

ACT
amending the Copyright Act, No 73/1972, as amended (private copying)

THE PRESIDENT OF ICELAND

makes known: The Althing has passed this Act, which I have confirmed by giving it my approval:

Article 1

Article 11 is amended as follows:

- a. The third paragraph is amended to read as follows:

The authors of works which have been broadcast, made accessible to the public in a manner enabling individual persons to gain access to the works wherever, whenever and through whatever device they choose, or released as audio or audiovisual recordings, are entitled to fair compensation for the reproduction of the works for private use. The compensation is to be paid annually to collective management organisations from an appropriation in the National Budget. The payment should constitute a fair compensation for the reproduction of the abovementioned works for private use, and should be calculated as the following percentages of the customs value of tapes, hard disks, optical disks or other storage media, whatever their form, capable of being used to make analogue or digital recordings of sound or images, as well as of devices intended to be used to make such recordings for private use and which have been imported into, or manufactured in, Iceland in the past year:

Tariff heading	Description	Percentage (%) of customs value
8523.2922–8523.2929	unrecorded magnetic tapes	2
8523.2912–8523.2919	unrecorded videotapes	2
8523.4112 and 8523.4113	optical disks	2
8523.5111 and 8523.5119	semiconductor memory devices (USB memory keys)	4
8523.5211 and 8523.5219	chip cards (SD cards)	4
8471.3001–8471.4909	laptops, tablets and computers	1
8471.7000	external data storage units (external disk drives, housings with in-built hard drives) up to 12 TB	4
8519.8110–8519.8990	sound recording apparatus	1
8521.1029 and 8521.9023	video recording apparatus	1
8527.1303	reception apparatus for radio broadcasting, with sound recording apparatus	2
8517.1200	hand units for mobile telephone networks or other wireless networks, with the capacity to record sound and images	1

- b. The fourth paragraph is amended to read as follows:

The compensation referred to in the third paragraph is to be paid to collective management organisations which have been recognised by the Minister as competent to exercise such rights on behalf of authors. The organisations shall distribute the compensation to their member associations, after deducting a reasonable administration fee. The recognition of collective management organisations pursuant to this Article is governed by the procedural rules of Article 26a, fourth paragraph, and any rules issued on the basis thereof. The resolution committee set up pursuant to Article 57 shall, at intervals no longer than three years, review the basis used to calculate fair compensation pursuant to the third paragraph, and submit any proposals for changes to the Minister.

- c. The fifth and sixth paragraphs are deleted.

Article 2

In Article 54, second paragraph, of the Act, point 7 is deleted.

Article 3

In Article 61, second paragraph, of the Act, the word 'remuneration' is replaced with: fair compensation.

Article 4

This Act shall come into force forthwith. Compensation pursuant to Article 1, item a, should be paid for the first time on 1 March 2017.

Done at Bessastaðir, 19 October 2016.

Guðni Th. Jóhannesson.

(L. S.)

Bjarni Benediktsson.

Section A – Publication date: 21 October 2016