[TR] Expected Amendments to Turkish Copyright Law

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The Turkish Law on Intellectual and Artistic Works No. 5846 (LIA) is going to be amended. A draft is being prepared by a committee set up by the Copyright and Cinema Directorate of the Republic of Turkey, Ministry of Culture and Tourism (Ministry). According to information obtained from the Ministry the draft shall bring substantial amendments to copyright law.

The main goal of the amendment is to provide harmonisation with EU copyright law. The Ministry has run a twinning project with the European Public Law Organisation (EPLO), as a result of which certain amendments to the law were proposed. The current draft aims at enacting these proposals.

The second goal of the draft is to address certain problems that are observed in practice, especially with regard to collecting societies and collective management of rights. Currently there are 24 collecting societies in the fields of literary and artistic works, cinematographic work, music and fine arts. The view has been expressed that the existence of such a large number of collecting societies weakens the power of these organisations and will pose problems especially with regard to the distribution of private copy levies, the introduction of which is another proposal contained in the draft. Currently income from the private copy levies is not being distributed to the collecting societies but being retained by the Ministry to promote the protection of intellectual property. Taking this view into account, the Ministry proposes to merge the collecting societies into one society per sector in the four fields mentioned above.

According to the draft around twenty articles of LIA shall be revised. Some of the other changes concern the protection of audiovisual works and the improvement of the protection of digital copyrights. With regard to the first issue the present description of the LIA of “cinematographic works” shall be replaced with “audiovisual works”, as a result of which other original audiovisual works such as TV programmes shall also come under the protection of the law. With regard to the latter issue, certain improvements shall be introduced to the present system of “notice and takedown”, such as a simplified notification procedure.

The draft is expected to be submitted to public opinion in the following months.

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