

Law on the Protection of Copyright 1992*
(No. 22 of 1992)

1. This Law shall be called “The Law on the Protection of Copyright 1992” and shall have effect from the date of its publication in the Official Journal.

2. The following words shall wherever they appear in this Law have the meanings given them below, save where the context indicates otherwise:

— the Minister: the Minister of Culture;

— deposit: the delivery of a work to the Center in accordance with the provisions of this Law;

— the Center: the center for deposit in any official department or body approved by the Minister;

— the court: the competent court of first instance.

3.—(a) Works created in the fields of literature, art and science, whatever their nature, their importance or the purpose for which they were made, shall enjoy protection in accordance with this Law.

(b) The said protection shall extend to works expressed in writing, sound, drawing, painting or movement, and in particular:

(i) books, booklets and other written matter;

(ii) oral works such as lectures, speeches and sermons;

(iii) dramatic works; dramatico-musical and mimed works;

(iv) musical works, whether in written form or not and with or without accompanying words;

(v) cinematographic, broadcast and audiovisual works;

(vi) drawings, paintings, sculptures, etchings, and works of architecture and of applied and decorative art;

(vii) illustrations, maps, plans, diagrams, three-dimensional works relating to geography and topographical maps;

(viii) computer programs.

(c) Protection shall extend to the title of the work, unless the title is a generic term designating the subject matter of the work.

4. The person to whom the work is attributed on publication, whether by the mention of his name on the work or in any other way, shall be deemed to be the author in the absence of evidence to the contrary. The foregoing shall apply to pseudonyms, insofar as there is no doubt as to the true identity of the author.

5. Without prejudice to the rights of the author of the original work,

(a) anyone who translates the work into another language, transforms it from one literary, artistic or scientific genre into another, abridges, adapts, modifies or expounds it, comments on it, annotates it or otherwise presents it in a new form,

(b) a performer who conveys to the public an artistic work made by another, whether such performance is by singing, instrument playing, musical rendition, recitation or delivery, by making a likeness or drawing, by movements or by steps, or in any other way,

(c) authors of encyclopedias and anthologies that constitute creative intellectual works by virtue of the selection or arrangement of their contents, and likewise authors of compilations that contain selected excerpts from poetry, prose, music or other matter, provided that the said compilations mention the source of the excerpts and the author thereof, shall enjoy protection and shall be deemed authors for the purposes of this Law.

6. If a work is created on behalf of another person, the copyright shall vest in the author who created it, unless otherwise agreed in writing.

7. The protection provided for in this Law shall not extend to the following works, unless compilations of such works are characterized by personal creative effort or organizational effort:

(a) laws, regulations, judicial decisions, decisions of administrative bodies, international agreements and other official documents, as well as official translations of such works or of any part thereof;

(b) news published, broadcast or communicated to the public;

(c) works that have passed into the public domain; because national folklore is considered public property for the purposes of this Article, the Minister shall avail himself of the copyright in relation to such works to oppose any distortion or adaptation thereof or damage to cultural interests.

8. The author shall have the exclusive right

(a) to have his work attributed to him and to be named on all copies whenever his work is made available to the public, but not when the work is mentioned incidentally in the course of a news report on current events;

(b) to decide on the publication of his work and to determine the manner and date thereof;

(c) to make any modification to his work, whether by alteration, editing, deletion or addition;

(d) to oppose any infringement of his work and to prevent any distortion, mutilation or other modification thereof, or any other act prejudicial to his reputation and honor; however, if such deletion, alteration, addition or other modification occurs in the translation of the work, the author shall not have the right to prevent it, save where the translator omits to specify the location of the modification or where the translation is liable to prejudice the reputation of the author and his cultural or artistic standing, or is detrimental to the content of the work;

(e) to withdraw his work if there are serious and legitimate reasons therefor; in such a case the author shall be liable to pay fair compensation to the person to whom the economic rights have passed.

9. The author shall have the right to exploit his work for gain in whatever manner he chooses. No other person may exercise that right without written authorization from him or his successors, which authorization shall include:

(a) the right to print, broadcast or produce his work;

(b) the right to reproduce his work in any material form, including photographic or cinematographic reproduction, or recording;

(c) the right to translate or adapt his work, to transform it into a musical work, or to make any change therein;

(d) the right to authorize persons to utilize one or more copies of his work for exploitation by means of rental, lending or any other act serving to make the work available to the public;

(e) the right to convey his work to the public by means of recitation, exhibition, performance, radio or television broadcasting, cinematographic production or by any other means.

10. The author alone shall have the right to publish his letters. However, that right may not be exercised without prior authorization from the addressee or his heirs where the publication of the letters might be prejudicial to the addressee.

11.—(a) Any person may, under a license granted by the Minister, translate any foreign work into Arabic after one year from the date on which he submits a request for authorization to translate it to the author or to the party who has already undertaken the translation thereof into another foreign language, provided that neither has undertaken the translation thereof into Arabic or authorized another party to do so within the said period. If authorization to translate has been given, the author of the work or the person who has translated it with the permission of the author shall be entitled to fair compensation from the person seeking authorization to translate.

(b) The protection of a foreign work in the case of exploitation thereof by translation into Arabic shall terminate after five years from the date of the first publication of the work in the language from which it is to be translated.

12. No attachment of the copyright in a work shall be permissible. Attachment of such copies of the work as have been published shall, however, be permissible. Attachment of a work whose author dies prior to the publication thereof shall not be permissible unless it is shown that he agreed to the publication thereof before his death.

13. An author may transfer the economic rights in his work, provided that any such transfer is in writing, states expressly and in detail every right to be transferred and specifies the extent and purpose thereof, and the duration and place of exploitation.

14. Any transfer made by the author of his entire future intellectual output shall be deemed null and void.

15. Transfer of the ownership of the original copy of a work, or one or more copies thereof, shall not include transfer of the copyright relating to that work, save that the person owning the copy or copies shall be entitled to make them available to the public, and shall not be obliged to enable the author to reproduce, transfer or exhibit them unless otherwise agreed.

16. The copyright in a photographic work shall not prevent a third party from taking one or more photographs of the subject that constitutes the work, even if the new photograph or photographs are taken from the same place and in the same circumstances as the first photographic work.

17. Published works may be used without authorization from the author according to the conditions and in the cases that follow:

(a) presentation, display or performance of the work in a family gathering, association, private club or school; with regard to musical works, bands belonging to the State or a body

having public legal personality may perform such works, provided that no pecuniary benefit is derived therefrom;

(b) reproduction in a single copy, translation, hearing or watching, or transformation of the work in any other way, for personal and private use;

(c) use of the work by way of illustration in publications, broadcasts or sound and audiovisual recordings, for instructional, educational or religious purposes, or for vocational training, to the extent justified by those purposes; such use shall not however entail the realization of any material gain, and the work and the name of its author shall be mentioned;

(d) insertion of quotations from the work in another work for the purpose of clarification, explanation, discussion, criticism, education or testing to the extent justified by that purpose, provided that the work and the name of its author are mentioned.

18. Newspapers and periodicals may not reproduce serialized stories, short stories and other works that are published in other newspapers and periodicals without the consent of the author thereof. However, it shall be permissible for newspapers to reproduce articles published in other newspapers on current political, economic and religious topics, except where the newspaper in which the articles were published contains a notice expressly prohibiting the reproduction thereof. In all cases the source of the reproductions shall be stated.

19. It shall be permissible for the press and other information media to publish, without authorization from the author thereof, speeches, lectures, talks and other similar works that are communicated or addressed to the public, on condition that the work and its author are mentioned. The author of such a work may publish it in one printed copy, or in any other manner he chooses.

20. It shall be permissible for public libraries, non-commercial documentation centers, educational institutes and scientific and cultural establishments to reproduce any work by a photographic process or otherwise without the authorization of the author, provided that the reproduction and the number of copies is limited to the needs of the establishment, and that the reproduction is not prejudicial to the rights of the author of the work.

21. The heirs of the author shall alone have the right to decide to publish a work of his that was not published during his lifetime. However, if the author prohibits publication of his work or sets a time limit on publication in his will, the will shall be executed in accordance with his instructions.

22. The heirs of the author shall alone have the right to exercise the economic rights provided for in this Law in relation to the inherited work. However, if the author, during his lifetime, entered into a contract in writing with a third party for the exploitation of his work, that contract shall be implemented in accordance with the terms thereof. In the case of a work of joint authorship, the share of the joint author who dies without leaving heirs shall pass equally to the other joint authors unless otherwise agreed in writing.

23. Official radio and television broadcasting organizations shall have the right to broadcast works that have been performed in theaters or any other public place. The managers of such places shall enable the said organizations to make the necessary technical arrangements therefor. The organizations shall mention the name of the author and the title of the work, and shall pay fair compensation to the author or his successors and, where necessary, to the operator of the establishment in which the work is performed.

24. Official radio and television broadcasting organizations may, for the purposes of their own broadcasts and by means of their own facilities, make an ephemeral recording of any work that they are authorized to broadcast. All copies of the work shall be destroyed

within a period of not more than one year from the date of the making of such copies, unless the author agrees to extend the period. However, where the recording has documentary character, one copy of it may be preserved.

25. A person who makes a likeness shall not be entitled to exhibit, publish or distribute the original of the likeness, or copies thereof, without the authorization of the person represented. The foregoing shall not apply if the publication of the likeness occurs in relation to public events, if the likeness is of persons having official status or enjoying public notoriety or if the authorities authorize its publication in the public interest. In no event, however, shall any likeness be exhibited, published, distributed or circulated where that would be prejudicial to the honor, reputation, dignity or social standing of the person represented. The person whom the likeness represents may, however, authorize the publication thereof in newspapers, magazines and other information media, even without the consent of the person who has made the likeness, unless otherwise agreed. The foregoing shall apply to likenesses made in any manner whatsoever, whether by drawing, engraving, sculpture or any other means.

26. In the case of anonymous or pseudonymous works, the publisher shall be presumed *ex officio* to have been authorized by the author to exercise his rights under this Law until such time as the author reveals and substantiates his identity.

27. If the heirs of the author of any work or his successors, as the case may be, fail to exercise their economic rights in relation to the work, the Minister may exercise those rights by publishing or republishing the work, if the heirs or successors fail to do so within six months from the date on which they are served notice in writing by the Minister. The foregoing shall be without prejudice to the right of the heirs or successors, as the case may be, to fair compensation for the publication or republication of the work.

28. The author may transfer any of his rights in relation to the work for the purpose of sharing with a third party the income or profit derived from the exploitation of the work for gain by that third party. However, the author shall be entitled to obtain an additional share in such income or profit if the agreement on the exploitation of his work proves to have been unfavorable to him, or becomes so on account of circumstances or factors that were not apparent when the agreement was entered into, or supervened thereafter.

29. The author of an original work of three-dimensional art or an original musical score shall have the right to a share in the proceeds of any sale of that work by public auction subsequent to the first sale thereof effected by him. The conditions governing the exercise of that right and the proportion and manner of participation in the proceeds of the sale shall be prescribed by regulation. Any agreement or arrangement entered into or effected in a manner contrary to the provisions of this Article shall be deemed null and void. The foregoing shall not apply to architectural works or works of applied art.

30. The rights conferred on the author by this Law shall be protected for his lifetime and for 30 years after his death, or after the death of the last surviving co-author in the case of a work of joint authorship.

31. The following works shall be protected for 30 years from the date of publication thereof:

(a) cinematographic, televised and photographic works that are not of creative character inasmuch as they are mere mechanical reproductions of panoramic scenes;

(b) works of applied art;

(c) any work the author of which, or the holder of the rights in which, is a legal entity;

(d) any work that is published for the first time after its author's death;

(e) anonymous or pseudonymous works, provided that, if the author reveals his identity within the period of protection, that period shall commence on the date of the author's death.

32. The following works shall be protected for 15 years after the author's death:

(a) computer programs;

(b) translated works;

(c) illustrations, manuscripts, sculptures, drawings, paintings, architectural plans, geographical or topographical maps and three-dimensional works.

33.—(a) A work shall be deemed published as from the date on which it is first made available to the public, or the date on which it is republished, where the author has made fundamental changes to it so that it may be considered a new work.

(b) If the work is composed of several parts or volumes which are published separately or at different times, each such part or volume shall be considered an independent work with respect to the date of publication.

34.—(a) On the expiration of the term of protection provided for in this Law or, if the author has no heirs or successors in title, prior to the expiration of the term of protection, the work shall pass into the public domain, as from which time any person shall have the right to print, publish or translate it, provided that it had already been printed, published or translated.

(b) If the work referred to in paragraph (a) has not been printed, published or translated before its passing into the public domain, it shall not be permissible to exploit any right therein, including the right to print, publish or translate it, save under a license granted by the Minister. Such a license shall be valid for a period of 15 years, but shall be deemed revoked if the licensee fails to make use of it within one year, or if he starts to use it and then discontinues the use for a full year.

35.—(a) Where two or more persons have so participated in the making of a work that their individual contributions to the work are indistinguishable from each other, they shall be considered joint owners with equal shares unless they have agreed otherwise. In that case, it shall not be permissible for either or any of them to exercise the copyright in the work without the agreement of the other or others. Each shall have the right to institute court proceedings in the event of any infringement of copyright.

(b) If however the individual contributions to the work can be distinguished, each of the authors shall have the right, unless otherwise agreed, to exploit his contribution, provided that the exploitation of the overall work is not thereby impaired in any way, and the rights of the other authors are not prejudiced.

(c) A collective work shall be a work in the creation of which a number of persons have participated on the instructions of a person, whether natural person or legal entity, who takes the initiative of publishing the work under his name and direction. In such case, the contributions of the authors shall form part of the general objective pursued by the said person in such a way that they are indistinguishable. The person who directed and organized the creation of the work shall be deemed the author thereof, and shall alone have the right to exercise authors' rights.

36.—(a) Where two or more persons have participated in the making of a musical work accompanied by words, the composer of the musical portion shall alone have the right to authorize the public performance of the work in its entirety, its presentation, publication or reproduction, without prejudice to the rights of the author of the literary portion, who alone

shall have the right to publish that portion, but not the right to dispose of it for the purpose of another musical work, unless otherwise agreed.

(b) With respect to works that are executed by movements accompanied by music, musical reviews and all other similar works, the author of the non-musical portion of the work shall have the right to authorize the public performance of the work in its entirety, its presentation, publication or reproduction. The composer of the musical portion of the work shall have the right to dispose of that portion only, provided that it is not used in a work similar to the said work, unless otherwise agreed.

37.—(a) The following shall be deemed co-authors of cinematographic, radio and television works:

(i) the author of the screenplay or the written idea for the broadcast;

(ii) the person who adapts a literary work in such a way that it may be performed;

(iii) the author of the dialogue of a cinematographic work or broadcast;

(iv) the composer of the music specially made for the work;

(v) the director of the work, if he has effectively supervised the making thereof and has made a positive intellectual contribution to the creation of the work.

(b) If the work is a popularization or an extract from an earlier work, the author of the earlier work shall be deemed a co-author of the new work.

(c) The authors of the screenplay, the adaptation and the dialogue of a literary work and also the director thereof shall together have the right to show the new work; neither the author of the original literary work nor the composer of the music may oppose that act, provided the act does not prejudice their individual rights in the original literary work or in the music. The author of the literary portion and the composer of the musical portion of the work shall each have the right to publish his portion in a medium other than cinematography or broadcasting, unless otherwise agreed.

(d) If one of the participants in the making of a work fails to carry out or complete the task assigned to him, any of the other participants shall be entitled to use the part thereof that he has completed, without prejudice to the rights of the other participants in relation to their own contributions to the work.

(e) The person who takes the initiative or responsibility for the making of a cinematographic work or broadcast by making available to the authors of the said work the material and financial means necessary for the production and direction thereof shall be considered the producer thereof.

(f) The producer shall be deemed the publisher of the cinematographic work or broadcast, shall have all the rights of the publisher in relation to the work and copies thereof and shall, throughout the period agreed upon for the exploitation of the work, represent the authors thereof and their successors in title for the conclusion of any contract for the showing or exploitation of the work, without prejudice to the rights of the authors of the other adapted literary and musical works, unless otherwise agreed.

38. The provisions of this Law relating to deposit shall apply to any work by a Jordanian or non-Jordanian author published or printed in the Kingdom, and to any work by a Jordanian author published or printed outside the Kingdom if distributed within it. Deposit shall be effected at the Center free of charge before the work is offered for sale or distribution in the Kingdom. The copies deposited shall be consistent with the work in all respects, and

shall be chosen from the best. The provisions of this Law relating to deposit shall apply also to reprinted works.

39. The author, publisher, printer, producer and distributor of the work shall be responsible for effecting the deposit thereof; the importer of any work, or his agent, shall also be responsible for effecting the deposit of a work by a Jordanian author printed, published or made outside the Kingdom.

40. Each work shall be given its own deposit number. The Center shall gather the technical data relating to the work for the purposes of indexing and classifying printed works in accordance with the principles and practice observed in this field; the data shall be transmitted to the person concerned with a view to being mentioned on the work.

41. The author, publisher or printer of a book shall each be responsible for including the indexing and classification references and the number and date of deposit on the reverse side of the title page of the work. With regard to works other than books, the deposit number shall be mentioned in any visible place on the work.

42. Any legal entity that undertakes the printing, publication or distribution of the work in the Kingdom shall submit, every six months, a list of the works that it has printed, published, produced or distributed, using the form supplied by the Center for the purpose.

43. The Center shall issue periodical bibliographic data in the form of lists or indexes comprising the works deposited with it, and shall assume responsibility for communicating relevant bibliographic information.

44. The Center shall compile a central index for the identification of works available in the libraries and the information and documentation centers of the Kingdom, and for the location of each such work. It shall also specify the libraries and information and documentation centers mentioned in the central index and the obligations and duties assigned to them by decision of the Minister.

45. No action shall be heard for the protection of copyright in any work that has not been deposited with the Center in accordance with the provisions and procedures set forth in this Law.

46.—(a) At the request of the author or of any of his heirs or successors in title, the court may take the following measures in relation to any work in relation to which the rights of the author or his heirs or successors in title are infringed, provided that the request contains a complete and detailed description of the work:

(i) stop the printing, publication, distribution or exhibition of the work, or prohibit the public performance thereof; the foregoing shall also apply to any part of the work that has been unlawfully adapted;

(ii) seize the original work or copies or reproductions thereof, and also the equipment used for the republication thereof, provided that the said equipment is not fit for any other use;

(iii) seize the revenue deriving from the exploitation of a work performed in public.

(b) The request referred to in paragraph (a) shall be accompanied by a deposit to be paid to the defendant as damages if the request is not sustained. The request may be made prior to the bringing of the action, when it is brought or while it is before the court. If the court decides to take any or all of the measures provided for in paragraph (a) prior to the bringing of the action, the plaintiff shall bring his action within eight days from the date of the decision of the court; if the action is not brought within that period, the measures taken by the court shall be cancelled *ex officio*.

(c) Any person prejudiced by any measure taken by the court pursuant to the provisions of paragraph (a) may appeal against such measure before the said court, which may, after hearing the submissions of the parties, uphold its earlier decision, revoke it either entirely or in part or appoint a curator whose task would normally be to publish the work, or show it or perform it in public; the revenue deriving therefrom shall be deposited with the court until the conclusion of the proceedings. The court shall designate the party entitled to such revenue in the light of its judgment on the other aspects of the case.

47.—(a) At the request of the author or of any of his heirs or successors in title, the court may order the destruction of the copies or reproductions of the work that has been published unlawfully, and also of the equipment used for the publication thereof, provided that the said equipment is not fit for any other use. It may also, as an alternative to the destruction thereof, order the features of the copies, reproductions and equipment to be altered, or order them to be rendered unfit for use. If, however, the court finds that the copyright in the work will expire after two years following the date on which the decision becomes final, it may confirm the seizure as a remedy for the author.

(b) Destruction of copies or reproductions of any work, or the altering of the features thereof, may not be ordered if the dispute relates to the translation of the work into Arabic. In that case, the court shall merely confirm the seizure of the work, or of the copies or reproductions thereof, as the case may be.

(c) The court may order the confiscation of copies or reproductions of the work and of the equipment used for the production thereof and their sale, to such extent as will indemnify the prejudiced author as an alternative to the destruction of the said copies and reproductions, the alteration of the features thereof or the destruction of the said equipment.

(d) In no event shall it be permissible for buildings or such sculptures, drawings, etchings and architectural configurations as appear in or on them to be the subject of seizure or destruction orders or orders for the altering of the features thereof or the seizure thereof to preserve the rights of the author whose construction plans and designs have been unlawfully used. The foregoing shall not prejudice his right to fair compensation.

48. Without prejudice to the provisions of Article 47, the court may order that any work that has been the subject of a copyright infringement be restored to its previous state by modification, deletion or any other means.

49. Where any of the rights conferred on the author in relation to his work under this Law have been infringed, the author shall be entitled to fair compensation, due account being taken of his cultural standing, the value he personally attaches to the literary, scientific or artistic work and the amount of profit made by the infringer through his exploitation of the work. In that event the compensation awarded to the author shall be deemed a privileged debt over the net sale price of the articles used for the infringement and over the amounts seized for the action.

50. At the request of the successful party, the court may order the publication of the judgment rendered by it pursuant to this Law in one or more local daily or weekly newspapers at the expense of the losing party.

51.—(a) Any person who commits any of the following acts shall be liable to imprisonment for a minimum term of three months or to a fine of not less than 500 dinars nor more than 1,000 dinars or both:

(i) unlawful exercise of any of the exclusive rights provided for in Articles 8, 9 and 10 of this Law;

(ii) the offering for sale, communication to the public by any means whatsoever, importation or exportation of counterfeited work or copies thereof in full knowledge of the facts.

(b) In the event of repetition of any of the offenses provided for in paragraph (a), the offender shall be liable to the maximum term of imprisonment; in such event, the court may also decide to close the establishment in which the offense was committed for a period not exceeding one year, or to revoke its license for a specific period or permanently.

52. Any person who contravenes the provisions of Articles 38, 39, 41 or 42 of this Law shall be liable to a fine of not less than 20 dinars nor more than 100 dinars. Such punishment shall not exempt him from the application of the provisions of the said Articles.

53. The provisions of this Law shall apply to works by Jordanian and foreign authors that are published in the Kingdom and to works by Jordanian authors that are published outside the Kingdom. With regard to works by foreign authors that are published outside the Kingdom, international conventions and the principle of reciprocity shall be applicable.

54. The provisions of this Law shall apply to works existing on its entry into force, with the exception of Articles 41, 42, 51 and 52, the provisions of which shall be applicable only to facts and acts occurring after the entry into force of the provisions of this Law.

55. The provisions of this Law shall apply to facts occurring or agreements entered into after the entry into force thereof, even in relation to works published or performed for the first time before such entry into force, provided that, when the term of protection for such works is calculated, the period falling between the coming into effect of the term of protection and the date of entry into force of this Law shall be taken into account.

56. Periods provided for in this Law shall be calculated according to the solar calendar.

57. The Council of Ministers may promulgate such regulations as may be necessary for the implementation of the provisions of this Law.

58. The Ottoman Law on Copyright, and any other law or enactment the provisions of which are contrary to those of this Law are hereby repealed.

59. The Prime Minister and the Ministers shall be responsible for the implementation of the provisions of this Law.

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Note: Translation by the International Bureau of WIPO.