[SI] New copyright law

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On 30 March 1995 the Slovenian Parliament passed legislation on copyright and related rights. The Act entered into force on 29 April 1995, and is now also available in English.

The area covered by the act includes not only the primary protection of the author of literary, scientific and artistic works (copyright), but also the secondary protection of the related rights of performing artist-s, producers of phonograms and films, broadcasting companies and publishers.

According to Section 5-II-2 of the Copyright Act, computer programmes are also specifically included in the scope of protection provided (Articles 111 to 117). According to the definition given in Article 111, computer programmes are considered worth being protected where they are individual works, ie single intellectual creations, of the author. It does not matter what form they take; even preliminary sample materials are covered. Data banks fall into the category of compilations and are protected under Article 8-I as independent intellectual creations.

The Copyright Act also gives the author exclusive personal rights (moral rights), exclusive commercial right-s, and other rights (Article 15).

Included in moral rights are the author's right to first disclosure (Article 17), the right to recognition of authorship (Article 18), the right to integrity of the work (Article 19) and the right to withdrawal (Article 20). The commercial exclusive rights of a material nature include the author's right of reproduction (Article 23), the right of distribution (Article 24) and rental right (Article 25).

The act also makes provision for the following non-material rights:

- right of public performance (Article 26);

- right of public transmission (Article 27);

- right to public communication by means of phonograms or videograms (Article 28);

- right to public presentation (Article 29);

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- right of broadcasting (Article 30);

- right of rebroadcasting (Article 31);

- right of secondary broadcasting (Article 32);

- right of transformation (Article 33).

Further author's rights include the right of access and of delivery (Article 34), droit de suite (Article 35), public lending right (Article 36) and right to remuneration (Article 37). Articles 142 to 163 of the act also contain regulations on the individual and collective assertion of copyright and related rights.

The period of protection for authors is basically 70 years after death, but for holders of related rights the period is only 50 years.

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Act of the Republic of Slovenia on Copyright and Related Rights, 30 March 1995.

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