

DECREE LAYING DOWN THE RULES FOR THE ORGANIZATION AND OPERATION OF THE COPYRIGHT OFFICE OF SENEGAL

Article 1. The Copyright Office of Senegal (*Bureau sénégalais du droit d'auteur* - BSDA) is a public institution with professional character under the authority of the Minister in charge of Cultural Affairs (ministre chargé de la Culture).

It has its headquarters in Dakar.

The BSDA shall be competent:

- i. to draw up and ensure the application of contracts entered into with users of the musical, dramatic and literary works under its control;
- ii. to represent within the territory of Senegal competent foreign societies of authors in the implementation of contracts entered into with users or groups of users;
- iii. to conclude agreements with foreign societies of authors with a view to their representation and management within the territory of Senegal of works under their control.

Article 2. The Copyright Office of Senegal (BSDA) shall be competent to perform all acts and to take all measures designed to contribute to the satisfactory fulfillment of its purpose and tasks, and in particular to set up committees for the study of matters of concern to the profession.

Article 3. The bodies of the BSDA are:
the Administrative Board,
the Director General.

Article 4. The Administrative Board is composed of:
a Chairman,
two composers,
two playwrights,
two writers.

Members of the Administrative Board who fail to attend or are prevented from attending shall be replaced by alternates.

The Chairman of the Administrative Board shall be appointed by decree, on a proposal by the Prime Minister, from among composers, playwrights and writers.

The other regular and alternate members of the Administrative Board shall be designated by an Order of the Minister in Charge of Cultural Affairs.

Article 5. The Administrative Board shall meet at least three times a year at the headquarters of the Copyright Office of Senegal on convocation by the Chairman.

The Administrative Board shall deliberate in particular on the following:

- i. disciplinary measures (warning, reprimand, withholding of 2% of royalties) to be taken against members of the BSDA found guilty in civil or criminal proceedings of infringement, plagiarism, false programs or false declarations;
- ii. designation of members of the committees provided for in Article 2;
- iii. questions of a social nature concerning members of the BSDA;

- iv. the budgetary estimates, the annual management report and the year-end accounts;
- v. agreements between BSDA and other bodies.

Article 6. The Director General shall be appointed by decree. He may not be either an author, or a composer or a publisher.

His salary and other benefits shall be paid by the BSDA.

Article 7. The Director General shall be responsible for managing, and directing the work of, the BSDA. In this capacity, he shall represent the BSDA in dealings with third parties or in trials or other judicial proceedings. He shall provide the secretariat of meetings of the Administrative Board and draw up minutes of such meetings.

Article 8. The expenses of the BSDA shall be covered, as far as its operational and material requirements are concerned, by deductions made from the royalties it collects. The rates of such deductions shall be determined by the Administrative Board.

Article 9. The Copyright Office of Senegal may, in accordance with the Law on the Protection of Copyright, appoint agents who shall be sworn in after approval by the Minister in charge of Cultural Affairs.

Article 10. The Minister in charge of Cultural Affairs shall be responsible for the implementation of this Decree, which shall be published in the Official Gazette.