



SERVING AUTHORS WORLDWIDE
AU SERVICE DES AUTEURS DANS LE MONDE
AL SERVICIO DE LOS AUTORES EN EL MUNDO

CE14-0346

European Committee

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Resolution: Private Copying Estonia

The European Committee of the International Confederation of Societies of Authors and Composers (CISAC), representing creators and authors' societies from all European Countries, meeting in Vienna, on the 29 and 30 April, 2014:

Considering the importance of fair compensation for authors for acts of private copying of their works, provided in the legislation of most EU Member States and many non-EU countries;

Recalling that private copying is an activity which is commonly undertaken by consumers, yet without any practical ability for rights holders to issue licenses for this sort of activity;

Taking into account that a fair balance must be struck between the interests of manufacturers and distributors of content-carrying devices such as mobile phones and personal computers, and of internet service providers, on the one hand; and the interests of copyright owners on the other hand;

Considering the recent case law of Court of Justice of the European Union and the initiatives of the European Commission in this field;

Appreciating the past success and effective functioning of the Estonian Private Copying System, which had always offered creators compensation for acts of private copying in the form of a levy imposed on blank media;

Emphasizing that the current situation of the Estonian Private Copying System is not in accordance with the Article 5(2)(b) of Directive 2001/29/EC of the European Parliament and of the Council of 22 May 2001 on the harmonization of certain aspects of copyright and related rights in the information society, because the list of storage media and recording devices, on the basis of which remuneration is paid, has not been changed since 1996 (containing mainly old-fashioned media and devices such as audio tape recorders, video tape recorders, blank tapes, cassettes etc.).

Calls upon the Estonian Government and the Estonian legislator to:

Maintain, support and continuously enhance the established Estonian system of levies on blank media, in order to ensure fair compensation for authors for acts of private copying;

Amend Regulation of the Estonian Government No 14 of 17 January 2006 and set a list that would include all storage media and recording devices suitable or meant for private copying of artistic works, based on the information society directive and taking into consideration relevant technological developments and a new situation brought about by digital copying;

Refrain from substituting the existing private copying levy system with any form of statutory tax which could diminish the level of compensation for authors for acts of private copying;

Act swiftly and decisively for saving the Estonian creative industry from further harm.