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) - 06/07/2017 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted by 610 votes to 21, with 1 abstention, a legislative resolution 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 position of the European Parliament adopted at first reading following the ordinary legislative procedure amended the Commission proposal as follows:

Objectives: the Regulation would establish uniform rules on the **cross-border exchange of accessible copies of certain works** between the Union and third countries which are parties to the Marrakesh Treaty **without the consent of the rights holders being obtained** to the benefit of the blind, the visually impaired and those with other difficulties reading printed texts.

The **Marrakesh Treaty** to Facilitate Access to Published Works for Persons who are Blind, Visually Impaired or Otherwise Print Disabled was signed on behalf of the Union on 30 April 2014. This Treaty requires the Contracting Parties to provide for exceptions or limitations to copyright and neighbouring rights for the production and distribution of accessible copies of certain works and other protected subject-matter and for the cross-border exchange of such copies.

More specifically, the regulation should ensure that accessible copies of books, **including e-books**, magazines, newspapers, magazines and other writings, notations, including sheet music, and related illustrations, in any media, including in audio for such as audiobooks and in digital format, which have been made in any Member State can be **distributed, communicated or made available** to a blind person or an 'authorised entity' (e.g. a public institution or a non-profit organisation) in third countries which are parties to the Marrakesh Treaty.

Accessible formats would include, for example, Braille, large print, e-books, adapted e-books, audiobooks and radio broadcasts.

Obligations applicable to authorised entities: the latter should (i) take measures to prevent the reproduction, distribution or making available to the **unauthorised** public of copies in accessible format; (ii) publish and update, on their websites where appropriate, or through various other online or offline channels, information on how they comply with the obligations set out in the Regulation.

The amended text stresses that, under the **EU Charter of Fundamental Rights**, all forms of discrimination, including those based on disability, are prohibited and the Union recognizes and respects

the right of persons with disabilities to Measures to ensure their autonomy, social and occupational integration and participation in the life of the community.