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Pursuant to article 17 of the Law on the Council of Ministers of Bosnia and Herzegovina (Official Journal of BiH, volumes 30/03, 42/03, 81/06, 76/07, 81/07 and 24/08), article 7 of the Act Establishing the Institute for Intellectual Property of Bosnia and Herzegovina (Official Journal of BiH, volume 43/04) and item 8.2.4. of the Development Strategy of the Institute for Intellectual Property of Bosnia and Herzegovina (2008-2015) (Official Journal of BiH, volume 69/09), upon the recommendation by the Institute for Intellectual Property of Bosnia and Herzegovina, the Council of Ministers of Bosnia and Herzegovina passed at the 124th session, held on June 10, 2010

DECISION

ON CONSTITUTING THE COPYRIGHT AND RELATED RIGHTS COUNCIL

Article 1

(Subject Matter of the Decision)

The Copyright and Related Rights Council (hereinafter: the Council) is constituted under this Decision as an advisory and coordinating body of the Institute for Intellectual Property of Bosnia and Herzegovina (hereinafter: the Institute).

Article 2

(Role of the Council)

(1) The Council shall be responsible for:

- a) raising public awareness on the purpose and importance of copyright and related rights and collective management of such rights;
- b) establishing and fostering cooperation between organizations and bodies representing copyright and related rights holders on one side and users of such rights on the other side;
- c) affirming a need for the existence of modern associations of artists which shall take care of the economic status of their members in an efficient manner;
- d) affirming the principles of individual management of copyright and related rights on the basis of collective agreements;
- e) affirming a need for drafting model agreements on individual assignment of copyright and related rights within the associations of artists as well as setting the tariff of minimum remunerations of authors;

- f) formulating advisory attitudes on the contentious issues of the collective management of copyright and related rights which are principled in nature;
 - g) assisting copyright and related rights holders in using the possibility of protecting their interests within the framework of BiH legislation in an effective manner;
 - h) identifying inadequate normative solutions which impede copyright and related rights protection;
 - i) pointing to a need for changes in legislation, administrative practice and case law in order to increase efficacy and equity of copyright and related rights.
- (1) The Council shall come up with the periodic work plan.

Article 3
(Membership)

- (1) The Council consists of the representatives of the following institutions and other relevant legal persons, namely:
- a) Institute for Intellectual Property of Bosnia and Herzegovina – 2 representatives;
 - b) Ministry of Justice of Bosnia and Herzegovina – 1 representative;
 - c) Federal Ministry of Justice – 1 representative;
 - d) Ministry of Justice of Republika Srpska – 1 representative;
 - e) Mayor's Office of the Brčko District of Bosnia and Herzegovina – 1 representative;
 - f) Ministry of Education and Culture of Republika Srpska – 1 representative;
 - g) Ministry of Culture and Sport of the Federation of Bosnia and Herzegovina – 1 representative;
 - h) Communications Regulatory Agency (CRA) – 1 representative;
 - i) Faculty of Law of the University of Sarajevo – 1 representative;
 - j) Faculty of Law of the University of Banja Luka – 1 representative;
 - k) Faculty of Law of the University of East Sarajevo – 1 representative;

- l) Faculty of Law of the Džemal Bijedić University of Mostar – 1 representative;
 - m) Faculty of Law of the University of Mostar – 1 representative;
 - n) Faculty of Law of the University of Tuzla – 1 representative;
 - o) Organizations for the Collective Management of Copyright and Related Rights – 1 representative from each.
- (2) Professional and administrative-technical work for the Council shall be carried out by the secretary of the Council who is employed with the Institute.

Article 4 (Term)

- (1) Council members are appointed to a five-year term.
- (2) Council members may be reappointed to the Council twice at the most.

Article 5 (Constitutive Meeting and Rules of Order and Procedure)

- (1) Constitutive meeting shall be convened by the Director of the Institute.
- (2) Constitutive meeting shall be held no later than 60 days after the day of coming into force of this decision.
- (3) The Council shall adopt the Rules of Order and Procedure and elect Chairman and Deputy Chairman at the constitutive meeting.
- (4) The Rules of Order and Procedure regulate organization, manner of decision making and other issues of importance for the work of the Council.

Article 6 (Costs)

The costs of the work of the Council members shall be borne by the institution or another legal person which they represent.

Article 7 (Professional and Administrative Support)

Professional and administrative support to the Council shall be provided by the Institute.

Article 8
(Coming into Force)

This Decision shall come into force on the eighth day after the publishing thereof in the Official Journal of BiH.

Council of Ministers Number 172/10
June 10, 2010
Sarajevo

Chairman
Council of Ministers of BiH
Dr Nikola Špirić, signed