement of the copyright in a work to make an adaptation of the work by any act which may otherwise be done without infringing the copyright in a work under this Chapter.</p>	
Which disabilities are provided for?	<ul style="list-style-type: none"> • Physical • Mental 	
Who may make accessible formats?	Designated bodies	
Conditions:	<ul style="list-style-type: none"> • Work must be lawfully disclosed • Must be formatted to meet the needs of the disabled person • Cannot be for profit 	
Works	Unspecified	
Exclusive rights	<ul style="list-style-type: none"> • Reproduction • Adaptation • Distribution 	
General Provisions	None	
Import/export provisions	None	
Other provisions?	None	
Marrakesh VIP Treaty	Signature: June 20, 2014	
Source	Copyright and Related Rights Act, 2000 (No. 28 of 2000), available at https://wipolex.wipo.int/en/details.jsp?id=2360	

Israel

Specific Provisions		Sec 28A
Which disabilities are provided for?	Unspecified	
Who may make accessible formats?	Non-profit institutions	

Conditions:	<ul style="list-style-type: none"> • Cannot be for profit if made by an organization • Must only be modified to the extent necessary for use • Must be a notice stating that the copying or transferring of a formatted copy will constitute copyright infringement • Must be for personal use if modification was made by an individual • Work must be lawfully disclosed 	
Works	Unspecified	
Exclusive rights	Unspecified	
General Provisions	<p>a) Fair use of a work is permitted for purposes such as: private study, research, criticism, review, journalistic reporting, quotation, or instruction and examination by an educational institution.</p> <p>(b) In determining whether a use made of a work is fair within the meaning of this section the factors to be considered shall include, inter alia, all of the following:</p> <p>(1) The purpose and character of the use;</p> <p>(2) The character of the work used;</p> <p>(3) The scope of the use, quantitatively and qualitatively, in relation to the work as a whole;</p> <p>(4) The impact of the use on the value of the work and its potential market.</p> <p>(c) The Minister may make regulations prescribing conditions under which a use shall be deemed a fair</p>	S19
Import/export provisions	None	
Other provisions?	None	
Marrakesh VIP Treaty	Accession: March 21, 2016 In Force: September 30, 2016	
Source	Copyright Act, 2007 (as amended on July 28, 2011) available at https://wipolex.wipo.int/en/text/495410 and amended by the Law for Making Works, Performances and Broadcasts Accessible for Persons with Disabilities (Law Amendments), 2014, available at http://www.wipo.int/edocs/lexdocs/laws/en/il/il035en.pdf	

Italy

Specific Provisions		
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Which disabilities are provided for?	Determined by Ministerial decree	71 bis and 71 nonies
Who may make accessible formats?	Unspecified	
Conditions:	<ul style="list-style-type: none"> • Cannot be for profit • Must be directly related to the disability • Work must be lawfully published 	
Works	Unspecified	
Exclusive rights	<ul style="list-style-type: none"> • Reproduction • Public communication 	
General Provisions	None	
Import/export provisions	None	
Other provisions?	None	
Marrakesh VIP Treaty	None	
Source	Law No. 633 of April 22, 1941, for the Protection of Copyright and Neighboring Rights (as amended up to Decree-law No. 64 of April 30, 2010), available at https://wipolex.wipo.int/en/legislation/details/13133	

Jamaica

Specific Provisions	<p>Exceptions for Persons Who are Disabled 65A.-</p> <p>(1) An authorized body may, if the conditions in subsection (2) are complied with, make or supply copies or adaptations of published literary or dramatic works for the purpose of providing persons who have a print disability, with copies that are in an accessible format, without infringing any copyright in those literary or dramatic works.</p> <p>2) The conditions referred to in subsection (1) are that- (a) the authorized body has made reasonable efforts to obtain a copy of the complete work, in an accessible format at a reasonable commercial price, but has been unable to do so; (b) the copies are provided only to persons having a print disability; (c) where any person acting on behalf of the authorized body makes a copy or adaptation of a published literary or dramatic work under this section, the authorized body shall, as soon as is reasonably</p>	Sec 65A and 65B
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	<p>practicable, take all reasonable steps to notify the owner of the copyright in the work of the making of a copy or adaptation; and (d) if any person with a print disability to whom a copy is provided is required to pay for the copy, the payment required is no higher than a sum consisting of the cost of the production of the copy and a reasonable contribution to the general expenses of the authorized body, with no element of profit.</p> <p>(3) An authorized body may copy a work contained in an electronic medium for the purposes of converting the work to an accessible format.</p> <p>(4) Circumvention of a technological protection measure for the purposes referred to in subsection (1), shall not be treated as a commission of an offence or infringement of any copyright in the work.</p> <p>(5) In this section, a person has a print disability if that person- (a) is blind; (b) suffers from severe impairment of his sight; (c) is unable to hold or manipulate printed material; (d) is unable to focus or move his eyes; or (e) suffers any other disability with respect to visual perception.</p> <p>65B.—</p> <p>{ 1) A person with a hearing disability, an authorized body or an organization acting on that person's behalf and approved for that purpose by an authorized body, may, without infringing any copyright in the work- (a) translate, adapt or reproduce in sign language a literary or dramatic work, other than a cinematographic work, in a format specially designed for persons with a hearing disability; or (b) perform in public a literary or dramatic work, other than a cinematographic work, in sign language, either live or in a format specially designed for persons with a hearing disability. (2) In this section a person has a hearing disability if that person- (a) suffers from severe or profound deafness; or (b) is not able to discriminate speech in a meaningful way, from other sounds.".</p>	
Which disabilities are provided for?	<ul style="list-style-type: none"> • Print • Visual • Hearing 	
Who may make accessible formats?	Authorized bodies	
Conditions:	<ul style="list-style-type: none"> • (a) the authorized body has made reasonable efforts to obtain a copy of the complete work, in an accessible format at a reasonable commercial price, but has been unable to do so; • (b) the copies are provided only to persons having a print disability; 	

	<ul style="list-style-type: none"> • (c) where any person acting on behalf of the authorized body makes a copy or adaptation of a published literary or dramatic work under this section, the authorized body shall, as soon as is reasonably practicable, take all reasonable steps to notify the owner of the copyright in the work of the making of a copy or adaptation; and • (d) if any person with a print disability to whom a copy is provided is required to pay for the copy, the payment required is no higher than a sum consisting of the cost of the production of the copy and a reasonable contribution to the general expenses of the authorized body, with no element of profit. 	
Works	<ul style="list-style-type: none"> • Literary (no cinematographic for hearing disabled) • Dramatic (no cinematographic for hearing disabled) 	
Exclusive rights	<ul style="list-style-type: none"> • Reproduction • Adaptation • Distribution • Translation 	
General Provisions	None	
Import/export provisions	None	
Other provisions?	(4) Circumvention of a technological protection measure for the purposes referred to in subsection (1), shall not be treated as a commission of an offence or infringement of any copyright in the work.	
Marrakesh VIP Treaty	None	
Source	The Copyright Act (Act No. 5 of 1993) available at https://wipolex.wipo.int/en/text/128291 Copyright (Amendment) Act, 2015, available at http://www.wipo.int/edocs/lexdocs/laws/en/jm/jm044en.pdf	

Japan

Specific Provisions		Art 33bis, 37, 37bis, 43,
Which disabilities are provided for?	<ul style="list-style-type: none"> • Deafness or hard of hearing • Visual • Cognitive • Intellectual • Developmental 	

Who may make accessible formats?	Unspecified	47decies, 48
Conditions:	<ul style="list-style-type: none"> • The copyright holder must be notified in advance • Compensation must be paid to the copyright owner 	
Works	All works	
Exclusive rights	<ul style="list-style-type: none"> • Reproduction • Adaptation • Distribution • Communication to the public • Making available to the public in such a way that members of the public may access these works from a place and at a time individually chosen by them 	
General Provisions	None	
Import/export provisions	<ul style="list-style-type: none"> • Import • Export 	
Other provisions?	Anti-Circumvention exemption	
Marrakesh VIP Treaty	Accession: October 1, 2018 In Force: January 1, 2019	
Source	Copyright Act, available at https://wipolex.wipo.int/en/legislation/details/16090 English outline available at https://www.jpo.go.jp/torikumi_e/kokusai_e/training/textbook/pdf/Copyright_Law.pdf	

Jordan

Specific Provisions	None
General Provisions	None
Marrakesh VIP Treaty	Signature :June 28, 2013 Ratification: June 26, 2018 In force: September 26, 2018
Source	Copyright Protection Law of Jordan, No. 22 (19 March 1992), as amended through No. 9 (31 March 2005), available at http://www.wipo.int/wipolex/en/text.jsp?file_id=339495 , as further amended by No. 23 (18 July 2014), available (in Arabic) at http://www.wipo.int/wipolex/en/text.jsp?file_id=338355 .

Kazakhstan

Specific Provisions	Article 19: It shall be allowed, without consent of the author or owner of the right and without paying out royalties, but with compulsory indication of the author's name, whose work is being used, and of the borrowing resource 6) to reproduce legally published works without profiting, through relief-point printing or by other special means for blind people, except for works that are specifically created for such reproduction means;	Art 19(6)
Which disabilities are provided for?	Blind	
Who may make accessible formats?	Unspecified	
Conditions:	<ul style="list-style-type: none"> • Cannot be for profit • Author's name and source of original work must be indicated • Work must be legally published 	
Works	Unspecified	
Exclusive rights	Reproduction	
General Provisions	None	
Import/export provisions	None	
Other provisions?	None	
Marrakesh VIP Treaty	None	
Source	Law of the Republic of Kazakhstan No. 6-I of June 10, 1996, on Copyright and Related Rights (as amended up to Law of the Republic of Kazakhstan No. 419-V of November 24, 2015), available at http://www.wipo.int/edocs/lexdocs/laws/en/kz/kz050en.pdf	

Kenya

Specific Provisions	None
General Provisions	None
Marrakesh VIP Treaty	Signature: June 28, 2013 Ratification: June 2, 2017

	In force: September 2, 2017
Source	The Copyright Act, 2001 (Chapter 130) (Revised Edition 2014) (KE026), available https://wipolex.wipo.int/en/text/396802

Kiribati

Specific Provisions	None
General Provisions	None
Marrakesh VIP Treaty	None
Source	The Copyright Ordinance 1917 (Cap 16) was revised and consolidated in 1998, available at http://www.wipo.int/wipolex/en/text.jsp?file_id=251870 .

Kuwait

Specific Provisions	Art 6 The modification of a translation or alteration or development of a literary work into another form shall be excepted from the provisions of the previous paragraph unless such an act prejudices the author's reputation, honor, academic or artistic standing or denigrates the content of the literary work .. and in all cases the translation, alteration or development must contain reference to the fact that it is a modification to the original literary work	Art 6
Which disabilities are provided for?	Unspecified	
Who may make accessible formats?	Unspecified	
Conditions:	<ul style="list-style-type: none"> • The modification or translation or alteration or development of a literary work into another form shall not prejudices the author's reputation, honour, academic or artistic standing or denigrate the content of the literary work • The modification or translation must contain an indication that the original work has been modified 	
Works	Literary	

Exclusive rights	<ul style="list-style-type: none"> • Translation • Alteration 	
General Provisions	None	
Import/export provisions	None	
Other provisions?	None	
Marrakesh VIP Treaty	None	
Source	Law No. 64 of 1999 concerning Intellectual Property Rights including Explanatory Memorandum, available at http://www.wipo.int/edocs/lexdocs/laws/en/kw/kw002en.pdf	

Kyrgyzstan

Specific Provisions		Art 4, 19(1)(f) and 20
Which disabilities are provided for?	<ul style="list-style-type: none"> • Visual • Reading 	
Who may make accessible formats?	Authorized organizations	
Conditions:	<ul style="list-style-type: none"> • Cannot be for profit • Author must be cited • Must only be available for use by beneficiaries 	
Works	Unspecified	
Exclusive rights	<ul style="list-style-type: none"> • Reproduction • Rental (non-commercial) • Communication (electronic) • Distribution 	
General Provisions	<p>Article 19 [fair dealing] It is allowed without the consent of the author and without paying the reward, but with the obligatory indication of the name of the author whose work is used and the source of borrowing:</p> <p>to make copies of the work in an accessible format, receive a copy from another authorized body in an accessible format and provide them to the beneficiaries in any way, including non-commercial rental or electronic message by wire or wireless communication, and take any action to achieve these goals.</p>	
Import/export provisions	None	

Other provisions?	None	
Marrakesh VIP Treaty	Accession: May 15, 2017 In Force: August 15, 2017	
Source	Law of the Kyrgyz Republic No. 6 of January 14, 1998, on Copyright and Related Rights (as amended up to Law No. 42 of March 9, 2017), available at http://www.wipo.int/wipolex/en/text.jsp?file_id=445943	

Lao People's Democratic Republic

Specific Provisions		Article 115(4)
Which disabilities are provided for?	Visual	
Who may make accessible formats?	Unspecified	
Conditions:	<ul style="list-style-type: none"> Cannot conflict with a normal exploitation of the work or unreasonably prejudice the legitimate interests of the author 	
Works	Literary	
Exclusive rights	Translation	
General Provisions	None	
Import/export provisions	None	
Other provisions?	None	
Marrakesh VIP Treaty	None	
Source	Law No. 38/na of November 15, 2017, on Intellectual Property, available at https://wipolex.wipo.int/en/legislation/details/18024	

Latvia

Specific Provisions		Section 22
Which disabilities are provided for?	<ul style="list-style-type: none"> Visual Reading Cognitive Physical 	

Who may make accessible formats?	Organizations and libraries that service the visually and/or hearing impaired	
Conditions:	<ul style="list-style-type: none"> • Cannot be for profit • Cannot harm the author's legitimate purposes • Adaptation does not exceed the necessary extent • Must be lawfully published 	
Works	Unspecified	
Exclusive rights	<ul style="list-style-type: none"> • Reproduction • Distribution • Publication 	
General Provisions	None	
Import/export provisions	None	
Other provisions?	None	
Marrakesh VIP Treaty	None	
Source	Copyright Law, available at https://wipolex.wipo.int/en/text/496459	

Lebanon

Specific Provisions	None	
General Provisions	None	
Marrakesh VIP Treaty	Signature: June 28, 2013	
Source	Law on the Protection of Literary and Artistic Property of Lebanon, No. 75 (3 April 1999), available at http://www.wipo.int/wipolex/en/text.jsp?file_id=128484 .	

Lesotho

Specific Provisions	None	
General Provisions	None	

Marrakesh VIP Treaty	Accession: April 30, 2018 In force: July 30, 2018
Source	Copyright Order of Lesotho, No. 13 (25 August 1989), available at http://www.wipo.int/wipolex/en/text.jsp?file_id=209919 .

Liberia

Specific Provisions	§9.16. Visually Impaired Persons a) It shall be permitted without the authorization of the owner of copyright to reproduce a published work for visually or aurally impaired persons or persons with print disabilities in a specialized format which enables their perception of the work, and to distribute the copies exclusively to those persons, provided that the work is not reasonably available in an identical or largely equivalent form enabling its perception by the visually, aurally impaired or print disabled person; and the reproduction and distribution are made on a non-profit basis. b) The copies of works made in pursuance of this section shall bear a copyright notice identifying the copyright owner and the date of the original publication and notice that any further reproduction or distribution in a format other than a specialized format is an infringement. c) The distribution of works made pursuant to this section is also permitted where the copies had been made abroad and the conditions mentioned above have been fulfilled.	Sec 9.16 and 9.32(b)
Which disabilities are provided for?	<ul style="list-style-type: none"> • Visual • Aural • Print 	
Who may make accessible formats?	Unspecified	
Conditions:	<ul style="list-style-type: none"> • Cannot be for profit • Work cannot be reasonably available in an identical or largely equivalent form enabling its perception by the visually, aurally, or print impaired • Work must bear a copyright notice identifying the copyright owner, date of the original publication, and notice that any further reproduction or distribution in a format other than a specialized format is an infringement • Work must be exclusively distributed to disabled person 	
Works	Published	
Exclusive rights	<ul style="list-style-type: none"> • Reproduction • Distribution • Adaptation 	

General Provisions	None	
Import/export provisions	Import	
Other provisions?	9.32b) Notwithstanding the provisions of this section, a beneficiary of any exception or limitation under this Act may circumvent any technological protection measure to the extent required to benefit from such exception or limitation.	
Marrakesh VIP Treaty	Accession: October 6, 2016 In Force: January 6, 2017	
Source	An Act To Repeal "An Act Adopting A New Copyright Law Of The Republic Of Liberia Approved July 23, 1997; And The Industrial Property Act Of Liberia Approved March 20, 2003 Constituting Title 24 Of The Liberian Code Of Laws Revised, And To Enact In Their Stead A New Title 24 To Be Known As The Liberia Intellectual Property Act, 2016. available at http://www.wipo.int/edocs/lexdocs/laws/en/lr/lr004en.pdf	

Libya

Specific Provisions	None	
General Provisions	None	
Marrakesh VIP Treaty	None	
Source	Copyright Law of Libya, No. 9 (16 March 1968), available at http://www.wipo.int/wipolex/en/text.jsp?file_id=234540 .	

Liechtenstein

Specific Provisions		Art 26c
Which disabilities are provided for?	Any disability that deprives the individual of the ability to perceive a work in its currently available form(s)	
Who may make accessible formats?	Unspecified	

Conditions:	<ul style="list-style-type: none"> • Cannot be for profit • Accessible version of the work must be unavailable for public purchase • Compensation must be paid to the author, as determined by a governmental body, if use extends beyond personal. 	
Works	Unspecified	
Exclusive rights	Reproduction Distribution Translation/transliteration	
General Provisions	None	
Import/export provisions	None	
Other provisions?	None	
Marrakesh VIP Treaty	None	
Source	Law of May 19, 1999, on Copyright and Neighboring Rights (consolidated version of December 19, 2006), available at https://wipolex.wipo.int/en/text/186894	

Lithuania

Specific Provisions	<p>Article 25. Use of Works in Manners Intended for Persons with a Disability 1. It shall be permitted for natural and legal persons approved by the institution authorised by the Government representing the interests of persons with a disability, when they act for noncommercial purposes, without the authorisation of the author of a work or any other owner of copyright in this work, and without the payment of a remuneration, but indicating, where possible, the source, including the author's name, to use a work lawfully published or communicated to the public in the manners laid down in paragraphs 2 and 3 of this Article, provided that only persons with a disability shall have the possibility to use and access this work, to the extent required by the specific disability, with the exception of the works specially created for this purpose. 2. For the purposes of the limitation specified in paragraph 1 of this Article, it shall be permitted to reproduce, publish, adapt and communicate to the public, including the making available to the public of a work via computer networks (on the Internet), an audio version (also in electronic form) and a Braille version of the work. 3. It shall be permitted for the needs of persons with intellectual and reading impairments to reproduce, publish, adapt and communicate to the public, including the making available to the public of a</p>	Art 25
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	work via computer networks (on the Internet) the works specially adapted for these persons. The adaptation of works for persons with intellectual and reading impairments shall mean a transformation of works by simplifying lexis, grammar and (or) morphology, or by shortening the text, i.e. in such a manner as to make the works perceivable by persons with such impairments.	
Which disabilities are provided for?	<ul style="list-style-type: none"> • Visual • Hearing • Physical • Intellectual • Reading 	
Who may make accessible formats?	Approved entities	
Conditions:	<ul style="list-style-type: none"> • Cannot be for profit • Author's name must be indicated where possible • Works must only be for the use of the disabled 	
Works	Unspecified	
Exclusive rights	<ul style="list-style-type: none"> • Reproduction • Publication • Adaptation • Communication to the public 	
General Provisions	None	
Import/export provisions	None	
Other provisions?	Art 75 When technological measures applied by owners of copyright, related rights and sui generis rights prevent the users of such rights from benefiting from the limitations of copyright, related rights and sui generis rights, provided for in... paragraph 1 of Article 25..., the users of the rights must be provided with conditions or adequate means (i.e. decoding devices and other) enabling to use legitimately accessible objects of copyright, related rights or sui generis rights to the extent necessary for the users of the rights to benefit from the limitations of copyright, related rights and sui generis rights provided for their interests.	
Marrakesh VIP Treaty	Signature: September 27, 2013	
Source	Republic of Lithuania Law on Copyright and Related Rights, available at http://www.wipo.int/edocs/lexdocs/laws/en/lt/lt081en.pdf	

Luxembourg

Specific Provisions		Sec 2.10.14
Which disabilities are provided for?	<ul style="list-style-type: none"> • Visual • Hearing 	
Who may make accessible formats?	Unspecified	
Conditions:	<ul style="list-style-type: none"> • Moral rights must be respected • Modification must be directly related to disability • Cannot be for profit 	
Works	Unspecified	
Exclusive rights	Reproduction	
General Provisions	None	
Import/export provisions	None	
Other provisions?	None	
Marrakesh VIP Treaty	Signature: June 28, 2013	
Source	Loi du 18 avril 2001 sur les droits d'auteur, les droits voisins et les bases de données available at, https://wipolex.wipo.int/en/text/128653	

Madagascar

Specific Provisions	None	
General Provisions	None	
Marrakesh VIP Treaty	None	
Source	Law on the Protection of Literary and Artistic Property of Madagascar, No. 94-036 (9 December 1994), available at http://www.wipo.int/wipolex/en/text.jsp?file_id=186143 .	

Malawi

Specific Provisions	<p>49. The reproduction of a published literary, artistic or musical work in a form specifically intended for visually impaired persons or persons with print disabilities people with disabilities who, due to the nature of their disability, are not able to access or enjoy the work in any of the forms in which it is commercially available, shall be permitted: Provided that the reproduction and the making available of the copies is not made on a commercial basis and that the copies shall be made available only to such disabled people for which they are intended, and that__ (a) the reproduction is not made from copies which are made for the same purpose; (b) where it is a reproduction of a musical work, it is not made in the form of a sound or audiovisual recording; and (c) where the reproduction is made in the form of a sound or audiovisual recording, the copies shall be made available only by way of lending to people who, due to their disability, may access and enjoy the work only in this form.</p>	Art 49
Which disabilities are provided for?	<ul style="list-style-type: none"> • Visual • Print • Other 	
Who may make accessible formats?	Unspecified	
Conditions:	<ul style="list-style-type: none"> • Work must be published • Modification must be specifically intended for disabled persons • Work must not be commercially available in perceptible form • 4. Reproduction of musical work cannot be made in the form of a sound or audiovisual recording 	
Works	<ul style="list-style-type: none"> • Literary • Artistic • Musical 	
Exclusive rights	<ul style="list-style-type: none"> • Reproduction • Distribution 	
General Provisions	None	
Import/export provisions	None	
Other provisions?	<p>86. (1) An owner of copyright shall ensure that a beneficiary who has legal access to a protected work or other subject matter protected under this Act is able to use the work or other subject matter without impediment of an effective technological protection measure__ (a) pursuant to section 41, 44, 48, 49, 51, 53 and 59;</p>	

Marrakesh VIP Treaty	Accession: July 14, 2017 In Force: October 14, 2017
Source	Copyright Act, 2016 available at, http://www.wipo.int/edocs/lexdocs/laws/en/mw/mw031en.pdf

Malaysia

Specific Provisions	(2) Notwithstanding subsection (1), the right of control under that subsection does not include the right to control-- (gggg) the making of copies of television broadcasts which are subtitled or otherwise modified for people who are deaf or hard of hearing, or physically or mentally handicapped in other ways and the issuing of such copies to the public by non-profit making bodies or institutions which the Minister may, by order, prescribe (3) Notwithstanding subsection (1), the right to control under that subsection does not include the right to control— (c) an indirect sound recording or film of a live performance-- (ii) being a sound recording or film made by, or on behalf of, the body administering an institution assisting persons with a print disability solely for the purpose of the provision, whether by the institution or otherwise, of assistance to persons with a visual, aural, intellectual and print disability;	13 (2) (gggg) and (3)
Which disabilities are provided for?	<ul style="list-style-type: none"> • Visual • Print • Deaf • Hard of Hearing • Physical • Mental 	
Who may make accessible formats?	Minster-approved institutions	
Conditions:	<ul style="list-style-type: none"> • Can only be distributed by non-profits or Minister-approved institutions • Must be published 	
Works	<ul style="list-style-type: none"> • Television broadcasts • Sound recordings • Films • Live TV performances 	
Exclusive rights	<ul style="list-style-type: none"> • Reproduction • Distribution • Performance 	
General Provisions	None	

Import/export provisions	None	
Other provisions?	None	
Marrakesh VIP Treaty	None	
Source	Copyright Act 1987, available at https://wipolex.wipo.int/en/text/195942	

Maldives

Specific Provisions	None	
General Provisions	None	
Marrakesh VIP Treaty	None	
Source	Copyright and Related Rights Act of the Maldives, No. 23/2010 (21 October 2010), available at http://www.wipo.int/wipolex/en/text.jsp?file_id=229881 .	

Mali

Specific Provisions	*Unable to locate any disability-related provisions in Copyright Law, but Marrakesh VIP Treaty is self-executing	
General Provisions	None	
Marrakesh VIP Treaty	Signature: June 28, 2013 Ratification: December 16, 2014 In force: September 30, 2016	
Source	System of Literary and Artistic Property of Mali, Law No. 08-024 (23 July 2008), available at http://www.wipo.int/wipolex/en/text.jsp?file_id=197932 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	

Malta

Specific Provisions	<p>9. (1) Copyright in an audiovisual work, a database, a literary work other than in the case of a computer programme, a musical [sic] or artistic work shall not include the right to authorise or prohibit –</p> <p>(i) the reproduction, translation, distribution or communication to the public of a work for the benefit of people with a disability, which are directly related to the disability and on a non-commercial nature, to the extent required by the specific disability;</p>	Sec 9(1)(i)
Which disabilities are provided for?	Unspecified	
Who may make accessible formats?	Unspecified	
Conditions:	<ul style="list-style-type: none"> • Cannot be for profit • Modification cannot exceed the extent required by the specific disability 	
Works	<ul style="list-style-type: none"> • Audiovisual • Database • Literary (except computer programme) • Musical • Artistic 	
Exclusive rights	<ul style="list-style-type: none"> • Reproduction • Translation • Distribution • Communication 	
General Provisions	None	
Import/export provisions	None	
Other provisions?	None	
Marrakesh VIP Treaty	None	
Source	Copyright Act, 2000, available at https://wipolex.wipo.int/en/text/355524	

Marshall Islands

Specific Provisions	None
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General Provisions	None
Marrakesh VIP Treaty	None
Source	Unauthorized Copies of Recorded Materials Act, 1991 (P.L. 1991-132, §1, 20 MIRC Ch. 2.) of Marshall Islands, available at https://wipolex.wipo.int/en/text/236201

Mauritania

Specific Provisions	None
General Provisions	None
Marrakesh VIP Treaty	Signature: June 28, 2013
Source	<p>Mauritania does not have a copyright statute.⁴⁹ The following laws contain provisions pertaining to copyright:</p> <ol style="list-style-type: none"> 1. Law No. 2000-05 of January 18, 2000, on the Commercial Code 2. Law of July 11, 1999, on Telecommunications 3. Mauritania Ordinance No. 83-162 of July 9, 1983, Concerning the Imposition of the Criminal Code <p>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</p>

Mauritius

Specific Provisions	23 Visually impaired person (1) It shall be permitted, without the authorisation of the author or other owner of copyright, to reproduce a published work for persons who are blind, visually impaired or otherwise print disabled in an alternative manner or form which enables their perception of the work, and to distribute and make available the copies exclusively to those persons, where —	Art 23
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⁴⁹ Crews (2017) notes that Mauritania uses 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”.

	<p>(a) the work is not reasonably available in an identical or largely equivalent form enabling its perception by these persons; and</p> <p>(b) the reproduction and distribution are made on a non-profit basis. (2) Distribution shall also be permitted where copies for the visually impaired persons have been made abroad and the conditions referred to in subsection (1) are satisfied. (3) A copy made under subsections (1) and (2) shall indicate the source and the name of the author, and it shall be permitted for an authorised entity to distribute or make available that copy to a beneficiary person or an authorised entity abroad. (4) For the purposes of subsection (1), it shall be permitted to make the changes needed to make the work accessible in the alternative format.</p>	
Which disabilities are provided for?	<ul style="list-style-type: none"> • Blind • Visual • Print 	
Who may make accessible formats?	Unspecified	
Conditions:	<ul style="list-style-type: none"> • Cannot be for profit • Work cannot be reasonably available in an identical or largely equivalent form enabling its perception by the persons in question • Source and author of original work must be indicated 	
Works	Published	
Exclusive rights	<ul style="list-style-type: none"> • Reproduction • Adaptation • Distribution 	
General Provisions	None	
Import/export provisions	<p>(2) Distribution shall also be permitted where copies for the visually impaired persons have been made abroad and the conditions referred to in subsection (1) are satisfied.</p> <p>(3) A copy made under subsections (1) and (2)...it shall be permitted for an authorised entity to distribute or make available that copy to a beneficiary person or an authorised entity abroad.</p>	
Other provisions?	None	
Marrakesh VIP Treaty	Signature: June 28, 2013	
Source	The Copyright Act 2014 Act No. 2 of 2014 Government Gazette of Mauritius No. 37 of 24 April 2014, available at https://www.wipo.int/edocs/lexdocs/laws/en/mu/mu024en.pdf	

Mexico

Specific Provisions		Art 148 (VIII)
Which disabilities are provided for?	Unspecified	
Who may make accessible formats?	Unspecified	
Conditions:	<ul style="list-style-type: none"> • Cannot be for profit • Work must be disclosed • Modification cannot affect the normal exploitation of the work • Author's name and source must be indicated 	
Works	<ul style="list-style-type: none"> • Literary • Artistic 	
Exclusive rights	<ul style="list-style-type: none"> • Publication • Use 	
General Provisions	None	
Import/export provisions	None	
Other provisions?	None	
Marrakesh VIP Treaty	Signature: June 25, 2014 Ratification: July 29, 2015 In Force: September 30, 2016	
Source	Federal Law on Copyright (consolidated text published in the Official Journal of the Federation on June 15, 2018), available at https://wipolex.wipo.int/en/text/477187	

Micronesia

Specific Provisions	None	
General Provisions	<p>§ 107. Limitation on exclusive rights — Fair use. Notwithstanding the provisions of section 106 of this chapter, the fair use of a copyrighted work, including such use by reproduction in copies or phonorecords or by any other means specified by that section, for purposes such as criticism, comment, news reporting, teaching (including multiple copies for classroom use), scholarship, or research, is not an infringement of copyright. In determining whether the use made of a work in any particular case is a fair use the factors to be considered shall include: (1) the purpose and character of the use, including whether such use is of a commercial nature or is for nonprofit educational purposes; (2) the nature of the copyrighted work; (3) the</p>	

	amount and substantiality of the portion used in relation to the copyrighted work as a whole; and (4) the effect of the use upon the potential market for or value of the copyrighted work
Marrakesh VIP Treaty	None
Source	FSMC (Code of the Federated States of Micronesia), Title 35. Copyright, Patents & Trademarks, Chapter I: Copyrights, available at https://wipolex.wipo.int/en/text/179208

Monaco

Specific Provisions	None
General Provisions	None
Marrakesh VIP Treaty	None
Source	Law on the Protection of Literary and Artistic Property of Monaco, No. 491 (24 November 1948), as amended up to Law No. 1.313 of June 29, 2006, available at http://www.wipo.int/wipolex/en/text.jsp?file_id=216484 .

Mongolia

Specific Provisions	Article 24. Exceptions and limitations 24.1. The following circumstances where the works were used without contradicting the normal exploitation of published works and without affecting the legal interests of the right holders shall not be deemed as copyright infringement: 24.1.7. To use works for the visually impaired and people with hearing problems;	Art 24.1.7
Which disabilities are provided for?	<ul style="list-style-type: none"> • Visual • Hearing 	
Who may make accessible formats?	Unspecified	
Conditions:	<ul style="list-style-type: none"> • Work must be lawfully published • Normal exploitation of published work cannot be contradicted • Legal interests of the right holders shall not be affected 	
Works	Unspecified	

Exclusive rights	Unspecified	
General Provisions	None	
Import/export provisions	None	
Other provisions?	None	
Marrakesh VIP Treaty	Signature: June 28, 2013 Ratification: September 23, 2015 In Force: September 30, 2016	
Source	Law of Mongolia on Copyright And Related Rights available at https://www.wipo.int/edocs/lexdocs/laws/en/mn/mn032en.pdf	

Montenegro

Specific Provisions		Article 48(1)
Which disabilities are provided for?	Unspecified	
Who may make accessible formats?	Unspecified	
Conditions:	<ul style="list-style-type: none"> • Cannot be for profit • Modification must related to special needs person • Scope of modification should be limited to the necessary extent 	
Works	Unspecified	
Exclusive rights	Unspecified	
General Provisions	None	
Import/export provisions	None	
Other provisions?	None	
Marrakesh VIP Treaty	None	
Source	Law on Copyright and Related Rights of Montenegro (Official Gazette of Montenegro, Nos. 37/2011 and 53/2016) available at, http://www.wipo.int/wipolex/en/text.jsp?file_id=475811	

Morocco

Specific Provisions	None	
General Provisions	None	
Marrakesh VIP Treaty	Signature: June 28,2013	
Source	Law No. 2-00 on Copyright and Related Rights (promulgated by Dahir No. 1-00-20 of 9 Kaada 1420 (February 15, 2000), as amended by No. 34-05 (14 February 2006), available at https://wipolex.wipo.int/en/text/252835	

Mozambique

Specific Provisions	None	
General Provisions	None	
Marrakesh VIP Treaty	Signature: August 22, 2013	
Source	Law No. 4/2001 of February 27, 2001 (Copyright Law) of Mozambique, available at https://wipolex.wipo.int/en/legislation/details/3145	

Myanmar

Specific Provisions	None	
General Provisions	None	
Marrakesh VIP Treaty	None	
Source	The Burma [Myanmar] Copyright Act (24 February 1914), available at http://www.wipo.int/wipolex/en/text.jsp?file_id=180315 .	

Namibia

Specific Provisions	None
General Provisions	None
Marrakesh VIP Treaty	Signature: August 12, 2013
Source	Copyright and Neighboring Rights Protection Act of Namibia, No. 6 (5 May 1994), as amended by the Business and Intellectual Property Authority Act, 2016 (Act No. 8 of 2016) (NA028), available at http://www.wipo.int/wipolex/en/text.jsp?file_id=222895 .

Nepal

Specific Provisions	None
General Provisions	None
Marrakesh VIP Treaty	Signature: June 28, 2013
Source	Copyright Act of Nepal, No. 8 (15 August 2002), available at http://www.wipo.int/wipolex/en/text.jsp?file_id=189128 .

Netherlands

Specific Provisions		Art15i, 29a
Which disabilities are provided for?	Unspecified	
Who may make accessible formats?	Unspecified	
Conditions:	<ul style="list-style-type: none"> • Cannot be for profit • Remuneration must be paid to copyright holder • Modification must be directly related to disability 	
Works	<ul style="list-style-type: none"> • Literary • Scientific • Artistic 	
Exclusive rights	Unclear	

General Provisions	None	
Import/export provisions	None	
Other provisions?	Anti-circumvention	
Marrakesh VIP Treaty	None	
Source	Copyright Act, available at https://wipolex.wipo.int/en/text/468398	

New Zealand

Specific Provisions	<p>69 Provision of Braille copies of literary or dramatic works (1) A body prescribed by regulations made under this Act may, if the conditions contained in subsection (2) are complied with, make or communicate copies or adaptations of published literary or dramatic works for the purpose of providing persons who have a print disability with copies that are in Braille or otherwise modified for their special needs, without infringing copyright in those literary or dramatic works. (2) The conditions referred to in subsection (1) are— (a) that the prescribed body has made reasonable efforts to obtain a copy of the complete work, in Braille or otherwise modified as required by the person or persons to whom it is to be provided, within a reasonable time at an ordinary commercial price, but has been unable to do so; and (b) that the copies are provided only to persons having a print disability; and (c) that, where any body makes a copy or adaptation of a published literary or dramatic work under this section, the body shall, as soon as is reasonably practicable, take all reasonable steps to notify the owner of the copyright in the work of the making of the copy or adaptation; and (d) that, where any person to whom a copy is provided is required to pay for the copy, the payment required is no higher than a sum consisting of the total cost of the production of the copy and a reasonable contribution to the general expenses of the prescribed body. (3) A body shall not be prescribed for the purposes of subsection (1) if it is established or conducted for profit. (4) For the purposes of this section, a person has a print disability if he or she— (a) is blind; or (b) suffers severe impairment of his or her sight; or (c) is unable to hold or manipulate books; or (d) is unable to focus or move his or her eyes; or (e) suffers a handicap with respect to visual perception</p> <p>89 Provision of subtitled copies of communication work (1) A body prescribed by regulation made under this Act may,</p>	Sec 69 and 89
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	for the purpose of providing people who are deaf or hard of hearing, or physically or mentally disabled in any other way, with copies that are subtitled or otherwise modified for their special needs, make copies of a communication work and issue copies to the public, without infringing any copyright in the communication work or in any work included in the communication work. (2) A body must not be prescribed for the purposes of subsection (1) if it is established or conducted for profit	
Which disabilities are provided for?	<ul style="list-style-type: none"> • Print • Aural • Physical • Mental 	
Who may make accessible formats?	Specified bodies	
Conditions:	<ul style="list-style-type: none"> • The prescribed body must make reasonable efforts to obtain a copy of the complete work, in Braille or otherwise modified as required by the person or persons to whom it is to be provided, within a reasonable time at an ordinary commercial price • The copies must be provided only to persons having a print disability • Where any body makes a copy or adaptation of a published literary or dramatic work under this section, the body shall, as soon as is reasonably practicable, take all reasonable steps to notify the owner of the copyright in the work of the making of the copy or adaptation; and • Where any person to whom a copy is provided is required to pay for the copy, the payment required is no higher than a sum consisting of the total cost of the production of the copy and a reasonable contribution to the general expenses of the prescribed body • Work must be published 	
Works	<ul style="list-style-type: none"> • Literary (print disabled only) • Dramatic (print disabled only) • Communication works 	
Exclusive rights	<ul style="list-style-type: none"> • Reproduction • Distribution • Communication • Adaptation 	
General Provisions	None	
Import/export provisions	None	
Other provisions?	None	

Marrakesh VIP Treaty	None
Source	Copyright Act 1994, available at https://wipolex.wipo.int/en/text/449852

Nicaragua

Specific Provisions		
Which disabilities are provided for?	Blind	
Who may make accessible formats?	Unspecified	
Conditions:	<ul style="list-style-type: none"> • Cannot be for profit • Must be done through the braille system or another specific procedure • Must be for private use of the blind • Work must be lawfully published 	
Works	Unspecified	
Exclusive rights	Reproduction	
General Provisions	None	
Import/export provisions	None	
Other provisions?	None	
Marrakesh VIP Treaty	None	
Source	Law No. 312 of 1999 on Copyright and Neighboring Rights (consolidated version as of February 2001), available at https://wipolex.wipo.int/en/text/128903	

Niger

Specific Provisions	None
General Provisions	None
Marrakesh VIP Treaty	None

Source	<p>Law on Copyright, Related Rights, and Expressions of Folklore of Niger, Decree No. 93-027 (30 March 1993), available at http://www.wipo.int/wipolex/en/text.jsp?file_id=240540</p> <p>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</p>
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Nigeria

Specific Provisions	The right conferred in respect of a work by section 5 of this Act does not include the right to control- (s) reproduction of published work in Braille for exclusive use of the blind, and sound recordings made by institutions or other establishment approved by the Government for the promotion of the welfare of other disabled persons for the exclusive use of such blind or disabled persons	Second Schedule (s)
Which disabilities are provided for?	<ul style="list-style-type: none"> • Blind • Other 	
Who may make accessible formats?	Approved institutions (sound recordings)	
Conditions:	<ul style="list-style-type: none"> • Work must be published • Must be for the exclusive use of the blind 	
Works	<ul style="list-style-type: none"> • Braille copies • Sound recordings 	
Exclusive rights	Reproduction	
General Provisions	None	
Import/export provisions	None	
Other provisions?	None	
Marrakesh VIP Treaty	Signature: June 28, 2013 Ratification: October 4, 2017 In Force: January 4, 2018	
Source	Copyright Act, available at http://www.nigeria-law.org/CopyrightAct.htm	

Niue

Specific Provisions	*Niue has adopted New Zealand copyright law – see above	
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Which disabilities are provided for?		
General Provisions		
Marrakesh VIP Treaty		
Source	Available at https://wipolex.wipo.int/en/text/427717	

Norway

Specific Provisions		Sec 17, 17a, 17b
Which disabilities are provided for?	<ul style="list-style-type: none"> • Blind • Visual • Hearing • Speech • Other 	
Who may make accessible formats?	Ministry may designate organizations	
Conditions:	<ul style="list-style-type: none"> • Cannot be for profit • Ministry permission must be obtained to modify a sound recording • In some instances, remuneration is required 	
Works	<ul style="list-style-type: none"> • Literary • Musical • Scientific 	
Exclusive rights	<ul style="list-style-type: none"> • Reproduction • Distribution 	
General Provisions	None	
Import/export provisions	<ul style="list-style-type: none"> • Import • Export 	
Other provisions?	None	
Marrakesh VIP Treaty	Signature: June 20, 2014	
Source	Copyright Act, Available at https://wipolex.wipo.int/en/text/457720	

Oman

Specific Provisions	None
General Provisions	None
Marrakesh VIP Treaty	None
Source	The Law on Copyright and Related Rights of Oman, Royal Decree No. 65/2008 (4 May 2008), available at http://www.wipo.int/wipolex/en/text.jsp?file_id=180949 .

Pakistan

Specific Provisions	None
General Provisions	None
Marrakesh VIP Treaty	None
Source	Copyright Ordinance of Pakistan, No. XXXIV (1962), as amended through the Copyright Ordinance, 2000 (29 September 2000), available at http://www.wipo.int/wipolex/en/text.jsp?file_id=129351 .

Panama

Specific Provisions		Art 39 (6)
Which disabilities are provided for?	Visual	
Who may make accessible formats?	Unspecified	

Conditions:	<ul style="list-style-type: none"> • Cannot be for profit • Reproduction must be for the private use of the visually impaired • Adaptation must be done through the Braille system or another specific procedure 	
Works	Unspecified	
Exclusive rights	Reproduction	
General Provisions	None	
Import/export provisions	None	
Other provisions?	None	
Marrakesh VIP Treaty	Signature: June 28, 2013 Ratification: February 10, 2017 In force: May 10, 2017	
Source	Law of Copyright and Neighboring Rights of Panama, No. 64 (10 October 2012), available at http://www.wipo.int/wipolex/en/text.jsp?file_id=350139 .	

Palau

Specific Provisions	None	
General Provisions	None	
Marrakesh VIP Treaty	None	
Source	Republic of Palau Copyright Act of 2003, available at https://wipolex.wipo.int/en/text/201050	

Papua New Guinea

Specific Provisions	None	
General Provisions	None	
Marrakesh VIP Treaty	None	

Source	Copyright and Neighbouring Rights Act 2000 of Papua New Guinea, available at https://wipolex.wipo.int/en/legislation/details/3427
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Paraguay

Specific Provisions	39. The following is permitted without authorization by the author or payment of remuneration in relation to works already disclosed: 6. the reproduction of works in Braille or another specific form for the exclusive use of the visually handicapped, provided that the reproduction is not done with gainful intent and the copies are not used for profit-making purposes;	Art 39(6)
Which disabilities are provided for?	Visual	
Who may make accessible formats?	Unspecified	
Conditions:	<ul style="list-style-type: none"> • Cannot be for profit • Reproduction must be for the private use of the visually impaired • Adaptation must be done through the Braille system or another specific procedure • Work must be lawfully disclosed 	
Works	Unspecified	
Exclusive rights	Reproduction	
General Provisions	None	
Import/export provisions	None	
Other provisions?	None	
Marrakesh VIP Treaty	Signature: June 28, 2013 Ratification: January 20, 2015 In Force: September 30, 2016	
Source	Law No. 1328/1998 on Copyright and Related Rights, available at http://www.wipo.int/edocs/lexdocs/laws/en/py/py001en.pdf	

Peru

Specific Provisions	Article 43.- As regards works already disseminated legally, without authorization of the author it shall be permitted to: (g) Reproduce intellectual works for private use by the blind, on the condition that this is done by using the Braille system or another specific procedure and that copies are not intended for profit-making purposes.” Art. 50. The exceptions provided for in the foregoing Articles shall be interpreted restrictively, and may not be applied to cases that are contrary to proper practice.	Art 43(g) and 50
Which disabilities are provided for?	Blind	
Who may make accessible formats?	Unspecified	
Conditions:	<ul style="list-style-type: none"> • Copies cannot be intended for profit-making purposes. • Must be for the private use of the blind • Adaptation must be done through the Braille system or another specific procedure • Work must be legally disseminated 	
Works	Unspecified	
Exclusive rights	Reproduction	
General Provisions	None	
Import/export provisions	None	
Other provisions?	None	
Marrakesh VIP Treaty	Signature: June 28, 2013 Ratification: February 2, 2016 In Force: September 30, 2016	
Source	Copyright Law (Legislative Decree No. 822 of April 23, 1996), available at https://wipolex.wipo.int/en/text/129300 as amended by Law No. 27861 of October 24, 2002 on the Exemption from Payment of Copyright Fees for the Reproduction of Works for the Visually Impaired, available at http://www.wipo.int/edocs/lexdocs/laws/en/pe/pe017en.pdf	

Philippines

Specific Provisions	SEC. 184. Limitations on Copyright. - 184.1. Notwithstanding the provisions of Chapter V, the following acts shall not constitute infringement of copyright:	Sec. 184.1(l)
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	(l) The reproduction or distribution of published articles or materials in a specialized format exclusively for the use of the blind, visually- and reading-impaired persons: Provided, That such copies and distribution shall be made on a nonprofit basis and shall indicate the copyright owner and the date of the original publication.	
Which disabilities are provided for?	<ul style="list-style-type: none"> • Blind • Visual • Reading 	
Who may make accessible formats?	Unspecified	
Conditions:	<ul style="list-style-type: none"> • Cannot be for profit • Work must be published • Work must be exclusively for the use of the blind, visually impaired and reading disabled • Name of copyright owner and date of original publication must be indicated 	
Works	<ul style="list-style-type: none"> • Articles • Materials 	
Exclusive rights	<ul style="list-style-type: none"> • Reproduction • Distribution 	
General Provisions	None	
Import/export provisions	None	
Other provisions?	None	
Marrakesh VIP Treaty	Accession: December 18, 2018 In Force: March 18, 2019	
Source	Intellectual Property Code of the Philippines (Republic Act No. 8293) (2015 Edition), available at https://wipolex.wipo.int/en/text/488674	

Poland

Specific Provisions		Art. 33
Which disabilities are provided for?	Unspecified	
Who may make accessible formats?	Unspecified	
Conditions:	<ul style="list-style-type: none"> • Cannot be for profit • Modification must be directly related to the disability in question and not exceed necessary extent • Author and source must be cited • Permitted use must not infringe the moral use of the work 	

Works	Unspecified	
Exclusive rights	Unspecified	
General Provisions	None	
Import/export provisions	None	
Other provisions?	None	
Marrakesh VIP Treaty	Signature: June 24, 2014	
Source	Copyright and Related Rights, Available at http://www.wipo.int/wipolex/en/text.jsp?file_id=408585	

Portugal

Specific Provisions		Art 75(2)(i), 76, 80, 221, 222
Which disabilities are provided for?	<ul style="list-style-type: none"> • Blind • Other 	
Who may make accessible formats?	Unspecified	
Conditions:	<ul style="list-style-type: none"> • Cannot be for profit • Work must be lawfully published • Must be directly related to this disability and not exceed the necessary extent • 4. Must indicate the author, publisher, title of the work, and any other indicating factors when possible 	
Works	Unspecified	
Exclusive rights	<ul style="list-style-type: none"> • Reproduction • Public communication • Making publicly available 	
General Provisions	None	
Import/export provisions	None	
Other provisions?	Anti-circumvention provisions (221-222)	
Marrakesh VIP Treaty	None	
Source	Code of Copyright and Related Rights (as amended up to Decree-Law No. 100/2017 of August 23, 2017) available at https://wipolex.wipo.int/en/text/451732	

Qatar

Specific Provisions	None
General Provisions	None
Marrakesh VIP Treaty	Accession: October 24, 2018 In force: January 24, 2019
Source	Law on the Protection of Copyright and Related Rights of Qatar, No. 7 (8 June 2002), available at http://www.wipo.int/wipolex/en/text.jsp?file_id=129461 .

Republic of Korea

Specific Provisions	30. —(1) It shall be permissible to reproduce in Braille for the blind a work already made public. (2) It shall be permissible to make sound recordings of a work already made public, exclusively for the purpose of providing such recordings for the use of the blind at the facilities established for the promotion of the welfare of the blind as prescribed by the Presidential Decree.	Art 30
Which disabilities are provided for?	Blind	
Who may make accessible formats?	Unspecified	
Conditions:	<ul style="list-style-type: none"> • Cannot be for profit • Modification must be directly related to disability and not exceed the necessary extent • Work must be already public • Sound recordings must be exclusively for the purpose of providing such recordings for the use of the blind at the facilities established for the promotion of the welfare of the blind as prescribed by the Presidential Decree 	
Works	Unspecified	
Exclusive rights	Reproduction	
General Provisions	None	
Import/export provisions	None	

Other provisions?	None	
Marrakesh VIP Treaty	Signature: June 26, 2014 Ratification: October 8, 2015 In force: September 30, 2016	
Source	Copyright Act of 1957 (Act No. 432 of January 28, 1957, as amended up to Act No. 5015 of December 6, 1995), available at https://wipolex.wipo.int/en/text/128445	

Republic of Moldova

Specific Provisions	Article 28. Other Exceptions and Limitations It shall be permitted without the consent of the author or other holder of copyright and without payment of remuneration h) use, for the benefit of people with a disability, which are directly related to the disability and of a non-commercial nature, to the extent required by the specific disability;	Art 28(h)
Which disabilities are provided for?	Unspecified	
Who may make accessible formats?	Unspecified	
Conditions:	<ul style="list-style-type: none"> • Cannot be for profit • Modification must be directly related to disability and not exceed the necessary extent 	
Works	Unspecified	
Exclusive rights	Use	
General Provisions	None	
Import/export provisions	None	
Other provisions?	None	
Marrakesh VIP Treaty	Signature: June 28, 2013 Ratification: February 19, 2018 In Force: May 19, 2018	
Source	Law on Copyright and Related Rights, available at http://www.wipo.int/edocs/lexdocs/laws/en/md/md119en.pdf	

Romania

Specific Provisions	2) Subject to conditions provided for in paragraph (1), the reproduction, distribution, broadcasting or communication	
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	to the public, with neither direct nor indirect commercial or economic advantage, are allowed: e) of works, for the benefit of people with disabilities, which are directly related to that disability and to the extent required by the specific disability.	Article 33(2)(e)
Which disabilities are provided for?	Unspecified	
Who may make accessible formats?	Unspecified	
Conditions:	<ul style="list-style-type: none"> • Cannot be for profit • Must be directly related to disability and not exceed extent required by the specific disability 	
Works	Unspecified	
Exclusive rights	<ul style="list-style-type: none"> • Reproduction • Distribution • Broadcasting • Communication to the public 	
General Provisions	None	
Import/export provisions	None	
Other provisions?	(4) Owners of rights that have instituted technical measures of protection must make available to the beneficiaries of the exceptions provided for in Article 33 paragraph (1)... necessary means for the legal access to the work or any other object of protection. They have also the right to limit the number of copies made under the aforementioned conditions	
Marrakesh VIP Treaty	None	
Source	Law on Copyright and Neighboring Rights* (No. 8 of March 14, 1996), available at http://www.wipo.int/edocs/lexdocs/laws/en/ro/ro025en.pdf	

Russian Federation

Specific Provisions	*language barrier	
	Unclear	
General Provisions	Unclear	
Marrakesh VIP Treaty	Accession: February 8, 2018 In Force: May 8, 2018	
Source	Civil Code, available at https://wipolex.wipo.int/en/text/461645	

Rwanda

Specific Provisions	Article 215: Free reproduction of the work for visually impaired persons Notwithstanding the provisions of article 200 of this Law, it shall be permitted without the authorization of the author or other owner of copyright: 1° to reproduce a published work for visually impaired persons in an alternative manner or form which enables their perception of the work, and; 2° to distribute the copies exclusively to those persons, provided that the work is not reasonably available in a form enabling its perception by the visually impaired persons; and the reproduction and distribution are made on a non-profit basis. The distribution in Rwanda is also permitted in case the copies have been made abroad and the conditions mentioned in paragraph one have been fulfilled.	Art 215
Which disabilities are provided for?	Visual	
Who may make accessible formats?	Unspecified	
Conditions:	<ul style="list-style-type: none"> • Cannot be for profit • Original work must be published • Original work must have been unavailable in an accessible format 	
Works	All	
Exclusive rights	<ul style="list-style-type: none"> • Reproduction • Distribution • Adaptation 	
General Provisions	None	
Import/export provisions	The distribution in Rwanda is also permitted in case the copies have been made abroad and the conditions mentioned in paragraph one have been fulfilled.	
Other provisions?	None	
Marrakesh VIP Treaty	None	
Source	Law No. 31/2009 of 26/10/2009 on the Protection of Intellectual Property, available at http://www.wipo.int/edocs/lexdocs/laws/en/rw/rw001en.pdf	

Saint Kitts and Nevis

Specific Provisions	None
General Provisions	None
Marrakesh VIP Treaty	None
Source	Copyright Act of Saint Kitts and Nevis, Cap. 18.08 (31 December 2002), available at http://www.wipo.int/wipolex/en/text.jsp?file_id=235248 .

Saint Lucia

Specific Provisions	None
General Provisions	None
Marrakesh VIP Treaty	None
Source	Copyright Act of Saint Lucia, No. 10 (6 September 1995), available at http://www.wipo.int/wipolex/en/text.jsp?file_id=128487 , as amended by No. 7 (27 March 2000), available at http://www.wipo.int/wipolex/en/text.jsp?file_id=128489 .

Saint Vincent and the Grenadines

Specific Provisions	<p>80. Provision of subtitled copies of broadcast or cable programme {l) A designated body may, for the purpose of providing people who are deaf or hard of hearing, or physically or mentally handicapped in other ways, copies which are subtitled or otherwise modified for their special needs, make copies of television broadcasts or cable programmes and issue copies to the public, without infringing any copyright in the broadcasts or cable programmes or works included in them. (2) For the purposes of this section, "designated body" means a body designated for the purposes of this section by order of the Minister, except that the Minister shall not designate a body unless he is satisfied that it is not established or conducted for profit. 81. Adaptations An act which by virtue</p>	S.80(1)
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	of this Part may be done without infringing copyright in a literary, dramatic or musical work does not where that work is an adaptation, infringe any copyright in the work from which the adaptation was made.	
Which disabilities are provided for?	<ul style="list-style-type: none"> • Deaf • Hard of hearing • Physical • Mental 	
Who may make accessible formats?	Designated bodies	
Conditions:	Unspecified	
Works	<ul style="list-style-type: none"> • TV broadcasts • Cable programs 	
Exclusive rights	Reproduction Distribution	
General Provisions	None	
Import/export provisions	None	
Other provisions?	None	
Marrakesh VIP Treaty	Accession: September 5, 2016 In Force: December 5, 2016	
Source	Copyright Act Chapter 311, available at http://www.wipo.int/edocs/lexdocs/laws/en/vc/vc015en.pdf	

Samoa

Specific Provisions	None
General Provisions	None
Marrakesh VIP Treaty	None
Source	Copyright Act of Samoa, No. 25 (16 July 1998), as amended through the Copyright Amendment Act, No. 10 (11 October 2011), available at http://www.wipo.int/wipolex/en/text.jsp?file_id=309851 .

San Marino

Specific Provisions	None
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General Provisions	None
Marrakesh VIP Treaty	None
Source	Law on the Protection of Copyright of San Marino, No. 8 (25 January 1991), available at http://www.wipo.int/wipolex/en/text.jsp?file_id=202238 , as amended by Law No. 63 (24 June 1997), available at http://www.wipo.int/wipolex/en/text.jsp?file_id=202872 , and further amended by Law No. 43 (22 February 2006), available at http://www.wipo.int/wipolex/en/text.jsp?file_id=203007 .

Sao Tome and Principe

Specific Provisions	75 2. The following uses of a work without the consent of the author shall be lawful: The reproduction, public communication or making available to the public for people with disabilities of works directly related to and strictly to the extent required by the said deficiencies, and provided that it is not, directly or indirectly, for profit;	Art 75(2)
Which disabilities are provided for?	Unspecified	
Who may make accessible formats?	Unspecified	
Conditions:	<ul style="list-style-type: none"> • Cannot be for profit • Modification is only to the extent necessary 	
Works	Unspecified	
Exclusive rights	<ul style="list-style-type: none"> • Reproduction • Communication to the public • Making available to the public • Adaptation • Translation 	
General Provisions	None	
Import/export provisions	None	
Other provisions?	None	
Marrakesh VIP Treaty	Signature: June 28, 2013	
Source	Code of Copyrights and Related Rights (approved by Decree-Law No. 02/2017), available at https://wipolex.wipo.int/en/text/497465	

Saudi Arabia

Specific Provisions	None
General Provisions	None
Marrakesh VIP Treaty	Accession: November 21, 2018 In force: February 21, 2019
Source	Copyright Law of Saudi Arabia, Royal Decree. No. M/41 (30 August 2003), available at http://www.wipo.int/wipolex/en/text.jsp?file_id=129516 .

Senegal

Specific Provisions	None
General Provisions	None
Marrakesh VIP Treaty	Signature: June 28, 2013
Source	Law of Copyright and Neighboring Rights of Senegal, No. 2008-09 (25 January 2008), available at http://www.wipo.int/wipolex/en/text.jsp?file_id=243176 . 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

Serbia

Specific Provisions		Art 54
Which disabilities are provided for?	Unspecified	
Who may make accessible formats?	Unspecified	

Conditions:	<ul style="list-style-type: none"> • Cannot be for profit • Work cannot exist in the desired form • Modification must be directly related to people with disabilities and not exceed the necessary extent 	
Works	All works	
Exclusive rights	<ul style="list-style-type: none"> • Reproduction • Distribution 	
General Provisions	None	
Import/export provisions	None	
Other provisions?	None	
Marrakesh VIP Treaty	None	
Source	Copyright and related rights, Official Gazette, available at https://wipolex.wipo.int/en/text/441289	

Seychelles

Specific Provisions	<p>16.(1) It shall be permitted without the authorisation of the author or other owner of copyright to reproduce a published work for visually impaired persons in an alternative manner or form which enables their perception of the work, and to distribute the copies exclusively to such persons, provided that the work is not reasonably available in an identical or largely equivalent form enabling its perception by the visually impaired and the reproduction and distribution are made on a non-profit basis. (2) The distribution of work referred to in subsection (1) is also permitted in case the copies of such work have been made abroad and the conditions mentioned in that subsection have been fulfilled. (3) The provisions in subsections (1) and (2) are subject to the obligation to indicate the source and the name of the author</p>	s16(1)
Which disabilities are provided for?	Visual	
Who may make accessible formats?	Unspecified	
Conditions:	<ul style="list-style-type: none"> • Cannot be for profit • Original work must be published • Original work must not be available in an identical or largely equivalent form that enables its perception by the visually impaired 	
Works	<ul style="list-style-type: none"> • Literary • Artistic 	

Exclusive rights	<ul style="list-style-type: none"> • Reproduction • Distribution 	
General Provisions	None	
Import/export provisions	Import	
Other provisions?	None	
Marrakesh VIP Treaty	None	
Source	Copyright Act, 2014, available at https://wipolex.wipo.int/en/text/344478	

Sierra Leone

Specific Provisions	None	
General Provisions	None	
Marrakesh VIP Treaty	Signature: June 28, 2013	
Source	The Copyright Act, 2011, available at https://wipolex.wipo.int/en/legislation/details/14529	

Singapore

Specific Provisions		Sections 54 and 54A of the Copyright Act (Chapter 63); and Rules 7, 8, 10, 11 and 14 of the Copyright Rules
Which disabilities are provided for?	<ul style="list-style-type: none"> • Visual • Intellectual • Reading 	
Who may make accessible formats?	Unspecified	
Conditions:	<ul style="list-style-type: none"> • Cannot be for profit • Accessible format copy of the original work must be unavailable • 3. Equitable remuneration must be paid upon request of the copyright owner 	
Works	<ul style="list-style-type: none"> • Written • Visual (limited to literary, dramatic, or artistic for print-disabled users) 	
Exclusive rights	<ul style="list-style-type: none"> • Reproduction • Distribution 	

General Provisions	None	
Import/export provisions	Import Export	
Other provisions?	Anti-Circumvention exemption	
Marrakesh VIP Treaty	Accession: March 30, 2015 In Force: September 30, 2016	
Source	Copyright Act, available at https://sso.agc.gov.sg/Act/CA1987	

Slovakia

Specific Provisions	Section 46 Using of Work for the Benefit of Persons with a Disability (1) Copyright is not infringed by a person who without authorisation of its author uses released work by making a copy, by public performance, communication to the public and public distribution by means of transfer of title or by lending, provided that such use is intended solely for the benefit of persons with a disability and to the extent required by the level of disability and having purpose other than direct or indirect commercial benefit. (2) Copyright is not infringed by a person who without authorisation of its author supplements audiovisual work with verbal description of visual element of the work intended solely for persons with a disability and to the extent required by level of disability. Using of audiovisual work supplemented in such manner is governed by paragraph 1. (3) Copyright is not infringed by a person who without authorisation of its author creates sound recording of literary work intended solely for persons with a disability and in the extent required by the level of disability. Using of such sound recording is governed by paragraph 1.	Sec 46
Which disabilities are provided for?	Unspecified	
Who may make accessible formats?	Unspecified	
Conditions:	<ul style="list-style-type: none"> • Cannot be for profit • Modification must be intended solely for the benefit of a disabled person • Modification must not exceed the extent necessary • Work must be released 	
Works	Unspecified	
Exclusive rights	<ul style="list-style-type: none"> • Reproduction • Distribution • Communication to the public 	

	<ul style="list-style-type: none"> • Lending • Public performance 	
General Provisions	None	
Import/export provisions	Import Export	
Other provisions?	Anti- circumvention exemption	
Marrakesh VIP Treaty	None	
Source	Slovak Act No. 185/2015 Coll On Copyright, available at https://wipolex.wipo.int/en/text/451097	

Slovenia

Specific Provisions		Art 48a
Which disabilities are provided for?	Unspecified	
Who may make accessible formats?	Unspecified	
Conditions:	<ul style="list-style-type: none"> • Modification must be directly related to the disability and limited in scope • Work must not be available in the desired format • Cannot be for profit 	
Works	Unspecified	
Exclusive rights	<ul style="list-style-type: none"> • Distribution • Reproduction • Public recitation 	
General Provisions	None	
Import/export provisions	None	
Other provisions?	None	
Marrakesh VIP Treaty	Signature: May 16, 2014	
Source	Copyright and Related Rights Act, available at https://wipolex.wipo.int/en/legislation/details/3704	

Solomon Islands

Specific Provisions	None
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General Provisions	None
Marrakesh VIP Treaty	None
Source	Copyright Act 1987 (Cap 138) of Solomon Islands, available at https://wipolex.wipo.int/en/text/198217

Somalia

Specific Provisions	None
General Provisions	None
Marrakesh VIP Treaty	None
Source	Copyright Law (Sharciga Xuquuqda) of Somalia, Sharci Law No. 66 (7 September 1966), published in <i>Official Bulletin of the Somali Democratic Republic (Faafinta Rasmi ah)</i> , Issue No. 11 (1 November 1977), available at http://www.somalilandlaw.com/SDR_Copyright_Law_1977__Som_.pdf

South Africa

Specific Provisions	None * The Copyright Amendment Bill B13-2017 includes disability provisions. This Bill has been passed by the National Assembly and as of February 26, 2019 is currently before the National Council of Provinces.
General Provisions	None
Marrakesh VIP Treaty	None * South Africa has indicated an intention to become a party to the Marrakesh VIP Treaty in its National IP Policy, adopted in 2018 (Intellectual Property Policy of The Republic of South Africa Phase I 2018 Government Gazette, No. 41870 August, 31 2018).

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 http://www.wipo.int/wipolex/en/text.jsp?file_id=130429, Copyright Regulations of South Africa (1978), as amended through GN 1375 (1985), available at http://www.wipo.int/wipolex/en/text.jsp?file_id=130435; Electronic Communications and Transactions Act of South Africa, No. 25 (31 July 2002), available at http://www.internet.org.za/ect_act.html.</p> <p><u>Pending amendments</u> the Intellectual Property Laws Amendment Act, No. 28 (10 December 2013), available at http://www.wipo.int/wipolex/en/text.jsp?file_id=315146 (enacted but not yet in force); Copyright Amendment Bill, [B13-2017] (before parliament as at February 26, 2019) - will include disability exceptions available at http://pmg-assets.s3-website-eu-west-1.amazonaws.com/B13B-2017_Copyright.pdf</p>
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Spain

Specific Provisions		Art 31
Which disabilities are provided for?	<ul style="list-style-type: none"> • Visual • Blind • Reading • Physical 	
Who may make accessible formats?	Unspecified	
Conditions:	<ul style="list-style-type: none"> • Cannot be for profit • Must be for the benefit of people with disabilities and be directly tailored to those disabilities 	
Works	Print Written	
Exclusive rights	<ul style="list-style-type: none"> • Reproduction • Distribution • Public performance 	
General Provisions	None	
Import/export provisions	None	
Other provisions?	None	
Marrakesh VIP Treaty	None	

Source	The consolidated text of the law on Intellectual Property approved by legislative royal decree 1/1996, of April 12, 1996, available at https://wipolex.wipo.int/en/details.jsp?id=15435
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Sri Lanka

Specific Provisions	None
General Provisions	<p>11. (1) Notwithstanding the provisions of subsection (1) of section 9, the fair use of a work, including such use by reproduction in copies or by any other means specified by that section, 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. (emphasis added)</p> <p>(2) The following factors shall be considered in determining whether the use made of a work in any particular case is fair use :—</p> <p>(a) the purpose and character of the use, including whether such use is of a commercial nature or is for non-profit educational purposes ;</p> <p>(b) the nature of the copyrighted work ;</p> <p>(c) the amount and substantiality of the portion used in relation to the copyrighted work as a whole ; and</p> <p>(d) the effect of the use upon the potential market for, or value of, the copyrighted work</p>
Marrakesh VIP Treaty	Accession: October 5, 2016 In force: January 5, 2017
Source	Intellectual Property Act of Sri Lanka, No. 36 (12 November 2003), available at http://www.wipo.int/wipolex/en/text.jsp?file_id=184465 .

Sudan

Specific Provisions	*Unable to locate any disability-related provisions in Copyright Law, but Marrakesh VIP Treaty is self-executing
General Provisions	None

Marrakesh VIP Treaty	Signature: June 28, 2013
Source	Copyright and Neighboring Rights (Protection) Act of Sudan (2013), available at https://wipolex.wipo.int/en/legislation/details/3605

Suriname

Specific Provisions	None
General Provisions	None
Marrakesh VIP Treaty	None
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 http://www.wipo.int/wipolex/en/text.jsp?file_id=209837 .

Sweden

Specific Provisions	Reproduction for Visually Handicapped Persons, etc. Art. 17. Anyone is entitled to make copies printed in braille of published literary and musical works. The Government may in specific cases grant libraries and organizations a right to make copies of published literary works by means of recording of a recitation of the work or by means of a transfer from another recording, for lending to visually handicapped persons and other disabled persons who are not able to acquaint themselves with the works in written form. Such copying shall, however, not take place in respect of works recordings of which have been put on the market.	Article 17
Which disabilities are provided for?	<ul style="list-style-type: none"> • Visual • Other 	
Who may make accessible formats?	Anyone may make Braille copies, but only approved institutions may make sounds recordings	
Conditions:	Work must not be commercially available	
Works	<ul style="list-style-type: none"> • Written • Musical • Visual 	
Exclusive rights	<ul style="list-style-type: none"> • Reproduction • Distribution 	

	<ul style="list-style-type: none"> • Communication to the public 	
General Provisions	None	
Import/export provisions	None	
Other provisions?	Anti-circumvention exemption	
Marrakesh VIP Treaty	None	
Source	Act on Copyright in Literary and Artistic Works, available at https://wipolex.wipo.int/en/text/241679	

Switzerland

Specific Provisions	<p>Use of works by people with disabilities</p> <p>1 A work may be reproduced in a form which is accessible to people with disabilities insofar as the work cannot be perceived by the senses, or can only be perceived by the senses with difficulty, in its already published form.</p> <p>2 Such copies of the work may only be produced and placed on the market for noncommercial purposes, and only for the use of people with disabilities. 3 The author has the right to remuneration for the reproduction and distribution of his work in a form accessible to people with disabilities other than in the case of the production of individual copies of the work. 4 Claims for remuneration may only be asserted by the authorised collective rights management organisations.</p>	Art 24c
Which disabilities are provided for?	Unspecified	
Who may make accessible formats?	Unspecified	
Conditions:	<ul style="list-style-type: none"> • Cannot be for profit • Must be solely for the use of the disabled and unavailable in perceptible form • Author has the right to remuneration for reproduction (unless for personal use) and distribution 	
Works	Unspecified	
Exclusive rights	<ul style="list-style-type: none"> • Reproduction • Distribution • Adaptation • Exportation 	
General Provisions	None	
Import/export provisions	Export	

Other provisions?	None	
Marrakesh VIP Treaty	Signature: June 28, 2013	
Source	Federal Law on Copyright and Neighboring Rights (Copyright Act, RSA, RS 231.1), available at https://wipolex.wipo.int/en/text/435410	

Syrian Arab Republic

Specific Provisions	None	
General Provisions	None	
Marrakesh VIP Treaty	Signature: November 22, 2013	
Source	Law on the Protection of Copyright and Related Rights of the Syrian Arab Republic (issued by Legislative Decree No. 62/2013), available at https://wipolex.wipo.int/en/text/446190	

Tajikistan

Specific Provisions	None	
General Provisions	None	
Marrakesh VIP Treaty	None	
Source	Law of Copyright and Related Rights of Tajikistan (13 November 1998), as amended through No. 12 (2009), available at http://www.wipo.int/wipolex/en/text.jsp?file_id=237350 .	

Thailand

Specific Provisions		Sec 32 (4)
Which disabilities are provided for?	<ul style="list-style-type: none"> • Deafness • Visual impairment • Cognitive • Intellectual • Physical 	

Who may make accessible formats?	Unspecified	
Conditions:	<ul style="list-style-type: none"> • Cannot be for profit • Uses shall not conflict with normal exploitation of the copyright work by the owner of copyright and shall not unreasonably prejudice the legitimate rights of the owner • Copies made under this exemption should clearly signify such 	
Works	All works	
Exclusive rights	<ul style="list-style-type: none"> • Reproduction • Adaptation 	
General Provisions	None	
Import/export provisions	None	
Other provisions?	None	
Marrakesh VIP Treaty	Accession: January 28, 2019 In Force: April 28, 2019	
Source	Copyright Act B.E. 2527, available at https://wipolex.wipo.int/en/text/129762 as amended by Copyright Act (No. 4) B.E. 2561 (2018), available at https://wipolex.wipo.int/en/legislation/details/18436	

The former Yugoslav Republic of Macedonia

Specific Provisions	(1) The use of a copyright work without payment of remuneration shall apply to the following cases: 5. Use of copyright works for the benefit of persons with special needs in a way which is directly related to the special need, to the extent required by the need and for a noncommercial purpose;	Article 52(1)(5)
Which disabilities are provided for?	Unspecified	
Who may make accessible formats?	Unspecified	
Conditions:	<ul style="list-style-type: none"> • Cannot be for a commercial purpose • Use must be directly related to special needs and must not be exceed necessary extent 	
Works	Unspecified	
Exclusive rights	Unspecified	

General Provisions	None	
Import/export provisions	None	
Other provisions?	None	
Marrakesh VIP Treaty	None	
Source	Law on Copyright and Related Rights, available at https://wipolex.wipo.int/en/legislation/details/10641	

Timor-Leste

Specific Provisions	None	
General Provisions	None	
Marrakesh VIP Treaty	None	
Source	Timor –Leste does not have a copyright statute. A number of IP related statutes are available at https://wipolex.wipo.int/en/legislation/profile/TL	

Togo

Specific Provisions	None	
General Provisions	None	
Marrakesh VIP Treaty	Signature: June 28, 2013	
Source	<p>Law on the Protection of Copyright, Folklore, and Related Rights of Togo, No. 91-12 (10 June 1991), available at http://www.wipo.int/wipolex/en/text.jsp?file_id=270260</p> <p>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</p>	

Tonga

Specific Provisions	None
General Provisions	None
Marrakesh VIP Treaty	None
Source	Copyright Act of Tonga, No. 12 (30 July 2002), available at http://www.wipo.int/wipolex/en/text.jsp?file_id=173176 .

Trinidad and Tobago

Specific Provisions	None
General Provisions	None
Marrakesh VIP Treaty	None
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 http://www.wipo.int/wipolex/en/text.jsp?file_id=183966 .

Tunisia

Specific Provisions	None
General Provisions	None
Marrakesh VIP Treaty	Signature: June 28, 2013 Ratification: September 7, 2016 In force: December 7, 2016
Source	Law of Literary and Artistic Property of Tunisia, No. 94-36 (24 February 1994), available at https://wipolex.wipo.int/en/text/129897 amended through No. 2009-33 (23 June 2009), available at http://www.wipo.int/wipolex/en/text.jsp?file_id=181075 .

Turkey

Specific Provisions	Additional Art. 11- (Addition:03.03.2004-5101/26) It is permitted to reproduce or lend scientific and literary works in writing including school books that have been made public or published, without obtaining the permissions prescribed by this Law and without any commercial purpose in the form of cassettes, CDs, Braille alphabet, and similar formats by a person with disability for his/her own use or by another person acting on behalf of him in a single copy, or by educational institutions, foundations, associations, and the like providing services for the benefit of the people with disability in the quantity required, provided that no such copies have already been produced for the use of people with disability. Such copies may in no way be sold, put into commercial use and used and allowed to be used for other than their intended purpose. Furthermore, it is compulsory to show information relating to right holders and indicate the purpose of reproduction on the copies.	Art 88 Additional Art 11
Which disabilities are provided for?	Unspecified	
Who may make accessible formats?	<ul style="list-style-type: none"> • Person with a disability • Another person acting on behalf of a person with a disability • Educational institutions 	
Conditions:	<ul style="list-style-type: none"> • Braille copies must be unavailable • Cannot be for profit • Must solely be for the use of the disabled and not exceed the quantity necessary • Must show information relating to right holders and indicate the purpose of reproduction on the copies • Original work must have been published or made public 	
Works	Unspecified	
Exclusive rights	<ul style="list-style-type: none"> • Reproduction • Lending 	
General Provisions	None	
Import/export provisions	None	
Other provisions?	None	
Marrakesh VIP Treaty	Signature: November 1, 2013	
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 http://www.wipo.int/wipolex/en/text.jsp?file_id=246493 .
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Turkmenistan

Specific Provisions	None
General Provisions	None
Marrakesh VIP Treaty	None
Source	Law of Copyright and Related Rights of Turkmenistan, No. 257-IV (10 January 2012), available at http://www.wipo.int/wipolex/en/text.jsp?file_id=252913 .

Tuvalu

Specific Provisions	None
General Provisions	None
Marrakesh VIP Treaty	None
Source	Copyright Ordinance of Tuvalu, Cap 40.24 (13 June 1917), edition of 1978, available at http://www.wipo.int/wipolex/en/text.jsp?file_id=196668 .

Uganda

Specific Provisions	(1) The fair use of a protected work in its original language or in a translation shall not be an infringement of the right of the author and shall not require the consent of the owner of the copyright where— (k) any work is transcribed into braille or sign language for educational purpose of persons with disabilities.	Sec 15
Which disabilities are provided for?	<ul style="list-style-type: none"> • Visual • Hearing 	
Who may make accessible formats?	Unspecified	

Conditions:	<ul style="list-style-type: none"> The modification must be within the fair use parameters The modification must be for educational purposes 	
Works	Unspecified	
Exclusive rights	Transcription	
General Provisions	None	
Import/export provisions	None	
Other provisions?	None	
Marrakesh VIP Treaty	Signature: June 28, 2013 Ratification: April 23, 2018 In Force: July 23, 2018	
Source	The Copyright And Neighbouring Rights Act, 2006, available at https://wipolex.wipo.int/en/legislation/details/3922	

Ukraine

Specific Provisions	The following shall be permitted without the consent of the author (or other copyright holder), but with mandatory indication of the author's name and of the source of borrowing: 6) to issue works for the blind, published in Braille characters;	Art 21 (6)
Which disabilities are provided for?	Blind	
Who may make accessible formats?	Unspecified	
Conditions:	Author's name and source of borrowing must be indicated	
Works	Unspecified	
Exclusive rights	Unspecified	
General Provisions	None	
Import/export provisions	None	
Other provisions?	None	
Marrakesh VIP Treaty	None	

Source	Law Of Ukraine on Copyright and Related Rights (Supreme Council of Ukraine (VVR), 1994, available at https://www.wipo.int/edocs/lexdocs/laws/en/ua/ua005en.pdf
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United Arab Emirates

Specific Provisions	None
General Provisions	None
Marrakesh VIP Treaty	Accession: October 15, 2014 In force: September 30, 2016
Source	Federal Law Concerning Copyrights and Neighboring Rights of the United Arab Emirates, No. 7 (1 July 2002), available at http://www.wipo.int/wipolex/en/text.jsp?file_id=124612 .

United Kingdom

Specific Provisions		31A-31F, 74, 28, and 296ZE
Which disabilities are provided for?	<ul style="list-style-type: none"> • Visual • Aural • Physical • Mental 	
Who may make accessible formats?	<p>For making accessible copies of works that the person has in their possession, only the visually impaired or someone on his behalf;</p> <p>(ii) for making copies by approved bodies for supply to visually impaired persons, an approved body which is an educational establishment and</p> <p>(iii) for making subtitled or modified copies of broadcasts for supply, only a designated body</p>	
Conditions:	Cannot be the same kind of accessible format copy of work commercially available on reasonable terms	
Works	<ul style="list-style-type: none"> • Literary • Dramatic • Musical • Artistic • Television broadcasts 	
Exclusive rights	<ul style="list-style-type: none"> • Reproduction 	

	<ul style="list-style-type: none"> • Adaptation • Distribution • “making available to the public in such a way that members of the public may access these works from a place at a time individually chosen by them 	
General Provisions	None	
Import/export provisions	None	
Other provisions?	None	
Marrakesh VIP Treaty	Signature: June 28, 2013	
Source	Copyright, Designs, and Patents Act 1988, available at http://www.legislation.gov.uk/ukpga/1988/48/section/31A	

United Republic of Tanzania

Specific Provisions	None	
General Provisions	None	
Marrakesh VIP Treaty	None	
Source	<p>The Zanzibar Copyright Act, 2003 of the United Republic of Tanzania, available at https://wipolex.wipo.int/en/text/244968</p> <p>Copyright and Neighbouring Rights Act, 1999 of the United Republic of Tanzania, available at https://wipolex.wipo.int/en/text/179714</p>	

United States of America

Specific Provisions	<p>§110 - Limitations on exclusive rights: Exemption of certain performances and displays Notwithstanding the provisions of section 106, the following are not infringements of copyright:</p> <p>(8) performance of a nondramatic literary work, by or in the course of a transmission specifically designed for and primarily directed to blind or other handicapped persons who are unable to read normal printed material as a result of their handicap, or deaf or other handicapped persons who are unable to hear the aural signals accompanying a transmission of visual signals, if the performance is made</p>	<p>Section 107, 110(8-9) and Section 121</p>
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	<p>without any purpose of direct or indirect commercial advantage and its transmission is made through the facilities of: (i) a governmental body; or (ii) a noncommercial educational broadcast station (as defined in section 397 of title 47); or (iii) a radio subcarrier authorization (as defined in 47 CFR 73.293–73.295 and 73.593–73.595); or (iv) a cable system (as defined in section 111 (f));</p> <p>(9) performance on a single occasion of a dramatic literary work published at least ten years before the date of the performance, by or in the course of a transmission specifically designed for and primarily directed to blind or other handicapped persons who are unable to read normal printed material as a result of their handicap, if the performance is made without any purpose of direct or indirect commercial advantage and its transmission is made through the facilities of a radio subcarrier authorization referred to in clause (8) (iii), Provided, That the provisions of this clause shall not be applicable to more than one performance of the same work by the same performers or under the auspices of the same organization;</p> <p>§121 - Limitations on exclusive rights: Reproduction for blind or other people with disabilities⁶⁴ (a) Notwithstanding the provisions of section 106, it is not an infringement of copyright for an authorized entity to reproduce or to distribute copies or phonorecords of a previously published, nondramatic literary work if such copies or phonorecords are reproduced or distributed in specialized formats exclusively for use by blind or other persons with disabilities. (b)(1) Copies or phonorecords to which this section applies shall— (A) not be reproduced or distributed in a format other than a specialized format exclusively for use by blind or other persons with disabilities; (B) bear a notice that any further reproduction or distribution in a format other than a specialized format is an infringement; and (C) include a copyright notice identifying the copyright owner and the date of the original publication. (2) The provisions of this subsection shall not apply to standardized, secure, or norm-referenced tests and related testing material, or to computer programs, except the portions thereof that are in conventional human language (including descriptions of pictorial works) and displayed to users in the ordinary course of using the computer programs. (c) Notwithstanding the provisions of section 106, it is not an infringement of copyright for a publisher of print instructional materials for use in elementary or secondary schools to create and distribute to the National Instructional Materials Access Center copies of the electronic files described in sections 612(a)(23) (C), 613(a)(6), and section 674(e) of the Individuals with</p>	
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	<p>Disabilities Education Act that contain the contents of print instructional materials using the National Instructional Material Accessibility Standard (as defined in section 674(e)(3) of that Act), if— (1) the inclusion of the contents of such print instructional materials is required by any State educational agency or local educational agency; (2) the publisher had the right to publish such print instructional materials in print formats; and (3) such copies are used solely for reproduction or distribution of the contents of such print instructional materials in specialized formats. (d) For purposes of this section, the term— (1) “authorized entity” means a nonprofit organization or a governmental agency that has a primary mission to provide specialized services relating to training, education, or adaptive reading or information access needs of blind or other persons with disabilities; (2) “blind or other persons with disabilities” means individuals who are eligible or who may qualify in accordance with the Act entitled “An Act to provide books for the adult blind”, approved March 3, 1931 (2 U.S.C. 135a; 46 Stat. 1487) to receive books and other publications produced in specialized formats; (3) “print instructional materials” has the meaning given under section 674(e)(3)(C) of the Individuals with Disabilities Education Act; and (4) “specialized formats” means— (A) braille, audio, or digital text which is exclusively for use by blind or other persons with disabilities; and (B) with respect to print instructional materials, includes large print formats when such materials are distributed exclusively for use by blind or other persons with disabilities.</p>	
Which disabilities are provided for?	<ul style="list-style-type: none"> • Blind • Deaf • Other 	
Who may make accessible formats?	<ul style="list-style-type: none"> • Authorized entities • Publishers of print instructional materials for educational use 	
Conditions:	<ul style="list-style-type: none"> • Cannot be for profit • Must be done by an authorized entity • Cannot be reproduced or distributed in a format other than a specialized format exclusively for use by blind or other persons with disabilities; • Must bear a notice that any further reproduction or distribution in a format other than a specialized format is an infringement • Must include a copyright notice identifying the copyright owner and the date of the original publication. • Shall not apply to standardized, secure, or norm-referenced tests and related testing material, or to computer programs, except the portions thereof that are in conventional human language (including 	

	<p>descriptions of pictorial works) and displayed to users in the ordinary course of using the computer programs</p> <ul style="list-style-type: none"> • §110 exemption must be transmitted through (i) a governmental body; or (ii) a noncommercial educational broadcast station (as defined in section 397 of title 47); or (iii) a radio subcarrier authorization (as defined in 47 CFR 73.293–73.295 and 73.593–73.595); or (iv) a cable system (as defined in section 111 (f)); 	
Works	<ul style="list-style-type: none"> • Non-dramatic literary • Educational 	
Exclusive rights	<ul style="list-style-type: none"> • Reproduction • Adaptation • Distribution • Public Performance 	
General Provisions	<p>§ 107. Limitations on exclusive rights: Fair use</p> <p>Notwithstanding the provisions of sections 106 and 106A, the fair use of a copyrighted work, <i>including</i> such use by reproduction in copies or phonorecords or by any other means specified by that section, for purposes such as criticism, comment, news reporting, teaching (including multiple copies for classroom use), scholarship, or research, is not an infringement of copyright. In determining whether the use made of a work in any particular case is a fair use the factors to be considered shall include—</p> <p>(1) the purpose and character of the use, including whether such use is of a commercial nature or is for nonprofit educational purposes;</p> <p>(2) the nature of the copyrighted work;</p> <p>(3) the amount and substantiality of the portion used in relation to the copyrighted work as a whole; and</p> <p>(4) the effect of the use upon the potential market for or value of the copyrighted work.</p> <p>The fact that a work is unpublished shall not itself bar a finding of fair use if such finding is made upon consideration of all the above factors.</p>	
Import/export provisions	<ul style="list-style-type: none"> • Importation • Exportation 	
Other provisions?	<p>37 C.F.R. §201.40(b)(3) b) <i>Classes of copyrighted works</i>. Pursuant to the authority set forth in <u>17 U.S.C. 1201(a)(1)(C)</u> and (D), and upon the recommendation of the Register of Copyrights, the Librarian has determined that the</p>	

	<p>prohibition against circumvention of technological measures that effectively control access to copyrighted works set forth in <u>17 U.S.C. 1201(a)(1)(A)</u> shall not apply to persons who engage in non-infringing uses of the following classes of copyrighted works</p> <p>(3) Literary works, distributed electronically, that are protected by technological measures that either prevent the enabling of read-aloud functionality or interfere with screen readers or other applications or assistive technologies:</p> <p>(i) When a copy of such a work is lawfully obtained by a blind or other person with a disability, as such a person is defined in <u>17 U.S.C. 121</u>; provided, however, that the rights owner is remunerated, as appropriate, for the price of the mainstream copy of the work as made available to the general public through customary channels; or</p> <p>(ii) When such work is a nondramatic literary work, lawfully obtained and used by an authorized entity pursuant to <u>17 U.S.C. 121</u>.</p>	
Marrakesh VIP Treaty	<p>Signature: October 2, 2013</p> <p>Ratification: February 8, 2019</p> <p>In force: May 8, 2019</p>	
Source	Copyright Act, https://www.copyright.gov/title17/title17.pdf	

Uruguay

Specific Provisions		Art 45(12)
Which disabilities are provided for?	<ul style="list-style-type: none"> • Blind • Sensory • Reading • Motor • Intellectual 	
Who may make accessible formats?	Unspecified	
Conditions:	<ul style="list-style-type: none"> • Cannot be for profit • Work must be published • Modified copies must clearly state the disabilities for which it is intended and must clearly exclude persons without such disabilities from using the the modified copy 	
Works	Unspecified	

Exclusive rights	<ul style="list-style-type: none"> • Reproduction • Adaptation • Distribution • Communication to the public 	
General Provisions	None	
Import/export provisions	None	
Other provisions?	None	
Marrakesh VIP Treaty	Signature: June 28, 2013 Ratification: December 1, 2014 In Force: September 30, 2016	
Source	Law No. 9.739 of December 17, 1937, available at https://wipolex.wipo.int/en/legislation/details/7531 as introduced by article 237 of the Law No. 19.149 of October 24, 2013, on Accountability and Balanced Budget Execution for the Year 2012, available at http://www.wipo.int/wipolex/en/text.jsp?file_id=457957	

Uzbekistan

Specific Provisions	None	
General Provisions	None	
Marrakesh VIP Treaty	None	
Source	Law of the Republic of Uzbekistan No. ZRU-42 of July 20, 2006 on Copyright and Related Rights (as amended up to Law of the Republic of Uzbekistan No. ZRU0476 of April 18, 2018)	

Vanuatu

Specific Provisions	None	
General Provisions	None	
Marrakesh VIP Treaty	None	

Source	Copyright and Related Rights Act of Vanuatu, No. 42 (29 December 2000), available at http://www.wipo.int/wipolex/en/text.jsp?file_id=241761 .
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Venezuela (Bolivarian Republic of)

Specific Provisions	None
General Provisions	None
Marrakesh VIP Treaty	None
Source	Copyright Law of Venezuela, No. 4.638 (14 August 1993), available at http://www.wipo.int/wipolex/en/text.jsp?file_id=130135 .

Vietnam

Specific Provisions	1. Cases of use of published works in which permission or payment of royalties or remunerations is not required include: i/ Transcription of works into Braille or characters of other languages for the blind;	Art 25 sec 1 i/
Which disabilities are provided for?	Blind	
Who may make accessible formats?	Unspecified	
Conditions:	<ul style="list-style-type: none"> • The modification may neither affect the normal utilization of these works nor prejudice the rights of the authors or copyright holders • Author's name and source of the original work must be indicated • Work must be published 	
Works	Unspecified	
Exclusive rights	Unspecified	
General Provisions	None	

Import/export provisions	None	
Other provisions?	None	
Marrakesh VIP Treaty	None	
Source	Law No. 50/2005/QH11 of November 29, 2005, on Intellectual Property Available at https://wipolex.wipo.int/en/text/449011 as amended by Law No. 36/2009/QH12 of June 19, 2009, amending and supplementing a Number of Articles of the Law on Intellectual Property Available at http://www.wipo.int/wipolex/en/text.jsp?file_id=182541	

Yemen

Specific Provisions	None	
General Provisions	None	
Marrakesh VIP Treaty	None	
Source	Intellectual Property Law of Yemen, No. 19 (29 October 1994), available at http://www.wipo.int/wipolex/en/text.jsp?file_id=224171 .	

Zambia

Specific Provisions	None	
General Provisions	None	
Marrakesh VIP Treaty	None	
Source	Copyright and Performance Rights Act of Zambia, No. 44 (31 December 1994), available at http://www.wipo.int/wipolex/en/text.jsp?file_id=176492 , as amended by Copyright and Performance Rights (Amendment) Act, No. 25 (14 August 2010), available at http://www.wipo.int/wipolex/en/text.jsp?file_id=215911 .	

Zimbabwe

Specific Provisions	None
General Provisions	None
Marrakesh VIP Treaty	Signature: October 2, 2013
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 http://www.wipo.int/wipolex/en/text.jsp?file_id=214696 .

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