

Cross-border exchange between the Union and third countries of accessible format copies of certain 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

2016/0279(COD) - 29/03/2017 - 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 regulation of the European Parliament and of the Council on the cross-border exchange between the Union and third countries of accessible format copies of certain 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.

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: Members stipulated that the Regulation should aim to effectively ensure the right of persons who are blind, visually impaired or otherwise print disabled 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.

Obligations of authorised entities: they shall: (i) **respect the privacy** of beneficiary persons; (ii) publish and update, on its website if appropriate, or through other **online or offline channels**, information on the manner in which it complies with the obligations laid down in this Regulation; (iii) provide information in an accessible way, on request, to any beneficiary person or right holder.

Exchanges of information: Member States shall foster the exchange of information and best practices amongst authorised entities so as to effectively promote access to adapted works or subject-matter.

They shall facilitate the agreement of **best practice guidelines** between representative groups of authorised entities that engage in the production, distribution or making available of accessible format copies, and users and right holders.

Members suggested the creation of a **single online database** in the Union in order to foster the export of accessible format copies and born accessible publications.

Strategic plan: lastly, the European Commission shall present, within one year, a strategic action plan to promote the objectives of the Marrakesh Treaty with special emphasis on ensuring widespread cross-border exchange with third countries, providing educational and cultural works for visually impaired persons.