[FR] Higher Council on Literary and Artistic Property Instituted

IRIS 2000-9:1/32

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The Conseil supérieur de la propriété littéraire et artistique (Higher Council on Literary and Artistic Property), announced by Lionel Jospin in January 1999, has just been instituted by decree and should be set up before the end of the year, for a period of six years. The Higher Council's mission is to advise the Minister for Culture and Communications; the Minister will give it an agenda and it must make proposals and recommendations on literary and artistic property. It is also to act as an observatory for the exercise and respect of copyright and neighbouring rights, monitoring the evolution of practice and markets, except on matters concerning monopolies, which are dealt with by the Conseil de la Concurrence (Competition Council). The Higher Council will also be responsible for helping to resolve disputes, and for this purpose it may designate a suitable person with a view to conciliation. Apart from the nine statutory representatives, one member of the Conseil d'État as its chairman, one counsellor at the Court of Cassation as deputy chairman, plus eight individuals qualified in copyright matters, thirty-two members representing the professional organisations still have to be appointed by order of the Minister for Culture and Communications on proposals from the organisations. The authors of intellectual works, including software and databases, the producers of phonograms, cinematographic or audiovisual works, the editors of newspapers and magazines, books and on-line services, radio broadcasters and consumers will thus be able to express their position on copyright through this Higher Council. The work of the Higher Council will be forwarded to the Minister for Culture in the form of written opinions, and the Government will keep it informed of follow-ups to its proposals and recommendations.

The Higher Council on Literary and Artistic Property is to be consulted in the near future on the Bill on the Information Society which is to be presented in the Council of Ministers and submitted to Parliament early in 2001.

Arrêté du 10 juillet 2000 portant création du Conseil supérieur de la propriété littéraire et artistique, Journal officiel du 19 septembre 2000, p. 14634

Order of 10 July 2000 instituting the Higher Council on Literary and Artistic Property, published in the official gazette of 19 September 2000, p.14634

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