

Diplomatic Conference on the Protection of Audiovisual Performances

Beijing, June 20 to 26, 2012

AGREED STATEMENT ON ARTICLE 15 ON TECHNOLOGICAL PROTECTION
MEASURES
ANNEX TO DOCUMENT AVP/DC/3

proposal by the European Union and its Member States, Kenya and Nigeria

Submission pursuant to document WO/GA/40/11 on an Agreed Statement on Article 15 on Technological Protection Measures.

“It is understood that in the absence of voluntary measures taken by rights holders in relation to a particular performance protected under this treaty, nothing in this Article shall prevent a Contracting Party from adopting appropriate procedures to ensure that a beneficiary of a limitation or exception provided in its national law in accordance with Article 13, may benefit from such limitation or exception where technological measures have been applied to an audiovisual performance and the beneficiary has legal access to that performance. Without prejudice to the legal protections of an audiovisual work in which a performance is fixed, it is further understood that the obligations under Article 15 are not applicable to performances unprotected or no longer protected under the national legislation giving effect to this Treaty.”

[End of document]