
Copyright (TRIPS Agreement*) Order, 5760—1999

TABLE OF CONTENTS

	<i>Article</i>
Definitions	1
Work Published in a Member State.....	2
Work by Author from a Member State	3
Work of Cinematography, Work of Architecture and Work Contained in a Building	4
Limitation on Period of Protection.....	5
Protection of Creators of Sound Recordings.....	6
Commencement	7

By virtue of my power under section 6 of the Copyright Ordinance¹ and with the consent of the Constitution Law and Legislation Committee under section 48 of the Basic Law: The Government² and section 2(b) of the Penal Law 5737—1977³, I hereby order as follows:

Definitions

1. In this Order—

“World Trade Organization”—the World Trade Organization constituted by the agreement signed in Marrakech on 15 April 1994;

“Country of origin”—as defined in the Copyright (Bern Treaty) Order, 5713—1953⁴;

“Member state”—a state that is a member of the World Trade Organization;

“Phonogram”—as defined in the Copyright Convention for the Protection of Producers of Phonograms) Order, 5738—1978⁵

Work Published in a Member State

2. A work originally published in a member state shall be protected in Israel as if it were originally published in Israel.

Work by Author from a Member State

3. A work, the author of which was a citizen of a member state or whose ordinary place of residence was in a member state, at the time of authoring, shall be protected in Israel whether published or not.

Work of Cinematography, Work of Architecture and Work Contained in a Building

4. All of the works detailed below shall be protected in Israel, even if the provisions of clauses 2 or 3 do not apply to them:

(1) A work of cinematography, where the producer's business center or ordinary place of residence is situated in a member state;

(2) A work of architecture standing in a member state, and any other artistic work contained in such building or in a structure situated in a member state.

Limitation on Period of Protection

5. Despite the provisions of clauses 2 through 4, the period of protection granted in Israel over the works set out in those clauses shall be no greater than that set out for them in their country of origin.

Protection of Creators of Sound Recordings

6. A sound recording created by a citizen of a member state, or first published in a member state, shall be subject to:

(1) section 19(1) of the Copyright Act, 1911⁶ in respect of the making of copies of it;

(2) section 3f of the Copyright Ordinance, in respect of the rental of sound recordings for commercial purposes, other than the rental of sound recordings that form part of another object that is the principle object for hire.

Commencement

7. This Order shall commence on 23 Tevet 5760 (1 January 2000).

_____ 5760, (_____ 1999)

Minister of Justice

* The purpose of this Order is the performance of the provisions of the World Trade Organization Agreement on Trade Related Aspects of Intellectual Property Rights Including Trade in Counterfeit Goods (TRIPS). The Agreements have been deposited in the library of the Ministry of Industry and Trade and any person may inspect them.

¹ *Laws of Palestine*. Vol. I, p. 364; *Sefer Hachukim*, 5756, p. 244.

² *Sefer Hachukim*, 5752, p. 214.

³ *Sefer Hachukim*, 5737, p. 226.

⁴ *Kovetz Hatakanot* of 5713, p. 818.

⁵ *Kovetz Hatakanot* of 5738, p. 1462.

⁶ *Laws of Palestine*, Vol. 3, p. 2633.