



## Country Report Moldova

Annual report to the IFLA CLM committee  
San Juan Puerto Rico 2011

### Copyright

#### ***Revision/changes in existing law or regulations***

A new law on Copyright and Related Rights that initiated by The State Agency on Intellectual Property (AGEPI) in 2007 was approved finally by the Parliament on July 2<sup>nd</sup> 2010 and came into force on January 1<sup>st</sup> 2011. The following exceptions and limitations for libraries have been included within the new law: reproduction for research or private purposes; provision for persons with disabilities (Adapting Materials for the Blind, Visually Impaired and other Reading Disabled Persons); public lending & interlibrary loan; education and classroom teaching (creating course packs for students for short period of time); making Digital Copies for Preservation and Replacement and legal deposit that will include works published in all formats.

By the end of 2011, new adjustments are supposed to be collected from a two days of training consultations with the staff of State Agency on Intellectual Property (on 3 and 7 October) and a three-day workshop (on 4 to 6 October) with the participation of the AGEPI staff, the representatives of CMOs, owners of rights and users, as well as judges and prosecutors.

#### ***New legislation***

##### *Orphan works*

There has been no action during 2010-2011.

##### *Mass digitisation*

There has been no action during 2010-2011.

##### *Digital preservation*

There has been no action during 2010-2011.

##### *Legal deposit*

Legal framework that reflects the *legal deposit* in Moldova includes the following acts: Law on Libraries (1994), Law on Publishing Activity (2000) and Code on Contraventions (2009).

During 2009 and 2010 all three laws haven't being amended.

##### *Public lending rights*

According to the Section 12 on *Right to Remuneration for Lending* within the new law stipulates that "libraries or other similar institutions that are not for direct or indirect economic or commercial advantage shall be exempted from the obligation of the payment of the remuneration".

##### *Levies*

Moldova does not have a levy system. In 2001 on July 7<sup>th</sup> a *Government Decision on Minimum Rates of Remuneration of Author* come into force that expressly stipulates in regard to libraries that "*libraries, archives and educational institutions can multiply in small volumes or extracts of works on commercial purposes only under contract signed with right holders of the works and pay remuneration to the author or have a license obtained in advance from the collective organizations*".

*Creative Commons*

Moldova has no *Creative Commons* licenses.

### **Legal matters**

#### ***Revision/changes in existing law or regulations***

#### ***New legislation***

##### *Anti terrorist law*

The law on *Law on combating the terrorism* was adopted in 2001 on October 21st, but doesn't refer to library users and doesn't affect library activities.

##### *DRM*

The law the refers to DRM applies only where an effective technological measures have been applied to protect a copyright work or a matter subject to related rights, and while such protection subsist. And it is designed in the normal course of its operation to prevent unauthorized use of copyright work in a way which would amount to an infringement of copyright

#### **Law cases**

N/A

#### **Lobby activities**

N/A

#### **Educational activities**

Translation of the curriculum *Copyright for Librarians (a joint project of the Berkman Center for Internet & Society and Electronic Information for Libraries (eIFL))*;

#### **Strategic plans for future**

On October 6<sup>th</sup> the Library Association will participate at a seminar organized by the State Agency on Intellectual Property where the following topics will be discussed: exceptions and limitations, digitization by libraries and other public services, the use of "orphan works," "Creative Commons" licenses and other open systems, etc.

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