

[IT] Implementation of the EC Directive on the term of protection of copyright

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The Italian Parliament has recently adopted the new Legge comunitaria, a general statute aimed to insure, every year, that Italian Law is consistent with Community Law. The statute includes two articles concerning copyright law. In Article 16 the Parliament enables the Government with the power to adopt "delegated decrees" aimed at implementing Council Directive 93/83 on satellite and cable broadcasting, and also indicates some criteria that the Government has to follow. The Directive will be considered as transposed only after the enactment of the above mentioned decrees.

Much more important is Article 17 of the new Legge comunitaria, which gives full application in Italy to the rules included in Council Directive 93/98 on harmonization of the term of protection of copyright. Thus, all works protected by copyright now enjoy a 70 year protection, whereas the previous law included a 50 years term. As for neighbouring rights, a new 50 years term replaces the shorter terms of the previous legislation: for instances, 20 years for the neighbouring right of performing artists. (Roberto Mastroianni, University of Florence)

