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Research Exceptions in Comparative Copyright Law

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Research Exceptions in Comparative Copyright Law

Sean M. Fiil-Flynn, Michael Palmedo, Andrés Izquierdo¹

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ABSTRACT

Recent scholarship has highlighted the positive impact on scholarship of copyright exceptions for text and data mining and of more “open” exceptions for research uses. Until now, however, there has not been a collection and categorization of the world’s copyright laws according to the degree to which they provide exceptions for research. In this report, we release the results of the first such study. We show that every copyright law in the world has at least one exception to promote research uses of copyrighted works, but that such exceptions vary widely between countries. We conclude that the world’s exceptions for research can be categorized along a spectrum from the most open to (Green in our map) to the most closed (Red) to research uses. Only the green countries in our categorization have adequate limitations and exceptions to permit academic text and data mining research projects. This analysis may be useful to policy makers searching for models for domestic reform, to scholars looking for independent variables to use in impact analysis, and to international policy makers seeking to promote harmonization in research uses across countries.

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INTRODUCTION

Promoting research and access to its products has always been a core purpose of copyright law.² Reflecting this aim, “[l]egislation in most countries expressly exempts from copyright liability small numbers of copies made for purposes of research.”³ Research exceptions are increasingly seen as required for many modern research methodologies, including text and data mining methodologies that make technical reproductions of whole works of all sorts.⁴ Empirical scholarship finds strong correlations between the production of higher quality academic research and the provision of copyright exceptions for research purposes.⁵ But, until now, there has not been a comprehensive study of the dimensions of research exceptions provided by different countries.

This Article seeks to fill the gap in current studies of limitations and exceptions in comparative copyright law by examining the dimensions of copyright exceptions for research around the

² The first copyright law, The Statute of Anne, stated a core purpose as promoting “the Encouragement of learning.” The U.S. Constitution grants the power to Congress to enact copyright “[t]o promote the progress of science.” The more recent World Intellectual Property Organization Copyright Treaty (WCT) records in its preamble a recognition of “the need to maintain a balance between the rights of authors and the larger public interest, particularly education, research and access to information.”

³ Paul Goldstein & Bernt Hugenholtz, *International Copyright: Principles, Law, and Practice* 358 (4th Ed. 2019).

⁴ See, e.g., Jerome H. Reichman & Ruth L. Okediji, *When Copyright Law and Science Collide: Empowering Digitally Integrated Research Methods on a Global Scale*, 96 Minn Law Rev. 1362 (2012) (citing as motivation for the article the growth of information technology that is “transforming fields,” and has “revolutionized both how basic research is conducted and how the resulting knowledge is preserved and disseminated”); Matthew Sag, *The New Legal Landscape for Text Mining and Machine Learning*, 66 J. Copyright Soc’y of the U.S.A. 291 (2019), https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3331606; Michael W. Carroll, *Copyright and the Progress of Science: Why Text and Data Mining is Lawful*, 53 U.C. Davis L. Rev. 893 (2019), https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3531231; Thomas Margoni, *Text and Data Mining in Intellectual Property Law: Towards an Autonomous classification of Computational Legal Methods*, (CREATe working paper 01/2020) in Irene Calboli & Maria Lilla Montagnani, *Handbook on Intellectual Property Research* (OUP, forthcoming 2020), https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3602699; Josef Drexler et al., *Technical Aspects of Artificial Intelligence: An Understanding from an Intellectual Property Law Perspective* (Max Planck Institute for Innovation & Competition Research Paper No. 19-13, 2019), https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3465577.

⁵ See Christian Handke et al., *Is Europe Falling Behind in Data Mining? Copyright’s Impact on Data Mining in Academic Research*, in *New Avenues for Electronic Publishing in the Age of Infinite Collections and Citizen Science: FfScale, Openness and Trust* 120–130 (Brigit Schmidt & Milena Dobrev eds., 2015), https://papers.ssrn.com/sol3/papers.cfm?abstract_id=2608513 (“We demonstrate that countries in which data mining for academic research requires the express consent of rights holders, data mining makes up a significantly smaller share of total research output.”); Sean Flynn & Mike Palmedo, *The User Rights Database: Measuring the Impact of Copyright Balance* (Joint PIJIP/TLS Research Paper Series no. 2018-01) (finding that more open limitations and exceptions are correlated with higher research and development investments and scholarship output); Mike Palmedo, *The Impact of Copyright Exceptions for Researchers on Scholarly Output*, *Efil Journal of Economic Research*, 2(6), 114-39 (2019) (finding that “scientists residing in countries that implement more robust research exceptions publish more papers and books in subsequent years”).

world.⁶ We did so by using text and data mining research as a use case and asking whether each copyright law contained in the WIPO Lex database contains an exception that allows reproductions and sharing between researchers of whole works for an academic research project. We find that only a quarter of the countries in the world have an exception in their copyright law that can be read to permit such use. We do not, however, analyze the entire copyright system in each country, including whether the scope of copyright protection would apply to a text and data mining or other research use.⁷ Accordingly, we do not opine on whether any specific research project in any of the countries we review is possible in fact.

Part I describes the methodology we used to review and classify copyright laws. Part II reports on the findings from our analysis. Part III provides the text for each exception we analyzed grouped into the categories we created for this study.

I. Methodology

Following the methodology of previous WIPO SCCR studies, we used the WIPO Lex database to identify the copyright laws of nearly every country in the world.⁸ Where available, we used the official English translation provided by WIPO. Where we were not able to find an official translation, we made our own unofficial translation using Google's translation tool.⁹ The WIPO Lex Database is not perfectly up to date. We did not do legal research in each country to determine whether each law in the WIPO Lex database is current. Where we knew of more current versions of the law we used that version. The laws in Part III indicate which version of the law was analyzed.

When reviewing each law, we analyzed the scope of any exception for a research use that could authorize reproductions of whole works into an unpublished database (or "corpus") of the kind required for a text and data mining project. We included analysis of exceptions that specifically mention "research" as a permitted purpose, those for libraries and for private uses even if they

⁶ The World Intellectual Property Organization Standing Committee on Copyright and Related Rights has completed a number of comparative studies, including of limitations and exceptions for libraries and archives, museums, and educational activities. All of these studies are relevant to research uses, but none provides a comprehensive study of exceptions specifically for research uses by all users.

⁷ Many scholars argue that the act of analyzing text or data is not itself a copyright protected activity, and therefore should not need the operation of an exception. Rossana Ducato & Alain Strowel, *Ensuring Text and Data Mining: Remaining Issues With the EU Copyright Exceptions and Possible Ways Out*. CRIDES Working Paper Series no. 1/2021; forthcoming in 43 EIPR 2021/5, 322 (2021); Christophe Geiger, Giancarlo Frosio and Oleksandr Bulayenko, *Text and Data Mining in the Proposed Copyright Reform: Making the EU Ready for an Age of Big Data?*, 49(7) Int'l Rev. INTELLECTUAL PROP. & COMPETITION L. 814, 817 (2018) (explaining that requiring permission to analyze information could be considered an unlawful "restriction of freedom of expression and information as protected by e.g., the European Court of Human Rights (ECHR) and the Charter of Fundamental Rights of the European Union").

⁸ WIPO Lex Database, <https://wipolex.wipo.int/en/main/legislation> (last visited Sep. 7. 2021)

⁹ Where noted in the notations in Part III, we used Google Translate, <https://translate.google.com> (last visited Sep. 7. 2021). For analysis of the use of Google's translation tool in academic study, see Erik De Vries, Martijn Schoonvelde & Gijs Schumacher, *No longer lost in translation: Evidence that Google Translate works for comparative Bag-of-Words Text Applications*, 26 (4) Political analysis 417 (2018), <https://www.cambridge.org/core/journals/political-analysis/article/no-longer-lost-in-translation-evidence-that-google-translate-works-for-comparative-bagofwords-text-applications/43CB03805973BB8AD567F7AE50E72CA6>.

did not specifically reference “research,” and of the recent exceptions for text and data mining, computation use, and information analysis passed in a handful of countries.¹⁰

For each exception, we scored the words of the statute on the degree to which the research exception is sufficiently open to permit the reproduction of whole works and the sharing of those works with other researchers in a text and data mining project. These uses were identified as critical to collaborative and cross border academic text and data mining research projects in interviews with researchers.¹¹ Thus, for each law, we analyzed the following dimensions:

- *Works*: Does the exception apply to all works, including whole works and including audio visual works?
- *User*: Does the exception apply to a research use by any user, including both individuals and institutions?
- *Uses*: Does the exception apply to all needed uses for research, including both the reproduction activities and for communications or “making available” to the extent needed to engage in limited sharing works and corpuses with other researchers for purposes such as collaboration or verification?

To create the maps we present below, we categorized each country based on the most permissive exception where the law contains more than one. For example, if a law contains an open research exception for all users (green in our map), and a specific exception authorizing libraries to make copies of articles for researchers (purple in our map), we would categorize the law as green. We include all of the relevant provisions in the excerpts in Part III, including multiple exceptions where they exist.

We did not review case law or interpretations of the law in each jurisdiction. Our research does not, therefore, record what the law of each country actually is as defined by how a court would interpret and enforce the law.¹² We therefore do not recommend that researchers and others rely on our categorizations of law as predictions of what courts would do in fact with a particular case.

¹⁰ See e.g. Japan Copyright Act, 2006, Art. 30-4.

¹¹ We conducted consultations with academic text and data mining researchers who participated in the the inaugural training institute on Building Legal Literacy in Text and Data Mining held at University of California, Berkeley and sponsored by the National Endowment for the Humanities, <https://buildingltdm.org/>. See Sean Flynn, Christopher Geiger, João Quintais, Thomas Margoni, Matthew Sag, Lucie Guibault, Michael W. Carroll, *Implementing User Rights for Research in the Field of Artificial Intelligence: A Call for International Action*, 48 (Joint PIJIP/TLS Research Paper Series, No. 3, 2020), 7 EIPR (forthcoming 2020), <https://ssrn.com/abstract=3578819> (explaining that “[t]he right to reproduce and transfer a database of materials to another researcher -- including across borders -- is important to ensure the efficiency and efficacy of collaborative research, including for validation purposes”).

¹² The gap in our analysis goes both ways. For example, we label Brazil a red country based on a plain text reading of its statute. We are aware, however, that Brazilian courts have recognized human rights based exceptions to copyright that can operate like an open, general exception like fair use, See. S.T.J. Recurso Especial No. 964.404 ES (2007/0144450-5). Relator: Ministro Paulo de Tarso Sanseverino, 15.03.2011, *Diario da Justica Eletronico* [D.J.e.], 23.05.2011 (Braz.).

We also do not analyze here whether the exceptions in question extend to commercial use or require remuneration. Many - but not all - of the laws in our “open” (green) category below can authorize commercial uses where appropriate.

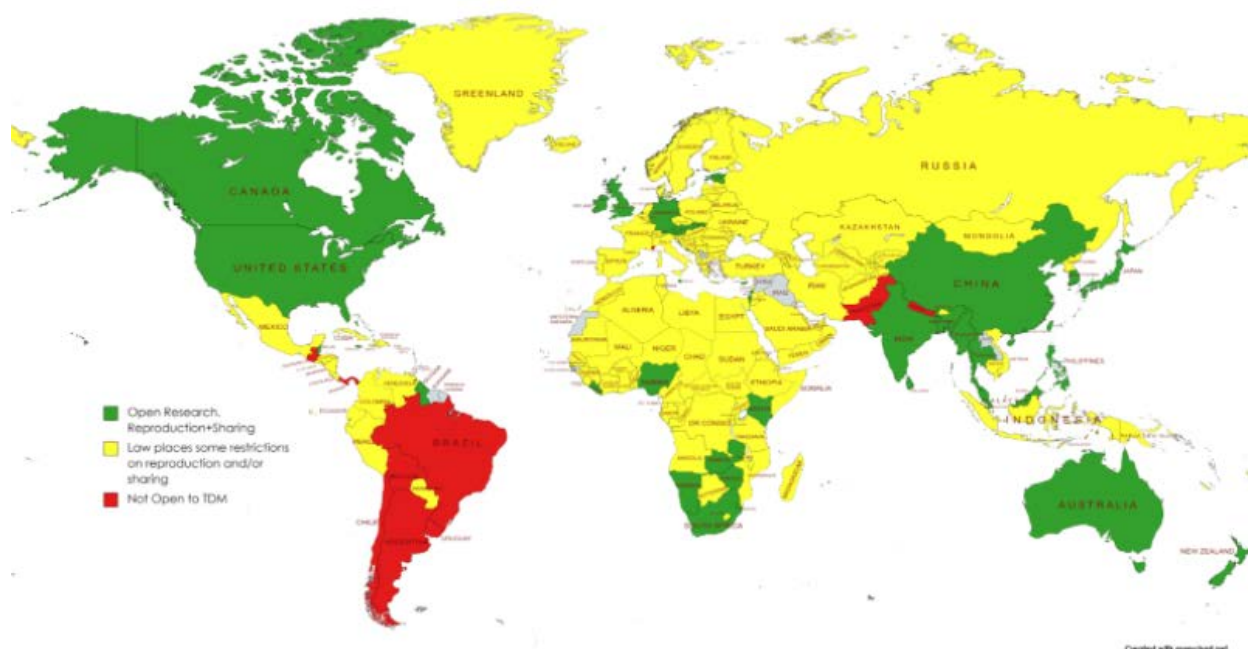
We also do not analyze whether the exceptions are subject to remuneration. All of the laws in the open (green) category are non-remunerated exceptions. But some other exceptions, especially private use exceptions, may be subject to “equitable remuneration” requirements.¹³

¹³ See, e.g., Council Directive 2001/29 on the Harmonization of Certain Aspects of Copyrights and Related Rights in the Information Society, art. 5(2)(b), 2001 O.J. (L 167) 10, 16 (EU) (“Member States may provide for exceptions or limitations to the reproduction right provided for in Article 2 in the following cases: ... (b) in respect of reproductions on any medium made by a natural person for private use and for ends that are neither directly nor indirectly commercial, on condition that the right holders receive fair compensation which takes account of the application or non-application of technological measures referred to in Article 6 to the work or subject-matter concerned.”)

II. Mapping Research Exceptions in Comparative Copyright

Figure 1.

Research Exceptions in Comparative Copyright



The world's research exceptions can be categorized along a spectrum from the most open to the most restrictive for a text and data mining research project. On the map above, we indicate the most open laws in green. The most closed (authorizing only quotation) in red. Laws with at least one restriction on uses, works, or users are colored yellow. In section C, we provide an additional figure with the yellow countries above disaggregated by the kind of restriction they pose on research uses.

A. Open Research Exceptions

Fewer than a quarter of the countries in our study have research exceptions that are open to reproduction and sharing of any type of work by any user.¹⁴ These countries are labeled green in Figure 1.

¹⁴ Sean Flynn & Mike Palmedo, The User Rights Database: Measuring the Impact of Copyright Balance (Joint PIJIP/TLS Research Paper Series no. 2018-01) (defining "open" exceptions).

Open exceptions for research are ubiquitous in countries with copyright laws most influenced by British law. Such countries normally provide a general exception for any “fair” dealing or use for a number of purposes, including research. Belize, for example, provides:

Article 56. Research and Private Study

(1) Subject to subsection (2) and section 58, fair dealing with a protected work for the purposes of research or private study does not infringe copyright in the work.¹⁵

Open exceptions for research are not limited to common law countries. For example, Estonia provides a research exception that permits any research use of any work by any user, subject to the fairness criteria that the use be “to the extent justified by the purpose and on the condition that such use is not carried out for commercial purposes.”

Estonia

Copyright Act, 2017 (consolidated text of February 1, 2017) (Est.), <https://wipolex.wipo.int/en/text/510476>

Section 19. Free use of works for scientific, educational, informational and judicial purposes

The following is permitted without the authorisation of the author and without payment of remuneration if mention is made of the name of the author of the work, if it appears thereon, the name of the work and the source publication:

...

2) the use of a lawfully published work for the purpose of illustration for teaching and scientific research to the extent justified by the purpose and on the condition that such use is not carried out for commercial purposes;¹⁶

Thailand’s general exception using an enabling framing of the Berne Three-Step test specifically mentions research as a protected purpose:

Thailand

32. An act against a copyright work under this Act of another person which does not conflict with normal exploitation of the copyright work by the owner of copyright and does not unreasonably prejudice the legitimate rights of the owner of copyright shall not be deemed an infringement of copyright.

¹⁵ Copyright Act (Belize), (Cap. 252, Revised Edition 2000.

¹⁶ See *also* Law on Copyright and Neighboring Rights (version as of 1 June 2016) (Available in German. Google translation) Article 22 (Article 22. Liechtenstein) (permitting “the use of the work for illustration in class or for scientific research insofar as this is justified for the pursuit of non-commercial purposes and if possible the source and the name of the author are given”).

Subject to the provision in the first paragraph, the following acts in relation to a copyright work shall not be deemed an infringement of copyright:

- (1) research or study of the work which is not for profit;
- (2) use for personal benefit or for the benefit of the user and his family members or close relatives;
- (3) comment, criticism or introduction of the work with an acknowledgment of the ownership of copyright in such work;¹⁷

A particularly innovative open, general and flexible exception applicable to research (and other uses) was recently adopted by Japan. Japan's Article 30-4 states makes it "permissible to exploit" any work, by any user for any purpose that "is not for enjoying or causing another person to enjoy the ideas or emotions expressed in such work." The section includes several examples of authorized uses in text and data mining, including "using the work in experiments for the development or practical realization of technologies concerning the recording of sounds and visuals or other exploitations of such work," "exploitation for using the work in a data analysis," and "exploitation for using the work in the course of computer data processing." These examples are non-exclusive. The exception applies "in any of the following cases or other cases where such exploitation is not for enjoying or causing another person to enjoy the ideas or emotions expressed in such work."

Some, but not all, recently enacted exceptions specifically for text and data mining research are sufficiently open to be labeled green in our map. Some TDM exceptions are restricted to reproduction with no express authorization to share works and corpuses with other researchers. Others, including the pre-DSM law of France we reviewed, restrict uses to certain kinds of works.

B. Restrictions of Research Uses to Quotation and Excerpts

At the opposite end of the spectrum, labeled red in our map, are a small number of countries whose research exceptions extend only to the use of quotations or excerpts for a research purpose. Perhaps the most restrictive exception in our sample is from Argentina, which authorizes uses only of excerpts of specific lengths:

Argentina

Article 10. Any person may publish, for didactic or scientific purposes, comments, criticisms or notes referring to intellectual works, including up to 1,000 words for literary or scientific works, or eight bars in musical works and, in all cases, only the parts of the text essential for that purpose.

This provision shall cover educational and teaching works, collections, anthologies and other similar works.

¹⁷ Copyright Act (Thailand) B.E. 2537 (1994), Section 32.

Where inclusions from works by other people are the main part of the new work, the courts may fix, on an equitable basis and in summary judgment, the proportional amount to which holders of the rights in the works included are entitled.¹⁸

Potentially, these laws that restrict permitted uses to excerpts can pose great barriers to modern research practices such as text and data mining. Text and data mining research requires uses of whole works by definition. The methodologies need to search through those whole copies for reportable excerpts and quotations that may instantiate the research objectives. If copyright prohibits any use of a work other than of an excerpt, then text and data mining research of various kinds may be impossible.

It is important to note, however, that research practices like text and data mining may be lawful even in a country with a law marked red in our map. This is because we only investigate the scope of exceptions in our study, without examining the scope of exclusive rights. It could be possible to interpret the “non-consumptive” or “non-expressive” acts of reading and analysis required in text and data mining to be beyond the protection afforded by copyright, thereby not requiring an exception.¹⁹

C. Restrictions on Uses, Works and Users

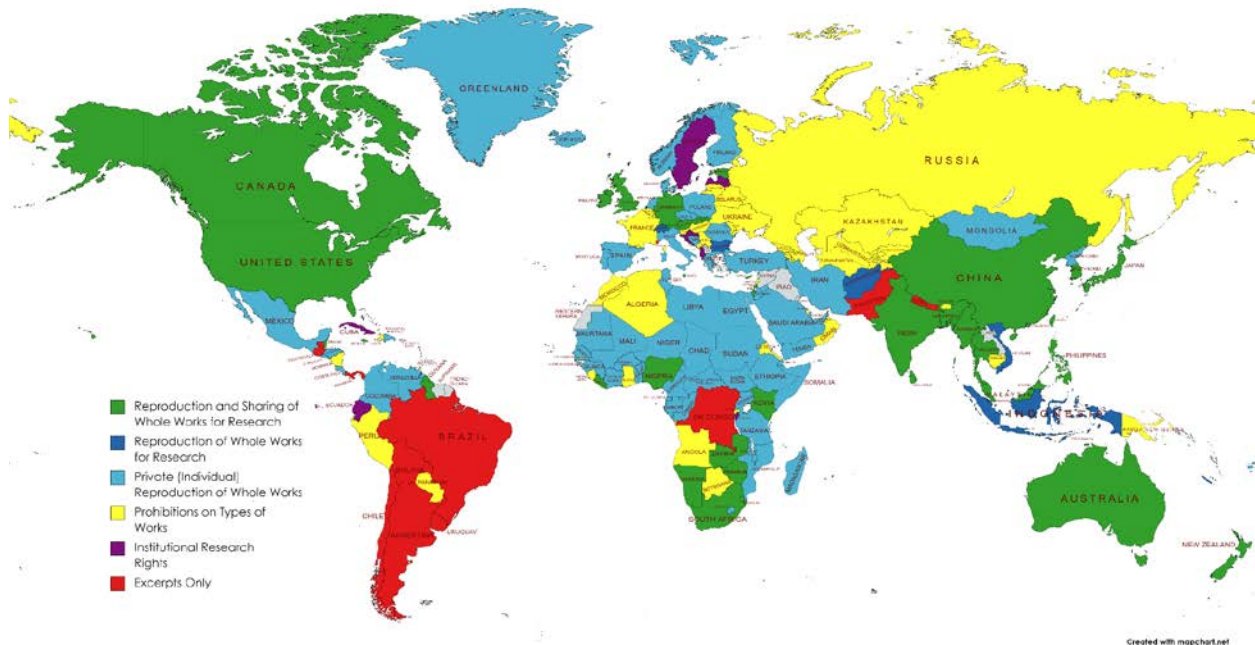
Between the poles of open and highly restrictive research exceptions lies the majority of countries in the world - marked yellow in our map. In these countries, some kinds of text and data mining research projects may fall within the exceptions. But restrictions on some uses, by some users, of some kinds of works create complications.

In Figure 2 and sections below, we disaggregate those restrictions into four groups: restrictions on sharing with other researchers (dark blue); restrictions to private uses (light blue); restrictions to uses by institutional users such as libraries (purple), and restrictions on the types of works that can be used (yellow).

¹⁸ Law No. 11.723 of September 28, 1933, on Legal Intellectual Property Regime (Argentina), as amended up to Law No. 26.570 of November 25, 2009.

¹⁹ See Rossana Ducato et al, *supra*; Thomas Margoni & Martin Kretschmer, *A deeper look into the EU Text and Data Mining exceptions: Harmonisation, data ownership, and the future of technology*, Zenodo (2021), <https://doi.org/10.5281/zenodo.5082012> (describing and embracing the argument that TDM uses do not implicate copyright's exclusive protections).

Figure 2.



1. Restrictions on Sharing

We mark in dark blue in Figure 2 countries with laws that permit certain reproductions of whole works for research purposes, but do not specifically extend that authorization to sharing of works and corpuses needed for critical functions such as validation and collaboration. The European Union’s recent Digital Single Market (DSM Directive), for example, requires exceptions “for reproductions and extractions” for text and data mining, but does not extend to rights of communication or making available between researchers.²⁰ Some EU countries already extend text and data mining exceptions beyond mere reproduction. Germany’s pre-DSM law, for example, permits communications of works “to make the corpus available to the public

²⁰ European Parliament and Council Directive 2019/790, art.7(1), 2019 O.J. (L130). See Sean Flynn, Christopher Geiger, João Quintais, Thomas Margoni, Matthew Sag, Lucie Guibault, Michael W. Carroll, *Implementing User Rights for Research in the Field of Artificial Intelligence: A Call for International Action*, 48 (Joint PIJIP/TLS Research Paper Series, No. 3, 2020), 7 EIPR (forthcoming 2020), <https://ssrn.com/abstract=3578819> (explaining Accordingly, EU researchers may be inhibited from sharing works and databases for TDM projects within their countries and across EU borders.) No law that we have reviewed explicitly authorizes communicating or making available a database across borders. Imagine a researcher in the EU, where making a TDM database would be lawful under the CDSM Directive, collaborating with a researcher in the U.S., where TDM is also lawful. Can the EU researcher transfer a database lawfully made in the EU to the partner researcher in the US? The answer is unclear (at best), because the respective EU L&E only applies to “reproduction,” not to communication or making available rights.

for a specifically limited circle of persons for their joint scientific research, as well as to individual third persons for the purpose of monitoring the quality of scientific research.”²¹

2. Restrictions to Private Reproduction

We label in light blue in Figure 2 those countries with laws that provide a research exception that is restricted to a “private” or “personal” reproduction. By virtue of the use of the term “private” or “personal,” we assume that none of these exceptions authorize sharing with other researchers, and also do not extend to commercial or institutional uses. Sometimes, however, the law includes both a private use right of the individual and a separate right of institutions to make reproductions for its users.²² In such a case, we color the country light blue in the map and include both exceptions in Part III.

3. Restrictions to Institutional Users

We color in purple in Figure 2 those countries whose only research exception that permits reproductions of whole works is limited to uses by institutions, such as a library. As described above, if a country has both an institutional and individual right, we rather categorize the country based on the individual right and include excerpts to both provisions in Part III.

4. Restrictions on Types of Works

We label yellow in Figure 2 the countries that restrict the kinds of works that can be used for research. Many of these laws allow reproductions of whole articles, but prohibit reproduction of whole books.²³ Others restrict exceptions to application of the research exceptions to specific kinds of works. Colombia, for example, authorizes “private use” reproductions only of a “literary or scientific work.”²⁴

²¹ Act on Copyright and Related Rights (Germany), as amended up to Act of September 1, 2017, Section 60d(2).

²² See, e.g., Act No. 5 of 2014 [Copyright Act], Section 13 (Seychelles) (“A library or archive whose activities do not serve direct or indirect gain may, without the authorisation of the author or other owner of copyright, make a single copy of a work-: (a) by reprographic reproduction where the work reproduced is a published article, other short work or short extract of a work, and where the purpose of the reproduction is to satisfy the request of a person, provided that-: (i) the library or archive is satisfied that the copy will be used solely for the purposes of study, scholarship or private research; (ii) the reproduction of any particular work is an isolated act occurring, if repeated, on separate and unrelated occasions; and (iii) there is no collective license available offered by a collective copyright management organisation under which such copies can be made; or for part of a work that is to say one volume of work;”)

²³ Grazhdanskiĭ Kodeks Rossiĭskoĭ Federatsii [GK RF] [Civil Code] art. 1273 (Russ.). Free Reproduction for Personal Purposes (providing that “[a] citizen may reproduce, if necessary and exclusively for personal purposes, a legally promulgated work without the author’s or other right holder’s consent and without paying a fee, except for the following: . . . 4) the reproduction of books (in full) and musical notation texts (Article 1275), that is the facsimile reproduction with the help of technical facilities for the purposes other than publication”).

²⁴ Law No. 23 of 1982 on Copyright (Colombia), as amended by Law No. 44 of 1993 (February 5), Law No. 719 of 2001 (December 24) and Law No. 1403 of 2010 (July 19), Article 37.

In Part III we provide excerpts of the copyright laws we reviewed. These excerpts may be useful to policy makers and researchers alike.

III. Excerpts of Research Exceptions in Comparative Copyright

A. Open Research Exceptions

Antigua and Barbuda

Copyright Act, 2003 (Act. no. No. 22 of 2003) (Ant. & Barb.),
<https://wipolex.wipo.int/en/text/180198>

Article 52 .General Exceptions. Research and Private Study

Subject to section 54, fair dealing with a literary, dramatic, private study, musical or artistic work for the purposes of research or private study does not infringe copyright in the work or in the case of a published edition, in the typographical arrangement.

Article 54. Determining fair dealing

For the purpose of determining whether an act done in relation to a work constitutes fair dealing, the court determining the question shall take account of all factors which appear to it to be relevant, including -

- (a) the nature of the work in question;
- (b) the extent and substantiality of that part of the work affected by the act in relation to the whole of the work;
- (c) the purpose and character of the use; and
- (d) the effect of the act upon the potential market for, or the commercial value of, the work

Australia

Copyright Act, 1968 (Act No. 63, 1968, consolidated as of January 1, 2019) (Austl.),
<https://wipolex.wipo.int/en/text/501166>

Section 40. Fair dealing for purpose of research or study

(1) A fair dealing with a literary, dramatic, musical or artistic work, or with an adaptation of a literary, dramatic or musical work, for the purpose of research or study does not constitute an infringement of the copyright in the work.

(1A) A fair dealing with a literary work (other than lecture notes) does not constitute an infringement of the copyright in the work if it is for the purpose of, or associated with, an approved course of study or research by an enrolled external student of an educational institution.

(1B) In subsection (1A) the expression lecture notes means any literary work produced for the purpose of the course of study or research by a person lecturing or teaching in or in connection with the course of study or research.

(2) For the purposes of this Act, the matters to which regard shall be had, in determining whether a dealing with a literary, dramatic, musical or artistic work or with an adaptation of a literary, dramatic or musical work, being a dealing by way of reproducing the whole or a part of the work or adaptation, constitutes a fair dealing with the work or adaptation for the purpose of research or study include:

- (a) the purpose and character of the dealing;
- (b) the nature of the work or adaptation;
- (c) the possibility of obtaining the work or adaptation within a reasonable time at an ordinary commercial price;
- (d) the effect of the dealing upon the potential market for, or value of, the work or adaptation; and
- (e) in a case where part only of the work or adaptation is reproduced—the amount and substantiality of the part copied taken in relation to the whole work or adaptation.

Section 49. Reproducing and communicating works by libraries and archives for users

(1) A person may furnish to the officer in charge of a library or archives:

(a) a request in writing to be supplied with a reproduction of an article, or a part of an article, contained in a periodical publication or of the whole or a part of a published work other than an article contained in a periodical publication, being a periodical publication or a published work held in the collection of a library or archives; and

(b) a declaration signed by him or her stating:

(i) that he or she requires the reproduction for the purpose of research or study and will not use it for any other purpose; and

(ii) that he or she has not previously been supplied with a reproduction of the same article or other work, or the same part of the article or other work, as the case may be, by an authorized officer of the library or archives.

(2) Subject to this section, where a request and declaration referred to in subsection (1) are furnished to the officer in charge of a library or archives, an authorized officer of the library or archives may, unless the declaration contains a statement that to his or her knowledge is untrue in a material particular, make, or cause to be made, the reproduction to which the request relates and supply the reproduction to the person who made the request.

Note: The reproduction could be made from another reproduction of the article or published work in the collection of the library or archives that was made without infringing copyright because of subsection 113H(1) (Preservation).

(2A) A person may make to an authorized officer of a library or archives:

(a) a request to be supplied with a reproduction of an article, or part of an article, contained in a periodical publication, or of the whole or a part of a published work other than an article contained in a periodical publication, being a periodical publication or a published work held in the collection of a library or archives; and

(b) a declaration to the effect that:

(i) the person requires the reproduction for the purpose of research or study and will not use it for any other purpose;

(ii) the person has not previously been supplied with a reproduction of the same article or other work, or the same part of the article or other work, as the case may be, by an authorized officer of the library or archives;

and

(iii) by reason of the remoteness of the person's location, the person cannot conveniently furnish to the officer in charge of the library or archives a request and declaration referred to in subsection (1) in relation to the reproduction soon enough to enable the reproduction to be supplied to the person before the time by which the person requires it.

(2B) A request or declaration referred to in subsection (2A) is not required to be made in writing.

(2C) Subject to this section, where:

(a) a request and declaration referred to in subsection (2A) are made by a person to an authorized officer of a library or archives; and

(b) the authorized officer makes a declaration setting out particulars of the request and declaration made by the person and stating that:

(i) the declaration made by the person, so far as it relates to the matters specified in subparagraphs (2A)(b)(i) and

(ii), does not contain a statement that, to the knowledge of the authorized officer, is untrue in a material particular; and

(ii) the authorized officer is satisfied that the declaration made by the person is true so far as it relates to the matter specified in subparagraph (2A)(b)(iii); an authorized officer of the library or archives may make, or cause to be made, the reproduction to which the request relates and supply the reproduction to the person.

Note: The reproduction could be made from another reproduction of the article or published work in the collection of the library or archives that was made without infringing copyright because of subsection 113H(1) (Preservation).

(3) Where a charge is made for making and supplying a reproduction to which a request under subsection (1) or (2A) relates, subsection (2) or (2C), as the case may be, does not apply in relation to the request if the amount of the charge exceeds the cost of making and supplying the reproduction.

(4) Subsection (2) or (2C) does not apply in relation to a request for a reproduction of, or parts of, 2 or more articles contained in the same periodical publication unless the articles are requested for the same research or course of study.

(5) Subsection (2) or (2C) does not apply to a request for a reproduction of the whole of a work (other than an article contained in a periodical publication), or to a reproduction of a part of such a work that contains more than a reasonable portion of the work unless:

(a) the work forms part of the library or archives collection; and

(b) before the reproduction is made, an authorized officer has, after reasonable investigation, made a declaration stating that he or she is satisfied that a reproduction (not being a second-hand reproduction) of the work cannot be obtained within a reasonable time at an ordinary commercial price.

(5AA) For the purposes of subsection (5), if the characteristics of the work are such that subsection 10(2) or (2A) is relevant to the question whether the reproduction contains only a reasonable portion of the work, then that question is to be determined solely by reference to subsection 10(2) or (2A) and not by reference to the ordinary meaning of reasonable portion.

(5AB) For the purposes of paragraph (5)(b), in determining whether a reproduction (not being a second-hand reproduction) of the work cannot be obtained within a reasonable time at an ordinary commercial price, the authorized officer must take into account:

(a) the time by which the person requesting the reproduction requires it; and

(b) the time within which a reproduction (not being a second-hand reproduction) of the work at an ordinary commercial price could be delivered to the person; and

(c) whether an electronic reproduction of the work can be obtained within a reasonable time at an ordinary commercial price.

(5A) If an article contained in a periodical publication, or a published work (other than an article contained in a periodical publication) is acquired, in electronic form, as part of a library or archives collection, the officer in charge of the library or archives may make it available online within the premises of the library or archives in such a manner that users cannot, by using any equipment supplied by the library or archives:

(a) make an electronic reproduction of the article or work; or

(b) communicate the article or work.

(6) The copyright in an article contained in a periodical publication is not infringed by the making, in relation to a request under subsection (1) or (2A), of a reproduction of the article, or of a part of the article, in accordance with subsection (2) or (2C), as the case may be, unless the reproduction is supplied to a person other than the person who made the request.

(7) The copyright in a published work other than an article contained in a periodical publication is not infringed by the making, in relation to a request under subsection (1) or (2A), of a reproduction of the work, or of a part of the work, in accordance with subsection (2) or (2C), as the case may be, unless the reproduction is supplied to a person other than the person who made the request.

(7A) Subsections (6) and (7) do not apply to the making under subsection (2) or (2C) of an electronic reproduction of:

(a) an article, or a part of an article, contained in a periodical publication; or

(b) the whole or part of a published work, other than such an article; in relation to a request under this section for communication to the person who made the request unless:

(c) before or when the reproduction is communicated to the person, the person is notified in accordance with the regulations:

(i) that the reproduction has been made under this section and that the article or work might be subject to copyright protection under this Act; and

(ii) about such other matters (if any) as are prescribed; and

(d) as soon as practicable after the reproduction is communicated to the person, the reproduction made under subsection (2) or

(2C) and held by the library or archives is destroyed.

(7B) It is not an infringement of copyright in an article contained in a periodical publication, or of copyright in a published work, to communicate it in accordance with subsection (2), (2C) or (5A).

Austria

Copyright Act, 1965 (Federal Law on Copyrights on Literary and Artistic Works and Related Rights, as last amended by Federal Law Gazette (BGBl) I No. 99/2015) (Austria), https://www.gesetze-im-internet.de/englisch_urhg/englisch_urhg.html

Section 60d: Text and Data Mining

(1) In order to enable the automatic analysis of large numbers of works (source material) for scientific research, it shall be permissible

1. to reproduce the source material, including automatically and systematically, in order to create, particularly by means of normalisation, structuring and categorisation, a corpus which can be analysed and
2. to make the corpus available to the public for a specifically limited circle of persons for their joint scientific research, as well as to individual third persons for the purpose of monitoring the quality of scientific research.

In such cases, the user may only pursue non-commercial purposes.

(2) If database works are used pursuant to subsection (1), this shall constitute customary use in accordance with section 55a sentence 1. If insubstantial parts of databases are used pursuant to subsection (1), this shall be deemed consistent with the normal utilisation of the database and with the legitimate interests of the producer of the database within the meaning of section 87b (1) sentence 2 and section 87e.

(3) Once the research work has been completed, the corpus and the reproductions of the source material shall be deleted; they may no longer be made available to the public. It shall, however, be permissible to transmit the corpus and the reproductions of the source material to the institutions referred to in sections 60e and 60f for the purpose of long-term storage.

Other possible relevant articles: Section 42(1), Section 42(6), Section 42g, Section 71(1)

Bahamas

Copyright Act, 1998 (CH.323) (Act No. 2 of 2004, as amended by the Copyright (Amendment) Act,) (Bah) <https://wipolex.wipo.int/en/text/215023>

Section 58. Research and private study and teaching.

(1) Subject to section 60, fair dealing with a copyright work, including such use by reproduction in copies or phonorecords for purposes such as research, private study, scholarship or teaching does not infringe copyright in the work.

Section 60. Fair Dealing

For the purpose of determining whether an act done in relation to a work constitutes fair dealing, the court determining the question shall take account of all factors which appear to it to be relevant, including —

- (a) the nature of the work in question;
- (b) the amount and substantiality of that part of the work affected by the act in relation to the whole of the work;
- (c) the purpose and character of the use, including whether such use is of a commercial nature or is for non-profit educational purposes; and
- (d) the effect of the act upon the potential market for, or the commercial value of, the work.

Section 68. (Exceptions affecting Libraries and Archives: Libraries)

(1) The librarian of a prescribed library or the archivist of a prescribed archive may reproduce a single copy or phonorecord work or distribute such copy or phonorecord, if the following conditions are complied with —

(a) the collections of the library or of the archive are open to the public, or available not only to researchers affiliated with the library or archive or with the institution of which it is a part, but also to persons doing research in a specialised field; and

(b) the reproduction or distribution of the work includes a notice of copyright.

(2) The conditions prescribed pursuant to subsection (1) shall include the following —

(a) that copies shall be supplied only to persons satisfying the librarian or archivist that they require them for purposes of research or private study, and will not use them for any other purpose; and

(b) that persons to whom copies are supplied are required to pay a sum not less than the cost (including a contribution to the general expenses of the library or archive) attributable to their production.

Bangladesh

Copyright Act, 2000 (Act No. 28 of 2000, as amended up to 2005) (Bangl.),
[http://copyrightoffice.portal.gov.bd/sites/default/files/files/copyrightoffice.portal.gov.bd/page/71d50d28_8d1e_4591_a34e_5da88b36011f/Copyright,2000\(1\)%20\(2\).pdf](http://copyrightoffice.portal.gov.bd/sites/default/files/files/copyrightoffice.portal.gov.bd/page/71d50d28_8d1e_4591_a34e_5da88b36011f/Copyright,2000(1)%20(2).pdf)

72. Certain acts not to be infringement of copyright

(1) The following acts shall not constitute infringement of copyright, namely:-

(1) Fair use of a literary, dramatic, musical or artistic work for the purpose of-

(i) private study or private use including research; or

(ii) criticism or review, whether of that work or any other work;

(...)

Barbados

Copyright Act, 1998 (Chapter 300, as revised up to 2006) (Barb.),
<https://wipolex.wipo.int/en/text/191403>

Section 51. Research and private study

Subject to section 53, fair dealing with a literary, dramatic, musical or artistic work for the purposes of research or private study does not infringe copyright in the work or, in the case of a published edition, in the typographical arrangement.

Section 53. Fair Dealing

For the purpose of determining whether an act done in relation to a work constitutes fair dealing, the court determining the question shall take account of all factors that appear to it to be relevant, including

- (a) the nature of the work in question;
- (b) the extent and portion of that part of the work affected by the act in relation to the whole of the work;
- (c) the purpose and character of the use; and
- (d) the effect of the act upon the potential market for, or the commercial value of, the work.

Section 61. Supply by librarian of copies of published work

(1) The librarian of a prescribed library or archive may, if the prescribed conditions are complied with

- (a) make and supply a copy of an article in a periodical; or
 - (b) make and supply from a published edition, a copy of part of a literary, dramatic or musical work, not being an article in a periodical, without infringing any copyright subsisting in the text of the article or in the work, as the case may be, or in any illustrations accompanying such article or work, or in the typographical arrangement thereof.
- (2) The conditions prescribed pursuant to subsection (1) shall include the following
- (a) that copies shall be supplied only to persons satisfying the librarian that they require them for purposes of research or private study, and will not use them for any other purpose;
 - (b) in relation to an article, that no person shall be furnished with more than one copy of the same article or with copies of more than one article contained in the same issue of a periodical;
 - (c) in relation to a work referred to in paragraph (b) of subsection (1), that no person shall be furnished with more than one copy of the same material or of a copy of more than a reasonable proportion of any work; and
 - (d) that persons to whom copies are supplied are required to pay for them a sum not less than the cost, including a contribution to the general expenses of the library, attributable to their production.

Copyright Act (Cap. 252, Revised Edition 2000) (Belize), <https://wipolex.wipo.int/en/text/125464>

Article 56. Research and Private Study

(1) Subject to subsection (2) and section 58, fair dealing with a protected work for the purposes of research or private study does not infringe copyright in the work.

(2) Copying by a person other than the researcher or student himself is not fair dealing if -

(a) in the case of a librarian, or a person acting on behalf of a librarian, he does anything which Regulations under section 66 would not permit to be done under section 67 or 68 (articles or parts of published works; restriction on multiple copies of same material); or

(b) in any other case, the person doing the copying knows or has reason to believe that it will result in copies of substantially the same material being provided to more than one person at substantially the same time and for substantially the same purpose.

Article 58. Determining Fair dealing

For the purpose of determining whether an act done in relation to a work constitutes fair dealing, the court determining the question shall take account of all factors which appear to it to be relevant, including -

(a) the nature of the work in question;

(b) the extent and substantiality of that part of the work affected by the act in relation to the whole of the work;

(c) the effect of the act upon the potential market for, or the commercial value of, the work; and

(d) the purpose and character of the use.

Article 67. Supply by librarian of copies of published work

(1) The librarian of a prescribed library or archive may, if the prescribed conditions are complied with:

(a) make and supply a copy of an article in a periodical; or

(b) make and supply from a published edition, a copy of part of a literary, dramatic work or musical work, not being an article in a periodical, without infringing any copyright subsisting in the text of the article or in the work, as the case may be, or in any illustrations accompanying such article or without infringing any copyright subsisting in the text of the article or in the work, as the case may be, or in any illustrations accompanying such article or work, or in the typographical arrangement thereof.

(2) The conditions prescribed pursuant to subsection (1) shall include the following:

- (a) that copies shall be supplied only to persons satisfying the librarian that they require them for purposes of research or private study, and will not use them for any other purpose;
- (b) in relation to an article, that no person shall be furnished with more than one article contained in the same issue of a periodical;
- (c) in relation to a work referred to in paragraph (b) of subsection (1), that no person shall be furnished with more than one copy of the same material or of a copy of more than a reasonable proportion of any work;
- (d) that persons to whom copies are supplied are required to pay for them a sum not less than the cost (including a contribution to the general expenses of the library) attributable to their production;
- (e) that a copy shall be supplied only to a person satisfying the librarian that his requirement is not related to any similar requirement of another person;
- (f) that requirements shall be regarded as similar if the requirements are for copies of substantially the same material at substantially the same time and for substantially the same purpose; and
- (g) that requirements of persons shall be regarded as related if those persons receive instruction to which the material is relevant at the same time and place.

Brunei Darussalam

Copyright Act, 1999 (Emergency (Copyright) Order, 1999, Constitution of Brunei Darussalam, Order under section 83(3)), <https://wipolex.wipo.int/en/legislation/details/481>

Section 33. General (fair dealing)

- (1) Fair dealing with a literary, dramatic, musical or artistic work for the purpose of research or private study does not infringe any copyright in the work or, in the case of a published edition, in the typographical arrangement.
- (2) Fair dealing with the typographical arrangement of a published edition for the purpose mentioned in subsection (1) does not infringe any copyright in the arrangement.
- (3) Copying by a person, other than the researcher or student himself, is not fair dealing if —
 - (a) in the case of a librarian, or a person acting on behalf of a librarian, he does anything which regulations under section 44 would not permit to be done under sections 42 or 43; or
 - (b) in any other case, the person doing the copying knows or has reason to believe that it will result in copies of substantially the same material being provided to more than one person at substantially the same time and for substantially the same purpose.

Section 42. Copying by librarians articles in periodicals.

(1) The librarian of a prescribed library may, if the prescribed conditions are complied with, make and supply a copy of an article in a periodical without infringing any copyright in the text, in any illustrations accompanying it or in the typographical arrangement.

(2) The prescribed conditions shall include provision —

(a) that copies are supplied only to persons satisfying the librarian that they require them for the purpose of research or private study, and will not use them for any other purpose;

(b) that no person is furnished with more than one copy of the same article or with copies of more than one article contained in the same issue of a periodical; and

(c) that persons to whom copies are supplied are required to pay for them a sum not less than the cost (including a contribution to the general expenses of the library) attributable to their production.

Canada

Copyright Act, 1985 (R.S.C., 1985, c. C-42, as amended up to June 22, 2016) (Can.), <https://laws-lois.justice.gc.ca/eng/acts/C-42/page-9.html#h-103270>

Section 29. (Research, private study, etc.)

Fair dealing for the purpose of research, private study, education, parody or satire does not infringe copyright.

Section 30.1. (Libraries, Archives and Museums)

(1) It is not an infringement of copyright for a library, archive or museum or a person acting under the authority of a library, archive or museum to make, for the maintenance or management of its permanent collection or the permanent collection of another library, archive or museum, a copy of a work or other subject-matter, whether published or unpublished, in its permanent collection

(a) if the original is rare or unpublished and is

(i) deteriorating, damaged or lost, or

(ii) at risk of deterioration or becoming damaged or lost;

(b) for the purposes of on-site consultation if the original cannot be viewed, handled or listened to because of its condition or because of the atmospheric conditions in which it must be kept;

(c) in an alternative format if the library, archive or museum or a person acting under the authority of the library, archive or museum considers that the original is currently in a format that is obsolete or is becoming obsolete, or that the technology required to use the original is unavailable or is becoming unavailable;

(d) for the purposes of internal record-keeping and cataloguing;

(e) for insurance purposes or police investigations; or

(f) if necessary for restoration.

(2) Paragraphs (1)(a) to (c) do not apply where an appropriate copy is commercially available in a medium and of a quality that is appropriate for the purposes of subsection (1).

(3) If a person must make an intermediate copy in order to make a copy under subsection (1), the person must destroy the intermediate copy as soon as it is no longer needed.

(4) The Governor in Council may make regulations with respect to the procedure for making copies under subsection (1).

Section 30.2. (Research or private study)

(1) It is not an infringement of copyright for a library, archive or museum or a person acting under its authority to do anything on behalf of any person that the person may do personally under section 29 or 29.1.

(2) It is not an infringement of copyright for a library, archive or museum or a person acting under the authority of a library, archive or museum to make, by reprographic reproduction, for any person requesting to use the copy for research or private study, a copy of a work that is, or that is contained in, an article published in

(a) a scholarly, scientific or technical periodical; or

(b) a newspaper or periodical, other than a scholarly, scientific or technical periodical, if the newspaper or periodical was published more than one year before the copy is made.

(3) Paragraph (2)(b) does not apply in respect of a work of fiction or poetry or a dramatic or musical work.

(4) A library, archive or museum may provide the person for whom the copy is made under subsection (2) with the copy only on the condition that

(a) the person is provided with a single copy of the work; and

(b) the library, archive or museum informs the person that the copy is to be used solely for research or private study and that any use of the copy for a purpose other than research or private study may require the authorization of the copyright owner of the work in question.

(5) Subject to subsection (5.02), a library, archive or museum, or a person acting under the authority of one, may do, on behalf of a patron of another library, archive or museum, anything under subsection (1) or (2) that it is authorized by this section to do on behalf of one of its own patrons.

(5.01) For the purpose of subsection (5), the making of a copy of a work other than by reprographic reproduction is deemed to be a making of a copy of the work that may be done under subsection (2).

(5.02) A library, archive or museum, or a person acting under the authority of one, may, under subsection (5), provide a copy in digital form to a person who has requested it through another library, archive or museum if the providing library, archive or museum or person takes measures to prevent the person who has requested it from

(a) making any reproduction of the digital copy, including any paper copies, other than printing one copy of it;

(b) communicating the digital copy to any other person; and

(c) using the digital copy for more than five business days from the day on which the person first uses it.

(5.1) Where an intermediate copy is made in order to copy a work referred to in subsection (5), once the copy is given to the patron, the intermediate copy must be destroyed.

(6) The Governor in Council may, for the purposes of this section, make regulations

(a) defining “newspaper” and “periodical”;

(b) defining scholarly, scientific and technical periodicals;

(c) prescribing the information to be recorded about any action taken under subsection (1) or (5) and the manner and form in which the information is to be kept; and

(d) prescribing the manner and form in which the conditions set out in subsection (4) are to be met.

China

Copyright Law, 2010 (Copyright Law of the People’s Republic of China of February 26, 2010, amended up to the Decision of February 26, 2010, by the Standing Committee of the National People’s Congress on Amending the Copyright Law of the People’s Republic of China), <https://www.wipo.int/edocs/lexdocs/laws/en/cn/cn031en.pdf>

Article 22. (Exceptions to copyright)

In the following cases, a work may be exploited without permission from, and without payment of remuneration to, the copyright owner, provided that the name of the author and the title of the work shall be mentioned and the other rights enjoyed by the copyright owner by virtue of this Law shall not be prejudiced:

(1) use of a published work for the purposes of the user’s own private study, research or self-entertainment;

....

(6) translation, or reproduction in a small quantity of copies, of a published work for use by teachers or scientific researchers, in classroom teaching or scientific research, provided that the translation or reproduction shall not be published or distributed;

....

(8) reproduction of a work in its collections by a library, archive, memorial hall, museum, art gallery or any similar institution, for the purposes of the display, or preservation of a copy, of the work;

Cyprus

Law on Copyright and Related Rights, 1976 (Law No. 59/1976, as amended up to Law No. 77 (I)/2019) (Cyprus), <https://wipolex.wipo.int/en/legislation/details/19025>

Section 7(2)(a). (Exceptions)

Copyright does not include the right to control:

(a) The performance of any of the acts mentioned above, in the spirit of good faith for the purpose of investigation, individual use, critical review or reference to current events, provided that, if such use is made public, it is accompanied by its recognition, title and paternity of the work, with the exception of the case where the work was incidentally included in a show;²⁵

(...)

(j) any reproduction of a work which is made available to the public by libraries, scientific institutes, educational institutions, museums or archives and which does not directly or indirectly serve any commercial or economic benefit;

Estonia

Copyright Act, 2017 (consolidated text of February 1, 2017) (Est.), <https://wipolex.wipo.int/en/text/510476>

Section 19. Free use of works for scientific, educational, informational and judicial purposes

The following is permitted without the authorisation of the author and without payment of remuneration if mention is made of the name of the author of the work, if it appears thereon, the name of the work and the source publication:

²⁵ The 1993 version of this law contains the same text, but WIPO translates the “in the spirit of good faith” as “by way of fair dealing.” Here is the full text of the section of the article: “Provided that copyright in any such work shall not include the right to control— (a) the doing of any of the aforesaid acts by way of fair dealing for purposes of research, private use, criticism or review, or the reporting of current events, on condition that, if such use is made in public, it shall be accompanied by an acknowledgement of the title of the work and its authorship, except where the work is incidentally included in a broadcast;”

- 1) making summaries of and quotations from a work which has already been lawfully made available to the public, provided that its extent does not exceed that justified by the purpose and the idea of the work as a whole which is being summarised or quoted is conveyed correctly;
- 2) the use of a lawfully published work for the purpose of illustration for teaching and scientific research to the extent justified by the purpose and on the condition that such use is not carried out for commercial purposes;
- 3) processing of an object of rights for the purposes of text and data mining and provided that such use does not have a commercial objective;

Section 20. Free use of works by public archives, museums or libraries

[RT I 2006, 28, 210 – entry into force 30.06.2006]

(1) A public archive, museum or library has the right to reproduce a work included in the collection thereof without the authorisation of its author and without payment of remuneration, in order to:

- 1) replace a work which has been lost, destroyed or rendered unusable;
- 2) make a copy to ensure the preservation of the work;
- 3) replace a work which belonged to the permanent collection of another library, archives or museum if the work is lost, destroyed or rendered unusable;
- 4) digitise a collection for the purposes of preservation;
- 5) make a copy for a natural person for the purposes specified in § 18 of this Act;
- 6) make a copy on the order of a court or a state authority for the purposes prescribed in clause 19 5) of this Act

Eswatini

Copyright Act, 1912 (The Copyright Act) (Eswatini), <https://wipolex.wipo.int/en/text/139455>

Article 4. Infringement of copyright (Fair dealing for research)

(1) Copyright in a work shall be deemed to be infringed by any person who, without the consent of the owner of the copyright, does anything the sole right to do which is by this Act conferred on the owner of the copyright, provided that the following acts shall not constitute an infringement of copyright:

- (a) any fair dealing with any work for the purposes of private study, research, criticism, review, or newspaper summary;

Hong Kong SAR

Copyright Ordinance - CAP 528 (An Ordinance to make provisions in respect of copyright and related rights and for connected purposes, amended 15 of 2007 s. 3) (H.K.), https://www.elegislation.gov.hk/hk/cap528?SEARCH_WITHIN_CAP_TXT=librar

Article 38. Research and private study

(1) Fair dealing with a work for the purposes of research or private study does not infringe any copyright in the work or, in the case of a published edition, in the typographical arrangement. (Amended [15 of 2007 s. 12](#))

(2) Copying by a person other than the researcher or student himself is not fair dealing if—

(a) in the case of a librarian, or a person acting on behalf of a librarian, he does anything which regulations under section 49 would not permit to be done under section 47 or 48 (articles or parts of published works: restriction on multiple copies of same material); or

(b) in any other case, the person doing the copying knows or has reason to believe that it will result in copies of substantially the same material being provided to more than one person at substantially the same time and for substantially the same purpose.

(3) In determining whether any dealing with a work is fair dealing under subsection (1), the court shall take into account all the circumstances of the case and, in particular—

(a) the purpose and nature of the dealing, including whether the dealing is for a non-profit-making purpose and whether the dealing is of a commercial nature;

(b) the nature of the work;

(c) the amount and substantiality of the portion dealt with in relation to the work as a whole; and

(d) the effect of the dealing on the potential market for or value of the work. (Replaced [15 of 2007 s. 12](#)) [cf. [1988 c. 48 s. 29](#) U.K.]

Article 47. Copying by librarians: articles in periodicals

(1) The librarian of a specified library may, if the prescribed conditions are complied with, make and supply a copy of an article in a periodical without infringing any copyright in the text, in any illustrations accompanying the text or in the typographical arrangement.

(2) The prescribed conditions must include the following—

(a) that copies are supplied only to persons satisfying the librarian that they require them for purposes of research or private study, and will not use them for any other purpose;

(b) that no person is furnished with more than one copy of the same article or with copies of more than one article contained in the same issue of a periodical; and

(c) that persons to whom copies are supplied are required to pay for them a sum not less than the cost (including a contribution to the general expenses of the library) attributable to their production.

India

Copyright Act, 1957 (Act No. 14 of 1957, as amended up to Act No. 27 of 2012) (India), <https://wipolex.wipo.int/en/text/390852>

Article 52. Certain acts not to be infringement of copyright

(1) The following acts shall not constitute an infringement of copyright, namely,—

(a) a fair dealing with any work, not being a computer programme, for the purposes of—

(i) private or personal use, including research;

(ii) criticism or review, whether of that work or of any other work;

(iii) the reporting of current events and current affairs, including the reporting of a lecture delivered in public.

Explanation.— The storing of any work in any electronic medium for the purposes mentioned in this clause, including the incidental storage of any computer programme which is not itself an infringing copy for the said purposes, shall not constitute infringement of copyright.

...

(p) the reproduction, for the purpose of research or private study or with a view to publication, of an unpublished literary, dramatic or musical work kept in a library, museum or other institution to which the public has access:

Provided that where the identity of the author of any such work or, in the case of a work of joint authorship, of any of the authors is known to the library, museum or other institution, as the case may be, the provisions of this clause shall apply only if such reproduction is made at a time more than sixty years from the date of the death of the author or, in the case of a work of joint authorship, from the death of the author whose identity is known or, if the identity of more authors than one is known from the death of such of those authors who dies last;

...

Provided that the provisions of sub-clause (ii) of clause (a), sub-clause (i) of clause (b) and clauses (d), (f), (g), (m) and (p) shall not apply as respects any act unless that act is accompanied by an acknowledgment—

(i) identifying the work by its title or other description; and

(ii) unless the work is anonymous or the author of the work has previously agreed or required that no acknowledgment of his name should be made, also identifying the author;

...

(zb) the adaptation, reproduction, issue of copies or communication to the public of any work in any accessible format, by—

(i) any person to facilitate persons with disability to access to works including sharing with any person with disability of such accessible format for private or personal use, educational purpose or research; or

(ii) any organisation working for the benefit of the persons with disabilities in case the normal format prevents the enjoyment of such works by such persons:

Provided that the copies of the works in such accessible format are made available to the persons with disabilities on a non-profit basis but to recover only the cost of production:

Provided further that the organisation shall ensure that the copies of works in such accessible format are used only by persons with disabilities and takes reasonable steps to prevent its entry into ordinary channels of business.

Explanation.— For the purposes of this sub-clause, “any organisation” includes an organisation registered under section 12A of the Income-tax Act, 1961 and working for the benefit of persons with disability or recognised under Chapter X of the Persons with Disabilities (Equal Opportunities, Protection of Rights and full Participation) Act, 1995 or receiving grants from

the Government for facilitating access to persons with disabilities or an educational institution or library or archives recognised by the Government;

Ireland

Copyright and Related Rights Act, 2000 (Act No. 28 of 2000) (Ir.),
<https://wipo.lex.wipo.int/en/legislation/details/2360>

Article 50. Fair dealing: Research or private study

(1) Fair dealing with a literary, dramatic, musical or artistic work, sound recording, film, broadcast, cable programme, or non- electronic original database, for the purposes of research or private study, shall not infringe any copyright in the work.

(2) Fair dealing with a typographical arrangement of a published edition for the purposes of research or private study shall not infringe any copyright in the arrangement.

(3) The copying by a person, other than the researcher or private student, is not fair dealing where—

(a) in the case of a librarian or archivist, he or she does anything which is not permitted under section 63, or

(b) in any other case, the person copying knows or has reason to believe that the copying will result in copies of substantially the same material being provided to more than one person at approximately the same time and for substantially the same purpose.

(4) In this Part, “fair dealing” means the making use of a literary, dramatic, musical or artistic work, film, sound recording, broadcast, cable programme, non-electronic original database or typographical arrangement of a published edition which has already been lawfully made available to the public, for a purpose and to an extent which will not unreasonably prejudice the interests of the owner of the copyright.

(5) In this Part, the following acts are not fair dealing—

(a) converting a computer program expressed in a low level computer language into a version expressed in a higher level computer language, or

(b) copying a computer program in an incidental manner in the course of converting that program.

Article 51. Fair dealing: criticism or review

(1) Fair dealing with a work for the purposes of criticism or review of that or another work or of a performance of a work shall not infringe any copyright in the work where the criticism or review is accompanied by a sufficient acknowledgement.

(2) Fair dealing with a work (other than a photograph) for the purpose of reporting current events shall not infringe copyright in that work, where the report is accompanied by a sufficient acknowledgement.

(3) In this Part, “sufficient acknowledgement” means an acknowledgement identifying the work concerned by its title or other description and identifying the author unless—

(a) in the case of a work which has been lawfully made available to the public, it was so made available anonymously, or

(b) in the case of a work which has not been made available to the public, it is not possible for a person without previous knowledge of the facts to ascertain the identity of the author of the work by reasonable enquiry.

Article 61. Copying by librarians or archivists: articles in periodicals.

(1) The librarian or archivist of a prescribed library or prescribed archive may, where the prescribed conditions are complied with, make and supply a copy of an article or the contents page in a periodical without infringing any copyright in the article, the contents page or in any illustrations accompanying the article or the contents page or in the typographical arrangement.

(2) A copy made under subsection (1) shall not be supplied other than to a person who satisfies the librarian or archivist that he or she requires that copy for the purposes of research or private study and he or she shall not use it for any other purpose and that person shall not be furnished with more than one copy of the same article unless the person satisfies the librarian or archivist that the previous copy has been lost, stolen, discarded or destroyed or a reasonable period of

time has elapsed, and that person shall not be furnished with more articles from a volume of a periodical than the number of issues that comprise that volume or 10 per cent of the volume, whichever is the greater.

(3) In this section, “article” includes an item of any description in a periodical with the exception of the table of contents.

Israel

Copyright Act, 2007 (as amended on July 28, 2011) (Isr.),
<https://wipolex.wipo.int/en/legislation/details/11509>

Article 19. Fair Use

(a) Fair use of a work is permitted for purposes such as: private study, research, criticism, review, journalistic reporting, quotation, or instruction and examination by an educational institution.

(b) In determining whether a use made of a work is fair within the meaning of this section the factors to be considered shall include, inter alia, all of the following:

(1) The purpose and character of the use;

(2) The character of the work used;

(3) The scope of the use, quantitatively and qualitatively, in relation to the work as a whole;

(4) The impact of the use on the value of the work and its potential market.

(c) The Minister may make regulations prescribing conditions under which a use shall be deemed a fair use.

Article 30. Permitted Uses in Libraries and Archives

(a) Copying of a work, a copy of which is already in the permanent collection of a library or archive of the type of libraries or archives as prescribed by the Minister, is permitted for the following purposes, provided that it is not possible to purchase an additional copy of said work within a reasonable period of time and on reasonable terms:

(1) To make a reserve copy, in any format, of a work already in the possession of the aforesaid library or archive, provided that the said reserve copy is not used as an additional copy to the copies in the library;

(2) To replace a copy of the work held by the aforesaid library or the archive, which has been lost, destroyed or become unusable;

(3) To replace a copy of the work, that had been in the permanent collection of another library or archive and was lost, destroyed or has become unusable.

(b) Copying of a work, a copy of which is held in a library or archive as prescribed in sub-section (a), for a person requesting such copy, is permitted, provided that the request for such

reproduction is made by a person, who, if he had made the copy himself, would be permitted by law to do so; The Minister may prescribe an application form for use by libraries or archives for purposes of this sub-section.

(c) Copying of a work by entities of the type prescribed by the Minister, for purposes of preservation, is permitted; The Minister may prescribe types of works which will be subject to this sub-section, conditions for the execution of copying as well as conditions for the grant of public access to copies that were made in accordance with this sub-section.

Jamaica

Copyright Act, 1993 (Act 5 of 1993), <https://wipolex.wipo.int/en/legislation/details/2586> (as amended by The Copyright (Amendment) Act no. 13, 2015) (Jam.), <https://wipolex.wipo.int/en/legislation/details/15937>

Section 52. Research and Private Study

Subject to section 54, fair dealing with a literary, dramatic, musical or artistic work for the purposes of research or private study does not infringe copyright in the work or, in the case of a published edition, in the typographical arrangement.

Section 53. Criticism, Review and Reporting

(1) Subject to section 54—

(a) fair dealing with a protected work for the purposes of criticism or review of that or another work or of a performance of a work; and

(b) fair dealing with a protected work (other than a photograph) for the purpose of reporting current events, does not infringe copyright in the work so long as it is accompanied by a sufficient acknowledgement.

(2) No acknowledgement is required in connection with the reporting of current events by means of a sound recording, film, broadcast or cable programme.

Section 54. Determining Fair Dealing

For the purpose of determining whether an act done in relation to a work constitutes fair dealing, the court determining the question shall take account of all factors which appear to it to be relevant, including—

(a) the nature of the work in question;

(b) the extent and substantiality of that part of the work affected by the act in relation to the whole of the work;

(c) the purpose and character of the use; and

(d) the effect of the act upon the potential market for, or the commercial value of, the work.

Section 62. Supply by Librarian of Copies of Published Work

(1) The librarian of a prescribed library or archive may, if the prescribed conditions are complied with—

(a) make and supply a copy of an article in a periodical; or

(b) make and supply from a published edition, a copy of part of a literary, dramatic or musical work, not being an article in a periodical, without infringing any copyright subsisting in the text of the article or in the work, as the case may be, or in any illustrations accompanying such article or work, or in the typographical arrangement thereof.

(2) The conditions prescribed pursuant to subsection (1) shall include the following—

(a) that copies shall be supplied only to persons satisfying the librarian that they require them for purposes of research or private study, and will not use them for any other purpose;

(b) in relation to an article, that no person shall be furnished with more than one copy of the same article or with copies of more than one article contained in the same issue of a periodical;

(c) in relation to a work referred to in paragraph (b) of subsection (1), that no person shall be furnished with more than one copy of the same material or of a copy of more than a reasonable proportion of any work; and

(d) that persons to whom copies are supplied are required to pay for them a sum not less than the cost (including a contribution to the general expenses of the library) attributable to their production.

Section 63. Supply of Copies to Other Libraries

(1) The librarian of a prescribed library or archive may, if the prescribed conditions are complied with, make and supply to another prescribed library or archive a copy of—

(a) an article in a periodical; or

(b) the whole or part of a published edition of a literary, dramatic or musical work, without infringing any copyright in the text of the article or the work, or in any illustrations accompanying such article or work or, in the case of a published edition, in the typographical arrangement.

(2) Paragraph (b) of subsection (1) shall not apply if, at the time the copy is made, the librarian making it knows or could, by reasonable inquiry, ascertain the name and address of a person entitled to authorize the making of the copy.

Japan

Copyright Act, 1970 (Act No. 48 of May 6, 1970, as amended up to Act No. 72 of July 13, 2018) (Japan), <https://wipolex.wipo.int/en/legislation/details/18696>

Article 30-4. Exploitations not for enjoying the ideas or emotions expressed in a work

It is permissible to exploit work, in any way and to the extent considered necessary, in any of the following cases or other cases where such exploitation is not for enjoying or causing another person to enjoy the ideas or emotions expressed in such work; provided, however that this does not apply if the exploitation would unreasonably prejudice the interests of the copyright owner in light of the natures and purposes of such work, as well as the circumstances of such exploitation:

- (i) exploitation for using the work in experiments for the development or practical realization of technologies concerning the recording of sounds and visuals or other exploitations of such work;
- (ii) exploitation for using the work in a data analysis (meaning the extraction, comparison, classification, or other statistical analysis of language, sound, or image data, or other elements of which a large number of works or a large volume of data is composed; the same applies in Article 47-5, paragraph (1), item (ii));
- (iii) in addition to the cases set forth in the preceding two items, exploitation for using the work in the course of computer data processing or otherwise that does not involve perceiving the expressions in such work through the human sense (in regard of works of computer programming, the execution of such work on a computer shall be excluded).

Article 31(1). Reproduction, etc. in libraries, etc.

In the following cases and as part of non-commercial undertakings at the National Diet Library or at a library or other facility specified by Cabinet Order whose purpose is to offer books, records, and other materials for the public to use (hereinafter referred to as a "library, etc." in this paragraph and paragraph (3)), it is permissible for a person to reproduce a work from a book, record, or other material of the library, etc. (hereinafter referred to in this Article as a "library material"):

- (i) when providing a single user of the library, etc. with a single copy of a part of a work that has been made public (or the whole of a work that has been made public, if it is an individual work that has been printed in a periodical and a considerable period of time has elapsed since its publication; the same applies in paragraph (3)) in response to the user's request and for the purpose of the user's research or studies;
- (ii) when necessary for the purpose of preserving library materials;
- (iii) when providing a copy of library materials that are rarely available through normal trade channels because the materials are out of print or for other similar reasons (hereinafter referred to as "materials out of print" in this Article), in response to a request from another library, etc.

(2) In addition to the cases set forth in the items of the preceding paragraph, if, either in order to prevent the loss, damage, or defacement of the original copy of a library material that the National Diet Library offers to the public, or in order to use the works related to materials out of print for automatic public transmissions (including making works available for transmission; the same applies in the next paragraph) pursuant to the provisions of the next paragraph, electronic or magnetic records (meaning records created in an electronic format, magnetic format, or other format that is impossible to perceive through the human senses alone, and which are used in

computer information processing; the same applies hereinafter) are created at the National Diet Library so that they can be offered for public use in place of the originals, it is permissible for a person to record a work that is among the library materials of the National Diet Library onto a recording medium, to the extent considered necessary.

(3) The National Diet Library may transmit works related to materials out of print via automatic public transmission using their copies recorded onto a recording medium pursuant to the preceding paragraph if the purpose of such transmission is to present such work to the public in libraries, etc. or similar foreign facilities designated by Cabinet Orders. In such case, libraries, etc. may, as part of non-commercial undertakings, create a copy of a certain part of the work received through automatic public transmission to provide a single user of the library, etc. with a single copy of such copy in response to the user's request for the purpose of the user's research or studies.

Article 47-4. Exploitation etc. of works associated with the exploitation of works on a computer

(1) Works provided to be exploited on computers (including exploitations using IT technologies; the same applies hereinafter in this Article) may be exploited in any way to the extent considered as necessary in the cases described below or in similar cases where works are intended to be exploited collaterally in order to smoothly or efficiently exploit such work on a computer; provided, however that this does not apply if such exploitation would unreasonably prejudice the interests of the copyright owner in light of the natures and purposes of such work, as well as the circumstances of its exploitations:

(i) upon exploiting a work on a computer by using its copy or by exploiting a work that is received through transmissions of wireless communications or wired telecommunications, recording such work on the recording medium of such computer in the course of such computer's data processing for the exploitation of such work in order to smoothly and efficiently perform such data processing;

(ii) in the event a person that, in the course of trade, makes available an automatic public transmission server for other persons to use for automatic public transmissions records a work that has been made available for automatic public transmission on a recording medium in order to prevent delays or failures of such other person's automatic public transmissions or to efficiently transmit a work available for transmissions in order to relay automatic public transmissions of that work;

(iii) upon providing information by using IT technologies, recording or adapting work on a recording medium in order to perform the data processing on a computer necessary to prepare for a smooth and efficient provision.

(2) Works exploited to be used on computers may be exploited in any way to the extent considered as necessary in the cases described below or in similar cases where works are intended to be exploited in order to maintain the works' exploitability on computers or recover such exploitability; provided, however that this does not apply if such exploitation would unreasonably prejudice the interests of the copyright owner in light of the natures and purposes of such work, as well as the circumstances of its exploitations:

(i) upon performing a maintenance or repair on a device with a built-in recording medium, recording works recorded on such built-in recording medium (hereinafter in this item and the next item referred to as a "built-in recording medium") temporarily on a recording medium other than that built-in recording medium, and then re-recording such works on the built-in recording medium after the maintenance or repair.

(ii) upon exchanging a device with a built-in recording medium for another device with same functions, recording works recorded on the built-in recording medium temporarily on a recording medium other than the built-in recording medium, and then re-recording such works on the built-in recording medium of the other device with same functions.

(iii) in the event a person that, in the course of trade, makes available an automatic public transmission server for other persons to use for automatic public transmissions records a work on a recording medium in order to recover a lost or damaged copy of a work that has been made available for automatic public transmission by such automatic public transmission server.

Article 47-5. Minor exploitation, etc. associated with data processing on a computer and provisions of such results

(1) A person who performs acts set forth in the following items which contribute to the promotion of exploiting works by creating new knowledge or information through data processing using computers (including persons who perform a part of such acts and limited to those who perform such acts in accordance with the standards stipulated in Cabinet Orders) may, in any way and to the extent considered as necessary in relation to the purposes of the acts set forth in each following item, exploit works provided or presented to the public (including works made available for transmissions; the same applies in this Article) (hereinafter in this Article and Article 47-6, paragraph (2), item (ii) referred to as "work provided or presented to the public") (limited to publicized works or works made available for transmissions) in association with such act (provided that such exploitation shall be limited to minor exploitations in light of the proportion and amount of the work provided or presented to the public for exploitation, the granularity upon exploiting it and other elements; hereinafter in this Article referred to as "minor exploitations"); provided, however that this does not apply if such person performs such minor exploitation knowing that publicly providing or presenting such work provided or presented to the public would infringe copyrights (or if such provision or presentation is made abroad, this proviso shall apply to cases where such provision or presentation would infringe copyrights if it was made in Japan) or such minor exploitation would otherwise unreasonably prejudice the interests of the copyright owner in light of the natures and purposes of such work provided or presented to the public, as well as the circumstances of its minor exploitations:

(i) to retrieve the title or author of a work that records the information being searched for (hereinafter in this item referred to as "searched information"), the transmitter identification codes (meaning the letters, numbers, symbols, or other codes by which the transmitter of an automatic public transmission is identified) for the searched information that has been made available for transmission, or other relevant information concerning the identification or location of such searched information by using a computer and to furnish the results of the retrieval;

(ii) to perform data analyses by using a computer and to furnish the results of such analyses;

(iii) in addition to acts described in the preceding two items, any act designated in Cabinet Orders that contributes to improving the convenience of the Japanese peoples' lives by creating new knowledge or information through data processing using computers and furnishing its results.

(2) A person who prepares for the acts set forth in the items of the preceding paragraph (limited to persons who collect, organize and provide information for the preparation of such acts in accordance with the standards stipulated in Cabinet Orders) may, to the extent considered as necessary for the preparation of minor exploitations defined in the preceding paragraph and in relation with the work provided or presented to the public, perform reproductions or public transmissions (or make the relevant work available for transmission, if such transmission is being made via an automatic public transmission; the same applies in this paragraph and Article 47-6, paragraph (2), item (ii)) or distribute its copies; provided, however that this does not apply if such reproduction, public transmission or distribution would otherwise unreasonably prejudice the interests of the copyright owner in light of the natures and purposes of such work provided or presented to the public, the number of copies to be reproduced or distributed, as well as the circumstances of such reproduction, public transmission or distribution.

Article 47-7. Transfer of copies made pursuant to restrictions on the right of reproduction

A work that may be reproduced pursuant to the provisions of Article 30-2, paragraph (2); Article 30-3; Article 30-4; Article 31, paragraph (1) (limited to the part concerned with item (i); the same applies hereinafter in this Article) or the second sentence of paragraph (3); Article 32; Article 33, paragraph (1) (including when application *mutatis mutandis* is provided for under the provisions of paragraph (4) of the same Article); Article 33-2, paragraph (1) or (4); Article 34, paragraph (1); Article 35, paragraph (1); Article 36, paragraph (1); Article 37; Article 37-2 (except item (ii); the same applies hereinafter in this Article); Article 39, paragraph (1); Article 40, paragraph (1) or (2); Articles 41 through 42-2; Article 42-3, paragraph (2); Articles 46; Article 47, paragraph (1) or (3); Article 47-2; Article 47-4 or 47-5, is also permitted to be offered to the public through the transfer of a copy of that work that is made based on the application of those provisions (excluding copies of a cinematographic work in a case under the provisions of Article 31, paragraph (1) or the second sentence of paragraph (3); Article 36, paragraph (1); or Article 42 (if the work is one that has been reproduced in a cinematographic work, this exclusion also applies to copies of the relevant cinematographic work; the same applies hereinafter in this Article)); provided however, that this does not apply if the copy of that work that is made based on the application of the provisions of Article 30-3; Article 31, paragraph (1) or the second sentence of paragraph (3); Article 33-2, paragraph (1) or (4); Article 35, paragraph (1); Article 37, paragraph (3); Article 37-2; Articles 41 through 42-2; Article 42-3, paragraph (2); Article 47, paragraph (1) or (3); Article 47-2; Article 47-4 or 47-5 is transferred to the public for a purpose other than what is provided for in Article 31, paragraph (1) or the second sentence of paragraph (3); Article 33-2, paragraph (1) or (4); Article 35, paragraph (1); Article 37, paragraph (3); Article 37-2; Articles 41 through 42-2; Article 42-3, paragraph (2); Article 47, paragraph (1) or (3); Article 47-2; Article 47-4 or 47-5, or if the copy of that work that is made based on the application of the provisions of Article 30-4 is transferred to the public to enjoy or to have other person(s) enjoy the thoughts or sentiments

expressed in the work (excluding a copy of a cinematographic work in a case under the provisions of Article 31, paragraph (1) or the second sentence of paragraph (3); or Article 42).

Kenya

Copyright Act, 2001 (Act No. 12 of 2001, as amended up to Act No. 11 of 2017) (Kenya), <https://wipolex.wipo.int/en/text/506085>

Article 26. Nature of copyright in literary, musical or artistic works and audio-visual works (Fair dealing for research)

(1) Copyright in a literary, musical or artistic work or audio-visual work shall be the exclusive right to control the doing in Kenya of any of the following acts, namely the reproduction in any material form of the original work or its translation or adaptation, the distribution to the public of the work by way of sale, rental, lease, hire, loan, importation or similar arrangement, and the communication to the public and the broadcasting of the whole work or a substantial part thereof, either in its original form or in any form recognisably derived from the original; but copyright in any such work shall not include the right to control—

(a) the doing of any of those acts by way of fair dealing for the purposes of scientific research, private use, criticism or review, or the reporting of current events subject to acknowledgement of the source;

Liberia

Liberia Intellectual Property Act, 2016 (An Act to Repeal an Act Adopting a New Copyright Law of the Republic of Liberia approved July 23, 1997; and the Industrial Property Act of Liberia approved March 20, 2003, constituting Title 24 of the Liberian Code of Laws Revised, and to enact in their stead a New Title 24 to be known as the “Liberia Intellectual Property Act, 2016”) (Liber.), <https://wipolex.wipo.int/en/text/439552>

Section 9.8. Fair Use

a) Notwithstanding the provisions of Sections 9.6 and 9.7, the fair use of a copyright work, including such use by reproduction in copies or sound recordings or by any other means specified by that section, for purposes such as parody, satire, criticism, comment, news reporting, teaching (including multiple copies for classroom use), scholarship or research, is not an infringement of copyright. In determining whether the use made of a work in any particular case is fair use, the factors to be considered shall include:

- i. the purpose and character of the use, including whether such use is of a commercial nature or is for educational purposes;
 - ii. the nature of the copyrighted work;
 - iii. the amount and substantiality of the portion used in relation to the copyrighted work as a whole;
- and

- iv. the effect of the use upon the potential market for or value of the work.
- b) The fact that a work is unpublished shall not itself bar a finding of fair use if such finding is made upon consideration of all the above factors.

Section 9.13. Reproduction by Libraries and Archives

Any library or archive whose activities do not serve direct commercial gain may, without the authorization of the owner of copyright, make a copy of a work:

- a) by reproduction where the work reproduced is a published article, other short work or short extract of a work, and where the purpose of the reproduction is to satisfy the request of a person, provided that:
 - i. the library or archive is satisfied that a copy will be used solely for the purposes of study, scholarship or private research,
 - ii. the act of reproduction is an isolated act occurring, if repeated, on separate and unrelated occasions, and
 - iii. there is no collective license available or offered by a collective administration organization of which the library or archive is or should be aware, under which such copies can be made

Liechtenstein

Law on Copyright and Neighboring Rights, 1999 (consolidated version of December 19, 2006) (Liech.), <https://wipolex.wipo.int/en/legislation/details/6897>

Article 22. Privileged uses of the work

- 1) Published works may be used for special purposes. A special purpose is:
 - a) any use of the work in the personal sphere and in the circle of persons who are closely related, such as relatives or friends;
 - b) the use of the work for illustration in class or for scientific research insofar as this is justified for the pursuit of non-commercial purposes and if possible the source and the name of the author are given;
 - c) the reproduction of the work on paper or a similar medium by means of photomechanical processes or other processes with a similar effect for educational purposes, for scientific research or for internal information and documentation in companies, public administrations, institutes, commissions and similar institutions;
 - d) digital reproduction for educational purposes and for scientific research without any direct or indirect economic or commercial purpose.
- 2) Whoever according to para. 1 let. c is entitled to reproduce, may also have the reproductions required for the special purpose made by third parties; Libraries, other public institutions and

businesses that make copiers available to their users are also considered to be third parties within the meaning of this paragraph.

3) Outside the private circle, the following are not permitted:

- a) the complete or largely complete reproduction of copies of works available on the market;
- b) the reproduction of works of fine art;
- c) the reproduction of graphic recordings of works of music;
- d) the recording of lectures, performances or demonstrations of a work on sound, sound image or data carriers.

4) This article does not apply to computer programs.

Article 48. Protection of Databases. Exceptions

The rightful user of a database made available to the public - in whatever way - can extract and / or reuse a substantial part of the content of the database without the approval of the producer in the following cases:

- a) for extracting the content of a non-electronic database for private purposes;
- b) for an extraction to illustrate the teaching or for the purposes of scientific research, provided that it indicates the source and insofar as this is justified by the non-commercial purpose;
- c) for removal and / or reuse for the purposes of public security or an administrative or judicial process.

Malaysia

Copyright Act, 1987 (Act 332, as at 1 July 2012) (Malay.),
<https://www.cric.or.jp/db/link/doc/malaysiaCopyrightAct1987asat1-7-2012.pdf>

Article 9. Copyright in published editions of works

(1) Copyright shall subsist, subject to the provisions of this Act, in every published edition of any one or more literary, artistic or musical work in the case of which either--

...

(4) Reproduction of the typographical arrangement of a published edition for any purpose including research, private study, criticism, review or the reporting of news or current events does not infringe the copyright subsisting by virtue of this section if such reproduction is compatible with fair dealing:

Provided that if such reproduction is made public it is accompanied by an acknowledgement of the title of the work and its authorship, except where the work is incidentally included in a broadcast.

(5) The Government, the National Archives, or any State Archives, the National Library, or any State library, or any public libraries and educational, scientific or professional institutions as the Minister may by order prescribe, may reproduce the typographical arrangement of a published edition without infringing the copyright subsisting by virtue of this section if such reproduction is in the public interest and is compatible with fair dealing and the provisions of any regulations.

Article 13. - Nature of copyright in literary, musical or artistic works, films and sound recordings (Fair Dealing)

13. ...

(2) Notwithstanding subsection (1), the right of control under that subsection does not include the right to control—

(a) the doing of any of the acts referred to in subsection (1) by way of fair dealing including for purposes of research, private study, criticism, review or the reporting of news or current events:

(...)

(2A) For the purposes of paragraph (2)(a), in determining whether a dealing constitutes a fair dealing, the factors to be considered shall include —

(a) the purpose and character of the dealing, including whether such dealing is of a commercial nature or is for non-profit educational purposes;

(b) the nature of the copyright work;

(c) the amount and substantiality of the portion used in relation to the copyright work as a whole; and

(d) the effect of the dealing upon the potential market for or value of the copyright work.

Malta

Copyright Act, 2000 (Chapter 415, as amended up to Act No. VIII of 2011) (Malta), <https://wipolex.wipo.int/en/legislation/details/15470>

Article 9. Restriction with regard to certain works (Private use, library, research)

(1) Copyright in an audiovisual work, a database, a literary work other than in the case of a computer programme, a musical or artistic work shall not include the right to authorise or prohibit:

....

(c) reproductions on any medium made by a natural person for private use and for ends that are neither directly nor indirectly commercial, on condition that the rightholders receive fair compensation which takes account of the application or non-application or technological measures to the work or subject-matter concerned;

(d) specific acts of reproduction made by publicly accessible libraries, educational establishments or museums, or by archives, which are not for direct or indirect economic or commercial advantage;

....

(h) the reproduction, translation, distribution or communication to the public of a work for the sole purpose of illustration for teaching or scientific research only to the extent justified by the noncommercial purpose to be achieved, and as long as the source, including the author's name, is, unless this is impossible, indicated;

....

(v) the communication to the public, for the purpose of research or private study, to individual members of the public by dedicated terminals on the premises of establishments referred to in paragraph (d) of works and other subject-matter, not subject to purchase or licensing terms, which are contained in their collections;

Mauritius

The Copyright Act, 2014 (Act No. 2 of 2014) (Mauritius), <https://wipolex.wipo.int/en/text/539951>

Article 16. Private reproduction for personal purposes

(1) Subject to subsection (2), the private reproduction of a legally obtained published work in a single copy shall be permitted, without the authorisation of the author or owner of copyright, where the reproduction is made by a natural person for his own personal use.

(2) The permission under subsection(1) shall not extend to reproduction —

(a) of a work of architecture in the form of building or other construction;

(b) in the form of reprography of the whole or of a substantial part of a book or of a musical work in the form of notation;

(c) of the whole or of a substantial part of a database in digital form; and

(d) of a computer programme, except as provided in section 22.

(3) Equitable remuneration shall be paid to the author or copyright owner or to the Society, as applicable.

Article 19. Reproduction and other utilisation for teaching and scientific non-commercial purposes

(1) The following acts shall be permitted in respect of a work without the authorisation of the author or other owner of copyright —

(a) the utilisation for scientific research purposes or by way of illustration for teaching of a work that has lawfully been made available to the public, in publications, broadcasting or sound or visual recordings, where such utilisation —

(i) is compatible with fair practice; and

(ii) does not exceed the extent justified by the purpose;

Article 20. Reproduction by libraries and archives

Any library or archive, whose activities do not serve direct or indirect commercial gain, may, without the authorisation of the author or other owner of copyright, make a copy of a work—

(a) by reprographic reproduction —

(i) where the work reproduced is a published article, other short work or short extract of a work; and

(ii) the purpose of the reproduction is to satisfy the request of a person, where —

-A. the library or archive is satisfied that the copy shall be used solely for the purposes of study, scholarship or private research;

B. the reproduction of any particular work is an isolated act occurring, if repeated, on separate and unrelated occasions; and

C. there is no collective licence available offered by a collective copyright management organization under which such copies can be made;

Myanmar

Copyright Act, 1911 (The Burma Copyright Act. India Act III, 1914) (Myan.), <https://wipolex.wipo.int/en/text/180315>

Article 2 (includes private study)

2. (1) Copyright in a work shall be deemed to be infringed by any person Infringed who, without the consent of the owner of the copyright, does anything the sole right to do which is by this Act conferred on the owner of the copyright copyright.

Provided that the following actfs shall not constitute an infringement of copyright:

(i) Any fair dealing with any work for the purposes of private study, research, criticism, review, or newspaper summary:

Namibia

Copyright and Neighbouring Rights Protection Act, 1994 (Act No. 6 of 1994) (Namib.), <https://wipolex.wipo.int/en/text/222895>

Article 15. General exceptions regarding protection of literary and musical works

(1) Copyright shall not be infringed by a fair dealing in the use of a literary or musical work-

(a) for the purpose of research or private study by, or the personal or private use of, the person using the work;

(b) for the purpose of criticism or review of the work or of another work; or

Article 16. General exceptions in respect of reproduction of works

In addition to reproductions permitted in terms of this Act reproduction of a work shall also be permitted in such circumstances as are prescribed, but in such a manner that the reproduction is not in conflict with a normal exploitation of the work and is not unreasonably prejudicial to the legitimate interests of the owner of the copyright.

New Zealand

Copyright Act, 1994 (Public Act 1994 No 143, reprint as at 4 January 2020) (N.Z.), <https://wipolex.wipo.int/en/legislation/details/19490>

Section 43. Research or private study

(1) Fair dealing with a work for the purposes of research or private study does not infringe copyright in the work.

(2) For the avoidance of doubt, it is hereby declared that fair dealing with a published edition for the purposes of research or private study does not infringe copyright in either the typographical arrangement of the edition or any literary, dramatic, musical, or artistic work or part of a work in the edition.

(3) In determining, for the purposes of subsection (1), whether copying, by means of a reprographic process or by any other means, constitutes fair dealing for the purposes of research or private study, a court shall have regard to—

(a) the purpose of the copying; and

(b) the nature of the work copied; and

(c) whether the work could have been obtained within a reasonable time at an ordinary commercial price; and

(d) the effect of the copying on the potential market for, or value of, the work; and

(e) where part of a work is copied, the amount and substantiality of the part copied taken in relation to the whole work.

(4) This section does not authorise the making of more than 1 copy of the same work, or the same part of a work, on any one occasion, but in this subsection copy does not include a non-infringing transient reproduction to which section 43A applies.

Section 51. Copying by librarians of parts of published works

(1) The librarian of a prescribed library may, if the conditions contained in subsection (2) are complied with, make from a published edition (other than a published edition that is an article in a periodical), for supply to any person, a copy of a reasonable proportion of any literary, dramatic, or musical work, and may include in the copy any artistic work that appears within the proportion copied, without infringing copyright in the literary, dramatic, musical, or artistic work or the typographical arrangement of the published edition.

(2) The conditions referred to in subsection (1) are—

(a) that no person is supplied on the same occasion with more than 1 copy of the same material; and

(b) that, where any person to whom a copy is supplied is required to pay for the copy, the payment required is no higher than a sum consisting of the total of the cost of production of the copy and a reasonable contribution to the general expenses of the library.

(3) Where any person is supplied with, or otherwise comes into possession of, a copy made in accordance with this section, that person may use the copy only for the purposes of research or private study.

(4) This section does not apply to a literary work that is a computer program.

(5) In this section, case section 56B applies as well.

...

Section 56B. Additional conditions for supply of copy of work in digital format by librarian or archivist under section 51, 52, or 56

A copy of a work to which section 51, 52, or 56 applies must not be supplied in a digital format, by the librarian of a prescribed library or the archivist of an archive, to a person (A) unless the following conditions are also complied with:

(a) the librarian or archivist must give A, when the copy is supplied, a written notice that sets out the terms of use of the copy; and

(b) the librarian or archivist must, as soon as is reasonably practicable, destroy any additional copy made in the process of making the copy that is supplied to A.

Nigeria

Copyright Act, C. 28 (as codified 2004) (Nigeria), <https://wipolex.wipo.int/en/text/268735>

Article 53. Second Schedule - Exceptions from Copyright Control

The right conferred in respect of a work by section 5 of this Act does not include the right to control-

(a) the doing of any of the acts mentioned in the said section 5 by way of fair dealing for purposes of research, private use, criticism or review or the reporting of current events, subject to the condition that, if the use is public, it shall be accompanied by an acknowledgement of the title of the work and its authorship except where the work is incidentally included in a broadcast;

Philippines

Intellectual Property Code of the Philippines (Republic Act No. 8293, 2015 Edition) (Phil.), <https://wipolex.wipo.int/en/legislation/details/18399>

Section 185.1. Fair Use of a Copyrighted Work.

The fair use of a copyrighted work for criticism, comment, news reporting, teaching including limited number of copies for classroom use, scholarship, research, and similar purposes is not an infringement of copyright. Decompilation, which is understood here to be the reproduction of the code and translation of the forms of a computer program to achieve the interoperability of an independently created computer program with other programs may also constitute fair use under the criteria established by this section, to the extent that such decompilation is done for the purpose of obtaining the information necessary to achieve such interoperability. In determining whether the use made of a work in any particular case is fair use, the factors to be considered shall include:

- (a) The purpose and character of the use, including whether such use is of a commercial nature or is for non-profit educational purposes;
- (b) The nature of the copyrighted work;
- (c) The amount and substantiality of the portion used in relation to the copyrighted work as a whole; and
- (d) The effect of the use upon the potential market for or value of the copyrighted work.

Section 187. Reproduction of Published Work

1. Notwithstanding the provision of Section 177, and subject to the provisions of Subsection 187.2, the private reproduction of a published work in a single copy, where the reproduction is made by a natural person exclusively for research and private study, shall be permitted, without the authorization of the owner of copyright in the work.

2. The permission granted under Subsection 187.1 shall not extend to the reproduction of:

- (a) A work of architecture in the form of building or other construction;
- (b) An entire book, or a substantial part thereof, or of a musical work in graphic form by reprographic means;
- (c) A compilation of data and other materials;
- (d) A computer program except as provided in Section 189; and

(e) Any work in cases where reproduction would unreasonably conflict with a normal exploitation of the work or would otherwise unreasonably prejudice the legitimate interests of the author. (n)

Section 188. Reprographic Reproduction by Libraries

1. Notwithstanding the provisions of Subsection 177.1, any library or archive whose activities are not for profit may, without the authorization of the author or copyright owner, make a limited number of copies of the work, as may be necessary for such institutions to fulfill their mandate, by reprographic reproduction:

...

(b) Where the works are isolated articles contained in composite works or brief portions of other published works and the reproduction is necessary to supply them; when this is considered expedient, to persons requesting their loan for purposes of research or study instead of lending the volumes or booklets which contain them; and

Republic of Korea

Copyright Act, 1957 (Act No. 432 of January 28, 1957, as amended up to Act No. 14634 of March 21, 2017) (S.Kor.), <https://wipolex.wipo.int/en/legislation/details/16953>

Article 30. Reproduction for Private Use

It shall be permissible for a user to reproduce in private, without any commercial purposes, a work already made public, within the limit of personal, family or the equivalent use: Provided, That this shall not apply to the case of reproductions by a photocopier installed for the use by the general public.

Article 35-3. Fair Use of Works, etc.

(1) Except as provided in Articles 23 through 35-2 and 101-3 through 101-5, where a person does not unreasonably prejudice an author's legitimate interest without conflicting with the normal exploitation of works, he/she may use such works.

(2) In determining whether an act of using works, etc. falls under paragraph (1), the following shall be considered:

1. Purposes and characters of use including whether such use is for or not-for nonprofit;
2. Types and natures of works, etc.;
3. Amount and substantiality of portion used in relation to the whole works, etc.;
4. Effect of the use of works, etc. on the current or potential market for or value of such work etc.

Germany

Act on Copyright and Related Rights, 1965 (Copyright Act, as amended up to Act of September 1, 2017) (Ger.), <https://wipolex.wipo.int/en/text/474263>

Section 60c. Scientific research

(1) Up to 15 per cent of a work may be reproduced, distributed and made available to the public for the purpose of non-commercial scientific research

1. for a specifically limited circle of persons for their personal scientific research and
2. for individual third persons insofar as this serves the monitoring of the quality of scientific research.

(2) Up to 75 per cent of a work may be reproduced for personal scientific research.

(3) In derogation from subsections (1) and (2), full use may be made of illustrations, isolated articles from the same professional or scientific journal, other small-scale works and out-of-commerce works.

(4) Subsections (1) to (3) do not authorise the recording of the public recitation, performance or presentation of a work onto a video or audio recording medium and the subsequent making available to the public of that recording.

Section 60d. Text and data mining

(1) In order to enable the automatic analysis of large numbers of works (source material) for scientific research, it shall be permissible:

1. to reproduce the source material, including automatically and systematically, in order to create, particularly by means of normalisation, structuring and categorisation, a corpus which can be analysed and
2. to make the corpus available to the public for a specifically limited circle of persons for their joint scientific research, as well as to individual third persons for the purpose of monitoring the quality of scientific research.

In such cases, the user may only pursue non-commercial purposes.

(2) If database works are used pursuant to subsection (1), this shall constitute customary use in accordance with section 55a, first sentence. If insubstantial parts of databases are used pursuant to subsection (1), this shall be deemed consistent with the normal utilisation of the database and with the legitimate interests of the producer of the database within the meaning of section 87b (1), second sentence, and section 87e.

(3) Once the research work has been completed, the corpus and the reproductions of the source material shall be deleted; they may no longer be made available to the public. It shall, however, be permissible to transmit the corpus and the reproductions of the source material to the institutions referred to in sections 60e and 60f for the purpose of long-term storage.

Section 60e. Libraries

(1) Publicly accessible libraries which neither directly nor indirectly serve commercial purposes (libraries) may reproduce a work from their holdings or exhibitions, or have such a work

reproduced, for the purpose of making available, indexing, cataloguing, preservation and restoration, including more than once and with technically required alterations.

(2) For restoration purposes, libraries may distribute reproductions of a work from their holdings to other libraries or to institutions as referred to in section 60f. They may lend restored works, as well as copies of newspapers, out-of-commerce works or damaged works from their holdings.

(3) Libraries may distribute reproductions of a work as referred to in section 2 (1) numbers 4 to 7 insofar as this is done in connection with their public exhibitions or with the documentation of the library's holdings.

(4) Libraries may make a work from their holdings available to their users for personal research or private studies at terminals on their premises. They may enable users, for noncommercial purposes, to reproduce up to 10 per cent of a work per session and to make reproductions of isolated illustrations, articles from the same professional or scientific journal, other small-scale works and out-of-commerce works.

(5) In response to individual orders, libraries may for non-commercial purposes transmit reproductions of up to 10 per cent of a published work to users, as well as reproductions of isolated articles which have appeared in professional or scientific journals.

Section 87c Limitations on the rights of makers of a database

(1) The reproduction of a qualitatively or quantitatively substantial part of a database shall be permissible

....

2. for the purposes of scientific research pursuant to sections 60c and 60d

Grenada

Copyright Act, 2011, c. 67 (Act No. 21 of 2011) (Gren.),
<https://www.wipo.int/edocs/lexdocs/laws/en/gd/gd013en.pdf>

Section 9. Private reproduction for personal purposes

Notwithstanding section 8(1)(a) and subject to subsection (2) the private reproduction of a published work in a single copy shall be permitted without the authorization of the owner of copyright, where the reproduction is made by a natural person exclusively for his own personal purposes.

(2) The permission under subsection (1) shall not extend to reproduction—

(a) of a work of architecture in the form of a building or other construction;

(b) in the form of reprography of the whole or a substantial part of a book, or of a musical work in the form of notation;

- (c) of the whole or a substantial part of a data base;
- (d) of a computer program, except as provided in section 17; and
- (e) of any work in cases where reproduction would conflict with a normal exploitation of the work, or would otherwise unreasonably prejudice the legitimate interests of the owner of copyright.

Section 11. Reproduction and other utilization for teaching

11.—(1) The following acts shall be permitted without authorization of the author, or other owner of copyright:

(a) the utilization by way of illustration for teaching, or scientific research purposes of a work that has lawfully been made available to the public, in publications, broadcasting or sound or visual recordings, provided that such utilization is compatible with fair practice, and does not exceed the extent justified by the purpose; the utilization can also include the making available of such works in computer networks, provided that access to the works is only available to enrolled pupils or students and their teachers;

Section 12. Reproduction by libraries and archives

Any library or archive whose activities do not serve direct or indirect gain may, without the authorization of the author or other owner of copyright, make a single copy of a work—

(a) by reprographic reproduction where the work reproduced is a published article, other short work or short extract of a work, and where the purpose of the reproduction is to satisfy the request of a person, provided that—

(i) the library or archive is satisfied that the copy will be used solely for the purpose of study, scholarship or private research;

(ii) the reproduction of any particular work is an isolated case occurring, if repeated, on separate and unrelated occasions; and

(iii) there is no collective license available offered by a collective administration organization under which such copies can be made;

(b) where the copy is made in order to preserve and, if necessary replace a copy, or to replace a copy which has been lost, destroyed or rendered unusable in the permanent collection of another similar library or archive, provided that it is impossible to obtain such a copy under reasonable conditions, and provided further that the reproduction of any particular work is an isolated case occurring, if repeated, on separate and unrelated occasions.

Guyana

Copyright Act 1956, 4 & 5 Eliz. 2, c. 74 (Guy.),, <https://wipolex.wipo.int/en/text/229365>

Section 6. General Exceptions from Protection of Literary, Dramatic and Musical Works

1) No fair dealing with a literary, dramatic or musical work for purposes of research or private study shall constitute an infringement of the copyright in the work.

(2) No fair dealing with a literary, dramatic or musical work, shall constitute an infringement of the copyright in the work if it is for purposes of criticism or review, whether of that work or of another work, and is accompanied by a sufficient acknowledgment.

Section 7. Special exceptions as respects libraries and archives.

(1) The copyright in an article contained in a periodical publication is not infringed by the making or supplying of a copy of the article, if the copy, is made or supplied by or on behalf of the librarian of a library of a class prescribed by regulations made under this subsection by the Board of Trade, and the conditions prescribed by those regulations are complied with.

(2) In making any regulations for the purposes of the preceding subsection the Board of Trade shall make such provision as the Board may consider appropriate for securing-

(a) that the libraries to which the regulations apply are not established or conducted for profit;

(b) that the copies in question are supplied only to persons satisfying the librarian, or a person acting on his behalf, that they require them for purposes of research or private study and will not use them for any other purpose;

(c) that no person is furnished under the regulations , two or more copies of the same article;

(d) that no copy extends to more than one article contained in anyone publication; and

(e) that persons to whom copies are supplied under the regulations are required to pay for them a sum not less than the cost (including a contribution to the general expenses of the library) attributable to their production, and may impose such other requirements (if any) as may appear to the Board to be expedient.

(3) The copyright in a published literary, dramatic or musical work, other than an article contained in a periodical publication is not infringed by the making or supplying of a copy of part of the work, if the copy is made or supplied by or on behalf of the librarian of a library of a class prescribed by regulations made under this subsection by the Board of Trade and the conditions prescribed by those regulations are complied with: Provided that this subsection shall not apply if, at the time when the copy is made, the librarian knows the name and address of a person entitled to authorise the making of the copy, or could by reasonable inquiry ascertain the name and address of such a person.

(4) The provisions of subsection (2) of this section shall apply for the purposes of the last preceding subsection: Provided that paragraph (d) of the said subsection (2) shall not apply for those purposes. but any regulations made under the last preceding subsection shall include such provision as the Board of Trade may consider appropriate for securing that no copy to which the regulations apply extends to more than a reasonable proportion of the work in question.

Section 9. General Exceptions from Protection of Artistic Works.

(1) No fair dealing with an artistic work for purposes of research or private study shall constitute an infringement of the copyright of the work.

(2) No fair dealing with an artistic work shall constitute an infringement of the copyright in the work if it is for purposes of criticism or review, whether of that work or of another work, and is accompanied by a sufficient acknowledgment.

Saint Kitts and Nevis

Copyright Act, 2000, c. 18.08 (Copyright Act, Rev. ed. showing the law as at 31 December 2002) (St. Kitts & Nevis), <https://wipolex.wipo.int/en/text/235248>

52. Research and private study.

Subject to section 54 of this Act, fair dealing with a literary, dramatic, musical or artistic work for the purposes of research or private study does not infringe copyright in the work or, in the case of a published edition, in the typographical arrangement.

(...)

54. Determining fair dealing.

For the purpose of determining whether an act done in relation to a work constitutes fair dealing, the court determining the question shall take into account all factors which appear to it to be relevant, including

- (a) the nature of the work in question;
- (b) the extent and substantiality of that part of the work affected by the act in relation to the whole of the work;
- (c) the purpose and character of the use; and
- (d) the effect of the act upon the potential market for, or the commercial value of, the work.

Saint Lucia

Copyright Act 1995, c. 13.07 (Act no. 10 of 1995, as amended by Act No. 7 of 2000) (St. Lucia), <https://wipolex.wipo.int/en/legislation/details/20382>

Section 55. Research and private study.

(1) Subject to subsection (2) and section 57, fair dealing with a protected work for the purposes of research or private study does not infringe copyright in the work.

(2) Copying by a person other than the researcher or student himself or herself is not fair dealing if—

(a) in the case of a librarian, or a person acting on behalf of a librarian, he or she does anything which regulations under section 67 would not permit to be done under section 68 or 69 (articles or parts of published works: restriction on multiple copies of same material); or

(b) in any other case, the person doing the copying knows or has reason to believe that it will result in copies of substantially the same material being provided to more than one person at substantially the same time and for substantially the same purpose.

(...)

Section 57. Determining Fair Dealing

For the purpose of determining whether an act done in relation to a work constitutes fair dealing, the court determining the question shall take account of all factors which appear to it to be relevant, including—

(a) the nature of the work in question;

(b) the extent and substantiality of that part of the work affected by the act in relation to the whole of the work;

(c) the effect of the act upon the potential market for or the commercial value of the work.

Singapore

Copyright Act 1987, c. 63 (Copyright Act Rev. Ed. 2006, as amended up to the Intellectual Property (Border Enforcement) Act 2018) (Sing.), <https://wipolex.wipo.int/en/text/550425>

NOTE: This entry does not include the 2021 revisions which amended the fair dealing right and implemented a new text and data mining right.

Article 35. Fair dealing in relation to works

(1) Subject to this section, a fair dealing with a literary, dramatic, musical or artistic work, or with an adaptation of a literary, dramatic or musical work, for any purpose other than a purpose referred to in section 36 or 37 shall not constitute an infringement of the copyright in the work.

(1A) The purposes for which a dealing with a literary, dramatic, musical or artistic work, or with an adaptation of a literary, dramatic or musical work, may constitute a fair dealing under subsection (1) shall include research and study.

(2) For the purposes of this Act, the matters to which regard shall be had, in determining whether a dealing with a literary, dramatic, musical or artistic work or with an adaptation of a literary, dramatic or musical work, being a dealing by way of copying the whole or a part of the work or adaptation, constitutes a fair dealing with the work or adaptation for any purpose other than a purpose referred to in section 36 or 37 shall include —

(a) the purpose and character of the dealing, including whether such dealing is of a commercial nature or is for non-profit educational purposes;

(b) the nature of the work or adaptation;

(c) the amount and substantiality of the part copied taken in relation to the whole work or adaptation;

(d) the effect of the dealing upon the potential market for, or value of, the work or adaptation; and

(e) the possibility of obtaining the work or adaptation within a reasonable time at an ordinary commercial price.

(3) Notwithstanding subsection (2), a dealing with a literary, dramatic or musical work, or with an adaptation of such a work, being a dealing by way of the copying, for the purposes of research or study —

(a) if the work or adaptation comprises an article in a periodical publication, of the whole or a part of that work or adaptation; or

(b) in any other case, of not more than a reasonable portion of the work or adaptation, shall be taken to be a fair dealing with that work or adaptation for the purpose of research or study.

(4) Subsection (3) shall not apply to a dealing by way of the copying of the whole or a part of an article in a periodical publication if another article in that publication, being an article dealing with a different subject-matter, is also copied.

Article 45. Copying by libraries and archives for users

(1) A person may furnish to the officer-in-charge of a library (not being a library that is conducted for the profit, direct or indirect, of an individual or individuals) or the officer-in-charge of archives —

(a) a request in writing to be supplied with a copy of an article, or a part of an article, contained in a periodical publication or of the whole or a part of a published literary, dramatic or musical work other than an article contained in a periodical publication; and

(b) a declaration signed by him stating —

(i) that he requires the copy for the purpose of research or study and will not use it for any other purpose; and

(ii) that he has not previously been supplied with a copy of that article or other work, or the same part of the article or other work, as the case may be, by an authorised officer of the library or archives, or that he has lost, destroyed or damaged any such copy previously supplied to him.

...

Slovakia

Copyright Act, 2015 (Act No. 185/2015 Coll. on Copyright and Related Rights, as amended by Act No. 125/2016 Coll.) (Slovk.), <https://wipolex.wipo.int/en/legislation/details/19393>

Section 42: Making a Copy of Work for Private Purpose

Copyright is not infringed by a natural person who without authorisation of its author uses the work by making a copy for his own private purpose which is neither directly nor indirectly commercial.

Section 43. Reprography

(1) Copyright is not infringed by a legal person acting for its own need or by a natural person who without authorisation of its author, personally or through a third person, uses the work by making a copy by means of transmitting the work to a paper or other similar base using reprographic device or other technical device with similar effect; such copy may be publicly distributed by means of free-of-charge transfer of title.

(2) Paragraph 1 does not apply to using of complete literary work or of its substantive part, to using of musical work recorded in writing and to using of graphical expression of architectural work.

Section 44. Using of Work for Educational and Scientific Purpose

Copyright is not infringed by a person who without authorisation of its author uses released work by making a copy, by public performance or communication to the public for the purpose of organising object lesson for educational or scientific research, provided that such using of work does not result in direct or indirect economic benefit.

South Africa

Copyright Act, 1978 (Act No. 98 of 1978, as amended up to Copyright Amendment Act 2002) (S. Afr.), <https://wipolex.wipo.int/en/text/130429>

Article 12. General exceptions from protection of literary and musical works

(1) Copyright shall not be infringed by any fair dealing with a literary or musical work-

(a) for the purposes of research or private study by, or the personal or private use of, the person using the work;

(b) for the purposes of criticism or review of that work or of another work; or

(c) for the purpose of reporting current events-

(i) in a newspaper, magazine or similar periodical; or

(ii) by means of broadcasting or in a cinematograph film;

Provided that, in the case of paragraphs (b) and (c) (i), the source shall be mentioned, as well as the name of the author if it appears on the work.

Sri Lanka

Intellectual Property Act, 2003 (Intellectual Property Act No. 36 of 2003) (Sri Lanka), <https://wipolex.wipo.int/en/legislation/details/6705>

Section 11. Fair use

(1) Notwithstanding the provisions of subsection (1) of section 9, the fair use of a work, including such use by reproduction in copies or by any other means specified by that section, for purposes such as criticism, comment, news reporting, teaching (including multiple copies for classroom use), scholarship or research, shall not be an infringement of copyright.

(2) The following factors shall be considered in determining whether the use made of a work in any particular case is fair use :—

(a) the purpose and character of the use, including whether such use is of a commercial nature or is for non-profit educational purposes ;

(b) the nature of the copyrighted work ;

(c) the amount and substantiality of the portion used in relation to the copyrighted work as a whole ; and

(d) the effect of the use upon the potential market for, or value of, the copyrighted work.

Section 12 (personal use & library)

12. (1) Notwithstanding anything contained in paragraph (a) of subsection (1) of section 9 and subject to the provisions of subsection (2) of this section, the private reproduction of a published work in a single copy shall be permitted without the authorization of the owner of the copyright, where the reproduction is made by a physical person from a lawful copy of such work exclusively for his own personal purposes.

(2) The permission under subsection (1) of this section shall not be extended to the reproduction—

(a) of a work of architecture in the form of a building or other constructions ;

(b) in the form of reprography of the whole or a substantial part of a book or of a musical work in the form of notations ;

(c) of the whole or a substantial part of a data base ;

(d) of a computer program, except as provided in subsection (7) ; and

(e) of any work, in case the reproduction would conflict with a normal exploitation of the work or would otherwise unreasonably prejudice the legitimate interests of the owner of the copyright.

(...)

(5) Notwithstanding the provisions of paragraph (a) of subsection (1) of section 9, any library or archives, whose activities do not serve any direct or indirect commercial gain may, without the authorization of the owner of copyright, make a single copy of the work by reprographic reproduction—

(a) where the work reproduced is a published article, other short work or short extract of a work, and where the purpose of the reproduction is to satisfy the request of a physical person:

Provided that—

(i) the library or archives is satisfied that the copy will be used solely for the purposes of study, scholarship or private research,

(ii) the act of reproduction is an isolated occurrence, occurring if repeated, on separate and unrelated occasions;

Taiwan

Copyright Act, 1928 (as amended by Presidential Order No. Hua-Zong-(1)-Yi-Zih 10800043331, 2019) (Taiwan), <https://law.moj.gov.tw/ENG/LawClass/LawAll.aspx?pcode=J0070017>

Article 51. (Private/personal use)

Within a reasonable scope, where for nonprofit use by an individual or a family, a work that has been publicly released may be reproduced by a machine that is either located in a library or is not provided for public use.

Article 65. (Fair use exception)

Fair use of a work shall not constitute infringement on economic rights in the work.

In determining whether the exploitation of a work complies with the reasonable scope referred to in the provisions of Articles 44 through 63, or other conditions of fair use, all circumstances shall be taken into account, and in particular the following facts shall be noted as the basis for determination:

- 1.The purposes and nature of the exploitation, including whether such exploitation is of a commercial nature or is for nonprofit educational purposes.
- 2.The nature of the work.
- 3.The amount and substantiality of the portion exploited in relation to the work as a whole.
- 4.Effect of the exploitation on the work's current and potential market value.

Where the copyright owner organization and the exploiter organization have formed an agreement on the scope of the fair use of a work, it may be taken as reference in the determination referred to in the preceding paragraph.

In the course of forming an agreement referred to in the preceding paragraph, advice may be sought from the specialized agency in charge of copyright matters.

Thailand

Copyright Act, 1994 (Copyright Act B.E. 2537,1994) (Thai.), <https://wipolex.wipo.int/en/legislation/details/3801>

Section 32. (Exceptions to Infringement of Copyright)

An act against a copyright work under this Act of another person which does not conflict with normal exploitation of the copyright work by the owner of copyright and does not unreasonably prejudice the legitimate rights of the owner of copyright shall not be deemed an infringement of copyright.

Subject to the provision in the first paragraph, the following acts in relation to a copyright work shall not be deemed an infringement of copyright:

- (1) research or study of the work which is not for profit;
- (2) use for personal benefit or for the benefit of the user and his family members or close relatives;
- (3) comment, criticism or introduction of the work with an acknowledgment of the ownership of copyright in such work;

Section 34. (Libraries)

A reproduction of a copyright work under this Act by a librarian in the following cases shall not be deemed an infringement of copyright provided that the purpose of such reproduction is not for profit and the first paragraph of Section 32 is complied with:

- (1) reproduction for use in his own library or another library;
- (2) reasonable reproduction in part of a work for another person for the benefit of research or study.

United Kingdom

Copyright, Designs and Patents Act 1988, c. 48 (incorporating amendments up to the Digital Economy Act 2017) (UK.), <https://wipolex.wipo.int/en/legislation/details/18023>

29. Research and private study.

(1) Fair dealing with a work for the purposes of research for a non-commercial purpose does not infringe any copyright in the work provided that it is accompanied by a sufficient acknowledgement.

(1B) No acknowledgement is required in connection with fair dealing for the purposes mentioned in subsection (1) where this would be impossible for reasons of practicality or otherwise.

(1C) Fair dealing with a work for the purposes of private study does not infringe any copyright in the work.

Section 29A. Copies for text and data analysis for non-commercial research

(1) The making of a copy of a work by a person who has lawful access to the work does not infringe copyright in the work provided that—

- (a) the copy is made in order that a person who has lawful access to the work may carry out a computational analysis of anything recorded in the work for the sole purpose of research for a non-commercial purpose, and
- (b) the copy is accompanied by a sufficient acknowledgement (unless this would be impossible for reasons of practicality or otherwise).

(2) Where a copy of a work has been made under this section, copyright in the work is infringed if—

- (a) the copy is transferred to any other person, except where the transfer is authorised by the copyright owner, or
- (b) the copy is used for any purpose other than that mentioned in subsection (1)(a), except where the use is authorised by the copyright owner.

(3) If a copy made under this section is subsequently dealt with—

- (a) it is to be treated as an infringing copy for the purposes of that dealing, and
- (b) if that dealing infringes copyright, it is to be treated as an infringing copy for all subsequent purposes.

(4) In subsection (3) “dealt with” means sold or let for hire, or offered or exposed for sale or hire.

(5) To the extent that a term of a contract purports to prevent or restrict the making of a copy which, by virtue of this section, would not infringe copyright, that term is unenforceable.

Section 40B. Libraries and educational establishments etc: making works available through dedicated terminals

(1) Copyright in a work is not infringed by an institution specified in subsection (2) communicating the work to the public or making it available to the public by means of a dedicated terminal on its premises, if the conditions in subsection (3) are met.

(2) The institutions are—

- (a) a library,
- (b) an archive,
- (c) a museum, and

(d) an educational establishment.

(3) The conditions are that the work or a copy of the work—

(a) has been lawfully acquired by the institution,

(b) is communicated or made available to individual members of the public for the purposes of research or private study, and

(c) is communicated or made available in compliance with any purchase or licensing terms to which the work is subject.]

Section 42A. Copying by librarians: single copies of published works

(1) A librarian of a library which is not conducted for profit may, if the conditions in subsection (2) are met, make and supply a single copy of—

(a) one article in any one issue of a periodical, or

(b) a reasonable proportion of any other published work, without infringing copyright in the work.

(2) The conditions are—

(a) the copy is supplied in response to a request from a person who has provided the librarian with a declaration in writing which includes the information set out in subsection (3), and

(b) the librarian is not aware that the declaration is false in a material particular.

(3) The information which must be included in the declaration is—

(a) the name of the person who requires the copy and the material which that person requires,

(b) a statement that the person has not previously been supplied with a copy of that material by any library,

(c) a statement that the person requires the copy for the purposes of research for a non-commercial purpose or private study, will use it only for those purposes and will not supply the copy to any other person, and

(d) a statement that to the best of the person's knowledge, no other person with whom the person works or studies has made, or intends to make, at or about the same time as the person's request, a request for substantially the same material for substantially the same purpose.

United States of America

Copyright Law of the United States and Related Laws Contained in Title 17 of the United States Code, 17 U.S.C. § 107 (2020)

17 U.S.C. § 107

Notwithstanding the provisions of sections 106 and 106A, the fair use of a copyrighted work, including such use by reproduction in copies or phonorecords or by any other means specified by that section, for purposes such as criticism, comment, news reporting, teaching (including multiple copies for classroom use), scholarship, or research, is not an infringement of copyright. In determining whether the use made of a work in any particular case is a fair use the factors to be considered shall include—

- (1) the purpose and character of the use, including whether such use is of a commercial nature or is for nonprofit educational purposes;
- (2) the nature of the copyrighted work;
- (3) the amount and substantiality of the portion used in relation to the copyrighted work as a whole; and
- (4) the effect of the use upon the potential market for or value of the copyrighted work.

The fact that a work is unpublished shall not itself bar a finding of fair use if such finding is made upon consideration of all the above factors.

Zambia

The Copyright and Performance Rights Act, 1994 (Act No. 44 of 1994) (Zam.), <https://wipolex.wipo.int/en/text/176492>

Article 21. Acts which do not constitute infringements

(1) Subject to subsection (2), the following acts shall not constitute infringement of copyright:

- (a) fair dealing with a work for private study or for the purposes of research done by an individual for his personal purposes, otherwise than for profit;
- (b) fair dealing with a work for the purposes of criticism or review, whether of that work or any other work, provided there is a sufficient acknowledgement;
- (...)
- (f) the reproduction of a work for the purposes of the education system of Zambia— (i) by a teacher or pupil in the course of instruction, provided that the reproduction is not made by means of an appliance capable of producing multiple copies; or (ii) as part of the questions to be answered in an examination; or (iii) in answer to such questions;

(...)

(2) An act which—

- (a) conflicts with the normal commercial exploitation of a work; or

(b) unreasonably prejudices the legitimate commercial interests of the owner of the copyright in a work; shall not, for the purposes of subsection (1)—

(i) be treated as fair dealing with the work; or

(ii) be treated as an act to which paragraph (f) of subsection (1) applies.

Zimbabwe

Copyright and Neighbouring Rights Act 2000, c. 26:05 (Act 11/2000, as amended up to Act No. 32 of 2004) (Zim.), <https://wipolex.wipo.int/en/text/503729>

Article 24. Fair dealing for purposes of research or private study

(1) The copyright in a work shall not be infringed by any fair dealing for the purposes of research or private study by the person using the work.

(2) Reproducing a work shall not constitute fair dealing for the purposes of subsection (1) if the person who reproduces it knows or has reason to believe that it will result in copies of substantially the same material being provided to more than one person at substantially the same time.

Article 29. Fair dealing for purposes of criticism, review or news reporting

(1) The copyright in a work shall not be infringed by any fair dealing-

(a) for the purposes of criticism or review of that work or of another work or of the performance of a work; or

(b) subject to subsection (2), for the purposes of reporting current events:

Provided that-

(i) sufficient acknowledgement of the work shall be given, except where the work is used for the reporting of current events by means of an audio-visual work, a sound recording, a broadcast or a programme carrying signal;

(ii) the use of a photograph for the purposes of reporting current events shall not constitute fair dealing.

(2) Paragraph (h) of subsection (1) shall not apply so as to authorise the publication of any part of an audiovisual work. a record or a programme-carrying signal representing a sporting event.

Restrictions to Reproduction

Afghanistan

Law Supporting the Rights of Authors, Composers, Artists and Researchers, 2008 (Decree of President of Government of Islamic Republic of Afghanistan regarding signing The Law on the support the right of authors, composers, artists and researchers n. 54, 2008), <https://www.wipo.int/edocs/lexdocs/laws/en/af/af001en.pdf>

Article 40. Situations of Use of Work and Adaptation

(1) It shall be lawful to reproduce short Works or extracts of Works for teaching purposes in educational institutions the activities of which do not serve direct or indirect commercial gain, provided that:

1. The act of Reproduction is an isolated one occurring, if repeated, each occurring should be on separate and unrelated occasions.
2. There is no collective license available for Reproduction by a competent authority in the collective management of rights of which the educational institution is or should be aware.
3. The name of the Author and the title of the Work shall be indicated on all copies.

(2) Copying and replication of a Work for the purpose of using it, is lawful under the following conditions:

1. If the user does not make direct or indirect commercial gains
2. Where the published article is a summary or an extract of the Work and Reproduction is to satisfy the personal needs, provided that:
 - The library or archive makes sure that the copy will be used solely for the purposes of study, scholarship or research, and if repeated, each occurring should be on separate and unrelated occasions, and
 - There is no collective license available for Reproduction by a competent authority in the collective management of rights of which the library or archive is or should be aware.
- (3) The Reproduction is permitted where the copy is made with the aim of preserving the original copy or, when necessary, replacing a lost, destroyed or rendered unusable copy in the permanent collection of another similar library or archive, provided that:
 - It is impossible to obtain such a copy under reasonable conditions;
 - The act of Reproduction or photocopy is an isolated one occurring case.

European Union (EU)

European Parliament and Council Directive 2019/790 on copyright and related rights in the Digital Single Market, 2019 O.J. (L130), <https://eur-lex.europa.eu/eli/dir/2019/790/oj>

Article 3. Text and data mining for the purposes of scientific research

1. Member States shall provide for an exception to the rights provided for in Article 5(a) and Article 7(1) of Directive 96/9/EC, Article 2 of Directive 2001/29/EC, and Article 15(1) of this Directive for reproductions and extractions made by research organisations and cultural heritage institutions in order to carry out, for the purposes of scientific research, text and data mining of works or other subject matter to which they have lawful access.
2. Copies of works or other subject matter made in compliance with paragraph 1 shall be stored with an appropriate level of security and may be retained for the purposes of scientific research, including for the verification of research results.
3. Rightholders shall be allowed to apply measures to ensure the security and integrity of the networks and databases where the works or other subject matter are hosted. Such measures shall not go beyond what is necessary to achieve that objective.
4. Member States shall encourage rightholders, research organisations and cultural heritage institutions to define commonly agreed best practices concerning the application of the obligation and of the measures referred to in paragraphs 2 and 3 respectively.

Article 4. Exception or limitation for text and data mining

1. Member States shall provide for an exception or limitation to the rights provided for in Article 5(a) and Article 7(1) of Directive 96/9/EC, Article 2 of Directive 2001/29/EC, Article 4(1)(a) and (b) of Directive 2009/24/EC and Article 15(1) of this Directive for reproductions and extractions of lawfully accessible works and other subject matter for the purposes of text and data mining.
2. Reproductions and extractions made pursuant to paragraph 1 may be retained for as long as is necessary for the purposes of text and data mining.
3. The exception or limitation provided for in paragraph 1 shall apply on condition that the use of works and other subject matter referred to in that paragraph has not been expressly reserved by their rightholders in an appropriate manner, such as machine-readable means in the case of content made publicly available online.
4. This Article shall not affect the application of Article 3 of this Directive.

Article 5. (Libraries)

....

(c) in respect of specific acts of reproduction made by publicly accessible libraries, educational establishments or museums, or by archives, which are not for direct or indirect economic or

commercial advantage, without prejudice to the exceptions and limitations provided for in Directive (EU) 2019/790 of the European Parliament and of the Council

Bulgaria

Law on Copyright and Neighboring Rights, 1993 (SG No. 56/1993, as amended up to December 13, 2019) (Bulg.), <https://wipolex.wipo.int/en/legislation/details/19460>

Article 24. - Permissible Free Use without Payment of Compensation (includes libraries)

The following shall be permissible without the consent of the copyright holder and without payment of compensation:

3. use of parts of published works or of not big number of works in other works in amount, necessary for analysis, commentary or other kind of scientific research; such use shall be permissible only for scientific and educational purposes, indicating the source and the name of the author, unless impossible;

...

9. Reproduction in necessary quantities of already published works by public libraries, schools or other educational establishments, museums and archives with educational or conservation purposes, provided this use will not serve commercial purposes.

(...)

11. Permitting access of natural persons to works in collections belonging to organizations referred to in item 9, provided this is done for scientific purposes and is not of commercial nature.

Art. 25 - Permissible Use Against Compensation

(1) The following shall be permissible without the consent of the copyright holder and against payment of compensation:

1 . Reproduction on paper or similar medium by reprographic or another analogous process of works with the exception of sheet music, and for no commercial purposes.

2. Reproduction of works on any medium made by a natural person for his private use and for no commercial purposes.

(2) The provision under paragraph 1, item 2 shall not refer to computer programs and works of architecture. The provisions of Art. 70. and Art.71 shall be applicable to computer programs.

Ghana

Copyright Act, 2005 (Act 690, 2005) (Ghana), <https://wipolex.wipo.int/en/text/148037>

Section 19. Permitted use of work protected by copyright

(1) The use of a literary or artistic work either in the original language or in translation shall not be an infringement of the right of the author in that work and shall not require the consent of the owner of the copyright where the use involves:

(a) the reproduction, translation, adaptation, arrangement or other transformation of the work for exclusive personal use of a person, if the user is an individual and the work has been made public,

(...)

(2) The permission under subsection (1)(a) shall not extend to reproduction

(a) of a work of architecture in the form of building or other construction;

(b) in the form of reprography of a whole or of a substantial part of a book or of musical work in the form of notation;

(c) of the whole or of a substantial part of a database in digital form; and

(d) of a computer program, except as provided in section 16.

Section 21. Permitted use of protected copyright work by library and archive

(1) A library and archive with activities that are not for gain may, without the authorisation of the author or other owner of copyright, make a single copy of the work by reprographic reproduction.

(2) A Reprographic reproduction under subsection (1) maybe made when the work reproduced is a published article, other short work or short extract of a work and where the purpose of the reproduction is to satisfy the request of an individual.

(3) The Library or archive shall under subsection (1) ascertain that the copy is to be used solely for the purpose of study, scholarship or private research.

(4) The Act Of Reproduction under subsection (1)shall be isolated case which shall occur separate and unrelated occasions and shall occur where

(a) there is no collective licence available under which copies can be made, or .

(b) the copy is made in order to preserve or replace a copy which has been lost,destroyedorrendetedunusablein the pennanentcoUection of similar library or archive if it is impossible to obtain the copy under reasonable conditions.

(5) Where a library or, archive requires more than a single copy of work by reprographic reproduction, the permission for this shall be obtained from the author, other owner of copyright or froman appropriate collective administration society authorised by the publisher.

(6) The Provisions of this section are subject to the interest of the publisher, author of the relevant collective administration society.

Samoa

Copyright Act, 1998 (Act No. 25 of 1998, as amended by Act No. 10 of 2011) (Samoa),
<https://wipolex.wipo.int/en/legislation/details/13393>

Section 6. Economic Rights

(1) Subject to the provisions of sections 8 to 15, the author or other owner of copyright shall have the exclusive right to carry out or to authorise the following acts in relation to the work:

(a) reproduction of the work;

Section 8. Private reproduction for personal purposes

(1) Despite section 6(1)(a), and subject to subsection (2), the private reproduction of a published work in a single copy shall be permitted without the authorisation of the author or owner of copyright, where the reproduction is made by a physical person exclusively for his or her own personal purposes.

(2) The permission under subsection (1) does not extend to reproduction:

(a) of a work of architecture in the form of building or other construction;

(b) of the whole or a substantial part of a data base;

(c) of a computer program, except as provided in section 13; and

(d) of any work in cases where reproduction would conflict with a normal exploitation of the work or would otherwise unreasonably prejudice the legitimate interests of the author or other owner of the copyright.

Section 8A. Reproduction for purposes of research or private study

(1) Despite section 6(1)(a), but subject to subsection (2), a person reproducing a work for the purposes of research or private study is not to be regarded as infringing any of the copyright in that work.

(2) Despite subsection (1), if a person reproducing the work knows or has reason to believe that it will result in copies of substantially the same material being provided to more than one person at substantially the same time, that person will not be regarded as reproducing the work for the purposes of subsection (1).

11. Reproduction by libraries and archives

Despite section 6(1)(a), any library or archive whose activities do not serve direct or indirect financial gain may, without the authorisation of the author or other owner of copyright, make, from time to time, a single copy of the work by reproduction:

(a) where the work reproduced is a published article, other short work or short extract of a work, and where the purpose of the reproduction is to satisfy the request of a physical person:

PROVIDED THAT:

(i) the library or archive is satisfied that the copy will be used solely for the purposes of study, scholarship or private research;

(ii) the act of reproduction is an isolated case occurring, if repeated, on separate and unrelated occasions; and

(iii) there is no collective licence available (that is, offered by a collective administration organisation of which the library or archive is or should be aware) under which such copies can be made; or

Switzerland

Federal Act of October 9, 1992, on Copyright and Related Rights (status as of April 1, 2020) (Switz.), <https://wipolex.wipo.int/en/text/567016> Note: The text below was machine translated

Article 19. Private use

1 Published works may be used for private use. Private use means:

- a. any personal use of a work or use within a circle of persons closely connected to each other, such as relatives or friends;
- b. any use of a work by a teacher and his class for educational purposes;
- c. the copying of a work in enterprises, public administrations, institutions, commissions and similar bodies for internal information or documentation.

2. Persons entitled to make copies of a work for private use may also have them made by third parties subject to paragraph 3; libraries, other public institutions and businesses that make copying apparatus available to their users are also deemed third parties within the meaning of this paragraph.⁹

3. The following are not permitted outside the private sphere defined in paragraph 1, letter a:¹⁰

- a. the complete or substantial copying of a work obtainable commercially;
- b. the copying of works of art;
- c. the copying of musical scores;
- d. the fixation of recitations, performances or presentations of a work on blank media.

3bis. Copies which are made by accessing works that are lawfully made available are neither subject to the restriction of private use under this Article nor are they included in the claims for remuneration under Article 20.¹¹

4. This Article does not apply to computer programs.

Article. 20 Remuneration for private use

1. The use of the work within a circle of persons under Article 19 paragraph 1 letter a does not give rise to a right of remuneration subject to paragraph 3.

2. Any person who reproduces works in any manner for private use under Article 19 paragraph 1 letter b or letter c, or any person who does so as a third party under Article 19 paragraph 2 owes remuneration to the author.

3. Any person who produces or imports blank media suitable for the fixation of works owes remuneration to the author for the use of the works under Article 19.

4 Claims for remuneration may only be asserted by the authorised collective rights management organisations.

Article 24d. Use of works for the purposes of scientific research

1. For the purposes of scientific research, it is permissible to reproduce a work if the copying is due to the use of a technical process and if the works to be copied can be lawfully accessed.

2. On conclusion of the scientific research, the copies made in accordance with this article may be retained for archiving and backup purposes.

3. This article does not apply to the copying of computer programs

Vietnam

Intellectual Property Law, 2005 (Law No. 50/2005/QH11 of November 29, 2005, on Intellectual Property) (Viet.), <https://wipolex.wipo.int/en/legislation/details/12011>

Article 25. (Permission and payment requirements)

Cases of use of published works where permission and payment of royalties and/or remunerations are not required:

1. Cases of use of published works where permission or payment of royalties and/or remunerations is not required include:

- a. Duplication of works by authors for scientific research or teaching purpose;
- b. Reasonable recitation of works without misrepresenting the authors' views for commentary or illustrative purpose;
- c. Recitation of works without misrepresenting the authors' views in articles published in newspapers or periodicals, in radio or television broadcasts, or documentaries;
- d. Recitation of works in schools for lecturing purpose without misrepresenting the authors' views and not for commercial purpose;

- e. Reprographic reproduction of works by libraries for archival and research purpose;
- f. Performance of dramatic works or other performing-art works in mass cultural, communication or mobilization activities without collecting any charges in any form;
- g. Audiovisual recording of performances for purpose of reporting current events or for teaching purpose;
- h. Photographing or televising of plastic art, architectural, photographic, applied-art works displayed at public places for purpose of presenting images of such works;
- i. Transcription of works into Braille or characters of other languages for the blind;
- j. Importation of copies of others' works for personal use.

Indonesia

Copyright Law, 2014 (Law of the Republic of Indonesia No. 28 of September 16, 2014, on Copyright) (Indon.), <https://wipolex.wipo.int/en/legislation/details/15600>

Note: The text below is machine translated. English version also available at: <https://wipolex.wipo.int/en/text/578071>

Article 44. (Use, retrieval, duplication, and amendment of a copyright work or a related right)

(1) The use, retrieval, duplication, and amendment of a copyright work or a related right in whole or in part is not considered as a violation of copyright if the source is stated or stated in full for the purposes of:

- a. education, research, writing scientific papers, preparing reports, writing criticisms or reviewing a problem without harming the reasonable interests of the Creator or Copyright Holder;

Article 46. (Private/personal use)

(1) A copy of personal interest in a Work that has been made an announcement can only be made as much as 1 (one) copy and can be done without permission of the Author or the Copyright Holder.

(2) The multiplication for personal interest as referred to in paragraph (1) does not cover:

- a. architectural works in the form of buildings or other construction;
- b. whole or substantial part of a book or musical notation;
- c. all or substantial part of the database in digital form;
- d. Computer Programs, except as referred to in Pasa! 45 paragraph (1); and
- e. Duplication for personal interests whose implementation is contrary to the reasonable interests of the Author or the Copyright Holder.

Article 47. (library or archives)

Any library or archival institution that is not for commercial purposes can make 1 (one) copy of a Work or portion of a Work without the author's permission or the Copyright Holder by:

a. Reprographic reproduction of writings that have been made Announcement, summarized or summarized to fulfill a person's request on the condition that:

1. The library or archive institution guarantees that the copy will only be used for educational or research purposes;

2. The multiplication is carried out separately and if it is repeated, the multiplication must be an unrelated event; and

3. no License is offered by the Collective Management Institute to the library or archive institution in respect of the duplicated part.

b. copying done for maintenance, replacement required copies, or replacement copy in case the copy is lost, damaged, or destroyed from the permanent collection at the library or other archive institutions provided that:

1. the library or archives may not acquire a copy in reasonable condition; or

2. the making of the copy is done separately or if it is done repeatedly, the making of the copy must be an unrelated event.

c. making copies intended for communication or exchange of information between libraries, between archive institutions, as well as between libraries and archival institutions.

Restrictions to Private Use

Andean Decision

Subregional Integration Agreement (Cartagena Agreement), Decision No. 351—Common Provisions on Copyright and Neighboring Rights of December 17, 1993 (Gaceta Oficial del Acuerdo de Cartagena, X—No. 145, of December 21, 1993), <https://www.wipo.int/edocs/lexdocs/laws/en/can/can010en.pdf>

Article 3. (Definitions: Private use)

For the purposes of this Decision:

....

“personal use” means the reproduction or other use of the work of another person, in a single copy, exclusively for an individual's own purposes, in cases such as research and personal entertainment.

Bangui Agreement

Agreement Revising the Bangui Agreement of March 2, 1977, on the Creation of an African Intellectual Property Organization, (Bangui (Central African Republic), OAPI), Feb. 24, 1999, https://www.wipo.int/edocs/lexdocs/treaties/en/oa002/trt_oa002_2

Member countries: Benin, Burkina Faso, Cameroon, the Central African Republic, Chad, the Comoros, the Congo, Côte d'Ivoire, Equatorial Guinea, Gabon, Guinea, Guinea-Bissau, Mali, Mauritania, the Niger, Senegal, and Togo.

Annex VII

Article 11. Free Reproduction for Private Purposes

(1) Notwithstanding the provisions of Article 9, and subject to those of paragraph (2) of this Article and those of Article 58, it shall be permitted, without the consent of the author and without payment of remuneration, to reproduce a lawfully published work exclusively for the private use of the user.

(2) Paragraph (1) shall not apply to

- (i) the reproduction of works of architecture in the form of buildings or other similar constructions;
- (ii) the reprographic reproduction of works of fine art in a limited quantity, the graphical presentation of musical works (scores) and exercise manuals and other publications used once only;
- (iii) the reproduction of the whole or of significant parts of databases;
- (iv) the reproduction of computer programs, except in the cases provided for in Article 18;
- (v) any other reproduction of a work that would prejudice the normal exploitation of the work or would cause unwarranted prejudice to the legitimate interests of the author.

Article 14. Reprographic Reproduction by Libraries and Archive Services

Notwithstanding the provisions of Article 9, a library or archive service whose activities are not directly or indirectly profit-making may, without the consent of the author or other holder of copyright, make individual copies of a work by means of reprographic reproduction,

- (i) where the work reproduced is an article or a short extract from a written work, other than a computer program, with or without illustration, published in a collection of works or in an issue of a newspaper or periodical, and where the purpose of reproduction is to meet the request of a natural person;
- (ii) where the making of such copy is for the purpose of preserving and, if necessary, in the event of it having been lost, destroyed or made unusable, replacing it or, for replacing a copy that has been lost, destroyed or rendered unusable in the permanent collection of another library or other archive service.

Benin

Copyright and Related Rights Law, 2006 (Law No. 2005-30 of April 5, 2006, relating to Copyright and Related Rights of the Republic of Benin), <https://wipolex.wipo.int/en/text/260895> Note: This country is also a Member of the Bangui Agreement.

Article 13. (Private/personal performance)

Where a work has been lawfully made accessible to the public, the author may not prohibit private performances thereof given exclusively within the family circle that do not generate any form of revenue, or given free of charge in a teaching establishment for strictly educational or academic purposes, for the benefit of staff, students and their families.

Article 14. (Private Use)

Where a work has been lawfully published, the author may not prohibit reproductions, translations or adaptations thereof intended for strictly personal and private use.

The preceding paragraph shall not apply to:

- the reproduction of works of architecture in the form of buildings or other similar constructions;
- the reprographic reproduction of an entire book or of a musical work in graphical form (scores);
- the reproduction of the whole or of significant parts of databases in digital form;
- the reproduction of computer programs, except in the cases provided for in Article 20 of the present Law;
- any other reproduction of a work that would prejudice the normal exploitation

of the work or would cause any prejudice to the legitimate interests of the author

Article 19. (Reprographic Reproduction by libraries and archives)

Notwithstanding the provisions of Article 4.2 of the present Law, a library or archive service whose activities are not directly or indirectly profit-making may, without the consent of the author or of any other holder of copyright, make individual copies of a work by means of reprographic reproduction:

- where the work reproduced is an article or a short work or a short extract from a written work other than a computer program, with or without illustration, published in a collection of works or in an issue of a newspaper or periodical, and where the purpose of reproduction is to fulfill the request of a natural person;
- where the making of such copy is for the purpose of preserving and, if necessary, replacing it in the event that it is lost, destroyed or rendered unusable, or for the purpose of replacing a copy that has been lost, destroyed or rendered unusable in a permanent collection of another library or archive service

Bosnia and Herzegovina

Copyright and Related Rights Law, 2010 (Bosn. & Herz.), <https://wipolex.wipo.int/en/text/227216>

Article 46. (Private and other Internal Reproduction)

(1) Without prejudice to the rights referred to in paragraph (1) of Article 36 of this Law, the reproduction of a disclosed work shall be free if only one copy has been made and if the conditions referred to in paragraphs (2) and (3) of this Article have been met.

(2) A natural person may reproduce a work freely:

a) on paper or similar medium, by means of photocopying or other photography technique making similar effect,

b) on any other media, provided that he does it for private use, provided that the copies are not intended for or accessible by the public and provided that such reproduction is not aimed at gaining direct or indirect economic advantage.

(3) Public archives, public libraries, museums and educational or scientific institutions may reproduce a work freely on any media for their internal use if they do it from their own copy and if they do not intend on gaining direct or indirect economic advantage by such reproduction.

(4) Unless otherwise provided by this Law or a contract, and independently of the provisions of paragraphs (1), (2) and (3) of this Article, the reproduction of the following shall not be permitted:

a) written works to the extent of the whole book – unless the copies of such book are out of print for a minimum of two years;

b) graphic editions of musical works (sheet music) – except by means of handwritten transcription,

c) electronic databases and computer programs,

d) works of architecture, in the form of building an architectural structure,

e) any work if such reproduction would be contrary to the ordinary exploitation of a work and detrimental to the legitimate interests of the author or copyright holder to an unreasonable extent.

Burkina Faso

Law on the Protection of Literary and Artistic Property, 1999 (Law No. 032-99/AN of December 22, 1999, on the Protection of Literary and Artistic Property) (Burk. Faso), <https://wipolex.wipo.int/en/text/188420>

Note: This country is also a Member of the Bangui Agreement.

Article 21. (Private/personal use)

Where a work has been legally disclosed, the author may not prohibit:

- private and gratuitous performances held exclusively within the family circle;
- copies or reproductions reserved strictly for the private use of the copier and not intended for collective use, with the exception of:
 - copies of the works of art or architecture to be used for purposes identical to those for which the original work was created;
 - the total or substantial reproduction of databases;
 - the reproduction of computer programs subject to the provisions under Article 23 below;
- the import of a copy of a work by a natural person for personal ends;
- parody, pastiche or caricature subject to the laws of the genre.

Cameroon

Law on Copyright and Neighbouring Rights, 2000 (Law No. 2000/011 of December 19, 2000) (Cameroon), <https://wipolex.wipo.int/en/text/125950>

Note: This country is also a Member of the Bangui Agreement.

Section 29. (Reproduction exception)

(1) Where the work was published with the authorization of the author, he may not forbid:

....

(c) reproductions and transformations in one copy for strictly personal and private use of the person who makes them, excluding any collective use or any exploitation for profit, except in the cases provided for in subsections (2) and (3) below;

(d) analysis, press reviews, short quotations justified by the critical, pedagogic, scientific or informative nature of the work on condition that they be accompanied by the indication of the "source" and the name of the author, if the name is contained in the source;

(2) The temporary reproduction of a work shall be allowed on condition that such reproduction:

(a) takes place during a digital broadcast of the work or a performance to expose a work stored digitally;

(b) is undertaken by an individual or corporate body authorized by the owner of the copyright or by law to carry out the transmission of the work or the act aimed at making it perceptible;

(c) is accessory to the transmission, is done under the normal conditions of use of the equipment and is automatically cancelled without allowing for the electronic recuperation of the work for purposes other than those provided for in (a) and (b) above.

(3) The restriction for private copies provided for in subsection (1) above shall not apply to:

(a) the reproduction of architectural works in the form of similar buildings or constructions;

(b) the reprographic reproduction of an entire book or musical piece in graphic form;

(c) the reproduction of databases or banks and software, unless as provided for in Section 36;

(d) any other reproduction of a work that violates the normal exploitation of the work or which will be unjustifiably detrimental to the legitimate interests of the author.

Central African Republic

Ordinance No. 85.002 of January 5, 1985, on Copyrights (Cent. Afr. Rep.), <https://wipolex.wipo.int/en/text/195238>

Note: This country is also a Member of the Bangui Agreement.

Chad

Law on the Protection of Copyright, Neighboring rights and Expressions of Folklore, 2003 (Law No. 005/PR/2003 of May 2nd, 2003) (Chad), <https://wipolex.wipo.int/en/text/260828>

Article 34. (Reproduction exceptions)

Where a work has been lawfully disclosed, the author may not prohibit

1. private performances given free of charge exclusively within the family circle;

2. copies or reproductions reserved strictly for the private use of the copier and not intended for collective use, with the exception of copies of works of art intended to be used for purposes identical to those for which the original work was created;

3.- On condition that the author's name and the source are clearly indicated:

(a) analyses and short quotations justified by the critical, polemic, educational, scientific or informative nature of the work in which they are incorporated;

Article 36. (library or archive)

As an exception to copyright, a library or archive service whose activities are not directly or indirectly profit -making may make individual copies of a work by means of reprographic reproduction:

1.- where the work reproduced is an article or a short work or a short extract from a written work other than a computer program, with or without illustration, published in a collection of works or in

an issue of a newspaper or periodical, and where the purpose of reproduction is to fulfill the request of a natural person;

2. - where the making of such copy is for the purpose of preserving the work and, if necessary, replacing it or for replacing a copy that has been lost, destroyed or rendered unusable in the permanent collection of another library or archive service.

Colombia

Copyright Law, 1982 (as amended by Law No. 44 of 1993 (February 5), Law No. 719 of 2001 (December 24) and Law No. 1403 of 2010 (July 19))(Colom.), <https://wipolex.wipo.int/en/text/506452>

The Andean Decision is a community legislation covering Colombia, Ecuador, Peru and Bolivia. This decision gives protection to intellectual property rights. This legislation is enforceable within the Colombian jurisdiction. See definition of private use.

The text below was machine translated.

Article 37. (private use)

It shall be lawful to reproduce, by any means, a literary or scientific work, such reproduction having been arranged or effected by the party concerned in one copy for his private use and without gainful intent.

Article 38. (public libraries)

Public libraries may reproduce for the exclusive use of their readers and when this is necessary for its conservation, or for the service of loans to other libraries, also public, a copy of protected works deposited in their collections or files that are found exhausted in the local market. These copies can also be reproduced, in a single copy, by the library that receives them in case it is necessary for their conservation, and for the sole purpose that they be used by your readers.

Article 44. (Use in private residence)

The use of scientific, literary and artistic works in a private residence without gainful intent shall be free.

Congo, Rep.

Law on Copyright and Neighbouring Rights, 1982 (Law No. 24/82 of July 7, 1982) (Congo), <https://wipolex.wipo.int/en/text/152625>

Note: This country is also a member of the Bangui Agreement.

Article 33. (Copyright exceptions)

Notwithstanding Article 28, the following uses of a protected work, either in the original language or in translation, shall be permissible without the author's consent:

1. In the case of a work that has been lawfully published:

(a) the reproduction, translation, adaptation, arrangement or any other transformation of such work exclusively for the user's own personal and private use;

....

5. The reproduction, by photographic or similar process, by public libraries, non-commercial documentation centers, scientific institutions and educational establishments, of literary, artistic or scientific works which have already been lawfully made available to the public, provided that such reproduction and the number of copies made are limited to the needs of their activities, do not conflict with the normal exploitation of the work and do not unreasonably prejudice the legitimate interests of the author.

Costa Rica

Law on Copyright and Related Rights, 1982 (Ley N° 6683, de 14 octubre de 1992, sobre el Derecho de Autor y Derechos Conexos, así reformada por la Ley N° 8834 de 3 de mayo de 2010) (Costa Rica), <https://wipolex.wipo.int/en/text/247913>

Article 74. (Private/personal use)

The reproduction of a didactic or scientific work is also free, carried out personally and exclusively by the interested party for their own use and without direct or indirect profit. This reproduction must be made in a single copy, typed or manuscript. This provision does not apply to computer programs.

Côte d'Ivoire

Law on Copyright and Related Rights, 2016 (Loi n° 2016-555 du 26 juillet 2016 relative aux droits d'auteurs et des droits voisins) (Côte d'Ivoire), <https://wipolex.wipo.int/en/text/436013>

Note: This country is also a member of the Bangui Agreement.

Article 24. (Private/personal use)

Art. 24. - When the work has been lawfully made available to the public, the author may not prohibit:

-private performances or performances performed exclusively in a family circle, if they do not give rise to any form of receipt;

- reproductions or copies intended for strictly personal and private use, and not used for collective use,

with the exception of copies of works of art intended to be used for fms identical to those for which the original work was created and computer programs, apart from backup copies, as well as copies or reproductions of an electronic database;

- translations and adaptations intended for strictly personal and private use, and not used for collective use;

-I parody, pastiche and caricature, taking into account the laws of the genre.

Czech Republic

Copyright Act, 2000 (Consolidated version of Act No. 121/2000 Coll., on Copyright and Related Rights and on Amendment to Certain Acts (the Copyright Act), as amended by Act No. 81/2005 Coll., Act No. 61/2006 Coll. and Act No. 216/2006 Coll.) (Czech), <https://www.wipo.int/edocs/lexdocs/laws/en/cz/cz043en.pdf>

Article 30 - Free Uses

(1) Not considered as exploitation of a work under this Act shall be its use for personal needs by a natural person without seeking to achieve direct or indirect economic benefit, unless otherwise specified herein.

(2) Copyright shall therefore not be infringed by anybody who for his own personal use makes a fixation, reproduction or imitation of a work.

(3) Unless otherwise stipulated herein, use under this Act shall also cover the cases where a computer program or an electronic database is used to serve a natural person to meet his personal needs or a legal person or sole trader for their own internal use, including the making of reproductions of such works for such needs and uses; use under this Act shall likewise cover the cases where a reproduction or imitation of an work of architecture is made in the form of a building also to serve a natural person for his personal use or a legal person or sole trader for their own internal use (Article 30a) and where a fixation of an audiovisual work is made while it is performed from a fixation or during its transmission (Article 20) also to meet the personal needs of a natural person.

(4) A reproduction or imitation of a work of fine arts made from a natural person's personal use in accordance with Paragraph (1) above shall always be visibly designated as such.

(5) A reproduction made for personal use by a natural person in accordance with Paragraph (1) above may not be used for any purpose other than indicated therein.

(6) The provision contained in Paragraph (1) shall be without prejudice to the provisions of Articles 25, 43 and 44.

Article 30a - Reproduction on Paper or Other Similar Base

(1) Copyright is not infringed by:

- a) a natural person who for its own personal use,
- b) a legal person or a sole trader who for their own internal use,
- c) anybody, who upon order, for personal use by a natural person,
- d) anybody, who upon order, for a legal person's or a sole trader's own internal use

makes a printed reproduction of a work on paper or other similar base by the photographic technique or by any other process with similar effects, except where a printed reproduction is made of the musical notation of a musical work or musical – dramatical work and where – in cases under Clauses (c) and (d) above – the remuneration is paid in a regular and timely manner in accordance with Article 25.

(2) Provisions of Article 30 (4) to (6) shall apply mutatis mutandis.

(...)

Article 25. - Right to Remuneration in Connection with Reproduction of Work for Personal Use and for Legal Person's Own Internal Use

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Democratic People's Republic of Korea

Copyright Law of the Democratic People's Republic of Korea, 2001 (adopted by Decree No.2141 of the Presidium of the Supreme People's Assembly on March 21, 2001, as amended by Decree No. 1532 of February 1, 2006, of the Presidium of the Supreme People's Assembly) (N. Kor.), <https://wipolex.wipo.int/en/text/226323>

Article 32. Use of copyrighted work without permission

A copyrighted work may be used without the permission of the copyright holder in the following cases:

1. when a copyrighted work is reproduced or translated for use by an individual or within the family;
2. when a copyrighted work is reproduced for the purposes of preserving, displaying, reading or lending in such places as a library, an archives, a museum or a memorial hall;

....

6. when a copyrighted work is quoted;

Denmark

Consolidated Act on Copyright 2014 (Consolidate Act No. 1144 of October 23, 2014, on Copyright) (Den.), <https://wipolex.wipo.int/en/text/546839>

Section 12. Reproduction for Private Use

12.(1) Anyone is entitled to make or have made, for private purposes, single copies of works which have been made public if this is not done for commercial purposes. Such copies must not be used for any other purpose.

(2) The provision of subsection (1) does not provide the right to

(i) construct a work of architecture;

(ii) make a copy of a work of art by casting, by printing from an original negative or base, or in any other manner implying that the copy can be considered as an original;

(iii) make copies of computer programs in digitized form;

(iv) make copies in digital form of databases if the copy is made on the basis of a reproduction of the database in digital form; or

(v) make single copies in digital form of other works than computer programs and databases unless this is done exclusively for the personal use of the copying person himself or his household.

(3) Notwithstanding the provision in subsection (2) (v), it is not permitted without the consent of the author to produce copies in digital form on the basis of a copy that has been lent or hired.

(4) The provision of subsection (1) does not confer a right to engage another person to make copies of

(i) musical works;

(ii) cinematographic works;

(iii) literary works if the other person assists for commercial purposes;

(iv) works of applied art; or

(v) works of art if the copying is in the form of an artistic reproduction.

(5) The provision of subsection (1) does not entitle the user to make copies of musical works and cinematographic works by using technical equipment made

Section 16 a. Archives, Libraries and Museums

(1) Published works may be made available to individuals at the institutions specified in section 16 (1) for personal viewing or study on the spot by means of technical equipment.

(2) Notwithstanding the provisions of subsection (1), copies that are made or deposited pursuant to the Act on Legal Deposit may only be made available at the Royal Library, the State and University Library and the Danish Film Institute for separate individual persons.

(3) The institutions named in subsection (2) may communicate and hand over legal deposited copies of works that have been broadcast on radio and television, films and works published on

electronic communication networks, for research purposes, if the work cannot be acquired through general trade. Such copies may not be used in any other way.

Section 23. Use of Works of Fine Art, etc.

(1) Works of art and works of a descriptive nature, cf. section 1(2), which have been made public may be used in critical or scientific presentations in connection with the text in accordance with proper usage and to the extent required for the purpose. Reproduction is not allowed for commercial purposes.

Djibouti

Law on the Protection of Copyright and Neighboring Rights, 2006 (Law No. 154/AN/06 of 23 July 2006) (Djib.), <https://wipolex.wipo.int/en/text/260882>

Article 54.- Limitations to copyright

Notwithstanding the provisions of Article 10, the following uses of a protected work shall be permissible without the author's consent in the case of a protected work that has been lawfully published:

(a) the reproduction, translation, adaptation, arrangement or other transformation of such a work exclusively for the producer's own personal or private use;

(b) the inclusion of non-substantial quotations from another work, including quotations from newspaper articles and periodicals in the form of press summaries, provided that such quotations are compatible with fair practice and their extent does not exceed that justified by the purpose, and the source and the name of the author of the cited work are mentioned in the work in which the quotation is included;

....

(e) The reproduction by a photographic or similar process by public libraries, noncommercial documentation centers, scientific institutions and educational establishments, of literary, artistic or scientific works which have already been lawfully made available to the public, provided that the number of copies made is limited to the needs of their regular activities and that such reproduction does not conflict with the normal uses of the work nor unreasonably prejudices the legitimate interests of the author;

Article 57.- Reproduction license

If, after the expiration of a period of five years, a literary, scientific or artistic work published in print or as an audiovisual reproduction or in any other analogous form of reproduction has not offered for sale at a price comparable to that in use for similar works, in the Republic of Djibouti to satisfy the requirements of the general public or school and university teaching and research, any national of the Republic of Djibouti may obtain a non-exclusive license from the Ministry responsible for culture to reproduce and publish the work for school teaching and university

requirements. The same shall apply if all previous editions of a work are out of print. The owner of the right of reproduction shall receive compensation that is fair and equitable.

Dominican Republic

Copyright Law, 2000 (Law No. 65-00 on August 21, 2000) (Dom. Rep.),
<https://wipolex.wipo.int/en/text/275676>

Article 37. (Private/personal use)

It shall be lawful to reproduce once and in a single copy a literary or scientific work for personal use and not for profit-making purposes, without prejudice to the right of the right holder to obtain equitable remuneration for the reprographic reproduction or for the private copying of a sound or audiovisual recording, in the manner established under the Regulations. Computer programs shall be governed by the guidelines expressly established in the special provisions of this Law relating to such works.

Egypt

Law on the Protection of Intellectual Property Rights, 2002 (Law No. 82 of 2002) (Egypt),
<https://wipolex.wipo.int/en/text/126540>

Article 171. (Reproduction exceptions)

Without prejudice to the moral rights of the author under this Law, the author may not, after the publication of the work, prevent third parties from carrying out any of the following acts:

....

(2) Make a single copy of the work for one's exclusive personal use, provided that such a copy shall not hamper the normal exploitation of the work nor cause undue prejudice to the legitimate interests of the author or copyright holders;

....

(8) Making a single copy of the work, through the intermediary of a documentation and archiving center or through a bookshop not aiming at making any direct or indirect profit, and provided that:

- where the reproduced work is a published article, a short work or an extract of a work, the aim of reproduction is to satisfy the needs of a natural person, the copy will be used only for study or research purposes, and that a single copy is made on different occasions;

El Salvador

Law on the Promotion and Protection of Intellectual Property Rights, 1993 (Decreto no. 604, modificado por el Decreto Legislativo N° 611, de 15 de febrero de 2017) (El Sal.) ,
<https://wipolex.wipo.int/en/text/455849>

Article 45. (Copyright exceptions)

Regarding works already lawfully disclosed, it is allowed without authorization of the author or remuneration:

- a) The reproduction of a copy of the work for the personal and exclusive use of the user, made by the interested party with his own means, provided that it does not attempt against the normal exploitation of the work, nor does it cause unjustified damage to the interests legitimate of the author;
- b) Photomechanical reproductions for exclusive personal use, such as photocopying and microfilm, provided they are limited to small parts of a protected work or works sold out. Any use of the reproduced pieces is equated with the illegal reproduction by any means or procedure, for a different use of the personnel that is made in concurrence with the author's exclusive right to exploit his work;

Eritrea

Provisional Commercial Code of Eritrea and Provisional Civil Code of Eritrea of 1993 (Extracts relating to Intellectual Property rights) (Eri), <https://wipolex.wipo.int/en/text/244453>

Article 1656. Private performances free of charge.

The author may not forbid private performances of his work given free of charge at a family gathering or in a school.

Art. 1660. Limitation of speeches or articles.

- (1) The author cannot forbid analyses and press reviews of his work.
- (2) Copies or reproductions of the work made in a single copy shall be permitted where they are intended for private use only.

Ethiopia

Copyright and Neighboring Rights Protection Proclamation (Proclamation No. 410/2004) (Eth.), <https://wipolex.wipo.int/en/text/174729>

Article 9. Reproduction for Personal Purposes

- 1. Notwithstanding the provisions of Article 7 (IXa) of this Proclamation, the owner of copyright cannot forbid private reproduction, of a published work in a single copy by a physical person exclusively for his own personal purposes.
- 2/ The provisions of Sub-Article (I) of this Article shall not extend to reproduction;
 - a) of a work of architecture in the form of a building or other construction;
 - b) of musical work in the form of notation; or of the original or a copy made and signed by the author of a work of fine art.

- c) of the whole or a substantial part of a database in digital form; ' .
- d) of a computer program except as provided in Article 14 of this Proclamation; or
- e) which would conflict with or unreasonable harm the normal exploitation of the work or the legitimate interest of the author.

Article 12. Reproduction by Libraries, Archives and Similar Institutions

1) Notwithstanding the provision of Article 7 (1) (a) of this Proclamation, the owner of copyright cannot forbid a reproduction of a work by a library, archive, memorial hall, museum or similar institutions whose activity directly or indirectly is not for gain.

2) A library or archive can make a reproduction of a published Article, short work or short extract of a work to satisfy the request of a physical person, provided that:

- a) the library or archive is satisfied that the copy will be used solely for the purpose of study, scholarship or private research,
- b) the act or reproduction is an isolated case occurring, if repeated, on separate and unrelated occasion, and
- c) there is no available administrative organization which the educational institution is aware of, which can afford a collective license of reproduction.

32. Limitations of right

The rights referred to in Articles 26-31 shall not apply to acts related to:

....

- b) reproduction solely for scientific research;

Fiji

Copyright Act, 1999 (Fiji), <https://wipolex.wipo.int/en/text/179081>

Section 42. Research or private study

(1) Copying a work for the purposes of research or private study by an individual does not infringe copyright in a literary, dramatic, musical or artistic work, unless there is a collective licence available of which the individual is or should be aware under which the copying can be done.

(2) For the avoidance of doubt, it is declared that copying a published edition for the purposes of research or private study by an individual does not infringe copyright in either the typographical arrangement of the edition or in any literary, dramatic, or musical work or part of a work in the edition.

(3) In relation to-

- (a) a literary, dramatic, or musical work that is contained in a book by one author; or
 - (b) a published edition that is a book by one author, copying for the purposes of research or private study by an individual is limited to the making of one copy of the same work, or the same part of a work, on any one occasion.
- (4) In relation to-
- (a) a literary, dramatic, or musical work that is contained in an article in a periodical;
 - (b) a published edition that is an article in a periodical, copying for the purposes of research or private study by an individual does not include copying for the purposes of research or private study the whole or part of the work or edition if another article dealing with a different subject matter is copied, on the same occasion, from the same issue of the periodical; but in any other case, includes copying for the purposes of research or private study by an individual the whole or part of the work or edition and any artistic work included in the whole or part.
- (5) In relation to a literary, dramatic, or musical work or a published edition, other than a work or edition to which subsection (3) or subsection (4) applies, copying for the purposes of research or private study by an individual includes copying for the purposes of research or private study not more than 10% of the work or edition and any artistic work included in that 10%.
- (6) Except as provided in subsections (3) to (5), copying a work for the purposes of research or private study by an individual may include copying for the purposes of research or private study the whole or part of the work.
- (7) In determining, for the purposes of subsection (6), whether copying is for the purposes of research or private study by an individual, a court must have regard to-
- (a) the purpose of the copying;
 - (b) the nature of the item copied;
 - (c) whether the item could have been obtained within a reasonable time at an ordinary commercial price;
 - (d) the effect of the copying on the potential market for, or value of, the work; and
 - (e) where part of an item is copied - the amount and substantiality of the part copied taken in relation to the whole item.
- (8). This section does not apply to a literary work that is a computer program.

Section 43. Exemption from copyright infringement

- (1) Copying by a school referred to in subsection (2) for the purposes of research or private study by an individual does not infringe copyright in a literary, dramatic, musical or artistic work, unless

there is a collective licence available of which the school is or should be aware under which the copying can be done.

2) A school referred to in subsection (1) includes:

- (a) a kindergarten;
- (b) a primary school;
- (c) an intermediate school;
- (d) a secondary school;
- (e) a special school.

(3) For the purposes of subsection (1) copying for purposes of research or private study means:

- (a) the whole or part of a literary, dramatic, musical or artistic work is copied for supply to any student or staff member of the school;
- (b) the school supplies no more than one copy of the copied material to any student or staff member of that school: and
- (c) if any student or staff member is required to pay for a copy, the payment required is no higher than the cost of production of the copy together with a reasonable contribution to the general expenses of the school.

(4) Subsection (1) does not apply to a literary work that is a computer program.

Article 49. Copying by librarians of parts of published works

(1) The librarian of a prescribed library may, if the conditions contained in subsection (2) are complied with make from a published edition, for supply to another person-

- (a) in relation to a literary, dramatic, or musical work contained in a book by one author, not more than one copy of a short excerpt from the work;
- (b) in relation to a literary, dramatic, or musical work other than-
 - (i) a work contained in a book by one author; or
 - (ii) an article in a periodical, not more than one copy of a short excerpt of each author's work and any artistic work included in that work, without infringing copyright in the literary, dramatic, musical or artistic work or the typographical arrangement of the published edition.

(2) The conditions referred to in subsection (1) are-

- (a) that a copy is supplied only to a person who satisfies the librarian that the person requires it for the purposes of research or private study;

(b) that a copy must be supplied only to a person who satisfies the librarian that the requirement is not related to any similar requirement of another person;

(c) that no person is supplied on the same occasion with more than one copy of the same material;

(d) if a person to whom a copy is supplied is required to pay for it, the payment required is no higher than the cost of production of the copy together with a reasonable contribution to the general expenses of the library; and

(e) that there is no collective licence available of which the librarian is or should be aware under which the copying can be done.

(3) Subsection (1) does not apply to a literary work that is a computer program.

Finland

Copyright Act, 1961 (Act No. 404 of July 8, 1961, as amended up to 608/2015),
<https://wipo.lex.wipo.int/en/legislation/details/17810>

Note: The text below was machine translated. Section 12(1). Production of copies of works for private use

From published works, each person can produce individual copies for their individual use. Copies made in this way may not be used for other purposes.

Production of copies for the client's individual use may also be commissioned by outsiders

The statutes do not apply to the production of copies of musical works, film works, utensils or sculptures, nor the reproduction of other works of art through artistic process.

This section does not apply to computer programs in machine-readable form or construction work.

This section does not apply to computer programs in machine-readable form, production of machine-readable copies of databases in machine-readable form or construction work.

Section 14. Use of works in teaching and scientific research

Under a contractual license, as provided in section 26, a published work may be made into copies for use in teaching or scientific research and used for that purpose for communication to the public by means other than radio or television transmission. What is provided in this subsection does not apply to the production of a piece by photocopying or similar methods.

In teaching activities, direct recording of sound or images may be used to make copies of a published work presented by a teacher or student for temporary use in teaching activities. The piece thus made may not be used for any other purpose.

Parts of the published work or, if the work is not extensive, the entire work may be taken for a matriculation examination or other similar examination.

What is provided in subsection 1 in respect of a work other than that broadcast on radio or television does not apply to a work whose author has prohibited the production of a copy or the transmission of a work.

Gabon

Law on the Establishment of the Protection for Copyright and Neighboring Rights, 1987 (Law No. 1/87 of July 29, 1987) (Gabon), <https://wipolex.wipo.int/en/text/362136>

Note: This country is also a member of the Bangui Agreement.

Article 33. (Private/personal use)

When the work has been lawfully made available to the public, the author may not prohibit: communications such as performance, execution, diffusion:

- where they are private, made exclusively within a family circle and generate no receipts of any kind;

- if they are made free of charge for strictly educational or welfare purposes or during a religious service in premises reserved for that purpose;

reproductions, translations and adaptations intended for strictly personal and private use.

Greece

Law on Copyright, Related Rights and Cultural Matters, 1993 (Law No. 2121/1993, as amended up to Law No. 4281/2014) (Greece), <https://wipolex.wipo.int/en/legislation/details/18205> Note: The text below was machine translated.

Article 18. Reproduction for private use

1. Without prejudice to the following paragraphs, without the permission of the author and free of charge, the reproduction of a work that has been legally published, provided that the reproduction is done for private use of the one who makes it. It is not private use, use in the context of a business or service or organization.

2. The freedom of reproduction for private use does not apply when reproduction the normal operation of the project is hindered or the legitimate interests of creators and in particular: a) when architectural work is reproduced in the form of a building or other similar construction, b) when reproduced, by technical means, work of arts, released in limited numbers or the graphic performance of a musical work.

3. If they are used for the free reproduction of the project for private use technical means, such as audio or video recording devices or audio and video, magnetic tapes or other material providers suitable for audio or video or audio and video playback, which include digital copying materials, in particular CD-RW, CD-R, DVDs and other storage devices with a capacity of more than 4GB, computers, portable electronic devices - tablets, smartphones devices or components regardless

of whether or not they work electronically computers and are used for digital copying, transfer or otherwise playback, photocopiers and paper suitable for photocopiers, scanners and printers, due to reasonable remuneration to the creator of the project and to the present provision of beneficiaries of kinship rights, with the exception of the items to be exported. The reasonable fee is determined as follows:

a) The fee for computers, portable electronic devices - tablets, and smartphones are set at 2% of their value. Remuneration is distributed to intellectual creators, performers or performers artists, to producers of magnetic tapes or other written materials audio or video or audio and video carriers and print publishers.

The distribution of the percentages of the reasonable fee on the technical means of the previous one paragraph in the collective management organizations of each category or subcategory beneficiaries, as well as the manner of collection and payment are determined in accordance with provided for in paragraph 9.

b) The fee for audio or video or audio and video recording devices, magnetic tapes or other material carriers suitable for audio or video or audio playback and image, hardware digital copy and other storage media capacity over 4GB, as well as the fee for devices or components independently whether or not they work with computers and are used for digital copying, transfer or otherwise reproduction is set at 6% of the value.

Remuneration for digital copying materials and other storage media, as well as for devices or components regardless of whether they work as a function or not with computers and are used for digital copying, transfer or otherwise reproduced, distributed to collective management organizations that represent the beneficiaries of the copyright and related rights with the procedure set out in paragraph 9. Remuneration for audio recorders or image or sound and image, magnetic tapes or other material carriers suitable for it audio or video or audio and video playback is distributed by 55% in the spiritual creators, 25% to performers or performers and 20% to producers written magnetic tapes or other written material of sound or image or sound carriers and image.

c) The fee for photocopiers, scanners, printers and paper suitable for photocopies is set at 4% of their value. The fee is divided in half between intellectual creators and publishers. In the sense of Photocopiers also include any multi-machine, which has the photocopy reproduction capability. In any case from the above the value is calculated at the time of import or disposal by the factory. The fee paid by importers or producers of these items, is listed on the invoice and collected by collective management organizations that operate with the approval of the Minister of Culture and Sports and cover in whole or partly the interested category of beneficiaries.

4.a) Whoever imports or acquires intra-Community or produces and has technical means and / or paper suitable for photocopies which, in accordance with paragraph 3, are subject to payment reasonable fee, is required within thirty (30) days from the end of each calendar quarterly to declare in writing and responsibly according to law 1599/1986 (A '75) to the OPI:

aa) the quantity and the total value of the technical means and / or paper suitable for photocopies that he occasionally imported or acquired intra-Community or produced and distributed during the immediately preceding calendar quarter by category and type of technical medium and

bb) that this is indeed the quantity and total value without any concealment.

b) Every collective management body has the right to request at any time any debtor, by notifying him of a relevant written invitation, to declare in writing and responsibly according to him. 1599/1986 to OPI:

aa) the quantity and total value of the technical means and / or paper suitable for photocopy by category and type of technical means in detail which, according to paragraph 3, are subject to the payment of a reasonable fee and which, as the case may be introduced or acquired intra-Community or produced and disposed of,

bb) that this is indeed the quantity and total value without any concealment. Into one (1) month from the notification of the relevant invitation, the debtor is obliged to submit to OPI the above responsible statement signed by him, when it is a sole proprietorship, or by its statutory representative, when it is a company.

5. If the debtor does not comply with the obligation to submit its responsible declaration paragraph 4, the Single Member Court of First Instance, which adjudicates in the proceedings precautionary measures, orders the one who has been called for immediate submission of the person in charge statement, with the conviction, in any case of non-compliance, a fine in favor of the applicant collective management body, three thousand (3,000) to thirty of thousands (30,000) euros, according to par. 2C of article 54 of law 4481/2017.

6. Each collective management organization, at its own expense, is entitled to claim it checking the accuracy of the content of any responsible statement by a juror auditor, appointed by the OPI. In case of refusal of the debtor to accept him above control, its execution is ordered by the Single Member Court of First Instance, according to as defined above. The respective report of the certified auditor is submitted to OPI and each collective management body is entitled to receive a copy thereof. The implementation re-examination at the request of other collective management bodies for the same statement no way.

7. The rights of collective management organizations referred to in previous paragraphs have each other and all the companies that import, produce, possess or sell technical means and material bodies subject to remuneration of this article. In the case of a statutory auditor, the relevant expenditure is borne by the company that requested its execution.

8. In the event that the payer is liable for the payment of the reasonable fee importer, whether it is an import or an intra-Community acquisition of the mentioned ones in paragraph 3 of audio or video or audio and video equipment or other techniques means, the fee is calculated on the value indicated in the invoice of the foreign company, and the note provided for in this article shall be made on the invoice invoice for the disposal of such material bodies and technical means and states that in disposal price includes the fee calculated on the above value. The fee becomes required three (3) months from the introduction.

9. When there are more organizations in the same category or subcategory of beneficiaries collective management and the agreement on the distribution of its share between them reasonable distribution has not been achieved until April 1 of each year, the distribution of percentages of this reasonable fee to the collective management organizations of each category or subcategory of beneficiaries, the method of collection and payment, as well as each another relevant detail is determined by a decision of the OPI. The decision of OPI formed in accordance with the views of the collectives concerned management, good faith, transactional ethics and the practices followed in international and community level. Collective management organizations that do not agree with the decision of the OPI, may be requested by the Single Member Court of First Instance, against the procedure of precautionary measures, to determine another distribution, but the debtors are required to pay the collective management organizations a reasonable fee based on the decision of OPI. This payment implies repayment and release their.

10. Foreign companies, not established in Greece, that have been specially licensed in accordance with paragraph 4a of article 29 of the Customs Code (Law 2960/2001, A '265), as introduced by Law 4132/2013 (A '59) and the Ministerial Decision 1126 / 12.6.2013 (B '1420), are not liable for the payment of the above reasonable fee for the products they import under the regime of suspension of payment of the debt VAT The reasonable remuneration owed to the beneficiaries is paid by the former installed inside the buyer's country acquiring the products from licensed, in accordance with paragraph 4a of Article 29 of the Customs Code, foreign companies in order to distribute them domestically and noted as a percentage and amount in the tax item issued by the above companies against the delivery of the above products within the country and is collected by collective management organizations, as defined in this article. The above companies are obliged to notify the beneficiary collective management organizations details of their deliveries within the country, in full buyer details, quantity, value, item code, date of purchase and any another item deemed necessary for the collection of the fee, with quarterly statements, in accordance with paragraph 8. By decision of the Minister of Culture and Sports details relating to the application of this paragraph may be regulated.

11. Collective management bodies must provide and post to their website a short and effective process of refunding the reasonable fee, the which they have received on the technical means provided for in paragraph 3, if: An application is submitted by a company or professional and the applicant proves that these means obviously intended for use other than reproduction for private use. Request return is only submitted by a business or professional and not by third party importers or traders. The process of refunding the reasonable fee provides, inter alia, for which collective management body will apply for each of them cases a 'to c' of paragraph 3 (as amended by a. 37 par. 1 of n. 4540/2018).

Without prejudice to the second subparagraph, the provisions of paragraph 1 shall apply retroactively from the entry into force of v. 4481/2017 (A '100). For those at the entry into force of this pending lawsuits concerning article 18 of law 2121/1993 and until the issuance of irrevocable Article 18 of Law 2121/1993, as in force until the amendment, continues to apply with paragraph 1.

Article 22: Libraries and archives

1. The reproduction of one copy is allowed, without the permission of the creator and without remuneration additional copy from non-profit libraries or files, which have a copy project in their permanent collection in order to maintain this copy or to transfer to another, non-profit, library or file. Reproduction is permitted only if it is impossible to obtain such a copy from the market in a short time and in reasonable terms.

2. The public lending of works is allowed, without the permission of the creator and without remuneration from the libraries of public primary educational institutions and secondary education (school libraries) as well as academic libraries that are members of the Association of Greek Academic Libraries.

Guinea

Copyright and Neighboring Rights Law, 1980 (Act No. 043/APN/CP of August 9, 1980) (Guinea), <https://wipolex.wipo.int/en/text/328659>

Note: This country is also a member of the Bangui Agreement.

Article 10. (Private/personal use)

Where the work has been lawfully made available to the public, the author may not prohibit:

...

(ii) reproductions, translations and adaptations or collections of works which, by reason of the choice intended for strictly personal and private use;

Honduras

Law on Copyright and Related Rights, 1999 (approved by Decree No. 4-99-E, as amended by Decree No. 16-2006) (Hond.), <https://wipolex.wipo.int/en/text/234858>

Article 47. (private/personal use)

Regarding copies of lawfully acquired works by a person, it is allowed without authorization of the author or remuneration, reproduction of a copy of the work for the personal and exclusive use of that person, made by him, with his own means, provided that happens in special cases, that does not attempt the normal exploitation of the work or cause unjustified damage to the author's legitimate interests.

Article 48. (private/personal use)

Photomechanical reproductions are also legal for exclusive personal use, such as photocopying and micro-filming whenever limit them to small parts of a protected work or to exhausted works.

Article 49. (Public libraries)

When it is not possible to acquire a copy under reasonable conditions, public libraries may reproduce for the exclusive use of their readers and when this is necessary for their preservation and for the service of loans to other public libraries, a copy of protected works deposited in their File collections that are out of print. These copies may also be reproduced, in a single copy, by the library that receives them if it is necessary for their preservation, and for the sole purpose of being used by its readers, provided that the act of reproduction reprographic is an isolated case that, if repeated, occurs on isolated and unrelated occasions.

Iceland

Copyright Act, 1972 (Copyright Act No. 73/1972 of May 29, 1972, as amended up to Act No. 90/2018 of June 27, 2018) (Ice.), <https://wipolex.wipo.int/en/legislation/details/18497>

Note: The text below was machine translated. Article 1. (literary or artistic works)

The author of a literary or artistic work shall have proprietary right thereto with the limitations stated in this Act.

Literary and artistic works shall include any oral or written text, a dramatic work, musical composition, work of visual art, architecture, cinematography, photography or applied art, or other comparable art form, by whatever method and in whatever form it is presented.

Maps, drawings, casts, models and other similar devices, presenting information or explanations on subjects, shall enjoy protection in the same manner as literary works. [The provisions of the third paragraph shall also apply to computer programs.]

Article 11. (Private/personal use)

Individuals may make copies of published work for personal use only, provided it is not for financial purposes. Such copies may not be used for any other purpose.

Paragraph 1 do not grant the right to:

1. construction of works by works protected by the rules of architecture;
2. reproduction of works that are protected by the rules of sculpture, art or drawing if the assistance of other persons is sought;
3. the reproduction of protected works and literary works is sought by the assistance of persons who undertake such reproductions for commercial purposes;
4. copy of protected computer programs,
5. reproducible machine-readable database

Article 12. (public archives, public libraries, museums, etc)

Public archives, public libraries, university books, museums and other libraries benefiting from public grants in their activities, other public libraries and museums subject to museums are authorized to make copies of:

1. works for safety and preservation purposes;
2. works in the missing part, which is considered a minor part in the work as a whole, and are unavailable in the general market and with the issuer; authorizes the making of copies accordingly provisions only for those parts of the work that are missing in the copy of the relevant collection;
3. works that a collection is required by law to own in its collection and which are unavailable in the general market and by the publisher;
4. works when their originals are too sensitive to lend and are unavailable in the general market and with the issuer.

Authorization for copy making according to Art. Paragraph 1 is limited to the fact that the copies are for use only in the activities of the museums and that the copying is not made for financial purposes. However, libraries are authorized to issue copies of copies copied under Art. 2 to 4. Art. Paragraph 1.

Iran (Islamic Republic of)

Copyright Law, 1970 (Act for Protection of Authors, Composers and Artists Rights, January 12, 1970, Translation and Reproduction of Books, Periodical and Phonograms Act, December 26, 1973) (Iran), <https://wipolex.wipo.int/en/text/197798>

Article 8. (Libraries)

Public libraries, documentation centers, scientific institutions and educational establishments, which are noncommercial, may reproduce protected works by a photographic or similar process, in the numbers necessary, for the purposes of their activities, according to a decree to be issued by the Board of Ministers.

Article 11. (Private/personal use)

Reproduction of works protected by this law, as mentioned in Article 2, section 1, and the recording of radio and television programmes are permissible, but only for private and noncommercial use.

Italy

Law for the Protection of Copyright and Neighboring Rights, 1941 (Law No. 633 of April 22, 1941, as amended up to Decree-law No. 64 of April 30, 2010) (It.), <https://wipolex.wipo.int/en/legislation/details/13133>

Note: The text below was machine translated. Article 64 sexies. (Exceptions to Database Protection)

1. The authorization by the right holder provided for in art. 64-quinquies shall not be required in the following cases:

a) where the database is accessed and visualized for the sole purpose of illustration for teaching or scientific research, as long as the source is indicated and to the extent justified by the non-commercial purposes to be achieved. Within the above activities of access and visualization, the possible operations of permanent reproduction of the contents in whole or in a large part on any other carrier shall always be subject to the rightholder's authorization:

b) when using a database for the purposes of public security or as a consequence of administrative or judicial procedures.

Article 68. (Reproductions of works)

1. The reproduction of single works or pieces of works for readers' personal use is free, either by hand or with means of reproduction unsuitable for selling or distributing the work to the public.

2. The photocopy of existing works in public or school libraries, in public museums or in public archives, made by the aforementioned bodies for their services, is free, without any direct or indirect economic or commercial advantage.

3. Without prejudice to the prohibition of the reproduction of scores and musical scores, the reproduction for personal use of intellectual works by means of a photocopy is allowed, within the limits of fifteen percent of each volume or periodical dossier, excluding advertising pages. , xerocopia or similar system.

4. The managers of the reproduction points or centers, who use in their own field or make available to third parties, even free of charge, apparatus for photocopying, xerocopia or similar reproduction system, must pay compensation to the authors and editors of the works of the 'published ingenuity for the prints that, through these devices, are reproduced for the uses foreseen in paragraph 3. The measure of said remuneration and the methods for collection and distribution are determined according to the criteria set by art. 181- ter of this law. Unless otherwise agreed between the SIAE and the associations of the categories concerned, this compensation cannot be lower for each page reproduced than the average price per page recorded annually by ISTAT for books.

5. Reproductions for personal use of existing works in public libraries, made within them with the means referred to in paragraph 3, may be made freely within the limits established by the same paragraph 3 with payment of a lump-sum fee in favor of those entitled pursuant to paragraph 2 of article 181- ter , determined pursuant to the second sentence of paragraph 1 of the same article 181- ter. This fee is paid directly by the libraries every year, within the limits of the revenues collected for the service, without additional charges to be borne by the state budget or by the entities on which the libraries depend. The limits referred to in paragraph 3 do not apply to works outside the publishing and rare catalogs as they are difficult to find on the market.

6. The sale to the public of the copies referred to in the preceding paragraphs and, in general, any use in competition with the rights of economic use due to the author is prohibited.

Article 70. (Quotation, research)

1. The summary, the quotation or the reproduction of passages or parts of the work and their communication to the public are free if made for the use of criticism or discussion, within the limits justified by these purposes and provided that they do not constitute competition for use economic of the work; if carried out for teaching or scientific research purposes, use must also take place for illustrative and non-commercial purposes.

1-bis. The free publication through the Internet is allowed, free of charge, of low resolution or degraded images and music, for educational or scientific use and only if such use is not for profit. By decree of the Minister for Cultural Heritage and Activities, after consulting the Minister of Public Education and the Minister of University and Research, subject to the opinion of the relevant parliamentary committees, the limits for teaching or scientific use referred to in this paragraph are defined .

2. In anthologies for school use, reproduction cannot exceed the extent determined by the regulation, which establishes the method for determining fair compensation.

3. The summary, quotation or reproduction must always be accompanied by a mention of the title of the work, of the names of the author, publisher and, if it is a translation, of the translator, if such indications appear on the reproduced work.

Article 71 ter. (Communication rights)

The communication or making available to individual members of the public is free if made for the purpose of research or private study by dedicated terminals on the premises of publicly accessible libraries, educational establishment, museums or archives, limited to the works and other subject matter contained in their collections that are not subject to purchase or licensing terms.

Jordan

Copyright Law, 1992 (Law No. 22 of 1992 on Copyright and its Amendments up to 2005) (Jordan), <https://wipolex.wipo.int/en/text/339495>

Article 17. Use of published works

The products published without the permission of the author may be used according to the following conditions and situations:

a. Presenting the product, displaying it, acting it or rhyming it if it happened in a private family meeting or in an educational, cultural or social institution for clarification for educational purposes. The musical groups affiliated to the State may rhyme tile musical products, provided for all this that this does not result in any financial return, and that the source and author are mentioned in it.

b. Using the product for personal use, by making one copy through photocopying, recording, photography, translation or musical distribution, provided in all this that it does not violate the ordinary exploitation of the product, and that it does not cause any unjustifiable damage to the legitimate interests of the owner of the right.

c. To depend on the product in clarification in education through printed materials, programs, audio visual and voice recording for educational, cultural, religious objectives or vocational training, within the limits required for fulfilling these objectives, provided that the aim of depending on the product in this case is not lucrative, and that the name of the product and its author are mentioned.

d. To quote paragraphs from the product in another product for the purpose of clarification, explanation, discussing, criticizing, educating or testing in as much as justifiable by this objective, provided that the name of the product and its author are mentioned.

Article 20. Libraries

Public libraries, non-commercial documentation centers, educational academies, and scientific and cultural institutions, may copy any work by photography or by other means, without the author's consent provided that the photocopying and the number of copies is limited by the need of these institutes and that same does not harm the copyright of the author and the does not conflict with the normal exploitation of the work.

Lesotho

Copyright Order, 1989 (Order No.13 of 1989) (Lesotho), <https://wipolex.wipo.int/en/text/209919>

Section 9. Free use (personal "transformation"; reproduction by library)

9. Notwithstanding section 7, the following uses of a protected work, either in the original language or in translation, shall be permissible without the author's consent and without the obligation to pay remuneration for the use of the work

(a) in the case of any work that has been made whether or not that work has been lawfully published,

(i) the reproduction, translation, adaptation, arrangement or other transformation of such work exclusively for the user's personal and private use:

...

(f) the reproduction, by photography, sound or video-recording, of electronic storage, by public libraries, national archives and museums, noncommercial documentation centres, scientific institutions and educational establishments, of literary artistic or scientific works which have already been lawfully made available to the public

Libya

Copyright Law (Law No. 9 for 1968 Issuing the Copyright Protection Law) (Lybia), <https://wipolex.wipo.int/en/text/234540>

Article 12. (Private/personal use)

The author may not prevent a person making one copy of a published work for his own use.

Madagascar

Law on Literary and Artistic Property, 1995 (Law No. 94-036 of September 18, 1995), J.O. No. 2333 of 06.11.95, p. 3554 (Madag.), <https://wipolex.wipo.int/en/text/186143>

Article 42. Private Use

Notwithstanding the provisions of Title II, Chapter II, on proprietary rights, and subject to the provisions of paragraph 2 of this article and the provisions of Book III, Title I, it shall be permitted, without authorization from the author, to reproduce a work lawfully published exclusively for the private use of the user.

Paragraph 1 shall not apply:

- 1) to the reproduction of works of architecture in the form of buildings or other similar reconstructions;
- 2) to the reprographic reproduction of limited-edition works of fine art, to the graphic presentation of musical works (scores) or to exercise manuals that are used only once;
- 3) to the reproduction of the whole or large parts of databases;
- 4) to the reproduction of computer programs, save in the cases referred to in Article

Article 49. Collections and Preservation

Notwithstanding the provisions of Title II, Chapter II, on proprietary rights, without the authorization of the author or any other copyright holder, a library or archive whose activities are not directly or indirectly aimed at commercial profit may use reprographic reproduction to make isolated copies of a work:

- 1) where the work reproduced is an article or a short work or a short extract from a written work other than a computer program with or without illustrations, published in a collection of works or in an issue of a newspaper or periodical, and where the aim of the reproduction is to meet the need of a natural person, provided: a) the library or archive is assured that the copy will be used solely for the purpose of study or university or private research; b) the act of reproduction is an isolated case occurring, if it is repeated, on separate, unrelated occasions; and

Malawi

Copyright Act, 2016 (Act No. 26 of 2016) (Malawi), <https://wipolex.wipo.int/en/text/446811>

Article 38. (Personal or Private)

The reproduction, translation, adaptation, arrangement or other transformation of a work exclusively for the user's own personal or private use of a work which has already been lawfully made available to the public shall be permitted: Provided that it is made on the basis of a representation that the authorized under this Act at the initiative of the user and not for the purpose of gain and only in single copies.

Art 48. Libraries, archives, museums, scientific and educational institutions

48.(1) The Minister may, by notice published in the Gazette, designate libraries, archives, museums, scientific institutions and educational establishments to make copies of works.

(2) The libraries, archives, museums, scientific institutions and educational establishments designated pursuant to subsection (1) shall abide by the following conditions__

(a) reproduction of works shall not be made with intent of direct or indirect gain, and that the number of copies made and the use thereof, shall be limited to the needs of the regular activities of the body reproducing the work which may be to__

(...)

(iv) assist a particular personal and individual research or study in which case reproduction shall be limited to making copies in a paper format, including printouts, of articles in a collection of works such as encyclopedias or anthologies, or from a publication such as newspapers or journals, or short excerpts from other works in its collections, and only one copy of the work may be delivered to the individual requesting access thereto, either directly or to another body designated, by notice published in the Gazette, to which the individual made the request;

(b) except in the case of subparagraph (a) (i), the work has already been lawfully made available to the public;

Mali

Law on the Regime of Literary and Artistic Property in the Republic of Mali, 2008 (Loi n° 08-024 du 23 juillet 2008 fixant le régime de la propriété littéraire et artistique en République du Mali), <https://wipolex.wipo.int/en/text/197932>

Note: The text below was machine translated.Bangui Agreement Article 11

(1) Notwithstanding the provisions of Article 9, and subject to those of paragraph (2) of this Article and those of Article 58, it shall be permitted, without the consent of the author and without payment of remuneration, to reproduce a lawfully published work exclusively for the private use of the user.

(2) Paragraph (1) shall not apply to (i) the reproduction of works of architecture in the form of buildings or other similar constructions; (ii) the reprographic reproduction of works of fine art in a limited quantity, the graphical presentation of musical works (scores) and exercise manuals and other publications used once only; (iii) the reproduction of the whole or of significant parts of

databases; (iv) the reproduction of computer programs, except in the cases provided for in Article 18; (v) any other reproduction of a work that would prejudice the normal exploitation of the work or would cause unwarranted prejudice to the legitimate interests of the author.

Mauritania

Law on Literary and Artistic Property, 2012 (Loi n° 2012-038 du 17 juillet 2012 sur la propriété littéraire et artistique) (Mauritania) <https://wipolex.wipo.int/en/legislation/details/19361>

Note 1: The text below was machine translated.

Note 2: This country is also a member of the Bangui Agreement.

(1) Notwithstanding the provisions of Article 9, and subject to those of paragraph (2) of this Article and those of Article 58, it shall be permitted, without the consent of the author and without payment of remuneration, to reproduce a lawfully published work exclusively for the private use of the user.

(2) Paragraph (1) shall not apply to (i) the reproduction of works of architecture in the form of buildings or other similar constructions; (ii) the reprographic reproduction of works of fine art in a limited quantity, the graphical presentation of musical works (scores) and exercise manuals and other publications used once only; (iii) the reproduction of the whole or of significant parts of databases; (iv) the reproduction of computer programs, except in the cases provided for in Article 18; (v) any other reproduction of a work that would prejudice the normal exploitation of the work or would cause unwarranted prejudice to the legitimate interests of the author.

Article 42. (Libraries reproduction)

Libraries and archives can reproduce a work under form of article or other succinct work or short excerpt from an accompanying written or not of illustrations, published in a collection of works or in a number of newspaper or periodical, except for computer programs and when reproduction is aimed at respond to the request of a natural person, provided:

- that the copy made will only be used for the purposes of university study or research, or private;
- that the act of reproduction constitutes an isolated act occurring, if it is repeated, at separate and unrelated occasions.

Mexico

Federal Law on Copyright, 1996 (Ley Federal del Derecho de Autor (texto refundido publicado en el Diario Oficial de la Federación el 15 de junio de 2018)) (Mex.)), <https://wipolex.wipo.int/en/text/477186>

Article 148. (Research)

Literary and artistic works that have already been disclosed may only be used in the following cases without the consent of the owner of the economic rights and without remuneration, provided

that the normal exploitation of the work is not adversely affected thereby and provided also that the source is invariably mentioned and that no alteration is made to the work:

.....

III. Reproduce portions of the work, for critical and scientific, literary or artistic research;

IV. Reproduction for a single time, and in a single copy, of a literary or artistic work, for use personal and private of who makes it and not for profit. Legal entities may not avail themselves of the provisions of this section unless it is an educational or research institution, or is not dedicated to commercial activities;

Mongolia

Law of Mongolia on Copyright and Related Rights, 1993 (as last amended on January 19, 2006), <https://wipolex.wipo.int/en/legislation/details/8306>

Article 24. Exceptions and limitations

24.1. The following circumstances where the works were used without contradicting the normal exploitation of published works and without affecting the legal interests of the right holders shall not be deemed as copyright infringement:

...

24.1.2. To quote from and to use parts of published works for research works, criticisms and information;

...

24.1.8. To reproduce works for private use;

24.2. The following conditions shall be considered in determining the circumstances provided in Section 24.1 of this law:

24.2.1. To have a non-profit purpose;

24.2.2. The extent of use and the importance of the used parts;

24.2.3. The value of the work and the effect of the used part on the market.

24.3. The name of the author and source must be mentioned when a work is used under Section 24.1 of this law.

Mozambique

Copyright Law, 2001 (Law No. 4/2001 of February 27, 2001) (Mozam.), <https://wipolex.wipo.int/en/text/128885>

Article 9. Reproduction for Private Purposes

(1) It is permitted to reproduce a lawfully published work exclusively for the user's private purposes without authorization by the author or payment of remuneration.

(2) The provisions of the preceding paragraph shall not apply to: (a) the reproduction of works of architecture consisting of buildings or other similar constructions; (b) the reprographic reproduction of limited editions of works of three-dimensional art and the graphic representation of musical works (scores), exercise manuals and other publications, even if they are used only once; (c) the reproduction of whole databases or large parts thereof; (d) the reproduction of computer programs, except as provided for in Article 16; (e) any other reproduction of a work that might prejudice its normal exploitation or cause unjustified harm to the legitimate interests of the author.

Article 12. Reprographic Reproduction for Libraries and Archive Services

12.—(1) A library or archive service whose activities are not directly or indirectly profit-making may make isolated reprographic reproductions of a work without authorization by the author or any other owner of copyright.

(2) The provisions of the preceding paragraph shall apply also where the work reproduced is an article or short work, or a short extract of a written work that is not a computer program, with or without illustrations, published in a collection of works or in an edition of a newspaper or magazine, provided that the purpose of the reproduction is to respond to a request from a natural person and that:

(a) the library or archive service ensures that the copy will be used solely for purposes of university or private study or research;

(b) the act of reproduction is an isolated case or, if repeated, occurs on separate, unrelated occasions;

(c) no collective license may be obtained that would allow the use of such copies.

Netherlands

Copyright Act, 1912 (Act of September 23, 1912, containing New Regulation for Copyright, as amended up to September 1, 2017) (Neth.), <https://wipolex.wipo.int/en/legislation/details/17868>

Note: The text below was machine translated.

Section 15h. (Libraries)

Unless otherwise agreed, providing access to a literary, scientific or artistic work that forms part of the collections of libraries accessible to the public, educational establishments and museums or archives which do not seek a direct or indirect economic or commercial advantage, by means of a closed network and through dedicated terminals on the premises of these establishments, to

individual members of the public, for purposes of research or private study, is not regarded as an infringement of the copyright.

Section 16b (personal use)

1. It is not regarded as an infringement of the copyright in a literary, scientific or artistic work to make a few copies intended exclusively for personal practice, study or use by the natural person who, without any direct or indirect commercial objective, made the reproduction or ordered it exclusively for his own benefit.

...

4. If a copying permitted under this article has taken place, the copies produced may not be handed over to third parties without the permission of the maker or his successors in title, unless the transfer is made for legal or administrative proceedings.

5. It may be determined by order in council that fair payment is due for the reproduction referred to in the first paragraph for the maker or his successors in title. In addition, further rules and conditions can be set.

6. This article does not apply to the reproduction referred to in Article 16c, nor to the reconstruction of construction works.

Niger

Decree on Copyright, Neighbouring Rights and Folklore, 1993 (Decree No. 93-027 of March 30, 1993) (Niger), <https://wipolex.wipo.int/en/text/240540>

Note: This country is also a member of the Bangui Agreement. Article 9. Free Reproduction for Private Purposes

(1) Notwithstanding the provisions of Article 8, and subject to those of paragraph (2) and those of Article 21, it shall be permitted, without the consent of the author and without payment of remuneration, to reproduce a lawfully published work exclusively for the private use of the user.

(2) Paragraph (1) shall not apply to:

(i) the reproduction of works of architecture in the form of buildings or other similar constructions;

(ii) the reproduction of works of fine art in a limited quantity, the graphical presentation of musical works (scores) and exercise manuals and other publications used once only;

(iii) the reproduction of the whole or of significant parts of databases;

(iv) the reproduction of computer programs, except in the cases provided for in Article 16, and;

(v) any other reproduction of a work that would prejudice the normal exploitation of the work or would cause unwarranted prejudice to the legitimate interests of the author.

Article 12: Reprographic Reproduction by Libraries and Archive Services

Notwithstanding the provisions of Article 8, a library or archive service whose activities are not directly or indirectly profit-making may, without the consent of the author or any other holder of copyright, make individual copies of a work by means of reprographic reproduction:

(i) where the work reproduced is an article or a short work or a short extract from a written work, other than a computer program, with or without illustration, published in a collection of works or in an issue of a newspaper or periodical, and where the purpose of reproduction is to meet the request of a natural person, on condition that:

(a) the library or archive service ensures that the copy will be used solely for purposes of university or private study or research;

(b) the act of reproduction is an isolated case or, if repeated, occurs on separate, unrelated occasions;

(c) no collective license may be obtained that would allow the making of such copies (that is to say, no collective license offered by a collective management organization in such a way that the library or archive service is or should be aware of the existence of that possibility);

Norway

Copyright Act, 2018 (Act No. 40 of June 15, 2018, Relating to Copyright in Literary, Scientific and Artistic Works, consolidated version, status as at December 20, 2018) (Nor.), <https://wipolex.wipo.int/en/legislation/details/18687>

Note: The text below was machine translated. Section 26. Copy for private use

When this is not done for commercial purposes or on the basis of a work reproduced in violation of this Act, some copies of a published work may be produced for private use. Such copies may not be used for any other purpose.

The provision in the first paragraph does not give the right to a) reproduce the art of building through the construction of works b) produce digital copies of computer programs c) produce digital copies of databases in digital form d) produce copies of works of art by photocopying, casting, imprints or similar procedure when the specimen may be regarded as an original specimen.

The provision in the first paragraph does not give the right to have the manufacture carried out by foreign aid in that regard

a) musical works

b) cinematic works

c) sculpture, tapestries and artifacts and crafts

d) artistic reproduction of other works of art.

Persons with disabilities may, without prejudice to the previous sentence, allow the production of music and film works by foreign aid that does not contribute to the acquisition purpose, when this is necessary due to the reduced functional ability. By foreign aid is meant the assistance of an outsider, either by the actual production of copies or by the provision of manufacturing equipment.

For the production of copies under the first paragraph, the authors are given a reasonable compensation through annual allocations over the state budget. The Ministry may stipulate further in regulations rules on the distribution of compensation.

The production of copies on the basis of a work reproduced in contravention of this Act, cf. the first paragraph, can only be sanctioned with remuneration and compensation under section 81 if the violation is intentional.

Poland

Copyright and Related Rights Law, 1994 (Act of 4 February 1994 on Copyrights and Related Rights, consolidated text, inc. Journal of Laws of the Republic of Poland of 2018, item 2339) (Pol.),

<https://wipolex.wipo.int/en/legislation/details/20377>

Article 23. (Personal use)

1. A work already disseminated may be used free of charge for personal use without the author's permission. This provision does not grant authorisation to build according to another author's architectural or architectural and urban planning works, or to use electronic databases having the features of a work unless for own non-profit use for academic purposes.

2. The scope of personal use shall include the use of single copies of works by a group of individuals who are related, especially by blood or marriage, or who are in a social relationship.

Article 27. (Research Use)

1. Educational institutions and the entities referred to in Article 7.1 (1), (2), and (4) to (8) of the Act of 20 July 2018—The Law on Higher Education and Science may, for the purpose of illustrating the content conveyed for educational purposes or for the purpose of conducting scientific activity, use the originals and translations of disseminated works and reproduce for these purposes disseminated minor works or parts of larger works.

2. In the case of making works publicly available in a manner enabling members of the public to access it from a place and at a time individually chosen by them, the use referred to in paragraph 1 is allowed only for a limited number of persons who are learners or who teach or conduct scientific research, identified by the entities listed in paragraph 1.

Portugal

Code of Copyright and Related Rights, 1985 (approved by Decree-Law No. 63/85 of March 14, 1985, as amended up to Decree-Law No. 100/2017 of August 23, 2017) (Port.),
<https://wipolex.wipo.int/en/legislation/details/17387>

Note: The text below was machine translated.Chapter II: Free Use

Article 75. Free Use

(....)

2 - The following uses of the work are lawful, without the author's consent:

a) The reproduction of the work, for exclusively private purposes, on paper or similar support, carried out through any type of photographic technique or process with similar results, with exception of the scores, as well as reproduction in any medium performed by a natural person for private use and without direct or indirect commercial purposes;

(...)

e) The reproduction, in whole or in part, of a work that has previously been made available to the public, provided that such reproduction is carried out by a public library, a public archive, a public museum, a non-commercial documentation center or a scientific or educational institution, and that such reproduction and the respective number of copies are not intended for the public, are limited to the needs of the activities of these institutions and are not aimed at obtaining an economic or commercial advantage, directly or indirectly, including the acts of reproduction necessary for the preservation and archiving of any works;

(...)

o) Communication or making available to the public, for the purpose of research or personal studies, to individual members of the public through terminals intended for that purpose in the premises of libraries, museums, public archives and schools, of protected works not subject to conditions of purchase or licensing, and that integrate their collections or collections of goods;

Article 76: Requirements.

1 - The free use referred to in the previous article must be accompanied by:

a) The indication, whenever possible, of the name of the author and publisher, the title of the work and other circumstances that identify them;

b) In the cases of subparagraphs a) and e) of paragraph 2 of the previous article, an equitable remuneration to be attributed to the author and, in the analogical scope, to the editor by the entity that has reproduced it;²⁶

Qatar

Law on the Protection of Copyright and Related Rights, 2002 (Law No. 7 of 2002) (Qatar), <https://wipolex.wipo.int/en/legislation/details/3567>

²⁶ According to Teresa Nobre, Counsel for Creative Commons Portugal, remuneration is paid through a media levy.

Chapter V: Restrictions on Copyright and Neighboring Rights

Article 18. (includes personal use and quotation rights)

The following uses of a protected work are permitted without the Author's authorization:

(1) using the work exclusively for personal use, through reproduction, translation, quotation, musical arrangement, acting, broadcast listening, television viewing, photography or by any other means;

...

21.2 (Libraries)

(2) Any library or archive whose activities do not serve direct or indirect gain may make a single copy of the work by reprographic reproduction

(a) Where the reproduced work is a published article, a summary or an extract of work where reproduction is to satisfy the needs of a natural person, provided that:

- the library or archive is satisfied that the copy will be used solely for the purposes of study, scholarship or research, and if repeated, on separate and unrelated occasions, and
- there is no collective license available for reproduction by a competent authority in the collective management of rights of which the library or archive is or should be aware

Romania

Copyright and Neighboring Rights Law, 1996 (Law No. 8 of March 14, 1996, on Copyright and Neighboring Rights, as amended up to Law No. 8/2020) (Rom.), <https://wipolex.wipo.int/en/legislation/details/19477>

Note: The text below was machine translated. English version may be found at <http://www.legi-internet.ro/en/copyright.htm>

Article 33

1) The following uses of a work already disclosed to the public shall be permitted without the author's consent and without payment of remuneration, provided that such uses conform to proper practice, are not at variance with the normal exploitation of the work and are not prejudicial to the author or to the owners of the exploitation rights:

(...)

(d) the reproduction of brief excerpts from works for information or research within the framework of libraries, museums, film archives, sound archives, archives of non-profit cultural or scientific public institutions; the complete reproduction of a copy of a work shall be allowed for the replacement of the sole copy in such an archive or library's permanent collection in the event of the destruction, serious deterioration or loss thereof;

Article 34 (Personal Use)

(1) It shall not be a violation of copyright, within the meaning of this Law, to reproduce a work without the author's consent for personal use or for use by a normal family circle, on condition that the work has already been disclosed to the public, that the reproduction does not adversely affect the normal exploitation of the work or prejudice the author or the owner of the exploitation rights.

(2) In the situation provided for in paragraph (1), remuneration established according to the provisions of this Law shall be paid for the physical materials on which sound or audiovisual recordings may be made, and for devices serving for the reproduction thereof.

San Marino

Copyright Law, 1991 (Law No. 8 of 25 January 1991, as amended by Law No. 43 of 22 February 2006) (San Marino), <https://wipolex.wipo.int/en/legislation/details/8212>

Note: The text below was machine translated. Article 98. (Private use)

It is free, provided that the work has been previously disclosed:

- a) the private and free representation of a work provided it is carried out within the family or circle of friends;
- b) copies or reproductions strictly reserved for the private use of the copyist and not intended for collective use, with the exception of copies of works intended to be used for purposes identical to those for which the original work was created;
- c) the analysis and brief quotation of other works, justified by the critical, polemical, pedagogical, scientific or information nature of the work in which they are incorporated;

São Tomé and Príncipe

Code on Copyright and Related Rights, 2017 (approved by Decree-Law No. 02/2017) (São Tomé & Príncipe), <https://wipolex.wipo.int/en/text/497465>

Article 75: Scope

1. The reproduction rights shall exclude temporary acts of reproduction which are transient or accessory, which are an integral and essential part of a technological process and whose sole purpose is to enable a transmission in the network between third parties by an intermediary, or the lawful use of a protected work which does not, per se, have any economic significance.

...

2. The following uses of a work without the consent of the author shall be lawful:

- a) The reproduction for exclusively private purposes on paper or any similar medium, using any kind of photographic technique or process with similar results, with the exception

of musical scores, as well as the reproduction on any medium made by a natural person for private use and without any direct or indirect commercial purpose;

(...)

e) Partial or total reproduction of a work that has previously been made available to the public, provided that such reproduction is carried out by a public library, public archives, public museum, a documentation centre for non-commercial use or a scientific or teaching institution, and such reproduction and the corresponding number of copies are not for public use and are restricted to the needs of the activities of these institutions and are not aimed at obtaining a direct or indirect economic or commercial advantage, including the reproductions necessary to preserve and archive a work.

(...)

3. The distribution of lawfully reproduced copies, to the extent justified by the objective of the reproduction, shall also be lawful.

(...)

Article 76: Requirements

1. The unrestricted use referred to in the preceding article shall be subject to the following conditions:

a) Where possible, the name of the author and the publisher, the title of the work and any other identifying particulars;

b) In respect of paragraphs 2 a) and e) of the preceding article, an equitable remuneration to be paid to the author and, on a similar basis, to the publisher, by the entity carrying out the reproduction;

Saudi Arabia

Copyright Law, 2003 (promulgated by Royal Decree No. M/41 of 2 Rajab, 1424 (August 30th, 2003, as amended up to Ministers Resolution No. (536) dated 19/10/1439 AH (July 3, 2018)) (Saudi Arabia), <https://wipolex.wipo.int/en/legislation/details/19412>

Article 15: Exceptions

The following uses of a copyrighted work, in its original language or a translation thereof, shall be deemed lawful without obtaining the permission of the copyright owner:

(1) Copying the work for personal use, excluding computer software, and audio and audiovisual works.

...

(3) Using the work by way of clarification for educational purposes, within the limits justified by the intended objective, or making a copy or two for public libraries or noncommercial documentation centers on the following conditions:

- (a) Such use shall not be commercial or for profit.
- (b) Copying shall be restricted to the requirements of the activities.
- (c) Such use shall not impair the material benefit of the work.
- (d) The work is out of print, lost, or damaged.

Senegal

Law on Copyright and Related Rights, 2008 (Law No. 2008-09 of January 25, 2008) (Sen.), <https://wipolex.wipo.int/en/text/243176>

Article 40. Reproduction for private use.

1. The author may not prohibit reproduction intended for strictly personal and private use.
2. The exception set out in paragraph 1 shall not apply to:
 - (a) the reproduction of architectural works in the form of buildings or other similar structures;
 - (b) the reprographic reproduction of works of visual art in limited editions, musical scores and textbooks;
 - (c) the reproduction of an electronic database;
 - (d) the reproduction of a computer program.

South Sudan

The Copyright and Neighbouring Rights Protection Act, 1996 (South Sudan), <https://wipolex.wipo.int/en/legislation/details/11278>

Section 14. Restrictions on Copyright

...

(4) It shall be allowed to reproduce, translate or adapt a published work for personal and private use but this shall not apply to computer programs, data banks and scores of a musical work.

....

(7) Private commercial research institutions shall be authorized to reproduce scientific articles, short scientific works or short parts thereof exclusively for internal purposes to satisfy the requirements of persons studying or carrying out research work.

Spain

Intellectual Property Law, 1996 (Texto refundido de la Ley de Propiedad Intelectual, regularizando, aclarando y armonizando las disposiciones legales vigentes (aprobado por el Real Decreto Legislativo Nº 1/1996 de 12 de abril de 1996, y modificado hasta el Real Decreto-Ley Nº 26/2020 de 7 de julio de 2020) (Spain), <https://wipolex.wipo.int/en/text/577657>

Note: The text below was machine translated.

Art 31(2).

Without prejudice to the equitable compensation provided for in article 25, the reproduction, in any medium, without the assistance of third parties, of works already disclosed, does not need authorization from the author, when the following circumstances concur simultaneously, constituting the legal limit of private copying: a) That it is carried out by a natural person exclusively for their private, non-professional or business use, and without direct or indirect commercial purposes. b) That the reproduction is made from a legal source and that the conditions of access to the work or service are not violated. c) That the copy obtained is not the object of collective or lucrative use, or of distribution by price

Article 32. Quotes and reviews and illustration for educational or scientific research purposes.

....

4. The acts of reproduction will not need the authorization of the author or publisher either partial, distribution and public communication of works or publications, printed or liable to be, when the following conditions concur:

a) That such acts are carried out solely for illustration for educational purposes and scientific research.

b) That the acts be limited to a chapter of a book, magazine article or extension equivalent with respect to an assimilated publication, or extension assimilable at 10 percent of the total of the work, being indifferent to these effects that the copy is carried out through one or more acts of reproduction.

c) That the acts are carried out in the universities or public research centers, for its personnel and with its own means and instruments.

d) That at least one of the following conditions exists:

1. That the distribution of partial copies is made exclusively among the students and teaching or research staff of the same center where the reproduction.

2. That only the students and the teaching or research staff of the center in which they make the partial reproduction of the work can have access to it through the acts of public communication authorized in this section, carrying out the made available through internal and closed networks to which they can only access these beneficiaries or within the framework of a distance education program offered by said educational center.

In the absence of a prior specific agreement in this regard between the holder of the right of intellectual property and the university center or research organization, and unless said center or organization is the holder of the corresponding intellectual property rights on the works reproduced, distributed and partially publicly communicated according to section b), the authors and publishers of these will have an inalienable right to receive an equitable remuneration from the user centers, which will be made effective through of the management entities.

5. The musical scores, the musical scores, shall not be understood as included in sections 3 and 4 single-use works or compilations or groupings of fragments of works, or isolated works of a plastic or photographic figurative nature.

Article 37. Reproduction, loan and consultation of works through specialized terminals in certain establishments.

1. The holders of copyright may not oppose the reproductions of the works, when they are made without profit by museums, libraries, sound recordings, film libraries, periodicals or archives owned by the public or integrated in institutions of a cultural or scientific and reproduction is made exclusively for research or conservation purposes.

Sudan

The Copyright and Neighboring Rights Protection Act, 1996 (Sudan)

Section 14. Restrictions on Copyright

(1) Notwithstanding the provisions of section 8(2) newspapers, magazines, periodicals, radio and television may:

(a) publish a quotation, summary or brief announcement from a work for the purposes of analysis, study, culture or information;

(b) reproduce essays or lectures or speeches concerning political, economic, scientific, religious or social discussions which were the focus of public opinion at the time such discussions were made;

(c) publish or convey any photograph taken on the occasion of a public event or a photograph concerning an official or famous person; in all such cases the title of the work reproduced and the name of its author shall be mentioned.

(2) Musical bands belonging to the People's Armed Forces, the Police, the People's Local Government Councils and school theatres may play, act perform or exhibit any work after the publication thereof, provided that no money consideration shall be made therefrom.

(3) In connection with publication of school textbooks or books prepared for educational purposes or books of history, literature or art, it shall be allowed:

(a) to make short quotations from works already published;

(4) It shall be allowed to reproduce, translate or adapt a published work for personal and private use but this shall not apply to computer programs, data banks and scores of a musical work.

....

(7) Private commercial research institutions shall be authorized to reproduce scientific articles, short scientific works or short parts thereof exclusively for internal purposes to satisfy the requirements of persons studying or carrying out research work.

Togo

Law on the Protection of Copyright, Folklore and Related Rights (Law No. 91-12 of June 10, 1991) (Togo), <https://wipolex.wipo.int/en/text/270260>

Article 20. (includes personal use)

When the work has been lawfully made accessible to the public, the author may not prevent it from being used as follows:

1. -Communication such as performance or broadcast:

(a) if these are private, carried out exclusively within the family circle, and give rise to no form of revenue:

(b) if these are carried out free of charge and for strictly educational or teaching purposes or during a religious service in premises reserved for that end;

2. Reproduction, translations and adaptations, designed for strictly personal and private use

(...)

Tunisia

Law on Literary and Artistic Property, 1994 (Law No. 94-36 of February 24, 1994) (Tunis.), <https://wipolex.wipo.int/en/text/129897>

Article 10. (Private/personal use)

10. The author of a work that is lawfully made available to the public may not prevent:

(a) the making available to the public of the work if done for private purposes and free of charge or if done for educational, teaching or cultural purposes;

(b) reproductions, translations and adaptations intended for strictly personal and private use. However, the organizers of theatrical performances, whether free of charge or against payment, shall be required to inform beforehand either the author, his successors in title or the Copyright Protection Agency.

Article 13 (libraries)

13. The Ministry responsible for culture may authorize as required the public libraries, the non-commercial documentation centers, the scientific institutes and teaching establishments, the youth centers and culture centers, to reproduce literary, scientific or artistic works in the necessary quantity and limited to the needs of their activities in return for remuneration to be laid down, failing amicable agreement between the parties, by the Tunisian Copyright Protection Agency.

Turkey

Law on Intellectual and Artistic Works, 1951 (Law No. 5846 of December 5, 1951, as amended up to Law No. 6552 of September 10, 2014) (Turk.), <https://wipolex.wipo.int/en/legislation/details/17020>

Article 38. (Personal/private use)

It is permitted to reproduce all intellectual and artistic works for personal use without pursuing profit. However, such reproduction may not prejudice the legitimate interests of rightholders without good reason or conflict with the normal exploitation of the work.

Uganda

The Copyright and Neighbouring Rights Act, 2006 (Uganda), <https://wipolex.wipo.int/en/text/141975>

Article 15. Fair use of works protected by copyright

(1) The fair use of a protected work in its original language or in a translation shall not be an infringement of the right of the author and shall not require the consent of the owner of the copyright where—

(a) the production, translation, adaptation, arrangement or other transformation of the work is for private personal use only;

(b) a quotation from a published work is used in another work, including a quotation from a newspaper or periodical in the form of press summary, where—

(i) the quotation is compatible with fair practice; and

(ii) the extent of the quotation does not exceed what is justified for the purpose of the work in which the quotation is used, and

(iii) acknowledgement is given to the work from which the quotation is made;

....

j) subject to conditions prescribed by the Minister, a reproduction of a literary, artistic or scientific work by a public library, a non-commercial documentation centre, a scientific institution or an educational institute if the reproduction and the copies made—

(i) do not conflict with the normal exploitation of the work reproduced;

(ii) do not unreasonably affect the right of the author in the work

(2) In determining whether the use made of a work in any particular case is a fair use the following factors shall be considered—

(a) the purpose and character of the use, including whether the use is of a commercial nature or is for non-profit educational purposes;

(b) the nature of the protected work;

(c) the amount and substantiality of the portion used in relation to the protected work as a whole; and

(d) the effect of the use upon the potential market for value of the protected work.

(3) The fact that a piece of work is not published shall not of itself prejudice the requirement of fair use in accordance with subsection(2).

United Arab Emirates

Law Concerning Copyrights and Neighboring Rights, 2002 (Federal Law No. 7 of 2002) (U.A.E.), <https://wipolex.wipo.int/en/legislation/details/7>

Article 22.

Without prejudice to literary rights of the author stipulated in this law, the author after the publication of his work must not prohibit a third person to perform one of the following acts:

1. To make a sole copy from the work for the merely personal and non-commercial or professional but personal use of the copier. The works of the fine and applied arts are excepted unless were located in public place by consent of the right holder or his successor, the works of architecture are also excepted as in para (7) of this article and also the computer programs and their application unless as indicated in para (2) of this article.

....

4. Taking a sole copy of the work with acknowledgement of records house or archives, libraries, or documentation centers who do not seek direct or indirect profit all in the following two cases:

a. Copying must be for the purpose of preservation of the original, or to exchange it for a lost, destroyed unsuitable to use or not possible to obtain a substitute copy for it, against reasonable conditions.

b. The purpose for copying must be in reply to application by a natural person to use it for research or study provided that it must be granted for one time or for interrupted periods of time provided that obtaining a license became impossible in accordance with the provisions of this law.

United Republic of Tanzania

Copyright and Neighbouring Rights Act, 1999 (Act No. 7 of 1999) (Tanz.), <https://wipolex.wipo.int/en/legislation/details/5791> ,

Article 12: Free Use (Private Use)

12. (1) Notwithstanding provisions of section 9, the following uses of a protected work, either in the original or in translation, shall be permissible without the authors' consent and the obligation to pay remuneration for the use of the work.

(2) In the case of any work except, computer programs and architectural works, that has been lawfully Published-

(a) the production, translation adaptation, arrangement or other transformation of such work exclusively for the user's own personal private use provided that such reproduction does not conflict with normal exploitation of the work and does not unreasonably prejudice the legitimate interest, of the author.

(...)

(7) The reproduction, by photography of sound or video recording, or electronic storage, by public libraries, non-commercial documentation scientific centres, institutions and educational establishments of literary and artistic works which have already been lawfully made available to the public, provided such reproduction, the number of copies made, and the use thereof are limited to the needs of the regular activities of the entity reproducing the work, and neither conflict with the normal exploitation of the work nor unreasonably prejudice the legitimate interests of the author.

Yemen

Law on the Protection of Copyright and Related Rights, 2012 (Law No. 15 of 2012) (Yemen), <https://wipolex.wipo.int/en/text/577452>

Article 40 (Personal Use)

The following actions may take place without the permission of the author or to whom the right has been assigned.

1. Personal use of the work through copying, translating, quotation, or TV viewing provided this use does not violate or harm the legitimate interests of the author.

(...)

Article 42 (Library Right)

Public libraries, cultural authorities, institutions, and educational institutes may, without permission from the author or owner of the right, copy a work protected according to the provisions of this Law through photocopying or similar methods provided that the extent of copying and the

number of copies meet the needs of their activities and do not violate or harm the legitimate interests of the author. Copying is particularly permitted in the following cases:

1. Copying a published article, short work, or excerpt from a work if the objective of copying is the need of the natural person to conduct a study or do research provided that copying is made only once or takes place between long intervals and in accordance with the Regulation.

Restrictions to Institutional Uses

Albania

Law on Copyright and Related Rights, 2016 (Law No. 35/2016 of March 31, 2016) (Alb.), <https://wipolex.wipo.int/en/text/490548>

Note: The text below was machine translated.

Article 72. The reproduction of the works for private and personal use

1. Pursuant to Article 31 of this law, a natural person may reproduce a work of copyright, without the authorization of the author of a work or of the holder of copyright for this work and without remuneration, if applied for no more than one copy, or in the form of any similar means to photographic techniques, or by any other device that has similar effects to the latter, and by all other means of private and other personal use, insofar as the copy is not accessible and is not intended for the public, and does not have direct or indirect commercial purposes.

2. Unless otherwise provided by this law or by a contract, paragraph 1 of this Article shall not apply to:

- a) the reproduction of an entire book, unless its sold copies are exhausted for at least two years;
- b) the graphic editions of the musical works (scores);
- c) electronic databases;
- d) cartographic works;
- e) the buildings of the architectural structures;
- f) Computer programs.

Article 73. Reprographic reproduction

1. Reprographic reproduction, which means the identical reproduction of a work in the same format, enlarged or reduced, by way of photocopying or by the help of other similar technologies, shall be allowed in the case:

b) of articles and other collected creations, or short fragments of literary creations, and isolated parts of books in a limited scale, which are lawfully published, provided that such reproduction in

copy is made by the library or the archive not for a direct or an indirect economic benefit, but to meet the needs of individuals/persons, who will use the obtained copy for private study or research without any profit purposes.

Article 75. Restrictions on the Benefit of Special Institutions (Library Copies)

Public archives, national libraries, educational and scientific institutions, preschool educational institutions and social institutions (charity ones), that have no direct or indirect economic benefits, may reproduce the work from their copy for internal use, by any means, in no more than one copy.

Burundi

Law on the Protection of Copyright and Related Rights in Burundi, 2005 (Law No. 1/021 of December 30, 2005) (Burundi), <https://wipolex.wipo.int/en/text/224340>

Article 26. (Reproduction without authorization)

Notwithstanding the provisions of Article 24, the following uses of a protected work, in its original language or in translation, shall be permissible without the author's consent:

1. In the case of any work that has been lawfully published:

(a) the reproduction, translation, adaptation, arrangement or other transformation of such a work exclusively for the user's own personal or private use;

However, private reproduction shall not apply to the reproduction of works of architecture taking the form of buildings or other similar constructions, reprographic reproduction of an entire book or musical work in graphic format (musical scores), reproduction of all or of major parts of databases in digital format, reproduction of computer programs, except in the cases provided for in Article 27, and reproduction of a work that would conflict with the normal uses of the work or would unreasonably prejudice the legitimate interests of the author.

(b) the inclusion of quotations from such a work in another work, including quotations from newspaper articles and periodicals in the form of press summaries, provided that such quotations are compatible with fair practice and their extent does not exceed that justified by the purpose, and the source and the name of the author of the cited work are mentioned in the work in which the quotation is included;

(c) the use of the work by way of illustration in publications, broadcasts or sound or visual recordings for teaching to the extent justified by the purpose, or communication for teaching purposes of the work broadcast or distributed by cable for use in schools, educational establishments, universities and professional training, provided that such use is compatible with fair practice and that the source and the name of the author of the work are mentioned in the publication, broadcast or recording.

....

5. The reproduction by a photographic or similar process by public libraries, non-commercial documentation centers, scientific institutions and educational establishments, of literary and artistic works which have already been lawfully made available to the public, provided that such reproduction and the number of copies made are limited to the needs of their regular activities and that such reproduction does not conflict with the normal uses of the work nor unreasonably prejudices the legitimate interests of the author.

Article 82. (Research exception)

Titles I (Section I, Chapter II), II and III of Part Two of this Act shall not be applicable when the acts regulated by these titles are for:

....

(c) use solely for teaching activities or scientific research;

Cabo Verde

Copyright Law, 1990 (Law No. 101/III/90 of December 29; Decree-Law No. 1/2009 of April 27, 2009, revising the Law on Copyright) (Cape Verde),
<https://www.wipo.int/edocs/lexdocs/laws/en/cv/cv022en.pdf>

Article 62 - Unrestricted Use (Includes Library provisions)

1. The following embodiments of works already lawfully published or disclosed shall be lawful, irrespective of authorization of the respective author and without any need for compensation, as long as the authenticity and integrity of the title and the name of the author are mentioned and respected.

(...)

(b) reproduction by photographic processes or any other similar processes when carried out for exclusively didactic, research or professional training purposes, by libraries, archives and noncommercial documentation centers, scientific institutes or teaching establishments, as long as the copies reproduced do not exceed the needs of the purpose for which they are intended;

Article 72 - Other Uses (includes 'scientific purposes')

Reproduction shall also be permitted of a single copy of works which are not yet available in trade or are impossible to obtain, for purely scientific or humanitarian interest purposes, and for the time necessary for their use.

Chile

Law on Intellectual Property, 1970 (Ley N° 17.336, de agosto de 1970 sobre la Propiedad Intelectual, modificada por la Ley N° 21045 del 3 de noviembre de 2017) (Chile),
<https://www.wipo.int/edocs/lexdocs/laws/en/cl/cl004en.pdf> /
<https://wipo.lex.wipo.int/en/text/511569>)

Artículo 71 J. (Libraries and archives)

Non-profit-making libraries and archives may, without having to seek the authorization of the author or copyright holder or make any form of payment, make copies of fragments of works that are found in their collections, at the request of a patron of the library or archive, solely for his personal use.

Article 71K. (Electronic reproduction)

Not-For-Profit libraries or archive centers may, without having to seek the authorization of the author or copyright holder or make any form of payment, electronically reproduce works in their collection for free and simultaneous consultation by a reasonable number of users, only in the computer terminal networks of the respective institution and on conditions guaranteeing that the users are unable to make electronic copies of such reproductions.

Article 71N. (Private/personal use)

Article 71 N. The use of a work, including phonograms, within the family circle, in educational or charitable establishments, libraries, archive centers or museums, shall not be considered communication or public performance of the work, provided that such use is not for profit. In such cases, neither the authorization of the author or copyright holder or any payment shall be required.

Cook Islands

Copyright Act, 2013 (Cook Islands), <https://wipolex.wipo.int/en/text/357971>

Article 14. Copying for research or private study

1. An individual does not infringe copyright in a work by copying the work for research, private study, or other private and non-commercial activity and the research, private study, or other activity is carried out by the individual or his or her family or friends.

2. Subsection (1) does not apply if the individual copies-

(a) the whole or a substantial part of a book or musical work (in the form of notation) without fairly compensating the owner of the copyright for doing so; or

(b) a building or other construction; or

(c) the whole or a substantial part of a database in digital form; or

(d) a computer program except if section 22 applies to the copying; or

(e) any other work, if the copying would unreasonably prejudice the legitimate interests of the owner of the copyright in the work.

Section 18. Translations of works

(1) A person giving or receiving instruction does not infringe copyright in a work if the person translates the work.

(2) Subsection (1) applies only if the instruction is for private educational, teaching, or research purposes.

Section 20. Copying by libraries, archives, museums, and galleries

....

(5) A cultural institution does not infringe copyright in a work in its collection by copying the work for the purpose of allowing access to that copy by users of the institution whether for personal use or study on the institution's premises (with or without technical equipment) or by way of loan.

Croatia

Copyright and Related Rights Act and Acts on Amendments to the Copyright and Related Rights Act (OG Nos. 167/2003, 79/2007, 80/2011, 141/2013 & 127/2014) (Croat.), <https://wipolex.wipo.int/en/text/537702>

Article 82. Reproduction of the work for private or personal use

A natural person may reproduce a copyright work in any medium if he does so for private use, or in the form of photocopying and other personal use if this copy is not intended for or accessible to the public and has no direct or indirect commercial purpose. It shall not be permitted to reproduce the whole book, unless the copies of such book have been sold out for at least two years, graphic editions of musical works (hereinafter: sheet music), electronic databases, cartographic works, nor the building of architectural structures, unless otherwise provided by this Act or a contract.

Article 84. Restrictions for the benefit of particular institutions

Public archives, public libraries, educational and scientific institutions, preschool educational institutions and social (charitable) institutions pursuing non-commercial purposes may reproduce the work from their own copy to any media in not more than one copy.

Article 85. Collections intended for teaching or scientific research

(1) It shall be permitted to reproduce on paper or any similar medium and distribute particular portions (parts) of lawfully disclosed works, or integral short works from the domain of science, literature and music, as well as disclosed individual works of visual arts, architecture, applied arts and industrial design, photographic or cartographic works, and presentations of scientific or technical nature, in the form of a collection which contains contributions of several authors, and which is, by its contents, and systematisation exclusively intended for teaching or scientific research, as long as the source is indicated, unless the author expressly prohibits it. Reproduction and distribution of particular parts of copyright works shall not be considered as infringement

referred to in Article 16 of this Act, unless the disclosure of particular part would jeopardize the honour or reputation of the author.

(2) The authors of the works included in the collection referred to in paragraph (1) of this Article, are entitled to an equitable remuneration for the reproduction and distribution of their works.

Cuba

Copyright Law, 1977 (Law No. 14 of December 28, 1977, as amended by Decree-Law No. 156 of September 28, 1994), <https://wipolex.wipo.int/en/legislation/details/10585>, <https://wipolex.wipo.int/en/text/406064>, <http://www.parlamentocubano.gob.cu/index.php/documento/ley-del-derecho-de-autor/#:~:text=ART%C3%8DCULO%201.,principios%20de%20nuestra%20Revoluci%C3%B3n%20Socialista.&text=El%20ejercicio%20de%20los%20derechos,estos%20intereses%20sociales%20y%20culturales>.

Note: The text below was machine translated.

Article 38. On the Use of a Work without the Author's Consent and without Remuneration

It is lawful, without the consent of the author and without remuneration to the same, but with mandatory reference to their name and source, provided that the work is public knowledge, and respecting its specific values:

a) reproduce quotes or fragments in written, sound or visual form, for the purpose of teaching, information, criticism, illustration or explanation, all to the extent justified by the purpose pursued;

....

d) reproduce a work by a photographic or other analogous procedure, when the reproduction is made by a library, a documentation center, a scientific institution or an educational establishment, and provided that it is done on a non-profit basis and that the number of copies is strictly limited to the needs of a specific activity;

Dominica

Copyright Act, 2003 (Act 5 of 2003) (Dominica), <https://wipolex.wipo.int/en/legislation/details/1189>

Section 63. Private reproduction for personal purposes.

(1) Notwithstanding the provisions of section 10(1)(a), and subject to the provisions of subsection (2), the private reproduction of a published work in a single copy shall be permitted without the authorization of the author or owner of copyright where the reproduction is made by any person exclusively for his own personal purposes.

(2) The authorization under subsection (1) shall not extend to the reproduction

- (a) of a work of architecture in the form of building or other construction;
- (b) in the form of reprography, of the whole or a substantial part of a book or a recording of a musical work, a sound recording or a film by electronic means;
- (c) of the whole or a substantial part of a database in digital form;
- (d) of a computer programme, except as provided in section 70; and
- (e) of any work in cases where reproduction would conflict with a normal exploitation of the work or would otherwise unreasonably prejudice the legitimate interests of the author or other owner of the copyright.

Section 66. Determining fair practice

For the purpose of determining whether an act done in relation to a work constitutes fair practice, the court determining the question shall take account of all factors which appears to it to be relevant, including:

- (a) the nature of the work in question;
- (b) the extent and substantiality of that part of the work affected by the act in relation to the whole of the work;
- (c) the effect of that act upon the potential market on the commercial value of the work.

Section 68. Reprographic reproduction by libraries and archives

Notwithstanding the provisions of section 10(1)(a), any library or archive whose activities do not serve direct or indirect commercial gain may, without the authorization of the author or other owner of copyright, make a single copy of the work by reprographic reproduction

- (a) where the work reproduced is a published article, other short work or short extract of a work, and where the purpose of the reproduction is to satisfy the request of any person, provided that
 - (i) the library or archive is satisfied that the copy will be used solely for the purposes of study, scholarship or private research;
 - (ii) the act of reproduction is an isolated case occurring, if repeated, on separate and unrelated occasions; and
 - (iii) there is no collective licence available (that is, offered by a collective administration organization of which the library or archive is or should be aware) under which such copies can be made; or

Ecuador

Intellectual Property Law (Consolidated version of February 10, 2014) (Ecuador)

Note: The text below was machine translated.

Article 211. Fair use

It will not constitute a violation of the patrimonial rights the use or exploitation of a protected work or benefit, in the cases established in the following article, as long as they do not attempt against the normal exploitation of the work or protected benefit and do not cause unjustified damage to legitimate interests of the holder or holders of the rights. To determine if the use of the work or service is in accordance with the provisions of this article, the provisions of this Code will be taken into account and the International Treaties to which Ecuador is a party. In addition, at least the following should be considered factors:

1. The objectives and nature of the use;
2. The nature of the work;
3. The quantity and importance of the part used in relationship with the work as a whole, if applicable;
4. The effect of use on current market value and potential of the work; and,
5. The enjoyment and effective exercise of other rights fundamental

Article 212. Acts that do not require authorization for their use

Without prejudice to the provisions of the previous article, in accordance with the nature of the work, the international instruments to which Ecuador is a part and the principles of this Code, the cases determined in this article shall not constitute a violation of the patrimonial rights of the rights holder, provided that they do not attempt against the normal exploitation of the works and do not cause unjustified damage to the legitimate interests of the owner or holders of the rights. In this sense, the following acts do not require the authorization of the rights holder nor are they subject to any remuneration:

1. The inclusion in an own work of short fragments of other works of a written, sound or audiovisual nature, of a plastic, photographic, figurative or similar nature, provided that they are works already disclosed, that their inclusion be made by way of appointment or for its analysis, comment or critical judgment, for teaching or research purposes, to the extent justified by the purpose pursued, and provided that the source and the name of the author are indicated, and that in no case constitutes exploitation undercover of the work. Periodic compilations made in the form of reviews or press reviews will be considered citations;
2. The use of a work in the course of official procedures of the public administration, the legislature or the administration of justice;
3. The exhibition, execution, interpretation and public communication of works in official events organized by State institutions, for commemorative, cultural, scientific or educational purposes, provided that the assistance is free and that the participants do not receive remuneration specific for his intervention on the spot. Official acts will be understood as those that are organized with

the presence of various authorities (civil, ecclesiastical or military) and that have a specific protocol for their development;

4. The reproduction, translation, distribution and public communication for informational purposes of articles, comments, photographs, illustrations and similar works on current events and of collective interest, provided that the source and the name of the author are mentioned, if the original authorizes it. indicates, and the reservation of rights has not been recorded at source;

....

7. The reproduction, adaptation, distribution or public communication for scientific or educational purposes and to guarantee access to people with disabilities of architectural, photographic, fine art, applied art or other similar works that are permanently located in places open to the public, through photography, painting, drawing, filming or any other similar technique or procedure, provided that the name of the author of the original work, if known, and the place where it is located are indicated;

....

9. Individual reproduction of a work by a library, archive or museum, when the copy respective is in the library collection, archive or museum, and such reproduction is made with the following purposes:

- a. Preserve the copy and replace it in case of loss, destruction or uselessness;
- b. Deliver the copy to another library or archive reproduced for loan purposes to users of this library or file. The library or archive who receives the copy may in turn make a copy of it if necessary for preservation of the copy and the copy is intended for use by part of its users; or,
- c. Replace, in the permanent collection of another library or archive, a copy that has been lost, destroyed or disabled.

A library or archive may also carry out the following acts:

- i. The reproduction of fragments of works that are found in their collection, at the request of a library or archive user only for their personal use;
- ii. Electronic reproduction and public communication of works from its collection to be consulted free of charge and simultaneously by up to a reasonable number of users, only in network terminals of the respective institution or for users of that institution under its control, under conditions that guarantee that no electronic copies of such reproductions can be made;

...

viii. Text mining. Libraries and archives and their officials shall be exempt from responsibility for the acts carried out by their users as long as they act in good faith and have reasonable grounds to believe that the work protected by copyright or provision protected by neighboring rights has been used within the framework allowed by the limitations and exceptions provided in this

Paragraph or in a way that is not restricted by rights over the work or performance, or that said work or performance is in the domain public or under a license that allows its use;

Kiribati

Copyright Act, 2018 (Act No. 8 of 2018) (Kiribati), <https://wipolex.wipo.int/en/text/543458>

20. Copying by Cultural Institution

(1) In this section, "cultural institution" means a library, archive, museum, or gallery that is publicly funded in whole or in part.

...

(4) A cultural institution does not infringe copyright in a work in its collection by copying the work for the purpose of allowing access to that copy by users of the institution whether for personal use or study on the institution's premises (with or without technical equipment) or by way of a loan.

...

(6) The exceptions provided by this section do not apply if the copying of the work is for commercial purposes.

Latvia

Copyright Law, 2000 (as amended up to December 13, 2018) (Lat.), <https://wipolex.wipo.int/en/legislation/details/18546>

Note: The text below was machine translated.

Section 18. Principles of Restrictions on Economic Rights of an Author

(1) The right of an author to permit or prohibit the use of his or her work and receive remuneration for its use may be restricted in cases specified by this Law.

(2) The restrictions on the economic rights of an author referred to in this Chapter shall be applied in such a way that they are not contrary to the provisions for normal use of the work of an author and may not unjustifiably limit the lawful interests of the author.

(3) In case of doubt, it shall be considered that the right of an author to the use of the work or to the receipt of remuneration is not restricted.

(4) If a user of the work has the right to use the work in the cases specified in Section 20, Paragraph one, Clause 1, Sections 21-24 and 27, but he or she cannot implement these rights due to the effective technological measures used by the author, he or she has the right to request that the author gives access to such works taking into account the restrictions of the rights of an author. The author may refuse to provide such a possibility if the use of the work is contrary to the provisions of Paragraph two of this Section.

(5) If the user of the work and the author cannot reach an agreement in respect of the provisions of Paragraph four of this Section, they may apply to a mediator. [22 April 2004]

Section 21. Use of a Work for Educational and Research Purposes

(1) It being mandatory that the title and name of the author of the work are indicated and that the provisions of Section 18 of this Law are observed, it is permitted to use communicated or published works or fragments of them in textbooks which are in conformity with educational standards, in radio and television broadcasts, in audio-visual works, in visual aids and the like, which are specially created and used in the face-to-face teaching and research process in educational and research institutions for non-commercial purposes to the extent justified by the purpose of their activity.

(2) The provisions of this Section shall not apply to computer programs.

Section 23 Use of works for libraries, archives and museums

...

(2) Without consent from the author, libraries, archives and museums of the state, local government or of other derived public persons shall be entitled, without a direct or indirect commercial purpose, to make available the works in their permanent collection, as well as copies thereof made in accordance with Paragraph one of this Section, upon request for the use for scientific research or for self-education purposes, to natural persons who have authorised access to computers specifically set up in the premises of the relevant library, archive or museum. Such service shall be ensured by the relevant library, archive or museum by using exclusively the intranet that has special protection.

Sweden

Act on Copyright in Literary and Artistic Works, 1960 (Act (1960:729) on Copyright in Literary and Artistic Works (as amended up to Act (2018:1099)) (Swed.), <https://wipolex.wipo.int/en/legislation/details/18529>

Article 16 (Libraries)

Article 16. The governmental and municipal archival authorities, the scientific and research libraries operated by the community at large, and the public libraries are entitled to prepare copies of works, other than computer programs,

1. for purposes of preservation, completion or research,
2. for satisfying the desires of library borrowers for single articles or short extracts, or for material which, for security reasons, should not be given away in original form, or
3. for use in reading devices.

Copies prepared on paper pursuant to the first Paragraph, item 2, may be distributed to library borrowers.

Restrictions on Types of Works That Can Be Used in Research

Algeria

Copyrights and Neighboring Rights Act, July 19, 2003 (Ordinance No. 03-05 of 19 Joumada El Oula 1424) (Alg.), <https://wipolex.wipo.int/en/text/553559>

Article 41. (Private/personal Use)

One copy of the work can be reproduced, translated, quoted or converted for personal or family purposes without prejudicing the provisions of Article 25 of this law. An exception of the provisions of the first clause herein is the reproduction of architectural works embodied in buildings or similar forms, the written reproduction of a whole book, the reproduction of a musical work in a written form, the reproduction of a database in a digital form and the reproduction of computer software other than the cases stipulated for in Article 52 herein.

Article 45. (Library Copies for Research and Education)

Each library or document keeping center can reproduce a work in an article form, or into another summarized work or an excerpt from a written work with or without ornamentation, if published in a collection of works, newspaper volumes or periodicals except for computer software upon the request of a natural person subject to the following conditions:

- The converted copy shall only be used for educational, academic research, or personal purposes.
- The reproduction process shall be an isolated and non-recurring act.
- The National Bureau for Copyrights & Neighboring Rights has not granted a collective license authorizing such reproduction.

Andorra

Law on Copyright and Neighboring Rights, 1999 (Andorra), <https://wipolex.wipo.int/en/text/490209> Note: The text below was machine translated.

Article 7. Private Reproduction for Personal Purposes

(1) Notwithstanding the provisions of Article 5(1)(a), and subject to the provisions of paragraphs (2) to (6), the private reproduction in a single copy of a published work, where the reproduction is made by a physical person exclusively for his own private and personal use, including such use within the normal circle of his family and its social acquaintances, shall be permitted without the authorization of the author or other owner of the copyright in the work.

(2) The permission under paragraph (1) shall not extend to the reproduction

(a) of a work of architecture in the form of building or other construction;

(b) where the reproduction is reprographic reproduction, of an entire book, or a substantial part thereof, or of a musical work in graphic form;

(c) of a computer program, except as provided in Articles 12 and 13;

(d) of an electronic data base, except as provided in Article 14;

(e) of any work in cases where reproduction would conflict with a normal exploitation of the work or would otherwise unreasonably prejudice the legitimate interests of the author of, or other owner of the copyright in, the work.

(3) Where the reproduction referred to in paragraph (1) concerns an audiovisual work or a work embodied in a phonogram, the author or other owner of copyright-- Law on copyright and neighboring rights along with the performers and producers of phonograms or their successors-in-title as provided in Article 32(2) shall be entitled to equitable remuneration.

(4) An equitable remuneration shall be paid

(a) by the manufacturer of equipment or material supports normally used for private reproduction for personal purposes of works mentioned in paragraph (3), except where such equipment is, or such material supports are, exported, or

(b) by those who import such equipment or material, except where the importation is by a private person for his personal purposes.

(5) The equitable remuneration, referred to in paragraph (4) of this article, shall be collected by a collective management organization. In the absence of agreement between the representatives of the manufacturers and importers, on the one hand, and the collective management organization, on the other, the amount of the equitable remuneration and the conditions of its payment may be fixed by the arbitration commission of the Copyright Office.

(6) The collective management organization shall distribute the remuneration, referred to in paragraph (5) of this article, to the authors of, or other owners of copyright in, those works mentioned in paragraph (3) in respect of which, under the given circumstances, it may be presumed that they have been the subject of private reproduction mentioned in paragraph (1) and to the performers and producers of phonograms or their successors-in-title mentioned in Article 32(2). In the absence of agreement between the various groups of authors and other owners of copyright and/or performers and producers of phonograms or their successors-in-title concerning the proportions of the shares from the equitable remuneration to be distributed to them, those proportions may be fixed by the arbitration commission of the Copyright Office.

Article 10. Free Reprographic Reproduction by Libraries and Archives

Notwithstanding the provisions of Article 5(1)(a), any library or archive whose activities do not serve direct or indirect gain may, without the authorization of the author of, or other owner of copyright in, the work, make a single copy of the work by reprographic reproduction in the following events:

(a) where the work reproduced is a published article or other short work or short extract of a writing, with or without illustrations, and where the purpose of the reproduction is to satisfy the request of a physical person, provided that the library or archive is satisfied that the copy will be used solely for the purpose of study, scholarship or private research, and the act of reproduction is an isolated case occurring, if repeated, on separate and unrelated occasions.

Angola

Copyright Law, 2014 (Lei n.º15/14 de 31 de julho de 2014, dos Direitos de Autor e Conexos) (Angl.), <https://wipo.int/en/text/503105>Note: The text below was machine translated.

Article 51. (Use, unauthorized bids)

1. They are allowed, regardless of authorization of author and without any remuneration, the following use of works already legally disclosed, provided that the title and the author's name are mentioned and respected its genuineness and integrity:

....

d) Reproduction, translation, adaptation, arrangement or any other transformation for exclusive use individual and private;

2. The private reproduction referred to in subparagraphs d) of this article does not apply in the following cases:

a) The reproduction of architectural works covering the form of buildings or other similar constructions;

b) A reproduction reprographic of an entire book or of a musical work in graphical form (scores);

c) A reproduction of all or important parts of databases in digital form;

d) The reproduction of computer programs, in terms of this Law;

e) No other reproduction of a work that affects the normal operation of the work or cause damage unjustified to the author's legitimate interests.

Armenia

Law of the Republic of Armenia on Copyright and Related Rights, 2006 (as amended on April 13, 2013), <https://www.wipo.int/edocs/lexdocs/laws/en/am/am031en.pdf>

Article 22. Free Use of a Work (excerpts)

(1) Free use of a work shall mean the use of a work without the consent of the author and without remuneration, however with the obligatory mention of the author's name and the origin of the work, which does not prejudice the normal exploitation of the work and legitimate interests of the author to his work.

(2) The following free uses shall be permitted:

...

b) the use of works of literature and art lawfully made public and extracts thereof by illustration in the publications of educational nature, programs of broadcasting organizations, audio and video recordings to the extent justified by the purpose of illustration of education, and in the case of databases -for the illustration of education and to the extent justifying the non-commercial purpose;

....

(3) It shall be permitted, without the author's consent and without remuneration, to make short-time or rare temporary reproductions of a work, which have no individual economic significance, and is an inseparable and significant part of technological procedures and which have the following purpose:

- i) network distribution of a work through a mediator among third parties; or
- ii) provision of a possibility for lawful use of a work.

Article 23. Reproduction of a Work for Private Purposes

The reproduction of a work lawfully made public shall be permitted without the consent of the author and without remuneration exclusively for private, non-commercial use, which does not prejudice the legitimate interests of the author.

This provision shall not apply to the reproduction of constructions and architectural works of similar structure, machine-readable databases or their substantial parts, computer programs, as well as to the reproduction of whole books and graphic editions of musical works, unless otherwise provided by this Law.

Article 24. Reprographic Reproduction of a Work

(1) Reprographic reproduction shall mean a facsimile reproduction in one or more copies, in any dimension (enlarged or reduced) and in any form, of the original or the reproduction of a written or other graphic work by means of photocopying or by other technical means, except those connected with the application of printing type-forms.

(2) Reprographic reproduction shall not include the storage of the mentioned copy in electronic (including digital), optical or other machine-readable form or reproduction thereof.

(3) Without the consent of the author and without remuneration but with the obligatory mention of the author's name and the source of the work, and without profit making the following shall be permitted:

a) the reprographic reproduction of a lawfully published work by the libraries and archives, educational and cultural institutions for the purpose of restoring or substituting the lost or damaged copies (in one copy), as well as, in case of the loss of a copy of the work at the other libraries, for

placing the copy at their disposal if in ordinary conditions the obtaining of such a copy in other ways is impossible;

b) the reprographic reproduction (in one copy) of independent articles, succinct works lawfully published in collections, newspapers and other periodical publications, and of short extracts from lawfully published written works by the libraries and archives (on the demand of the natural persons) for the study and research purposes, as well as by the educational institutions for the classroom studies, except computer programs;

Azerbaijan

Law of the Republic of Azerbaijan on Copyright and Related Rights, 1996 (as amended up to Law No. 636-IVQD of April 30, 2013) (Azer.), <https://wipolex.wipo.int/en/text/317315>

Article 17. Free Use of Works and Phonograms for Personal Purposes

1. It shall be permissible to reproduce one copy of works previously published lawfully for personal purposes without the consent of author or other copyright owner and without payment of author's remuneration, on nonprofit base.

2. The provisions of paragraph 1 of this Article shall not be applied to followings:

- reproduction of works of architecture in the form of buildings and structures;
- reproduction of databases or substantial parts thereof;
- reproduction of computer programs, except for the cases provided for in Article 24 of this Law;
- reprographic reproduction of books (on the whole), sheet music and originals works of fine art;
- reproduction of work without the consent which communicated to the public interactively;
- any reproduction of work prejudicing normal use or unreasonably limiting author's interests communicated to the public interactively.

3. While reproducing audiovisual work or phonogram for personal and without commercial purpose, authors, performers and audiovisual work producers with respect to audiovisual work, performers and phonogram producers with respect to phonogram shall be entitled to receive remuneration. Indicated remuneration shall be paid by manufacturer or importer of equipment used for reproduction (audio and videotapes, other equipments) and material media (audio (or) video cassettes, laser discs and other material media).

Minimum amount, portion and procedure for paying the remuneration indicated in this Article shall be determined by relevant executive body.

4. The collection and portion of remuneration indicated in third paragraph of this Article shall be carried out by organization managing economic rights of authors, performers and phonogram

producers collectively, in accordance with the contract concluded among them. Unless otherwise stipulated in indicated contract, the remuneration shall be divided in following portion: 40%-to authors, 30%-to performers, 30%-to phonogram producers. The amount and procedure for paying the remuneration shall be determined by contract concluded between indicated manufacturer or importer on the one hand, and authors, performers and audiovisual work and phonogram producers or collective management organizations managing their economic rights on the other hand. In case parties can not agree, indicated amount and procedure shall be determined by relevant executive body of the Republic of Azerbaijan acting in the field of copyright. Portion of remuneration for personal purposes as indicated in first paragraph of this Article, shall be implemented among authors or other owners of rights, performers and phonogram producers in ordinary way.

5. In case the equipment and material media indicated in third paragraph of this Article are exported and are professional and not designed for use for recording in home conditions, no remuneration shall be paid for them. When indicated equipment and materials are imported by natural persons for personal purposes only, no remuneration shall be paid.

Article 18. Reprographic reproduction of works by libraries, archives and educational institutions.

1. Reprographic reproduction of work without consent of author or other right holder and without paying author's name and of source of borrowing, without commercial purpose and to the extent justified by the intended purpose:

a) for libraries and archives reprographic reproduction of lawfully published works in order to replace a lost, damaged or unusable specimens of a work; giving of specimens of works in order to replace a lost, damaged or unusable specimens at other libraries' or archives' foundations, provided that in ordinary condition buying of such specimens is not possible in another way;

b) reprographic reproduction in a single copy of lawfully published separate articles and other small works or excerpts from work, or other short excerpts from written works (except for computer programs) made upon natural persons request by libraries;

c) reprographic reproduction of lawfully published separate articles and other small works or short excerpts from written works for training at educational institutions.

Bahrain

Law relating to the Protection of Copyright and Neighbouring Rights, 2006 (Law No. 22 of the Year 2006) (Bahr.), <https://www.wipo.int/edocs/lexdocs/laws/en/bh/bh030en.pdf>

Article 19. (Private/personal use)

It is lawful to make a single copy of a legally published original work, or of a legal copy thereof, for purely personal use without the consent of the author and without paying compensation. This does not apply to the following:

(a) Reproducing works of architecture in the form of buildings or any other construction.

- (b) Making a photocopied reproduction of a (written) work, either in its entirety or a fundamental part thereof.
- (c) Making a photocopied reproduction of a work of sheet music, either in its entirety or a large part thereof.
- (d) Making a total or partial reproduction of databases in digital format.
- (e) Reproducing computer programs, unless pursuant to the provisions of article 26 of this Act.

Article 22 (Libraries)

In the following two circumstances, it is lawful for non-profit archives or libraries to make one photocopy of a work without the consent of the author and without paying compensation:

- (a) If the reproduction is made for the benefit of any of those institutions, and the new copy replaces an original which has been lost, destroyed, or is unfit for use, and if it is difficult to obtain a replacement original under reasonable conditions.
- (b) If the reproduction is of a published article, brief extracts of a work, or a short work, when the archive or library is satisfied that the purpose of the reproduction is to respond to a request by a natural person who wishes to use it for non-commercial study or research, that the reproduction is made just once or on separate and unrelated occasions, and that no collective licence is available to authorise such copying.

Belarus

Law on Copyright and Related Rights, 2011 (Law of the Republic of Belarus No. 262-3 of May 17, 2011) (Belr.), <https://wipolex.wipo.int/en/text/437921>

Article 35. Representation of Works and Objects of Related Rights for Personal Purposes

1. It is allowed to represent duly published works and objects of related rights in single copies by an individual exclusively for personal purposes (for personal use, without pursuing of commercial aims directly or indirectly). Such representation is allowed without payment of royalty unless otherwise stipulated in paragraph 3 of this Article.

2. Provisions of paragraph 1 of this Article do not cover representation of:

- works of architecture in the form of buildings and other structures;
- databases or their essential parts unless otherwise stipulated by Article 39 of this Law;
- computer programs unless otherwise stipulated by Article 39 of this Law;
- musical scores and books (fully) by replication;
- audiovisual work, drama or musical and drama work, work of choreography, pantomime or other scenario work by video record during public performance at the place with free

admission or the place where presented people are not members of family or close relatives of the person

- making the video record.

3. Authors or other holders of rights, performers and producers of sound records (their successors) are entitled to receive royalty for representation of audiovisual works and works in the form of sound records in accordance with paragraph 1 of this Article. Royalties are paid by manufacturers of equipment (audio and video players and other equipment) and material media (films, cassettes, laser discs, compact discs and other material media) commonly used for representation of works for personal purposes except for exported equipment and material media and importers of such equipment and material media except for the case when import is carried out by individuals for personal purposes.

Collection, distribution and payment of royalties are carried out by the organization managing property rights of authors or other holders of rights on the collective basis (hereinafter – the organization for collective management of property rights) in accordance with the legislation of the Republic of Belarus.

The minimum amount of royalties, terms of payment and proportion of distribution between authors or other holders of rights and performers and producers of sound records (their successors) are determined by the Council of Ministers of the Republic of Belarus

Article 37. Free Use of Works by Libraries and Archives

1. It is allowed, without consent of the author or other holder of rights and without payment of royalty but with mandatory indication of the author of the work, to provide originals or copies of duly published works into temporary free use. Electronic copies of works provided by libraries into temporary free use including reciprocal use of library resources can be provided only at the premises of libraries including use of local computer networks and remote access on condition of use of technical means of enforcement of copyright and related rights preventing the users from creation of full copies of such works in hard or electronic copy.

2. Libraries and archives can reproduce or otherwise represent duly published works without earning profit, for supplementing library and archive funds, replacement of lost, damaged or unusable originals or copies of works.

3. Articles and other small works duly published in collections and newspapers, magazines and other mass media, extracts from duly published literary and other works can be represented by replication or other representation without earning profit by libraries or archives upon requests of legal entities and individuals for educational and research purposes.

Bhutan

Copyright Act of the Kingdom of Bhutan, 2001, <https://wipolex.wipo.int/en/text/173748>

Section 10. (Private/personal use)

1. Notwithstanding the provisions of Section 8(1)(a), and subject to the provisions of subsection (2), the private reproduction of a published work in a single copy, where the reproduction is made by a physical person exclusively for his own personal purposes, shall be permitted, without the authorization of the author of, or other owner of the copyright in, the work.

2. The permission under subsection (1) shall not extend to the reproduction:

- a. of a work of architecture in the form of building or other construction;
- b. Where the reproduction of reprographic reproduction, or an entire book, or substantial part thereof, or of a musical work in graphic form;
- c. Of a data base;
- d. Of a computer program, except as provided in Section 15; and
- e. Of any work in cases where reproduction would conflict with a normal exploitation of the work or would otherwise unreasonably prejudice the legitimate interests of the author of, or other owner of the copyright in, the work.

Section 13. (Reprographic Reproduction by Libraries and Archives)

Notwithstanding the provisions of Section 8(1)(a), a library or archive whose activities do not serve direct or indirect gain may, without the authorization of the author of, or other owner of copyright in, the work, make a single copy of the work by reprographic reproduction.

a. where the work reproduced is a published article or other short work or short extract of a writing, with or without illustrations, and where the purpose of the reproduction is to satisfy the request of a physical person, provided that -

i) the library or archive is satisfied that the copy will be used solely for the purpose of study, scholarship or private research,

ii) the act of reproduction is an isolated case occurring, if repeated, on separate and unrelated occasions, and

iii) there is no collective license available (that is, offered by a collective administration organization in a way that the library or archive is aware or should be aware of the availability of the license) under which such copies can be made; or

b. where the making of such a copy is in order to preserve and, if necessary (in the event that it is lost, destroyed or rendered unusable), replace a copy, or to replace, in the permanent collection of another similar library or archive, a copy which has been lost, destroyed or rendered unusable, provided that

i) it is impossible to obtain such a copy under reasonable conditions, and

ii) the act of reprographic reproduction is an isolated case occurring, if repeated, on separate and unrelated occasions.

Botswana

Copyright and Neighboring Rights Act 2000, c. 68:02 (Act No. 8 of 2000, as amended by Act No. 6 of 2006) (Bots.), <https://wipolex.wipo.int/en/text/505430>

Article 13. Private reproduction for personal purposes

(1) Subject to subsection (2), the private reproduction of a published work in a single copy shall be permitted without the authorization of the author or owner of copyright, where the reproduction is made by any person exclusively for his own personal purposes.

(2) The permission granted under subsection (1) shall not extend to reproduction-

(a) of a work of architecture in the form of building or other construction;

(b) in the form of reprography of the whole or a substantial part of a book_or of a musical work in the form of notation;

(c) of the whole or a substantial part of a data base;

(d) of a computer, except as provided in section 17; and

(e) of any work in cases where reproduction would conflict with a normal exploitation of the work or would otherwise unreasonably prejudice the legitimate interests of the author or other owner of the copyright.

Article 16. Reprographic reproduction by libraries and archives

Any library or archive whose activities do not serve direct or indirect gain may, without the authorization of the author or other owner of copyright, make a single copy of the work by reprographic reproduction-

(a) where the work reproduced is a published article, other short work or short extract of a work, and where the purpose of the reproduction is to satisfy the request of a person, provided that-

(i) the library or archive is satisfied that the copy will be used solely for the purposes of study, scholarship or private research;

Belgium

Law of April 19, 2014 (inserting Book XI 'Intellectual Property' into Code of Economic Law, and Specific Provisions to the Book XI in Books I, XV and XVII of the Code) (Belg.) <https://wipolex.wipo.int/en/legislation/details/19261>

Note: The text below was machine translated.

Art. XI.190. (Private/personal use)

When the work has been lawfully published, the author cannot prohibit:

....

3. the free and private performance carried out in the family circle;

Article XI.190.

5 ° the partial or complete reproduction of articles, plastic or graphic works of art or that of short fragments of other works, with the exception of scores, when this reproduction is made on paper or on a similar support, by any photographic technique or any other method producing a similar result, for a strictly private purpose and does not prejudice the normal exploitation of the work;

....

6 ° the fragmentary or complete reproduction of articles, plastic or graphic works of art or that of short fragments of other works when this reproduction is made on paper or on a similar medium, using any photographic technique or any other method producing a similar result, for the purposes of illustration of teaching or scientific research, to the extent justified by the non-profit pursued and which does not prejudice the normal exploitation of the work, for as far as possible, unless this proves impossible, the source, including the name of the author, be indicated;

Article XI.190.

....

7 ° the partial or complete reproduction of articles, plastic or graphic works of art or that of short fragments of other works, when this reproduction is made on any support other than on paper or similar support, for the purposes of illustration of teaching or research scientific to the extent justified by the non-profit pursued and does not prejudice the normal exploitation of the work, provided, unless this proves impossible, that the source, including the name of the author, either indicated;

Other relevant articles: Article XI.217.1, Article XI.217.5

Cambodia

Law on Copyright and Related Rights, 2003 (Cambodia), <https://wipolex.wipo.int/en/text/567454>

Article 24. (private reproduction)

The private reproduction of a published work in a single copy shall be permitted without the authorization of the author or the right-holder, where the reproduction is made by a natural person exclusively for his own personal purposes.

The permission under the proceeding paragraph of this article shall not extend to the reproduction:

(a) Of a work of architecture in the form of building or other construction;

(b) In the form of reprography of the whole or a substantial part of a book, and of a musical work in the form of musical notation;

(c) Of the whole or of a substantial part of a database in digital form;

(d) Of a computer program, other than a backup-copy.

(e) Of any work, in cases where reproduction would conflict with a normal exploitation of the work or would otherwise unreasonably prejudice the legitimate interests of the author or the rightholder.

Article 25. (Library exception)

The author cannot prohibit the following acts:

....

b. The arrangement to preserve in a library the copy of work for the purpose of conservation or research.

France

Intellectual Property Code, 1992 (amended by Act No. 2016-925 of July 7, 2016) (Fr.), <https://wipolex.wipo.int/en/text/540561>

Note: The text below was machine translated.

Article L122-5. (Private/personal use)

When the work has been disclosed, the author cannot prohibit:

1 ° Private and free performances carried out exclusively in a family circle;

2 ° Copies or reproductions made from a lawful source and strictly reserved for the private use of the copyist and not intended for collective use, with the exception of copies of works of art intended to be used for ends identical to those for which the original work was created and copies of software other than the backup copy established under the conditions provided for in II of article L. 122-6-1 as well as copies or reproductions an electronic database;

....

10°. Copies and digital reproductions made from a lawful source for the purposes of mining text and data included in or associated with scientific publications, for public research purposes, excluding all commercial purposes. A decree fixes the conditions under which the exploration of texts and data is implemented, as well as the methods of conservation and communication of the files produced at the end of the research activities for which they were produced; these files constitute research data;

Gambia

Copyright Act, 2004 (Act No. 10 of 2004) (Gam.), <https://wipolex.wipo.int/en/text/221246>

Article 27. Private reproduction for personal purposes

27. (1) Notwithstanding the provisions of section 9(1)(a) and subject to the provisions of subsection (2), the private reproduction of a published work in a single copy is permitted without the authorisation of the author or other owner of copyright, where the reproduction is made by an individual exclusively for his or her own personal purposes.

(2) The permission under subsection (1) does not extend to reproduction -

(a) of a work of architecture in the form of building or any other construction;

(b) in the form of reprography of the whole or a substantial part of a book or of a musical work in the form of notation;

(c) of the whole or of a substantial part of a database in digital form;

(d) of a computer programme, except as provided in section 28; and

(e) of any work in cases where reproduction would conflict with a normal exploitation of the work or would otherwise unreasonably prejudice the legitimate interests of the author or other owner of the copyright.

Article 31. Reprographic reproduction by libraries and archives

Notwithstanding the provisions of section 9(1)(a), a library or an archive whose activities do not serve direct or indirect gain may, without the authorisation of the author or other owner of copyright, make a single copy of the work by reprographic reproduction where -

(a) the work reproduced is a published article, other short work or short extract of a work, and where the purpose of the reproduction is to satisfy the request of an individual if-

(i) the library or archive is satisfied that the copy will be used solely for the purposes of study, scholarship or private research,

(ii) the act of reproduction is an isolated case occurring if repeated, on separate and unrelated occasions, and

(iii) there is no collective licence offered by a Collecting Society of which the library or archive is or should be aware, under which the copy can be made; or

(b) the copy is made in order to preserve and, if necessary, or to replace a copy which has been lost, destroyed or rendered unusable in the permanent collection of another similar library or archive, provided that -

(i) it is impossible to obtain the under reasonable conditions, and

(ii) the act of reprographic reproduction is an isolated case occurring, if repeated, on separate and unrelated occasions.

Georgia

Law on Copyright and Neighboring Rights, 1999 (Law of Georgia No. 2112-IIS of June 22, 1999, as last amended as of May 4, 2010) (Geor.), <https://wipolex.wipo.int/en/text/548744>

Article 21(1). Reproduction of a work by natural persons for personal use

1. A natural person may reproduce a work made available to the public by means of lawful publication or making available to the public only for personal use without consent of the author or other owner of copyright and without payment of remuneration to him/her, except for the cases stipulated by Paragraphs 2 and 3 of this Article.

2. Paragraph one of this Article shall not apply in case of:

- a) reproduction of architectural works in the form of buildings;
- b) reproduction of electronic databases, except for the cases provided for by Articles 28 and 30 of this Law;
- c) reproduction of computer programs, except for the cases provided for by Articles 28 and 29 of this Law;
- d) reprographic copying of books (wholly), music notations (musical work in a graphic form) and works of fine arts;
- e) reproduction of an audiovisual work or a work fixed in a phonogram or videogram.

3. In the case of reproduction of an audiovisual work or a work fixed in a phonogram by a natural person for personal use, the author or other copyright owner shall, in contrast to the rule provided for in Paragraph 1 of this Article, be entitled to the receipt of respective remuneration.

4. The remuneration for the reproduction for personal use shall be paid by producers and importers of equipment (audio and video recorders and other equipment) and material carriers (audio and video tapes, cassettes, laser disks, compact disks, and other material carriers).

5. The remuneration shall be collected and distributed by one of the collective management organizations of economic rights of authors, performers and phonogram producers, under an agreement concluded between these organizations. Unless the agreement provides otherwise, the remuneration shall be distributed as follows: 40 percent - to the authors, 30 percent - to the performers, and 30 percent - to the phonogram producers.

The above-mentioned organizations are entitled to request from natural and legal persons, including governmental organizations and institutions, the information concerning production and importation of the equipment and material carriers referred to in Paragraph 4 of this Article.

6. The amount and the rule for payment of the remuneration shall be determined by an agreement between the above-mentioned producers and importers, on the one hand, and one of the collective management organizations of economic rights of authors, performers and phonogram producers, on the other one. If the parties fail to agree, the amount of the remuneration, the rule

for its calculation and payment, on the basis of a request of one of the parties or the parties, shall be determined by “Sakpatenti”. The decision of “Sakpatenti” may be appealed against in court within 2 months of taking the decision.

7. The remuneration shall be distributed among the authors of the works and other owners of copyright and related rights, referred to in Paragraphs 3 and 5 of this Article.

8. The remuneration shall not be paid in respect to the equipment and material carriers provided for by Paragraph 4 of this Article, which represent:

a) the subject of export;

b) the professional equipment not intended for domestic use.

9. The remuneration shall not be also paid in the case of importation of the se equipment and material carriers by natural persons for personal purposes.

10. The right of reproduction of the copyrighted works provided for by this Law shall not apply to a temporary copy.

Article 22: Reprographic copying of a work by libraries, archives and educational institutions

Reprographic copying, without receiving direct or indirect profit, shall be permitted without the consent of the author or other copyright owner and without paying remuneration to him/her, as long as the author’s name and the source is indicated, and in separate cases – to the extent justified by the set purpose. Such reprographic copying shall be permitted:

a) in a single copy, to replace by libraries and archives copies of lawfully published works that have been lost, damaged or become unusable; to replace copies from collections of other libraries that have been lost, damaged or become unusable in order to transfer them to these libraries, if it is impossible to obtain such copies in another manner under ordinary conditions;

b) in a single copy of lawfully published individual articles and other small-volume works, or excerpts from written works (other than computer programs), by libraries and archives, at the request of natural persons, for educational, scientific or personal purposes;

c) of short extracts from the lawfully published individual articles and other small-volume works, or written works (other than computer programs), by educational institutions for teaching purposes.

Article 23. Use of a work without consent of the author and without paying remuneration

Without the consent of the author and without paying remuneration to him/her, but subject to mandatory indication of the author and the source used, the following shall be permitted:

a) quotation from works made available to the public by means of lawful publication or making available to the public, for scientific, research polemic, criticism and information purposes, to the extent justified by the purpose of quotation, including reproduction of short extracts from newspapers and journals for a printed survey;

Haiti

Decree of January 9, 1968 relating to Copyright in Literary, Scientific and Artistic Works, Decree of October 12, 2005 on the Creation of the Office of Haitian Copyright (BHDA) (Haiti), <https://wipolex.wipo.int/en/legislation/details/5091>

Note: The text below was machine translated.

Article 8 (Private Use)

Notwithstanding the provisions of article 7, and subject to those of paragraph (2) of this article, it is allowed, without the authorization of the author and without the payment of remuneration. to reproduce a work lawfully published exclusively for the private use of the user.

Paragraph (1) does not apply:

1. the reproduction of architectural works in the form of buildings or others similar constructions;
2. reprographic reproduction of an entire book or a musical work in the form graphics (scores);
3. the reproduction of all or significant parts of databases: data in the form digital;
4. the reproduction of computer programs except in the cases provided for in article 16; and
5. no other reproduction of a work which would prejudice the normal exploitation of the work or would cause undue hardship to the legitimate interests of the "author.

Hungary

Government Decree No. 117 of 2004 (IV. 28.) Korm. on the Determination of the Manner & Conditions of the Communication & Making Available to the Public in the Case of Free Use Provided for in Article 38(5) of Act LXXVI of 1999 on Copyright (Hung.), <https://www.wipo.int/edocs/lexdocs/laws/en/hu/hu076en.pdf>

Note. See Hungarian Copyright Office translation from June 2018: https://www.hipo.gov.hu/sites/default/files/szjt_lxxvi_1999_en_rev_1.pdf

Article 35. (Cases of free use)

Section 35 (1) Natural persons may make copies of the work for private purposes if these do not serve, either directly or indirectly, the purpose of earning or increasing one's income. This provision shall not apply to architectural works, technical structures, software and computer-operated databases, or to the recording of the public performance of a work on a video or audio carrier. Sheet music shall not be reproduced by means of reprography [section 21(1)] even for private purposes or in the cases mentioned in paragraph (4)b) to d).

(2) The copying of complete books, periodicals or daily newspapers for private purposes shall qualify as free use only if it is done by handwriting or using a typewriter.

(3) Having a work copied by a third party using a computer or on an electronic data carrier, regardless of its private purpose, shall not qualify as free use.

(4) Public libraries, educational establishments [section 33(4)], museums, archives and video or audio archives qualifying as public collections shall be allowed to make copies of works if these do not serve, either directly or indirectly, the purpose of earning or increasing one's income and

a) the copy is necessary for scientific research or archiving,

b) the copy is made for public library supply or for a use specified in section 38(5),

c) the copy is made of a minor part of a published work, or of a newspaper or periodical article, for internal institutional purposes, or

d) ...

(5) Parts of a work published as a book, as well as newspaper and periodical articles may be reproduced for the purposes of school education in a number corresponding to the number of students in a respective class, or for the purposes of exams in public and higher education in a number necessary for that purpose.

(6) A temporary reproduction, which is auxiliary or interim, and is an integral and essential part of a technological process with no independent economic significance, shall qualify as free use if its sole purpose is to enable

a) transmission in a network between third parties by an intermediary service provider, or

b) the use of the work authorised by the author or authorised on the basis of the provisions of this Act.

(7) Temporary recording of a work lawfully used by a radio or television organisation for the broadcast of its own programme schedule if made by its own facilities shall qualify as free use. Unless otherwise provided by the contract authorising the broadcasting of the work, such a recording shall be destroyed or deleted within three months calculated from the date when it was made. Temporary recordings defined in a separate Act as having an exceptional documentary value may, however, be preserved for an indefinite term in video or audio archives qualifying as public collections.

(8) The instances of free use referred to under paragraphs (1), (4), (5) and (7) shall be without prejudice to the application of sections 20 to 22.

Kazakhstan

Law on Copyright and Related Rights, 1996 (Law of the Republic of Kazakhstan No. 6-I of June 10, 1996, as amended up to Law of the Republic of Kazakhstan No. 419-V of November 24, 2015) (Kaz.), <https://wipolex.wipo.int/en/legislation/details/19294>

Note: The text below was machine translated.

Section 18. Reproduction of a work for personal purposes without the consent of the author or other copyright holder and without payment of royalties

1. It is allowed, without the consent of the author or other copyright holder and without payment of royalties, the reproduction by an individual in a single copy of a legally published work solely for personal purposes and without income, with the exception of cases provided for in Article 26 of this Law.

2. The provision of paragraph 1 of this article shall not apply to:

- 1) reproduction of works of architecture in the form of buildings and similar structures;
- 2) reproduction of databases or essential parts of them;
- 3) reproduction of computer programs, with the exception of cases provided for in Section 24 of this Law;
- 4) reproduction (reprographic reproduction) of books (in full) and musical texts.

...

Section 20. Use of Works by Reproduction

Reproduction in a single copy without a profit is allowed without the consent of the author or other copyright holder and without payment of royalties, but with the obligatory indication of the name of the author whose work is used and the source of borrowing:

...

2) individual articles and small-volume works lawfully published in collections, newspapers and other periodicals, short excerpts from legally published written works (with or without illustrations) by libraries and archives at the request of individuals for educational and research purposes;

Kyrgyzstan

Law on Copyright and Related Rights, 1998 (Law of the Kyrgyz Republic on Copyright and Related Rights, 1998, as amended up to Law No. 14 of January 21, 2014) (Kyrg.), <https://wipolex.wipo.int/en/legislation/details/17222>

Note: The text below was machine translated.

Article 20. Use of works by libraries, archives and educational organizations

1. It is allowed without the consent of the author and without paying royalties, but with the obligatory indication of the name of the author, whose works are used, and the source of borrowing, reproduction in a single copy without making profit:

...

2) individual articles and small-volume works lawfully published in collections, newspapers and other periodicals, short excerpts from lawfully published written works (with and without illustrations) by libraries and archives at the request of individuals for educational and research purposes;

3) individual articles and small-volume works lawfully published in collections, newspapers and other periodicals, short excerpts from lawfully published written works (with illustrations and without illustrations) by educational organizations for educational, educational and research purposes.

Lebanon

Law on the Protection of Literary and Artistic Property, 1999 (Law No. 75 of 1999) (Leb.), <https://wipolex.wipo.int/en/legislation/details/2786>

Article 23. (Private/personal use)

Without prejudice to the provisions of Article 24 of this Law, any natural person may, for his personal and private use, copy, record or make a single copy of any work protected under this Law without the authorization or consent of the copyright holder and without having to pay him any compensation, provided that the work has been legally published.

Article 24 (Preclusions to Private Use)

24. The exception provided for in the previous Article shall not apply if it is prejudicial to the other rights and interests of the copyright holder. In particular, it shall be prohibited to: - execute an architectural work in the form of a complete or partial construction; - copy, record or reproduce any work of which a limited number of original copies are published; - reproduce the whole or a significant part of a book; - record or transmit compilations of data of all kinds; - record or copy computer programs unless the record or copy is made by the person authorized by the copyright holder to use the program and for the purpose of making a single copy for use in the case of loss or damage of the original copy.

Lithuania

Law on Copyright and Related Rights, 1999 (Law No. VIII-1185 of May 18, 1999, as amended on October 7, 2014 – by Law No. XII-1183) (Lith.), <https://wipolex.wipo.int/en/legislation/details/15422>

Article 20. Reproduction of Works for Private Use

1. It shall be permitted for a natural person, without the authorisation of the author of the work or any other owner of copyright in the work, to reproduce, exclusively for his individual use and not for commercial advantage, in a single copy a work lawfully published or communicated to the public.

2. Reproduction of works for personal use by means of reprography (on paper or any similar medium, effected by the use of any kind of photographic technique or by some other process having similar effects) shall be regulated by the provisions set out in Article 20¹ of this Law.

3. The provisions of paragraph 1 of this Article shall not apply to the reproduction of the following works:

- 1) works of architecture in the form of building or other construction works;
- 2) computer programmes (with the exception of the cases provided for in Articles 30 and 31 of this Law);
- 3) electronic databases (with the exception of the cases provided for in Article 32 of this Law).

Article 20.1 . Reprographic Reproduction of Works for Private Use

1. It shall be permitted, without the authorisation of the author of a work or any other owner of copyright in this work, to reproduce by means of reprography, for private use but not for purposes of commercial advantage, a lawfully published article or any other short work, or a short extract of a writing with or without illustrations (effected by the use of any kind of photocopying technique or by some other process having similar effects, where a work is reproduced on paper or any similar medium).

2. The provisions of paragraph 1 of this Article shall not apply to the reproduction by means of reprography of the whole text of a book or a major part thereof, or sheet music.

3. The owners of copyright and publishers shall be entitled to the compensatory remuneration for the reproduction of works by means of reprography as provided for in paragraph 1 of this Article (hereinafter: 'compensatory remuneration').

Article 22. Reproduction of a Work for the Purpose of Illustration of Teaching or Scientific Research

The following shall be permitted without the authorisation of the author of a work or any other owner of copyright in this work and without the payment of a remuneration, but indicating, where possible, the source, including the author's name:

- 1) reproduction, communication to the public and public display, for the non-commercial purpose of illustration for teaching or scientific research, of short works lawfully published or communicated to the public or short extracts of a work lawfully published or communicated to the public, either in the original language or translated into another language, provided that this is related to study programmes and does not exceed the extent justified by the purpose to be achieved;

2) reproduction, communication to the public and public display, by way of illustration, for noncommercial purposes of works created to evaluate students' learning achievements, provided that this is related to study programmes and teacher professional development programmes and is done to the extent justified by the purpose of teaching or teacher professional development;

3) use of works held by libraries, by libraries of educational and research institutions, museums or archives, communicating them to the public, for the non-commercial purpose of research or private study, via computer networks at the terminals designated for that purpose in those establishments, if the work is not publicly traded and the copyright owners do not prohibit the use of such works. For the purpose of such limitation, the establishment referred to in this point may reproduce the acquired copies of the works, but only in order to make communication of a work to the public technically possible via computer networks. At the same time, it shall not be permitted to make accessible via computer networks more copies of 30 22 a work than held by these institutions. The establishments specified in this point must ensure the use of effective technical protection measures so copies of works would not be reproduced and the content information of works would not be transferred or transmitted outside the terminals of the establishments to external networks;

4) public performance and public display for non-commercial purposes of a work at concerts, exhibitions of formal and non-formal education institutions and pre-school education institutions (nurseries, nursery-kindergartens, kindergartens; also nurseries, nursery kindergartens and kindergartens for pre-school education of children with special needs), where such concerts and exhibitions constitute a part of education process carried out by these institutions.

Luxembourg

Law on Copyright, Neighboring Rights and the Databases, 2001 (Law of April 18, 2004, amending Law of April 18, 2001) (Lux.), <https://wipo.lex.wipo.int/en/text/128654>

Note: The text below was machine translated.

Article 10. (includes research, private use, and library exceptions)

When the work, other than a database, has been lawfully made accessible to the public, the author may not prohibit:

...

2. the reproduction and communication to the public of short fragments of works for the sole purpose of illustration of teaching or scientific research to the extent justified by the non-commercial aim pursued and subject to such use being in accordance with to good practice and that, unless this proves impossible, the source, including the name of the author, is indicated.

....

4. Reproduction on any medium by a natural person for his private use and for purposes not directly or indirectly commercial, provided that the rights holders receive fair compensation, which

takes into account the application of the technical measures referred to in articles 71ter to 71quinquies of this law to the works concerned.

....

14. Public communication, for research or private study purposes, by means of specialized terminals, to individuals within the precincts of the institutions referred to in point 10 ° above, of works that are part of their collection which are not subject to purchasing or licensing conditions.

The exceptions listed above may not affect the normal exploitation of the work, nor cause undue harm to the legitimate interests of the author. ”

Maldives

The Copyright & Related Rights Act, 2010 (Law n. 23/2010) (Maldives), <https://wipolex.wipo.int/en/legislation/details/9517>

Section 12. Private reproduction for personal purposes

(a) Notwithstanding the provisions of Section 10 (a) (1), and subject to the provisions of Subsection (b), the private reproduction of a published work in a single copy shall be permitted without the authorization of the author or owner of copyright, where the reproduction is made by a person exclusively for his own personal purposes.

(b) The permission under Subsection (a) shall not extend to the following.

(1) to the reproduction of a work of architecture in the form of building or other construction;

(2) to reproduction in the form of the whole or a substantial part of a book or of a musical work in the form of notation;

(3) to reproduction of the whole or a substantial part of a database in digital form;

(4) to reproduction of a computer program, except as provided in Section 18 of this regulation; and

(5) to reproduction of any work in cases where reproduction would affect the normal proceedings the work may generate and could prejudice the legitimate interests of the author or other owner of the copyright.

(6) to reproduction of feature films, documentary films, dramas, video songs and other audiovisual presentations created for commercial use.

Montenegro

Law on Copyright and Related Rights, 2011 (Official Gazette of Montenegro, Nos. 37/2011 and 53/2016) (Montenegro), <https://wipolex.wipo.int/en/legislation/details/16684>

Note: The text below was machine translated.

Article 52. Duplication for private and other internal needs

It is allowed, under the condition referred to in Article 36 of this Law, without acquiring the appropriate property right and without paying compensation, to reproduce the published work:

1) natural person:

a) on paper or other similar means using an appropriate photographic technique or other procedure with similar effects,

b) on another medium if the reproduction was made for private use, if the copies are not available to the public and if the reproduction is not done for direct or indirect material gain;

2) a public archive, library, museum and educational or research institution by any means, if the duplication is made from a copy owned by that legal entity for internal use and provided that it is not done for direct or indirect property gain.

Reproduction referred to in paragraph 1 of this Article in the scope of the entire book, music sheet materials, electronic databases, computer programs, as well as the construction of architectural structures according to the project and on the basis of copies that have been illegally reproduced or made available to the public is prohibited.

Morocco

Law on Copyright and Related Rights, 2000 (Law No. 2-00 promulgated by Dahir No. 1-00-20 of 9 Kaada 1420 (February 15, 2000)) (Morocco), <https://wipolex.wipo.int/en/legislation/details/19766>

Article 12. Free Reproduction for Private Purposes

Notwithstanding the provisions of Article 10 above, and subject to those in the second paragraph of this Article, it shall be permitted, without the authorization of the author or payment of a fee, to reproduce a lawfully published work solely for the private use of the user.

The provisions of the previous paragraph shall not apply to:

- (a) the reproduction of architectural works in the form of buildings or other similar constructions;
- (b) the reprographic reproduction of a whole book or a musical work in graphical form (scores);
- (c) the reproduction of the whole or parts of databases in digital form;
- (d) the reproduction of computer programs apart from in the cases specified in Article 21 below;
- (e) any other reproduction of a work which appears to hamper the normal use of the work or would unjustifiably prejudice the author's legitimate interests.

Art. 16 Free Reprographic Reproduction by Libraries and Archive Departments

Notwithstanding the provisions of Article 10 above, and without the authorization of the author or any other copyright owner, a library or archive departments whose activities are not designed directly or indirectly to generate commercial profit may produce, by means of reprographic reproduction, individual copies of a work:

(a) when the reproduced work is an article, short work, or short extracts of a written work other than computer programs, with or without illustrations, published in a collection of works or an edition of a journal or periodical, or when the aim of the reproduction is to respond to the request of a natural person;

(b) when the production of such a copy is intended to preserve it and, if necessary, (where it appears to have been lost, destroyed or rendered unusable), to replace it in a permanent collection of another library or other archive department, or to replace copies lost, destroyed or rendered unusable.

Nicaragua

Law on Copyright and Neighboring Rights, 1999 (Law No. 312 of 1999, consolidated version as of February 2001) (Nicar.), <https://wipolex.wipo.int/en/legislation/details/3160>

Article 31. (personal use)

Reproduction in a copy of a disclosed work is permitted without authorization of the author exclusively for personal use. The above provision does not apply to:

- 1) The reproduction of architectural works that review the shape of buildings or other similar constructions.
- 2) The reprographic reproduction of an entire book or of a musical work in graphic form (scores).
- 3) The reproduction of all or important parts of databases in numerical form.
- 4) The reproduction of computer programs, except in the cases provided for in Article 39 of this Law.
- 5) Neither to any other reproduction of a work that could affect the normal exploitation of the work or that could unreasonably harm the legitimate interests of the author.

Oman

Law on Copyright and Neighboring Rights, 2008 (promulgated by Royal Decree No. 65/2008) (Oman), <https://wipolex.wipo.int/en/legislation/details/5832>

Article 20. Free Uses of Works

Subject to the moral copyrights, stipulated under this law, the following uses of works shall be lawful even without the consent of the author provided that the source and the name of the author are mentioned if listed in the work, and provided that a free use shall not be allowed if the use conflicts with the normal exploitation of the work, performance, or phonogram or unreasonably prejudices the legitimate interests of the author, performer, or producer of phonograms:

1. Quoting paragraphs from a protected work lawfully made available to the public in another work for clarification, explanation, or criticism purposes, to the extent of the desired purpose and as much as justified by such goal.
2. Use of the work in meetings within the family or through an educational institution for clarification during face-to-face educational or teaching purposes, within the limits justified by such goal, provided that this would be done with no direct or indirect compensation.
3. Reproduction, to the extent justified by the purpose and without the purpose of direct or indirect financial gain, of a single copy by reprographic means of protected works by public libraries, non-commercial documentation centers, educational establishments and scientific and cultural institutions, provided that such reproduction shall be:
 - a- For a published article or short work whereas the purpose of reproduction is to meet the need of a natural person for use in a study or research and provided that reproduction shall be for one time, or at varying intervals. Reproduction shall also be considered if repeated, on separate and unrelated occasions, and that there is no collective license available under which such reproduction can be made, or;
 - b. Reproduction for the purpose of maintaining the original copy or replacing a lost or damaged copy for which it is not possible to obtain a substitute.

Palau

Republic of Palau Copyright Act of 2003, <https://wipolex.wipo.int/en/legislation/details/8122>

Section 7. Private reproduction for personal purposes.

- (a) Notwithstanding the provisions of section 6, the private reproduction of a single copy of a published work shall be permitted without the authorization of the author or copyright owner, where the reproduction is made by a natural person for his or her own personal purposes.
- (b) The permission provided in subsection (a) shall not extend to reproduction:
 - (1) of a work of architecture in the form of a building or other construction;
 - (2) in the form of reprography of the whole or a substantial part of a book or of a musical work in the form of notation;
 - (3) of the whole or a substantial part of a database in digital form;

- (4) of a computer program, except as otherwise provided in this Act; and
- (5) of any work in cases where reproduction would conflict with a normal exploitation of the work or would otherwise unreasonably prejudice the legitimate interests of the author or owner of the copyright.

Section 10. Reprographic reproduction by libraries and archives.

Notwithstanding the provisions of section 6, any library or archive whose activities are not for commercial gain may, without the authorization of the author or copyright owner, make a single copy of a work by reprographic reproduction under the following circumstances:

(a) where the work reproduced is a published article, other short work, or a short extract of a work, and where the purpose of the reproduction is to satisfy the request of a natural person, provided that:

- (1) the director of the library or archive, or his or her authorized agent, is satisfied that the copy will be used solely for the purposes of study, scholarship, or private research
- (2) the act of reproduction is an isolated act occurring, if repeated, on separate and unrelated occasions; and
- (3) there is no collective license offered by a collective administrative organization of which the management of the library or archive is or should be aware, under which such reproduction can be authorized;

Papua New Guinea

Copyright and Neighbouring Rights Act, 2000 (Law No. 21 of 2000) (Papua N.G.),
<https://wipolex.wipo.int/en/legislation/details/3427>

Article 8. Private Reproduction for Personal Purposes

(1) Notwithstanding the provisions of Section 6(1)(a), and subject to Subsection (2), the private reproduction of a published work in a single copy may be made without the authorisation of the author or owner of copyright, where the reproduction is made by a person exclusively for his own personal purposes.

(2) Subsection (1) does not apply to the reproduction -

- (a) of a work of architecture in the form of building or other construction; or
- (b) in the form of reprography of the whole or a substantial part of a book or of a musical work in the form of notation; or
- (c) of the whole or a substantial part of a database in digital form; or
- (d) of a computer program, except as provided in Section 13; or

(e) of any work in cases where reproduction would conflict with a normal exploitation of the work or would otherwise unreasonably prejudice the legitimate interests of the author or other owner of the copyright.

Article 12. Reprographic Reproductions by Public Institutions

Notwithstanding the provisions of Section 6 (1) (a), a public institution whose activities does not serve direct or indirect commercial gain may, without the authorisation of the author or other owner of copyright, make a single copy of the work by reprographic reproduction -

(a) where the work reproduced is a published article, other short work or short extract of a work, and where the purpose of the reproduction is to satisfy the request of a person, provided that -

(i) the public institution is satisfied that the copy shall be used solely for the purposes of study, scholarship or private research; and

(ii) the act of reproduction is an isolated case occurring, where repeated, on nseparate and unrelated occasions; and

(iii) there is no license or other authority available under which approval for such copies can be made; or

(b) where the copy is made in order to preserve and, where necessary, replace a copy or to replace a copy which has been lost, destroyed or rendered unusable in the permanent collection of another public institution provided that it is impossible to obtain such a copy under reasonable conditions and that the act of reprographic reproduction is an isolated case occurring, where repeated, on separate and unrelated occasions.

Paraguay

Law on Copyright and Related Rights, 1998 (Law No. 1328/1998) (Para.), <https://wipo.lex.wipo.int/en/text/129427>

Title V Limits of the Right of Exploitation and its Term

Chapter I: Limitations on Exploitation Rights

Article 38. (Communication)

The intellectual works protected by this Law may be lawfully communicated in the following cases without need for the permission of the author or payment of any remuneration:

1. where it is done in an exclusively domestic environment, provided that there is no direct or indirect profit-making purpose;

...

3. in the case of single, personal copies that are used solely for teaching purposes by teaching staff at educational establishments;

Article 44. (Personal use)

44. The exclusively personal copying of works published in graphic form or in the form of sound or audiovisual recordings shall be lawful where the compensatory remuneration referred to in Chapter IV of Title IV of this Law has been paid. The reproductions allowed under this Article shall not however extend to the following:

1. reproduction of a work of architecture in the form of a building or other construction;
2. reproduction of the whole of a book or musical work in graphic form, or of the original or a copy of a work of fine art executed and signed by the author;
3. a database or compilation of data

(Chapter IV Rights to Compensatory Remuneration)

34. The owners of the rights in works published in graphic form or in the form of videograms or phonograms or any kind of sound or audiovisual recording shall have the right to a share in the compensatory remuneration for reproductions of those works or products that are made exclusively for personal use by means of non-typographical technical apparatus. The remuneration shall be determined according to the equipment, apparatus and materials used for making the reproduction. Payment shall be proved by an identifying mark on the recording or reproduction apparatus and on the physical materials used for the duplication, as appropriate. Copyright owners may incorporate anti-copying technology and oversee the reproduction of their work.)

Peru

Copyright Law, 1996 (Legislative Decree No. 822, as amended up to Legislative Decree No. 1391) (Peru), <https://wipolex.wipo.int/en/legislation/details/18762>

Note: The text below was machine translated.

Article 48. (Private/personal use)

It shall be lawful to make copies for exclusively personal use of works, performances or productions published as sound or audiovisual recordings. The reproductions permitted by this Article shall not however include the following:

- (a) the reproduction of a work of architecture in the form of a building or any other structure;
- (b) the reproduction of the whole of a book, a musical work in written form or the original or a copy of a three-dimensional work made and signed by the author;
- (c) a data base or compilation of data.

Law on Copyright and Neighbouring Rights, 2010 (Law No. 139 of July 2, 2010, as amended by Law No. 212 of July 29, 2016) (Mold.), <https://wipolex.wipo.int/en/legislation/details/16407>

Article 26. Reproduction of Works for Personal and Private Use

(1) Reproduction of a lawfully published work shall be permitted without the consent of the author or other holder of copyright, but subject to payment of an equitable remuneration, as provided for in paragraphs (3) – (11) of this Article, if made by a natural person for his own exclusive use, and for purposes that are neither directly or indirectly commercial. The right to remuneration may only be exercised through a collective management organization.

(2) The provisions of paragraph (1) of the present Article shall not apply to reproduction:

- a) of a work of architecture in the form of a building or similar construction;
- b) of a database;
- c) of a computer program, except in the cases referred to in Article 29;
- d) of a complete book, a musical score or the original of a work of plastic art;
- e) of an audiovisual work during its public performance;
- f) of any work on the basis of a copy or from a source about which the person that makes a reproduction knows, or, under the given circumstances, he has reasonable reasons to know, that it is illegal.

(3) The equitable remuneration mentioned in paragraph (1) shall be paid by those natural or legal persons who produce or import any equipment (sound recording equipment, video recorders, drivers for recordable and re-recordable discs, etc.) and mediums (blank tapes and cassettes, laser discs, compact discs, etc.) that may be used for reproduction of audiovisual works and phonograms.

Article 27. Reprographic Reproduction by Libraries, Archive Services and Other Establishments

(1) It shall be permitted without the consent of the author or other holder of copyright, and without the payment of remuneration, but subject to mention of the name of the author whose work is used and of source of borrowing, to make reprographic reproduction in one copy to the extent justified by the aim pursued,

...

b) of isolated articles and other succinct works or of short extracts of literary works that have been lawfully published (except for computer programs) if such reproduction is made by the libraries or archive services to meet the needs of natural persons that use the copies so obtained for their personal purpose of study and research, with no direct or indirect economic or commercial advantage;

c) of isolated articles and other succinct works or of short extracts of literary works that have been lawfully published (except for computer programs) if such reproduction is made by teaching establishments for purposes of study or research and with no direct or indirect economic or commercial advantage.

Article 28. Other Exceptions and Limitations

It shall be permitted without the consent of the author or other holder of copyright and without payment of remuneration

a) short quotations in another work for purposes such as criticism or review, provided that they relate to a work or other subject-matter which has already been lawfully made available to the public, provided that, unless this turns out to be impossible, the source, including the author's name, is indicated, and that their use is in accordance with fair practice, and to the extent required by the specific purpose;

Russian Federation

Civil Code of the Russian Federation, 2006, Part Four (as amended up to Federal Law No. 549-FL of December 27, 2018, and Federal Law No. 177-FL of July 18, 2019) (Russ.), <https://new.fips.ru/en/documents/civil-code-of-the-russian-federation-4.php#70>, also available in Russian in Lex: <https://wipolex.wipo.int/en/legislation/details/19354>

Article 1273. Free Reproduction for Personal Purposes

1. A citizen may reproduce, if necessary and exclusively for personal purposes a legally published work without the author's or other right holder's consent and without paying a fee, except for the following:

- 1) the reproduction of works of architecture in the form of buildings and similar structures;
- 2) the reproduction of databases or significant parts thereof, except as provided for by Article 1280 of this Code;
- 3) the reproduction of computer programmes, except for the cases envisaged by Article 1280 of the present Code;
- 4) the reproduction of books (in full) and musical notation texts (Article 1275), that is the facsimile reproduction with the help of technical facilities for the purposes other than publication;
- 5) the video recording of an audiovisual work when it is publicly performed in a place open to the public or in a place attended by a significant number of persons who do not belong to the ordinary family group;
- 6) the reproduction of an audiovisual work using professional equipment not intended for home use.

2. When phonograms and audiovisual works of art are reproduced exclusively for personal purposes, authors, performers and manufacturers of the phonograms and audiovisual works of art have the right to the remuneration provided for by Article 1245 of this Code.

Article 1275. Free Use of Works by Libraries, Archives and Educational Organisations

(...)

5. Public libraries, as well as archives where access to archival documents is not restricted, provided that there is no aim to derive profits, are entitled without the consent of the author or other right holder and without paying a fee but with the mandatory citing of the name of the author whose work is used and of the source of borrowing to make a single copy and provide copies, in particular in electronic form, of individual articles and small-size works lawfully published in collections, newspapers and other periodical prints, short extracts from other lawfully published written works (with illustrations and without such) at the requests of citizens for scientific and educational purposes.

Rwanda

Law on the Protection of Intellectual Property, 2009 (Law No. 31/2009 of 26/10/2009) (Rwanda), <https://wipolex.wipo.int/en/text/194215>

Article 203: Private reproduction for personal purposes

Notwithstanding the provisions of article 200 of this Law, and subject to the provisions of paragraph 2 of this article, the private reproduction of a published work in a single copy shall be permitted without the authorization of the author or owner of copyright and without payment of any remuneration, where the reproduction is made by a natural person exclusively for his own personal purposes.

The provisions under paragraph one of this article shall not extend to reproduction:

1° of a work of architecture in the form of building or other similar constructions;

2° in the form of reprography of the whole or of a substantial part of a book or of a musical work in the form of notation;

3° of the whole or of a substantial part of a database in digital form;

4° of a computer program, except as provided in article 178;

5° of any work in cases where reproduction would conflict with a normal exploitation of the work or would otherwise unreasonably prejudice the legitimate interests of the author or other owner of the copyright.

Article 207: Free reprographic reproduction by libraries and archives

Notwithstanding the provisions of article 200 of this Law, any library or archive whose activities do not serve direct or indirect gain may, without the authorization of the author or other owner of copyright, make a few copies of the work by reprographic reproduction:

1° where the work reproduced is a published article, other short work or short extract of a work, and where the purpose of the reproduction is to satisfy the request of a natural person, provided that the library or archive is satisfied that the copy will be used solely for the purposes of study, scholarship or private research, the act of reproduction is an isolated case occurring, if repeated, on separate and unrelated occasions, and there is no collective license available;

Serbia

Law on Copyright and Related Rights, 2011 (Official Gazette of the Republic of Serbia No. 104/2009, 99/2011, 119/2012, 29/2016 and 66/2019) (Serb.), <https://wipo.lex.wipo.int/en/legislation/details/19376>

Note: The text below was machine translated.

Article 46. (personal use)

A natural person is allowed to multiply copies of a published work for personal non-commercial needs without the permission of the author and without paying the author's fee, which does not exclude the application of Article 208, paragraph 1, item 4 and 5 of this law.

Reproduced copies of the work referred to in paragraph 1 of this Article may not be placed on the market or used for any other form of public communication of the work.

The provision of paragraph 1 of this Article shall not apply to:

- 1) recording the performance, presentation and presentation of the work;
- 2) three-dimensional realization of plans for works of fine art;
- 3) construction realization of a part of architecture;
- 4) making a new building on the model of an existing building that is an author's work;
- 5) computer programs and electronic databases;
- 6) duplication of written works in the volume of the entire book, unless copies of that book have been sold out for at least two years;
- 7) duplication of music notes, except by manual transcription.

Compensation for the use of the work in the manner provided for in para. 1 and 2 of this Article, the authors have on the basis of the provisions of Article 39 of this Law.

Seychelles

Copyright Act, 2014 (Act No. 5 of 2014) (Sey.), <https://wipolex.wipo.int/en/text/344478>

Article 9: Private reproduction for personal purposes

9.(1) Subject to the provisions of subsection (2), the private reproduction of a published work in a single copy shall be permitted without the authorisation of the author or other owner of copyright, where the reproduction is made by a natural person exclusively for his or her own personal purposes.

(2) The provisions of subsection (1) shall not extend to reproduction-

- (a) of a work of architecture in the form of building or other construction;
- (b) in the form of reprography of the whole or of a substantial part of a book or of a musical work in the form of notation;
- (c) of the whole or of a substantial part of a database in digital form;
- (d) of a computer program, except as provided in section 15; and
- (e) of any work in cases where reproduction would conflict with a normal exploitation of the work or would otherwise unreasonably prejudice the legitimate interests of the author or other owner of the copyright.

Section 13. Reproduction by Libraries and Archives

13. A library or archive whose activities do not serve direct or indirect gain may, without the authorisation of the author or other owner of copyright, make a single copy of a work-

- (a) by reprographic reproduction where the work reproduced is a published article, other short work or short extract of a work, and where the purpose of the reproduction is to satisfy the request of a person, provided that-
 - (i) the library or archive is satisfied that the copy will be used solely for the purposes of study, scholarship or private research;
 - (ii) the reproduction of any particular work is an isolated act occurring, if repeated, on separate and unrelated occasions; and
 - (iii) there is no collective license available offered by a collective copyright management organisation under which such copies can be made; or for part of a work that is to say one volume of work;

Sierra Leone

The Copyright Act, 2011 (Act No. 8 of 2011) (Sierra Leone), <https://wipolex.wipo.int/en/text/328521>

Section 10. Economic rights of authors

- (1) The author of any protected copyright work has the exclusive economic right in respect of the work to do or to authorise the doing of any of the following:

....

Section 27. Private reproduction for personal purposes

(1) Notwithstanding paragraph (a) of subsection (1) of section 10 and subject to subsection (2), the private reproduction of a published work in a single copy is permitted without the authorization of the author or other owner of copyright, where the reproduction is made by an individual exclusively for his own personal purposes.

(2) The permission under subsection (1) does not extend to reproduction - (a) of a work of architecture in the form of building or any other construction; (b) in the form of reprography of the whole or of a substantial part of a book or of a musical work in the form of notation; (c) of the whole or of a substantial part of database in digital form; (d) of a computer programme, except as provided in section 28; and (e) of any work in cases where reproduction would conflict with a normal exploitation of the work or would otherwise unreasonably prejudice the legitimate interests of the author or other owner of the copyright.

Slovenia

Copyright and Related Rights Act, 1995 (as amended up to October 22, 2016) (Slovn.), <https://wipo.lex.wipo.int/en/legislation/details/3704>

Note: The text below was machine translated.

Article 50: (Private and other own reproduction)

(1) Subject to Article 37 of this Act, the reproduction of an already published work is free if it is performed in a maximum of three copies and if the conditions referred to in the second or third paragraph of this Article are met.

(2) A natural person may freely reproduce work

1. on paper or similar medium using photocopying or other photographic technique with similar effects,

2. on any other medium, if he does so for private use, if the copies are not handed over or communicated to the public and if it does not intend to achieve direct or indirect economic benefits.

(3) Public archives, public libraries, museums and educational and scientific institutions may freely reproduce work on any medium for their own needs, provided that they do so from their own instance and if they do not intend to achieve direct or indirect economic benefits.

(4) Reproduction under the preceding paragraphs of this Article is not permitted in respect of written works in the scope of the entire book, graphic editions of musical works, electronic

databases and computer programs and in the form of an architectural object, unless otherwise provided by this Act or the contract.

free:

(5) Notwithstanding the preceding paragraph, under the conditions referred to in the first paragraph of this Article

1. reproduce a written work in the volume of the entire book, if its circulation has been exhausted for at least two years;
2. reproduce a graphic edition of a musical work by hand copying.

Tajikistan

Law of the Republic of Tajikistan on Copyright and Related Rights, 1998 (as amended up to 2009) (Taj.), <https://wipolex.wipo.int/en/legislation/details/10433>

Note: The text below was machine translated.

Article 19. Reproduction of Works for Personal Purposes without Consent of Authors and Payment of Royalty

Reproduction of other authors' lawfully published works without consent of the author or other copyright possessor without payment of royalty for personal purposes shall be allowed given that no damage is caused to normal exploitation of the work and legal interests of the author are not violated, except as provided by the Article 39 of this Law.

Provision of this Article shall not apply in the following cases:

- 1) reproduction of the architectural works in the form of buildings and analogous structures;
- 2) reproduction of database or its material parts;
- 3) reproduction of computer software, with the exception of cases stipulated in the Article 24 of this Law;
- 4) reproduction of books (full reproduction) and musical notation;
- 5) any unauthorized reproduction communicated to public for interactive use

Article 20. Use of a work without the consent of the author and without payment of royalties, but with the obligatory indication of the name of the author and source of borrowing (includes library)
Permitted without the consent of the author or other owner of the copyright rights and without payment of copyright fees, but with the obligatory indication of the name of the author, a product which is used and the source of borrowing:

(..)

7) reproduction in a single copy without making profit:

(...)

b) individual articles and succinct works, lawfully published in collections, newspapers and other periodical publications, short excerpts from lawfully published written works (with illustrations or without them) by libraries and archives for the needs of physical persons in education and research goals;

Tonga

Copyright Act, 2002 (Act No. 12 of 2002) (Tonga),
<https://wipolex.wipo.int/en/legislation/details/5270>

Article 8. Private reproduction for personal purposes

(1) Notwithstanding the provisions of section 6(1)(a), and subject to the provisions of subsection (2), the private reproduction of a published work in a single copy shall be permitted without the authorisation of the author or owner of copyright, where the reproduction is made by a person exclusively for his own personal purposes.

(2) The permission under subsection (1) shall not extend to reproduction—

(a) of a work of architecture in the form of building or other construction;

(b) in the form of reprography of the whole or a substantial part of a book or of a musical work in the form of notation;

(c) of the whole or a substantial part of a database in digital form;

(d) of a computer program, except as provided in section 14; or

(e) of any work in cases where reproduction would conflict with a normal exploitation of the work or would otherwise unreasonably prejudice the legitimate interests of the author or other owner of the copyright.

(...)

Article 12. Reprographic reproduction by libraries and archives

Notwithstanding the provisions of section 6(1)(a), any library or archive whose activities do not serve direct or indirect commercial gain may, without the authorisation of the author or other owner of copyright, make a single copy of the work by reprographic reproduction—

(a) where the work reproduced is a published article, other short work or short extract of a work, and where the purpose of the reproduction is to satisfy the request of a natural person, provided that—

- (i) the library or archive is satisfied that the copy will be used solely for the purposes of study, scholarship or private research;
- (ii) the act of reproduction is an isolated case occurring, if repeated, on separate and unrelated occasions; and
- (iii) there is no collection licence available (that is, offered by a collective administration organisation of which the library or archive is or should be aware) under which such copies can be made; or

Trinidad and Tobago

Copyright Act, 1997 (Act No. 8 of 1997, amended up to Act No. 5 of 2008) (Trin. & Tobago), <https://wipolex.wipo.int/en/text/183966>

Article 9. Private reproduction for personal purposes

9. (1) Notwithstanding the provisions of section 8(1)(a) and subject to the provisions of subsection (2) the private reproduction of a published work in a single copy shall be permitted without the authorisation of the owner of copyright, where the reproduction is made by a natural person exclusively for his own personal purposes.

(2) The permission under subsection (1) shall not extend to reproduction—

- (a) of a work of architecture in the form of a building or other construction;
- (b) in the form of reprography of the whole or a substantial part of a book or of a musical work in the form of notation;
- (c) of the whole or a substantial part of a database;
- (d) of a computer program, except as provided in section 14; or
- (e) of any work in cases where reproduction would conflict with a normal exploitation of the work or would otherwise unreasonably prejudice the legitimate interests of the owner of copyright.

Article 12. Reprographic reproduction by libraries and archives.

Notwithstanding the provisions of section 8(1)(a), any library or archive whose activities do not serve direct or indirect commercial gain may, without the authorisation of the owner of copyright, make a single copy of the work by reprographic reproduction—

(a) where the work reproduced is a published article, other short work or short extract of a work, and where the purpose of the reproduction is to satisfy the request of a natural person,

provided that—

- (i) the library or archive is satisfied that the copy will be used solely for the purpose of study, scholarship or private research;

(ii) the act of reproduction is an isolated case occurring, if repeated, on separate and unrelated occasions; and

(iii) there is no collective licence available (that is, offered by a collective administration organisation of which the library or archive is or should be aware) under which such copies can be made; or

Turkmenistan

Law on Copyright and Related Rights, 2012 (Law of Turkmenistan No. 257-IV of January 10, 2012, as amended by Law No. 668-V of November 25, 2017) (Turkm.), <https://wipolex.wipo.int/en/legislation/details/20204>

Note: The text below was machine translated.

Article 18. Reproduction of personal goals

1. It is allowed without the consent of the author or other copyright holder and without payment of royalties to reproduce in a single copy of a lawfully published work by an individual solely for personal purposes without generating income.

2. Part one of this article does not apply to:

- 1) reproduction of works of architecture in the form of buildings and similar structures;
- 2) reproduction of databases or their essential parts;
- 3) reproduction of computer programs, except for the cases provided for by Article 21 of this Law;
- 4) reprographic reproduction of books (in full), sheet music and originals of works of fine art.

3. Reproduction of an audiovisual work, phonogram and videogram by individuals for personal purposes without income is allowed without the consent of the copyright holders, but with payment of remuneration due: in relation to the reproduction of an audiovisual work - to the authors, performers and manufacturer of the audiovisual work; with regard to the reproduction of a phonogram (videogram) - to authors, performers and the producer of a phonogram (videogram).

The remuneration is paid by manufacturers and importers of equipment (audio and (or) video recorders and other equipment) and material carriers (sound and (or) video tapes and cassettes, CDs and other material carriers) used for such reproduction.

The amount of remuneration and the conditions for its payment are determined by an agreement between the specified manufacturers and importers, on the one hand, and organizations that manage the property rights of authors, producers of phonograms or videograms and performers on a collective basis, on the other hand, and if the parties do not reach such an agreement, - by the authorized state body for intellectual property. When this takes into account that when the copyright holders use technical means of protection, access to such works, phonograms and

videograms for reproduction for personal purposes may also be conditional on the payment of remuneration.

The collection and distribution of this remuneration is carried out by organizations that collectively administer property rights. The remuneration shall be distributed in the following proportion: forty percent - to authors, thirty percent - to performers, thirty percent - to producers of phonograms (videograms) in relation to works and phonograms (videograms) in relation to which it can be assumed that they were reproduced for personal purposes.

4. The remuneration shall not be paid for equipment and material carriers specified in part two of this article, which are:

- a) items of export;
- b) professional equipment not intended for home use.

The remuneration is also not paid for the import of the specified equipment and materials by individuals solely for personal purposes.

Section 20. Use of Works and educational (reprographic reproduction) libraries, archives institutions

1. It is allowed without the consent of the author or other copyright holder and without payment of royalties, but with the obligatory indication of the name of the author whose work is used, and the source of borrowing, reprographic reproduction without making a profit in a single copy:

- 1) libraries or archives - a legally published work to replace the lost, destroyed or become unusable copies; providing copies of the work to other libraries to replace the lost, destroyed or become unusable works from their collections, if obtaining such a copy is otherwise impossible under normal conditions;
- 2) libraries or archives at the request of individuals for educational and research purposes - individual articles and small-volume works lawfully published in collections, newspapers and other periodicals, excerpts from lawfully published written works (with the exception of computer programs);
- 3) educational institutions for classroom studies - individual articles and small-volume works lawfully published in collections, newspapers and other periodicals, excerpts from lawfully published written works (except for computer programs).

2. Reprographic reproduction provided for in clauses 2 and 3 of part one of this article is allowed in the absence of a license for reprographic reproduction issued by an organization that manages the property rights of authors on a collective basis, the presence of which (license) is known or should have been known to the library, archive or an educational institution.

Ukraine

Law on Copyright and Related Rights, 1993 (Law of Ukraine No. 3792-XII of December 23, 1993, as amended up to April 26, 2017) (Ukr.), <https://wipolex.wipo.int/en/legislation/details/16942>

Note: The text below was machine translated.

Article 22. Free Reproduction by Libraries and Archives Reprographic copies of a work

It is allowed without the consent of the author or any other person who has the copyright reprographic reproduction of one copy of the work of libraries and archives whose activities are not intended directly or indirectly for profit, under the following conditions:

1) in the case when the reproduced work is a separate published article and other small works or excerpts from written works (except for computer programs and databases), with or without illustrations, and when this reproduction is carried out at the request of individuals provided that:

- a) the library and the archive have sufficient grounds to believe that such a copy will be used for the purposes of education, training and private research;
- b) the reproduction of the work is an isolated case and is not systematic;

Article 23. Free reproduction of copies of a work for study

It is allowed without the consent of the author or another person who has copyright:

1) reproduction of excerpts from published written works, audiovisual works as illustrations for study, provided that the volume of such reproduction meets the stated purpose;

2) reprographic reproduction by educational institutions for classrooms of published articles and other small-volume works, as well as excerpts from written works with or without illustrations, provided that:

- a) the volume of such reproduction meets the specified purpose;
- b) the reproduction of the work is an isolated case and is not systematic;

Article 25. Free reproduction of works for personal purposes

1. It is allowed without the permission of the author (or other person who has copyright) and without payment of royalties to reproduce exclusively for personal purposes or for the family circle previously lawfully published works, except:

- a) works of architecture in the form of buildings and structures;
- b) computer programs, except in cases provided article 24 of this Law;
- c) reprographic reproduction of books, musical texts and original works of fine art, except for the cases provided for in Articles 22 and 23 of this Law;

(Paragraph "d" of the first part of Article 25 is excluded on the basis of Law No. 850IV (85015) of May 22, 2003)

2. Works and performances recorded in phonograms, videograms, their copies, as well as audiovisual works and their copies may be reproduced at home exclusively for personal purposes or for the family without the permission of the author (authors), performers, producers of phonograms, producers of videograms, but with payment of remuneration. Peculiarities of remuneration payment in this case are determined by Article 42 of this Law. (Part two of Article 25 as amended by Law No. 850IV (85015) of May 22, 2003)

Uzbekistan

Law on Copyright and Related Rights, 2006 (Law of the Republic of Uzbekistan No. ZRU-42 of July 20, 2006, as amended up to Law of the Republic of Uzbekistan No. ZRU-476 of April 18, 2018) (Uzb.) <https://wipolex.wipo.int/en/legislation/details/18020>

Note: The text below was machine translated.

Article 25. Reproduction of works for personal purposes without the consent of the author and without payment of remuneration

Reproduction of a published work for personal purposes is allowed without the consent of the author or other copyright holder and without payment of remuneration, with the exception of cases provided for in Article 33 of this Law.

The rules of the first part of this article shall not apply in relation to: reproduction of works of architecture in the form of buildings and structures; reproduction of databases or their essential parts; reproduction of computer programs, except as provided by law; reprographic reproduction of books (in general) and musical texts.

Section 27. Use of Works by Reprographic Reproduction

See previous edition. Allowed without the purpose of generating income, without the consent of the author or otherwise copyright holder and without payment of remuneration, but with the obligatory indication of the name of the author, whose works are used, and the source of borrowing reprographic reproduction in a single copy:

- a published work - by information and library institutions, archives and departmental archives for the restoration, replacement of lost or damaged copies, as well as for providing copies of works to other information and library institutions, archives and departmental archives that have lost for some reason these works from their collections;

- individual articles and small works published in collections, newspapers and other periodicals, short excerpts from published written works (with or without illustrations) by information and library institutions, archives and departmental archives at the request of citizens for educational and research purposes, as well as educational institutions for classroom activities.

Venezuela (Bolivarian Republic of)

Law on Copyright, 1993 (Venez.), <https://wipolex.wipo.int/en/text/130135Article 43>.

43. The following shall be considered lawful communications:

1. those occurring in a domestic environment, provided that there is no profit-making purpose;
2. those made in the general interest in the course of official events and religious ceremonies, provided that the public is allowed to attend them free of charge and that none of the participants in the communication receives specific remuneration for participation in the act;
3. those made for strictly scientific and teaching purposes in educational establishments, provided that there is no gainful intent

Article 44. (The following shall be considered lawful reproductions)

1. The reproduction in one copy of a printed, sound or audiovisual work, except in the case of a computer program, which shall be governed by subparagraph 5 of this Article, provided that the copy is made for the exclusive personal use of the user, and is made by the interested party with his own means;
2. Photomechanical reproduction for exclusive personal use, as by photocopying and microfilm, provided that it is confined to small parts of a protected work or works that are out of print, and without prejudice to the equitable remuneration that the companies, institutions and other organizations offering the service to the public have to pay to the owners of the right of reproduction; any use of the reproduced material for other than personal purposes that is made in competition with the author's exclusive right to exploit his work shall be deemed equivalent to unlawful reproduction;

Restrictions to Quotes and Excerpts

Argentina

Copyright Law, 1933 (Law No. 11.723 of September 28, 1933, on Legal Intellectual Property Regime, Copyright Law, as amended up to Law No. 26.570 of November 25, 2009) (Arg.), <https://wipolex.wipo.int/en/text/225488>

Article 10. (Quotation)

Article 10. Any person may publish, for didactic or scientific purposes, comments, criticisms or notes referring to intellectual works, including up to 1,000 words for literary or scientific works, or eight bars in musical works and, in all cases, only the parts of the text essential for that purpose.

This provision shall cover educational and teaching works, collections, anthologies and other similar works.

Where inclusions from works by other people are the main part of the new work, the courts may fix, on an equitable basis and in summary judgment, the proportional amount to which holders of the rights in the works included are entitled.

Bolivia

Law on Copyright, 1992 (Law No.1322 of April 13, 1992) (Bol.), <https://wipolex.wipo.int/en/text/225957>

Article 24. (Quotation)

An author may be quoted, whereby quotation shall be understood to mean the inclusion within one's own work of short excerpts from works by others, provided that the works have already been disclosed, that the source and the name of the author of the work used are stated, that the inclusion is by way of quotation or for analysis, comment or critical assessment, for educational or research purposes, in accordance with proper practice and to the extent justified by the purpose being pursued, and that no infringement of the law occurs.

Brazil

Law on Copyright and Neighboring Rights, 1998 (Law No. 9.610 of February 19, 1998, as amended by Law No. 12.853 of August 14, 2013) (Braz.), <https://wipolex.wipo.int/en/text/505104>

Article 46. (Private use/Quotation)

Does not constitute copyright infringement:

....

II. reproduction, in a single copy of short excerpts, for the private use of the copyist, provided that it is made by the latter, without profit intention;

III - citation in books, newspapers, magazines or any other means of communication, of passages of any work, for purposes of study, criticism or controversy, to the extent justified for the purpose to be achieved, indicating the name of the author and the origin of the work;

Congo, Dem. Rep.

Ordinance-Law No. 86-033 of April 5, 1986 on the Protection of Copyright and Neighboring Rights (Dem. Rep. Congo), <https://wipolex.wipo.int/en/legislation/details/7511>

Art.24 (Quotation)

It shall be lawful to reproduce quotations or excerpts of protected works for cultural, scientific, teaching, critical or polemic purposes, provided that the source, title and name of the author are mentioned.

Guatemala

Law on Copyright and Related Rights, 1998 (Decree No. 33-98, as amended up to Decree No. 11-2006 of the Congress of the Republic) (Guat.), <https://wipolex.wipo.int/en/text/408729>

Article 63. (Communication exceptions)

The works protected by this Law may be lawfully communicated, without need authorization from the author or payment of any remuneration when communication:

- a) is conducted in an exclusively domestic environment, provided that there is an interest economic, direct or indirect, and that communication be not deliberately disseminated to exterior, in whole or in part, by any means.
- b) is effected exclusively educational purposes in the course of the activities of an institution of teaching staff and students of that institution, provided that communication not for profit, direct or indirect, and that the audience consists solely of the staff and students of the school or parents or teachers of students and others directly linked to the activities of the institution.
- c) it is essential for the practice of a judicial or administrative proceedings

Article 64. (Reproduction exceptions)

With regard to works already disclosed is also permitted without authorization author, in addition to the provisions of Article 32:

- a) reproduction by reprographic means of articles or brief excerpts from works lawfully published, for teaching or conducting examinations in educational institutions, provided there is no profit and that such use does not interfere with the normal exploitation of the work or prejudice the legitimate interests of the author;
- b) The individual reproduction of a work by libraries or files that have no profit, when the copy is in its permanent collection, in order to preserve that and replace it if necessary, or to replace a similar copy in the permanent collection of another library or archive, when it has been lost, destroyed or unutilized, if not possible to acquire the copy deadline or reasonable terms;
- c) The reproduction of a work for judicial or administrative proceedings;
- d) reproduction for personal use of a work of art exhibited permanently in public or on the exterior facade of buildings, executed by an art that is places different from that used for the preparation of the original, provided that the author's name indicated, if it is dealing, and the title of the work, if any, and the place where it is

Monaco

Law on the Protection of Literary and Artistic Property, 1948 (Law No. 491 of November 24, 1948, as amended up to Law No. 1.313 of June 29, 2006) (Monaco), <https://wipolex.wipo.int/en/legislation/details/9056>

Note: The text below was machine translated.

Article 16. (Quotation)

It is permissible to publish borrowings from literary or artistic works, provided that the source and the author are indicated when these publications are of a scientific or academic nature or constitute chrestomathies.

Nepal

Copyright Act, 2059 (2002) (Act number 8 of the year 2059 (2002)) (Nepal), <https://wipolex.wipo.int/en/text/189128>

Article 16. Reproduction allowed for personal purpose

(1) Notwithstanding anything contained in Clause (a) of Section 7, no authorization shall be required from the author or the copyright owner to reproduce some portions of any published work for personal use.

(2) Notwithstanding anything contained in Sub-section (1), no reproduction of an architectural design erected as a building and other construction related design or a significant portion of any book or of a musical work as notation of all or significant portion of a database through digital transmission shall be allowed in a manner to be prejudicial to the economic right of the author or the copyright owner.

Pakistan

The Copyright Ordinance, 1962 (Act No. XXXIV, as amended by Copyright (Amendment) Ordinance, 2000 dated 29 September 2000) (Pak.),

<https://www.wipo.int/edocs/lexdocs/laws/en/pk/pk005en.pdf>

Article 57. (Copyright exceptions)

57.—(1) The following acts shall not constitute an infringement of copyright, namely:

(a) a fair dealing with a literary, dramatic, musical or artistic work for the purpose of—

- (i) research or private study;
- (ii) criticism or review, whether of that work or of any other work;

(b) a fair dealing with a literary, dramatic, musical or artistic work for the purpose of reporting current events—

- (i) in a newspaper, magazine or similar periodical, or
- (ii) by broadcast or in a cinematographic work or by means of photographs;

(...)

Explanation.—For the purposes of clause (a) or clause (b) of this subsection—

(i) in relation to a literary or dramatic work in prose, a single extract up to four hundred words, or a series of extracts (with comments interposed) up to a total of eight hundred words with no one extract exceeding three hundred words; and

(ii) in relation to a literary or dramatic work in poetry, an extract or extracts up to a total of forty lines and in no case exceeding one-fourth of the whole of any poem may be deemed to be fair dealing with such work:

Provided that in a review of a newly published work reasonably longer extracts may be deemed fair dealing with such work.

Panama

Law on Copyright and Neighboring Rights, 2012 (Law No. 64 of October 10, 2012) (Pan.), <https://wipolex.wipo.int/en/text/505829>

Note: The text below was machine translated.

Article 67. (Private/personal use)

The following are legal communications, without authorization from the author or payment of remuneration:

1. Those carried out in the domestic sphere, provided there is no lucrative interest, direct or indirect.

....

4. Those carried out within a research institution, only for research purposes and without any lucrative character, when they are carried out through a closed or internal network through specialized terminals installed for this purpose at the headquarters of the institute, provided that such Works appear in the permanent collection of the establishment itself and without prejudice to the licenses to be acquired on the computer programs used in the computer system.

Article 68. (Reproduction and reprography)

Regarding works, services or productions already lawfully disclosed, the following are allowed without authorization:

1. The reproduction of the original or a copy of the work in the form of sound or audiovisual recording for the personal and exclusive use of the user.

2. The reprographic reproduction of a legitimate example for exclusive personal use provided that it is limited to small parts of the protected work or to sold-out works. Any use of the reproduced pieces by any means or procedure for use other than personal, made in concurrence with the exclusive right of reproduction, is equated with the illegal use.

Uruguay

Law on Literary and Artistic Property, 1937 (Law No. 9.739 of December 17, 1937, as amended up to Law No. 18. 046 of October 24, 2006) (Uru.), <https://wipolex.wipo.int/en/text/403199>

<https://www.impo.com.uy/bases/leyes/9739-1937>

Article 42. (Paying Public Domain)

Where a work falls into the public domain, any person may exploit it subject to the following limitations:

- a) He shall abide by the tariffs laid down by the Copyright Council. The Executive Power, under the regulation of the law, shall ensure that those tariffs are moderate and general for each category of the works;
- b) The publication, performance, broadcast, reproduction, etc., must be true and accurate. The Copyright Council shall ensure that this provision is observed without prejudice to the provisions of the following article.

Article 44. (Unlawful reproduction)

The following, among others, shall be special cases of unlawful reproduction:

A) Literary works in general:

1. The printing, fixing, reproduction, distribution, communication or the making available to the public of a work without the consent of the author;

Article 45. Exceptions for Reproduction

Reproduction is not unlawful:

1. The publication or broadcast by radio or the press, of works intended for the teaching of extracts, fragments of poetry and separate articles, provided that the author's name is mentioned therein, excluding the provisions of article 22.
2. The publication or broadcast by radio or the press, of oral lessons given by teachers, speeches, reports or statements given in deliberating assemblies, in Courts or in public meetings;
3. News, articles, news reporting or recordings of general interest, provided that their exact version is maintained and the source is mentioned;

4. Transcriptions intended for comments, reviews or polemics;