

# *Law of Ukraine*

## **On Amendments of the Law of Ukraine On Efficient Management of Property Rights of Right holders in the Sphere of Copyright and/or Related Rights to Ensure Collection of Rights Revenue by Collective Management Organizations**

The Verkhovna Rada of Ukraine decrees:

- I. Paragraph 3-2 of Section VI " Transitional Provisions" of the Law of Ukraine "On Efficient Management of Property Rights of Rights Holders in the Sphere of Copyright and (or) Related Rights" (Vidomosti Verkhovna Rada of Ukraine, 2018, № 32, article 242; 2020, № 43, article 371) shall be amended as follows:

"3<sup>2</sup>. Collective management organizations listed in the Register of Collective Management Organizations shall be entitled to exercise voluntary collective management temporarily on the basis of the property rights granted to them by the rightholders in the sphere of extended collective management, pursuant to subparagraphs 1 and (or) 2 of paragraph 3, section 5, Article 12 of this Law, by concluding an agreement with the users on the terms and conditions of the tariff, determined by the collective management organization for such agreements without applying the procedure for tariffs setting envisaged in Article 20 of this Law for the works included in the catalogue of this collective management organization, but not later than 60 days from the date of publication on the official website of the Institution of the announcement of the Institution about the establishment of the tariff in one of the designated spheres according to the results of the agreement by negotiation or as determined by the court. "

1. This law shall enter into force the day following the day of its publication.
2. From the day of enactment of this Law:

the decisions of the central executive body, which ensures the development and implementation of the state policy in the sphere of intellectual property (hereinafter referred to as the Institution), on accreditation of collective management organizations, and the decisions of the collective management organizations accreditation committee of the Institution on accreditation of collective management organizations in the spheres specified in sub-paragraphs 1 and 2, paragraph 3, section 5, Article 12 of the Law of Ukraine "On Efficient Management of Property Rights of Right holders in the Sphere of Copyright and (or) Related Rights", as well as the orders of the Institution approving such decisions adopted before the date of enactment of this Law, shall become invalid;

the powers of the collective management organizations accreditation committee , the composition of which was approved by the Institution before the day of enactment of this Law, shall be suspended.

3. The Institution shall:

bring its legal and regulatory acts in line with this Law;

within one month from the date of enactment of this Law, form and approve the personal composition of the collective management organizations accreditation committee ;

within two months from the date of enactment of this Law, announce competitions for the determination of accredited collective management organizations in the spheres, envisaged in

subparagraphs 1 and 2, paragraph 3, section 5, Article 12 of the Law of Ukraine "On Efficient Management of Property Rights of Rights Holders in the Sphere of Copyright and (or) Related Rights;

to ensure publication on the official website of the Institution of the announcement of the Institution about the establishment of the tariff in the spheres, envisaged in subparagraphs 1 and 2, paragraph 3, section 5, Article 12 of the Law of Ukraine "On Efficient Management of Property Rights in the Sphere of Copyright and (or) Related Rights" within 10 days from the date of receipt of the information specified in paragraph 4 of this section.

4. Collective management organizations accredited in the spheres envisaged in subparagraphs 1 and 2, paragraph 3, section 5, Article 12 of the Law of Ukraine "On Efficient Management of Property Rights of Right Holders in the Sphere of Copyright and (or) Related Rights, are obliged to submit information about the tariff setting in the appropriate sphere within 10 calendar days from the date of agreement of the tariff by negotiations or from the day of enactment of the court decision on the tariff setting.

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| <b>The President of Ukraine</b>                 | <b>Volodymyr ZELENSKYY</b> |
| <b>Kyiv<br/>15 december 2021<br/>No 1960-IX</b> |                            |