Permitted uses of works and other subject-matter protected by copyright and related rights for the benefit of persons who are blind, visually impaired or otherwise print disabled

2016/0278(COD) - 28/03/2017 - Committee report tabled for plenary, 1st reading/single reading

The Committee on Legal Affairs adopted the report by Max ANDERSSON (Greens/EFA, SE) on the proposal for a directive of the European Parliament and of the Council on certain permitted uses of works and other subject-matter protected by copyright and related rights for the benefit of persons who are blind, visually impaired or otherwise print disabled and amending Directive 2001/29/EC on the harmonisation of certain aspects of copyright and related rights in the information society.

The committee recommended that the European Parliament's position, adopted at first reading following the ordinary legislative procedure, should amend the Commission proposal as follows:

Subject matter: the proposed Directive lays down rules on the use of certain works and other subject-matter without the authorisation of the right holder, for the benefit of persons who are blind, visually impaired or otherwise print disabled.

Members stipulated that the Directive should aim to effectively ensure their right to **participate in cultural, economic and social life** on an equal basis with others.

They introduced a reference to Article 26 of the Charter of Fundamental Rights of the European Union and the United Nations Convention on the Rights of Persons with Disabilities.

E-books should be included in the definition of protected works.

Definitions: Members proposed to harmonise the definition of 'beneficiary person' with the Marrakesh Treaty to Facilitate Access to Published Works for Persons Who Are Blind, Visually Impaired, or Otherwise Print Disabled. They also supplemented the definition of '**authorised entity**' proposed by the Commission. It shall mean an organisation authorised or recognised by the Member States in which it is established.

Complaints mechanism: an amendment called on Member States to put in place complaints or redress mechanisms in cases where beneficiaries are denied the permitted uses.

Report and assessment: the Commission shall present a report on the availability, in the internal market, in accessible formats, of works and other subject-matter other than those defined in the Directive and of works and other subject-matter for persons with disabilities not covered in the Directive.

Members suggested that this report shall contain an assessment, taking into account technological developments, on whether a **broadening of the scope of this Directive** should be considered, so that the exception and the related making of accessible format copies provided by this Directive may benefit other categories of disabilities.

The Commission's report shall take into account the viewpoints of relevant civil society actors, non-governmental organisations and social partners, including organisations of and by persons with disabilities and those representing older persons.

Exchanges of information between Member States: Members suggested that in order to foster exchange between Member States, a **single publicly accessible online database** should be established and managed by the European Intellectual Property Office (EUIPO) containing information on authorised entities and bibliographic data about works available in accessible format copies produced and made available by authorised entities.

Transposition: Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive by 6 months after entry into force at the latest.