

LAW
OF THE REPUBLIC OF TAJIKISTAN

On Amendments to the Law
Of the Republic of Tajikistan
"On Copyright and Related Rights"

Article 1. The following amendments shall be added into the Law dated November 13, 1998 of the Republic of Tajikistan "On Copyright and Related Rights" (Akhbori Majlisi Oli of the Republic of Tajikistan, 1998, No. 23-24, Article 348; 2003, No.8, Article 450; 2006, No.3, Article 153):

1. An item 2 shall be inserted in Article 4 as follows:

"According to the international treaties to which the Republic of Tajikistan is a party, the granting of protection on the territory of the Republic of Tajikistan shall be exercised with respect to a piece which has been publicized neither in the country of origin following the expiration of the term of the copyright in such country, nor in the Republic of Tajikistan following the expiration of the term of the copyright. The term of the copyright validity on the territory of the Republic of Tajikistan shall not exceed the term of the copyright validity established in the country of origin."

2. A clause 13) shall be inserted in Item 1 Article 6 as follows:

"13) components of works (including name, characters and other elements) which meet the requirements indicated in Item 1 Article 5 and may be used independently."

3. Article 10:

- A fourth item shall be inserted as follows:

"The persons, providing technical, organizational, financial or other assistance, shall not be acknowledged as co-authors as such actions are not deemed a creative activity.";

- A seventh item shall be inserted as follows:

"Unless otherwise provided for in the co-author agreement, each co-author shall be entitled to undertake measures on his behalf and without permission from other co-authors related to the protection of the work, in accordance with the present Law and other legal regulations. A co-author undertaking such measures shall be obliged to notify other co-authors of such actions."

4. A fifth item shall be inserted in Article 30 as follows:

"In accordance with the international treaties to which the Republic of Tajikistan is a party the granting of the protection on the territory of the Republic of Tajikistan shall be exercised with respect to an object of related rights which has not been publicized neither in the country of origin following the expiration of the validity term of related rights in such country, nor in the Republic of Tajikistan following the expiration of the validity term of related rights. The term of related rights on the territory of the Republic of Tajikistan shall not exceed the term of related rights established in the country of related rights. The validity term of related rights on the territory of the Republic of Tajikistan shall not exceed the validity term of related rights established in the country of origin of related rights."

5. A fourth item shall be inserted in Article 43 as follows: "The organizations of collective administration of authors' property rights shall comply with the following requirements:

- The name of such organizations shall include the phrase "organization of collective administration of authors' property rights";

- exercising the activity on collective administration of authors' property rights shall be nominated as a main type of activity;;

- the goals and objectives of organizations of collective administration shall comply with the requirements indicated in Article 43-46 of the present Law”.

Article 2. The present Law shall become effective on the day of its publication.

President of the Republic of Tajikistan
City of Dushanbe, December 3, 2009
No.573

Emomali Rakhmon