[LV] Amendments to Copyright Law in 2004

IRIS 2004-5:1/30

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On 22 April 2004 were adopted new amendments to the Copyright Law (hereinafter: the Law), which came into force on 1 May 2004. The amendments made the law more precise, as well as ensured its full compliance with European Union directives 91/250/EEC, 92/100/EEC, 93/83/EEC, 93/98/EEC, 96/9/EC, 2001/29/EC, and 2001/84/EC. Some of the amendments clarify important matters for the audiovisual field as well.

Before the amendments the Law did not make it explicit that the exclusive property rights of the author include the broadcasting of the work. The amendments include this right in the catalogue of exclusive property rights.

The amendments introduce a new requirement for the contract on the creation of an audiovisual work. Before the amendments such a contract did not have to be in writing - the Law allowed oral contracts as well. However, the amendments stipulate that contract on the creation of an audiovisual work shall be in writing. Thus the written form has been made a mandatory requirement for such a contract.

The Law was complemented with a new chapter directly applicable to broadcasters concerning mediators. The chapter stipulates that in cases of disputes on retransmission rights between broadcasting organizations the parties may seek help of the Mediator. The applications for mediation shall be addressed to the Ministry of Culture. The parties may choose the Mediator themselves, however, if they fail to agree, the Minister of Culture pursuant to the request of the parties may appoint it at his/her discretion. The Mediator may suggest solutions for resolving of the dispute and set a deadline until which the parties shall accept or deny his/her suggestions. If none of the parties expresses objections to the suggestions within three months, the suggestions are deemed to be accepted. However, the fact that the parties have turned to the Mediator, does not affect their rights to submit a claim to the court.

Autortiesi-bu likums, Latvijas Ve-stnesis, 27.04.2000, no. 148/150

Copyright Law, Official Journal, 27 April 2000, no. 148/150

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