[IT] New rules on copyright - Transposition of Cable and Satellite Directive

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Roberto Mastroianni
RTS Radio Télévision Suisse, Geneva

On 23 October 1996, the Italian Government approved a Decree to transpose the Council Directive 93/89 of 27 September 1993 on the coordination of certain rules concerning copyright and rights related to copyright applicable to satellite broadcasting and cable retransmission the Cable and Satellite Directive'). The Decree amends the relevant rules of the general Italian Copyright Act (legge No 633 of 22 April 1941).

In particular, the Decree amends Article 16 of the Copyright Act, which relates to the exclusive right of the copyright owner to distribute his work (diritto di diffusione). This exclusive distribution right has been expanded so as to include communication to the public via satellite and retransmission by cable.

In addition, the domestic rules concerning neighbouring rights have been amended in order to implement Article 4 of the Directive. A new Article 110bis has been added to the Copyright Act which stipulates that authorization for broadcasting or cable retransmission must be based on contractual agreements between, of the one side, copyright and neighbouring right holders and, of the other side, cable operators.

A new Article 180bis stipulates that the exclusive right to authorize cable retransmission can only be exercised through the rights collection society SIAE.

Decreto legislativo No 581 of 23 October 1996, Attuazione della direttiva 93/83 per il coordinamento di alcune norme in materia di diritto d'autore e di diritti connessi, applicabili alla radiodiffusione e alla ritransmissione via cavo.

Statutory instrument n. 581 of 23 October 1996 to transpose the Council Directive 93/89 of 27 September 1993 on the coordination of certain rules concerning copyright and rights related to copyright applicable to satellite broadcasting and cable retransmission.

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