

[KZ] State Copyright Agency Established

IRIS 1998-8:1/23

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The Statute "On Copyright and Neighboring Rights" (1996) entitles authors of scientific, literary, artistic works, performers, phonogram producers or other proprietors of copyright and neighboring rights to establish organizations that manage material rights of the authors on a collective basis. Such organizations must be public and non-governmental. As of today there are two organizations of such kind - the Kazakhstan Authors Society and the Association of Kazakhstan Authors and Performers, both registered by the Ministry of Justice in 1997.

In April 1998 a decree of the Government established the Agency on Copyright at the Ministry of Energy, Industry and Trade, a governmental department with vast powers in the sphere of copyright management. The Agency was created "to improve effectiveness of state administration" and to conduct national policy of Kazakhstan in this sphere.

According to its Statute, approved by the same governmental decree, the Agency is to ensure "effective" protection of the rights of Kazakhstan authors and performers abroad, "adequate" protection of the rights of foreigners in Kazakhstan, as well as to combat piracy and to facilitate integration of Kazakhstan with the international covenants on copyright and neighboring rights (Article 5). The Agency shall oversee the activity of public organizations that manage authors' rights on a collective basis, register licenses issued by the authors for the use of their works, serve as a depository, issue administrative protocols on the violations of copyright, and prosecute claims against the offenders in the courts of justice (Art. 7-9).

Voprosy Agentstva po avtorskim pravam Ministerstva energetiki, industrii i torgovli Respubliki Kazakhstan. Sobranie aktov Prezidenta Respubliki Kazakhstan i Pravitelstva Respubliki Kazakhstan, No 11.1998.

Issues of the Agency on Copyright at the Ministry of Energy, Industry and Trade of the Republic of Kazakhstan. Decree of the Republic of Kazakhstan No. 310 of April 9, 1998.

