

**Translation and Reproduction of Books,
Periodical and Phonograms Act
(Approved on 26.12.1973)**

Article 1 – The right of duplicating, reprinting, utilizing, and publishing and distributing any translation is vested in its translator or his legal heirs. The period of benefiting from these rights which are transferred to the heirs is thirty (30) years as of the date of death of the translator. The rights mentioned in this Article may be transferred to third parties and the transferee, for the purposes of exercising these rights, shall be the successor of the transferor for benefiting from these rights for their remaining period. It is mandatory to mention the name of the translator in all instances [of exercise of these rights].

Article 2 – Duplication of books and periodicals in the same language and form [originally] published, for the purposes of sale or economic benefit, by means of offset or photography or similar methods, without permission of the owner of the right, is prohibited.

Article 3 – Copying or recording or duplicating phonograms or audio works recorded on a record or tape or any other similar means for sale, without permission of the exclusive owners of the right or exclusive producers or their legal substitutes, is prohibited. The rule laid down in this Article shall also apply to copying, recording or duplicating of any type of the radio and TV programs or any other broadcast.

Article 4 – Music or audio records or tapes would enjoy protection if the international sign P within a circle, the date of publication, name and address of producer and his exclusive representative as well as the trade mark are imprinted on each copy or cover thereof.

Article 5 – Duplication and copying of books, periodicals and audio works constituting the subject matter of Articles 2 and 3 of this Act for the purpose of use in works related to education and academic research shall be permitted, provided that it has no profit motive, and the permission for copying them has already been approved by the Ministry of Culture and Islamic Guidance.

Note – Copying of books, periodicals and audio works constituting the subject matter of Articles 2 and 3 of this Act is permitted for personal and private use.

Article 6 – The protections accorded by this Act as regards duplication of books, periodicals and audio works shall also be extended to nationals of other countries on condition of existence of a treaty or reciprocal treatment.

Article 7 – Persons who deliberately and willfully commit one of the following acts shall be sentenced to simple imprisonment ranging from three (3) months to one (1) year, in addition to indemnifying the damages claimed by a private plaintiff:

1. Persons who act against the provisions of Articles 1, 2 and 3 of this Act.

2. Persons who import into or export from Iran the articles mentioned in Article 3 which have been produced overseas without permission.

Article 8 – If the violator of this Act is a legal person, the damages claimed by the private plaintiff shall be indemnified out of the assets of the legal person, in addition to criminal prosecution of the natural person in charge on whose decision the crime is based.

In case the assets of the natural person alone are not enough, the balance shall be made good from the property of the natural person in charge.

Article 9 – Judicial authorities are required, while hearing the complaint filed by a private plaintiff, to take appropriate decision, at his request, for preventing the publication, distribution and offer [for sale] of the books, periodicals and audio works constituting the subject matter of the complaint, and their confiscation.

Article 10 – The provisions of this Act shall apply if the works envisaged by this Act are not subject to the protections set forth in the Act on the Protection of the Rights of Authors, Composers and Artists. Otherwise, the provisions of the latter Act shall apply to the works constituting the subject matter of this Act.

Article 11 – The provisions of this Act in no case negate or otherwise limit the rights of persons mentioned in the Act on the Protection of Rights of Authors, Composers and Artists.

Article 12 – The prosecution of offenses mentioned in this Act shall be subject to complaint by a private plaintiff, and with his remission the prosecution or enforcement of a judgment shall be cancelled.

The above Act, consisting of twelve (12) Articles and one (1) Note, was ratified by the National Consultative Assembly [Parliament] on Thursday 26 December 1973 after having been approved by the Senate on Monday 16 December 1973.