

GOVERNMENT OF THE REPUBLIC OF TAJIKISTAN

RESOLUTION # 252

July 1, 1999

Dushanbe

**On minimal rates of royalty for public performance of literature and art works, reproduction of works in sound (mechanical) recording and distribution of copies of sound recordings and audiovisual works and reproduction of works of fine art and replication of decorative applied art works industrially**

According to the Law of the Republic of Tajikistan on Copyright and Related Rights, the Government of the Republic of Tajikistan decrees:

1. To approve and put into force from July 1, 1999:  
minimal rates of royalty for public performance of literature and art works according to Annex 1;  
minimal rates of royalty for reproduction of works in sound (mechanical) recording and distribution of copies of sound recordings and audiovisual works according to Annex 2;  
minimal rates of royalty for reproduction of fine art works and replication works of decorative and applied art in industry according to Annex 3.
2. The specific rate of royalty, order and terms of its payment are to be established by corresponding parties upon contract signing.

CHAIRMAN OF THE GOVERNMENT  
OF THE REPUBLIC OF TAJIKISTAN

I. RAHMONOV

Annex 1 to  
Resolution #.252 of the  
Government of the Republic of Tajikistan  
as of July 1, 1999

Minimal rates of royalty for public performance of literature and art works

I. Minimal rates of royalty for public performance of dramatics (in percents from gross collections from sales of admission tickets):

No	Type of work	Royalty from gross amount (in percents)			
		including for			
		author	director	composer (1% for each act)	stage director/costume designer
1.	Multiact play in prose	8	3		0,5/0,5
2.	Multiact play in verse	10	3		0,5/0,5
3.	Monoact play in prose	3	1,5	1	0,5/0,5
4.	Monoact play in verse	3,5	1,5	1	0,5/0,5

Note:

1. Royalty for public performance of dramatization is paid in rates, determined for author and allocated as follows:

30% for author  
70% for dramatization

2. For translation of plays royalty is paid in the rate established for author and is allocated as follows:

60% for author  
40% for translator

II. Minimal rates of royalty for public performance of musical-dramatic works (in percents from gross collections from sales of admission tickets):

№	Type of work	Royalty from gross collections (in percents)				
		including for				
		composer	author of libretto	director (ballet- master)	choreographer	stage director/ costume designer

1.	Multiact opera	8	4	2	-	0,5/0,5
2.	Monoact opera	3	1,5	1	-	0,5/0,5
3.	Multiact ballet	7	2	2	2	0,5/0,5
4.	Monoact ballet	3	1	1	1	0,5/0,5
5.	Operetta, music comedy, musical: multiact and monoact	5	5	1	1	0,5/0,5
		2	2	0,5	0,5	0,5/0,5

Note:

1. If libretto of opera, ballet, operetta, music comedy or musical is written on the base of work of literature, protected by copyright, royalty indicated for the author of libretto is divided as follows:

30% for the author of work of literature  
70% for the author of libretto

2. In publicly performing translated works the amount of royalty provided for the author of libretto, is divided between the author of work and translator 60% and 40% accordingly.

III. Minimal rates of royalty for public performance of musical and literature works in concerts, parties, in entertaining, circus and dancing programs:

№	Type of work	Royalty from gross collections (in percents)
1	2	3
1.	Concert of symphonic, vocal-symphonic, chamber music and music for popular instruments	7 (for the whole program)
2.	Other concerts, including variety	3 (for the whole program)
3.	Circus	1 (for the whole program)
4.	For performing pantomimes, extravaganza, ballet, narrative feature occupying not less than one separate partition in circus programs	0,5 (for each partition, irrespective of charges by Item 3 of this Annex)
5.	For performing original music written specially for accompanying circus pantomimes, extravaganza, ballet, attraction, occupying not less than one separate part, also for music to puppet play (without literary text) and to performances of artists of original genre	0,25 (for each part, irrespective of charges for performing of this programs)
6.	For performing music with text or without it, literature works in cinema halls, cafes, restaurants, bars, at exhibitions and other places of free pass:	
	a) performing by artists-performers	5 (from amount of performers' royalty)
	b) reproduction in sound recording	0,2 (from amount of revenues of payer, gained from main activity)

1	2	3
7.	For performing music with text or without text at dancing sites, discos in clubs, bars, cafe, restaurant and other social places at pay entrance (both in performing by artists-performers and in reproducing works in sound recordings)	5 (for the whole program)
8.	Theatrical, entertainment, circus shows and concerts performed on mass stages, musical accompaniment of sports competitions and exponential actions	0,5 (for the whole program)
9.	Entertainment show with open plot	0,4 (for the whole program)
10.	Entertainment show with open plot performed at mass stage	0,75 (for the whole program)

Note: In case it is required to determine the genre of work and accordingly determine rate of royalty the interested parties may apply to the Ministry of Culture of the Republic of Tajikistan.

Annex 2 to  
Resolution No.252 of the  
Government of the Republic of Tajikistan  
of July 1, 1999

Minimal rates of royalty for reproduction of works in sound (mechanical) recording and distribution of copies of sound recordings and audiovisual works.

№	Types of usage of works	Rates of royalty (in percents)
1.	Making sound recordings industrially	5 – from disbursing price of each copy
2.	Making single copies of sound recordings by individual orders	5 – from profits gained for making single copies of sound recordings
3.	Renting copies of sound recordings	5 – from rent profits
4.	Renting copies of audiovisual works	5 – from rent profits

Note:

Price disbursing is the price at which copies of sound recordings are released by producer for realization.

Profit is the amount gained from individual customers.

1. Rates of royalty provided for by this Annex are minimal and applied unless otherwise determined in an agreement between concerned parties.
2. Royalty payers are all state and non-state enterprises, organizations and agencies, as well as natural persons involved in making and distributing sound recordings and copies of audiovisual works.
3. Enterprises, organizations, agencies and physical persons involved in making and distributing sound recordings and copies of audiovisual works, should upon request of authorized organizations, engaged in protection of copy right of property, submit required documents.
4. All payers are obliged to get permission (license) for appropriate use of works from authors, their assignees or organizations, engaged in protection of copyright of property.

Annex 3 to  
Resolution #.252 of the  
Government of the Republic of Tajikistan  
as of July 1, 1999

Minimal rates of royalty for reproduction of fine art works and replication of decorative-applied arts industrially.

№	Types of works of fine art	Rates of royalty in % from disbursing price of each copy of work
1.	Sculptures: up to 50 copies from 51 to 200 copies more than 200 copies	5 3 2
2.	Fine art including photo, on industrial products (souvenirs, fancy goods, etc.)	0,5
3.	Decorative-applied art works:	
	a) works of decorative-applied art for practical use (sets, vases, lamps, tiles, hangers, etc.)	2
	b) small and simple practical decorative and souvenir goods, small fancy goods (including breast-plates, pendants, etc.)	2
	c) practical goods that have decorative-applied nature (cases, packages, bottles for decorative cosmetics)	1
	d) weaving goods (tablecloths, blankets, towels, etc.)	3
	e) materials (from disbursing price of a meter)	0,1
	f) tricot, knitted, hem-stitched goods, laces, footwear (in presence of peculiarities allowing to refer a good to works of decorative-applied art)	3
	g) furniture (in presence of peculiarities allowing to refer a good to works of decorative-applied art)	1
	h) toys	1,5
	i) furnishings, including jewelry: from non-precious materials	1
	from precious materials	0,05
	j) wallpaper, oilcloth, etc. (from disbursing price of a piece, route meter)	1
	k) carpets: machine made	0,5

	<p>hand made</p> <p>l) textile goods</p>	<p>2</p> <p>1</p>
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Note: for replication of works of small plastic and miniature sculpture apply rates established for reproduction of sculptural works.

Procedure of applying rates of royalty for reproduction of works of fine art and replication in industry of works of decorative-applied art:

1. Royalty for reproduction of works of fine art and replication in industry the works of decorative-applied art is paid beside royalty for creating a work. Rate of royalty for creation of fine art and decorative-applied art works for reproduction and replication in industry is determined by agreement of parties.
2. Rates of royalty provided for by this Annex are minimal and apply, unless otherwise determined in an agreement between concerned parties.
3. An author that during job assignment created a sample of fine art or decorative-applied art works for reproduction or replication in industry, royalty for reproduction or replication of such work, paid by norms provided in this Annex, unless otherwise agreed between author and employee.
4. Payers of royalty are legal or natural persons, implementing reproduction (replication) of fine art decorative-applied works.
5. Rate of royalty determined in percents from disbursing price of each copy of a good, per which goods are released by payer for realization.
6. Author has the right to obtain one printed sample of a good with payment by its original cost, except for goods from precious metals and with precious stones.

Samples of goods, representing measured materials (cloths, oilcloths, etc.) author can obtain in the quantity necessary for their demonstration at exhibition in accordance with its provisions.