

No. 7247

**ARGENTINA, AUSTRIA, BELGIUM,
BRAZIL, CAMBODIA, etc.**

**International Convention for the Protection of Performers,
Producers of Phonograms and Broadcasting Organi-
sations. Done at Rome, on 26 October 1961**

Official texts: English, French and Spanish.

Registered ex officio on 18 May 1964.

**ARGENTINE, AUTRICHE, BELGIQUE,
BRÉSIL, CAMBODGE, etc.**

**Convention internationale sur la protection des artistes
interprètes ou exécutants, des producteurs de phono-
grammes et des organismes de radiodiffusion. Faite
à Rome, le 26 octobre 1961**

Textes officiels anglais, français et espagnol.

Enregistrée d'office le 18 mai 1964.

No. 7247. INTERNATIONAL CONVENTION¹ FOR THE PROTECTION OF PERFORMERS, PRODUCERS OF PHONOGRAMS AND BROADCASTING ORGANISATIONS. DONE AT ROME, ON 26 OCTOBER 1961

The Contracting States, moved by the desire to protect the rights of performers, producers of phonograms, and broadcasting organisations,

Have agreed as follows :

Article 1

Protection granted under this Convention shall leave intact and shall in no way affect the protection of copyright in literary and artistic works. Consequently, no provision of this Convention may be interpreted as prejudicing such protection.

Article 2

1. For the purposes of this Convention, national treatment shall mean the treatment accorded by the domestic law of the Contracting State in which protection is claimed :

(a) to performers who are its nationals, as regards performances taking place, broadcast, or first fixed, on its territory ;

(b) to producers of phonograms who are its nationals, as regards phonograms first fixed or first published on its territory ;

(c) to broadcasting organisations which have their headquarters on its territory, as regards broadcasts transmitted from transmitters situated on its territory.

¹ In accordance with paragraph 1 of article 25, the Convention came into force on 18 May 1964, three months after the date of deposit of the sixth instrument of ratification or accession. The instruments of ratification or accession (a) were deposited on the dates indicated :

Congo (Brazzaville) (with reservations)*	29 June	1962 (a)
Sweden (with declarations)*	13 July	1962
Niger (with reservations)*	5 April	1963 (a)
United Kingdom of Great Britain and Northern Ireland (with declarations)*	30 October	1963
Ecuador	19 December	1963
Mexico	17 February	1964
Czechoslovakia (with reservations)*	13 May	1964 (a)

(To take effect on 14 August 1964.)

* For the text of these declarations or reservations, see p. 94 of this volume.

2. National treatment shall be subject to the protection specifically guaranteed, and the limitations specifically provided for, in this Convention.

Article 3

For the purposes of this Convention :

(a) "performers" means actors, singers, musicians, dancers, and other persons who act, sing, deliver, declaim, play in, or otherwise perform literary or artistic works ;

(b) "phonogram" means any exclusively aural fixation of sounds of a performance or of other sounds ;

(c) "producer of phonograms" means the person who, or the legal entity which, first fixes the sounds of a performance or other sounds ;

(d) "publication" means the offering of copies of a phonogram to the public in reasonable quantity ;

(e) "reproduction" means the making of a copy or copies of a fixation ;

(f) "broadcasting" means the transmission by wireless means for public reception of sounds or of images and sounds ;

(g) "rebroadcasting" means the simultaneous broadcasting by one broadcasting organisation of the broadcast of another broadcasting organisation.

Article 4

Each Contracting State shall grant national treatment to performers if any of the following conditions is met :

(a) the performance takes place in another Contracting State ;

(b) the performance is incorporated in a phonogram which is protected under Article 5 of this Convention ;

(c) the performance, not being fixed on a phonogram, is carried by a broadcast which is protected by Article 6 of this Convention.

Article 5

1. Each Contracting State shall grant national treatment to producers of phonograms if any of the following conditions is met :

(a) the producer of the phonogram is a national of another Contracting State (criterion of nationality) ;

(b) the first fixation of the sound was made in another Contracting State (criterion of fixation) ;

(c) the phonogram was first published in another Contracting State (criterion of publication).

2. If a phonogram was first published in a non-contracting State but if it was also published, within thirty days of its first publication, in a Contracting State (simultaneous publication), it shall be considered as first published in the Contracting State.

3. By means of a notification deposited with the Secretary-General of the United Nations, any Contracting State may declare that it will not apply the criterion of publication or, alternatively, the criterion of fixation. Such notification may be deposited at the time of ratification, acceptance or accession, or at any time thereafter; in the last case, it shall become effective six months after it has been deposited.

Article 6

1. Each Contracting State shall grant national treatment to broadcasting organisations if either of the following conditions is met :

(a) the headquarters of the broadcasting organisation is situated in another Contracting State ;

(b) the broadcast was transmitted from a transmitter situated in another Contracting State.

2. By means of a notification deposited with the Secretary-General of the United Nations, any Contracting State may declare that it will protect broadcasts only if the headquarters of the broadcasting organisation is situated in another Contracting State and the broadcast was transmitted from a transmitter situated in the same Contracting State. Such notification may be deposited at the time of ratification, acceptance or accession, or at any time thereafter; in the last case, it shall become effective six months after it has been deposited.

Article 7

1. The protection provided for performers by this Convention shall include the possibility of preventing :

(a) the broadcasting and the communication to the public, without their consent, of their performance, except where the performance used in the broadcasting or the public communication is itself already a broadcast performance or is made from a fixation ;

(b) the fixation, without their consent, of their unfixed performance ;

(c) the reproduction, without their consent, of a fixation of their performance :

(i) if the original fixation itself was made without their consent ;

- (ii) if the reproduction is made for purposes different from those for which the performers gave their consent ;
- (iii) if the original fixation was made in accordance with the provisions of Article 15, and the reproduction is made for purposes different from those referred to in those provisions.

2. (1) If broadcasting was consented to by the performers, it shall be a matter for the domestic law of the Contracting State where protection is claimed to regulate the protection against rebroadcasting, fixation for broadcasting purposes, and the reproduction of such fixation for broadcasting purposes.

(2) The terms and conditions governing the use by broadcasting organisations of fixations made for broadcasting purposes shall be determined in accordance with the domestic law of the Contracting State where protection is claimed.

(3) However, the domestic law referred to in sub-paragraphs (1) and (2) of this paragraph shall not operate to deprive performers of the ability to control, by contract, their relations with broadcasting organisations.

Article 8

Any Contracting State may, by its domestic laws and regulations, specify the manner in which performers will be represented in connexion with the exercise of their rights if several of them participate in the same performance.

Article 9

Any Contracting State may, by its domestic laws and regulations, extend the protection provided for in this Convention to artists who do not perform literary or artistic works.

Article 10

Producers of phonograms shall enjoy the right to authorise or prohibit the direct or indirect reproduction of their phonograms.

Article 11

If, as a condition of protecting the rights of producers of phonograms, or of performers, or both, in relation to phonograms, a Contracting State, under its domestic law, requires compliance with formalities, these shall be considered as fulfilled if all the copies in commerce of the published phonogram or their containers bear a notice consisting of the symbol ©, accompanied by the year date of the first publication, placed in such a manner as to give reasonable notice of claim of protection ; and if

the copies or their containers do not identify the producer or the licensee of the producer (by carrying his name, trade mark or other appropriate designation), the notice shall also include the name of the owner of the rights of the producer ; and, furthermore, if the copies or their containers do not identify the principal performers, the notice shall also include the name of the person who, in the country in which the fixation was effected, owns the rights of such performers.

Article 12

If a phonogram published for commercial purposes, or a reproduction of such phonogram, is used directly for broadcasting or for any communication to the public, a single equitable remuneration shall be paid by the user to the performers, or to the producers of the phonograms, or to both. Domestic law may, in the absence of agreement between these parties, lay down the conditions as to the sharing of this remuneration.

Article 13

Broadcasting organisations shall enjoy the right to authorise or prohibit :

- (a) the rebroadcasting of their broadcasts ;
- (b) the fixation of their broadcasts ;
- (c) the reproduction :
 - (i) of fixations, made without their consent, of their broadcasts ;
 - (ii) of fixations, made in accordance with the provisions of Article 15, of their broadcasts, if the reproduction is made for purposes different from those referred to in those provisions ;
- (d) the communication to the public of their television broadcasts if such communication is made in places accessible to the public against payment of an entrance fee ; it shall be a matter for the domestic law of the State where protection of this right is claimed to determine the conditions under which it may be exercised.

Article 14

The term of protection to be granted under this Convention shall last at least until the end of a period of twenty years computed from the end of the year in which :

- (a) the fixation was made—for phonograms and for performances incorporated therein ;
- (b) the performance took place—for performances not incorporated in phonograms ;
- (c) the broadcast took place—for broadcasts.

Article 15

1. Any Contracting State may, in its domestic laws and regulations, provide for exceptions to the protection guaranteed by this Convention as regards :

(a) private use ;

(b) use of short excerpts in connexion with the reporting of current events ;

(c) ephemeral fixation by a broadcasting organisation by means of its own facilities and for its own broadcasts ;

(d) use solely for the purposes of teaching or scientific research.

2. Irrespective of paragraph 1 of this Article, any Contracting State may, in its domestic laws and regulations, provide for the same kinds of limitations with regard to the protection of performers, producers of phonograms and broadcasting organisations, as it provides for, in its domestic laws and regulations, in connexion with the protection of copyright in literary and artistic works. However, compulsory licences may be provided for only to the extent to which they are compatible with this Convention.

Article 16

1. Any State, upon becoming party to this Convention, shall be bound by all the obligations and shall enjoy all the benefits thereof. However, a State may at any time, in a notification deposited with the Secretary-General of the United Nations, declare that :

(a) as regards Article 12 :

(i) it will not apply the provisions of that Article ;

(ii) it will not apply the provisions of that Article in respect of certain uses ;

(iii) as regard phonograms the producer of which is not a national of another Contracting State, it will not apply that Article ;

(iv) as regards phonograms the producer of which is a national of another Contracting State, it will limit the protection provided for by that Article to the extent to which, and to the term for which, the latter State grants protection to phonograms first fixed by a national of the State making the declaration ; however, the fact that the Contracting State of which the producer is a national does not grant the protection to the same beneficiary or beneficiaries as the State making the declaration shall not be considered as a difference in the extent of the protection ;

(b) as regards Article 13, it will not apply item (d) of that Article ; if a Contracting State makes such a declaration, the other Contracting States shall not be obliged to grant the right referred to in Article 13, item (d), to broadcasting organisations whose headquarters are in that State.

2. If the notification referred to in paragraph 1 of this Article is made after the date of the deposit of the instrument of ratification, acceptance or accession, the declaration will become effective six months after it has been deposited.

Article 17

Any State which, on October 26, 1961, grants protection to producers of phonograms solely on the basis of the criterion of fixation may, by a notification deposited with the Secretary-General of the United Nations at the time of ratification, acceptance or accession, declare that it will apply, for the purposes of Article 5, the criterion of fixation alone and, for the purposes of paragraph 1 (a) (iii) and (iv) of Article 16, the criterion of fixation instead of the criterion of nationality.

Article 18

Any State which has deposited a notification under paragraph 3 of Article 5, paragraph 2 of Article 6, paragraph 1 of Article 16 or Article 17, may, by a further notification deposited with the Secretary-General of the United Nations, reduce its scope or withdraw it.

Article 19

Notwithstanding anything in this Convention, once a performer has consented to the incorporation of his performance in a visual or audio-visual fixation, Article 7 shall have no further application.

Article 20

1. This Convention shall not prejudice rights acquired in any Contracting State before the date of coming into force of this Convention for that State.

2. No Contracting State shall be bound to apply the provisions of this Convention to performances or broadcasts which took place, or to phonograms which were fixed, before the date of coming into force of this Convention for that State.

Article 21

The protection provided for in this Convention shall not prejudice any protection otherwise secured to performers, producers of phonograms and broadcasting organisations.

Article 22

Contracting States reserve the right to enter into special agreements among themselves in so far as such agreements grant to performers, producers of phonograms or broadcasting organisations more extensive rights than those granted by this Convention or contain other provisions not contrary to this Convention.

Article 23

This Convention shall be deposited with the Secretary-General of the United Nations. It shall be open until June 30, 1962, for signature by any State invited to the Diplomatic Conference on the International Protection of Performers, Producers of Phonograms and Broadcasting Organisations which is a party to the Universal Copyright Convention¹ or a member of the International Union for the Protection of Literary and Artistic Works.

Article 24

1. This Convention shall be subject to ratification or acceptance by the signatory States.

2. This Convention shall be open for accession by any State invited to the Conference referred to in Article 23, and by any State Member of the United Nations, provided that in either case such State is a party to the Universal Copyright Convention or a member of the International Union for the Protection of Literary and Artistic Works.

3. Ratification, acceptance or accession shall be effected by the deposit of an instrument to that effect with the Secretary-General of the United Nations.

Article 25

1. This Convention shall come into force three months after the date of deposit of the sixth instrument of ratification, acceptance or accession.

¹ United Nations, *Treaty Series*, Vol. 216, p. 133; Vol. 221, p. 437; Vol. 226, p. 381; Vol. 228, p. 371; Vol. 251, p. 398; Vol. 253, p. 366; Vol. 260, p. 455; Vol. 261, p. 408; Vol. 264, p. 380; Vol. 265, p. 390; Vol. 268, p. 373; Vol. 272, p. 269; Vol. 280, p. 372; Vol. 282, p. 365; Vol. 338, p. 379; Vol. 344, p. 343; Vol. 361, p. 331; Vol. 388, p. 361; Vol. 394, p. 270; Vol. 397, p. 330; Vol. 414, p. 388; Vol. 417, p. 350; Vol. 420, p. 344; Vol. 429, p. 294; Vol. 435, p. 339; Vol. 443, p. 343; Vol. 453, p. 360; Vol. 463, p. 346; Vol. 466, p. 390; Vol. 471, p. 331 and Vol. 480, p. 340.

2. Subsequently, this Convention shall come into force in respect of each State three months after the date of deposit of its instrument of ratification, acceptance or accession.

Article 26

1. Each Contracting State undertakes to adopt, in accordance with its Constitution, the measures necessary to ensure the application of this Convention.

2. At the time of deposit of its instrument of ratification, acceptance or accession, each State must be in a position under its domestic law to give effect to the terms of this Convention.

Article 27

1. Any State may, at the time of ratification, acceptance or accession, or at any time thereafter, declare by notification addressed to the Secretary-General of the United Nations that this Convention shall extend to all or any of the territories for whose international relations it is responsible, provided that the Universal Copyright Convention or the International Convention for the Protection of Literary and Artistic Works applies to the territory or territories concerned. This notification shall take effect three months after the date of its receipt.

2. The notifications referred to in paragraph 3 of Article 5, paragraph 2 of Article 6, paragraph 1 of Article 16 and Articles 17 and 18, may be extended to cover all or any of the territories referred to in paragraph 1 of this Article.

Article 28

1. Any Contracting State may denounce this Convention, on its own behalf, or on behalf of all or any of the territories referred to in Article 27.

2. The denunciation shall be effected by a notification addressed to the Secretary-General of the United Nations and shall take effect twelve months after the date of receipt of the notification.

3. The right of denunciation shall not be exercised by a Contracting State before the expiry of a period of five years from the date on which the Convention came into force with respect to that State.

4. A Contracting State shall cease to be a party to this Convention from that time when it is neither a party to the Universal Copyright Convention nor a member of the International Union for the Protection of Literary and Artistic Works.

5. This Convention shall cease to apply to any territory referred to in Article 27 from that time when neither the Universal Copyright Convention nor the

International Convention for the Protection of Literary and Artistic Works applies to that territory.

Article 29

1. After this Convention has been in force for five years, any Contracting State may, by notification addressed to the Secretary-General of the United Nations, request that a conference be convened for the purpose of revising the Convention. The Secretary-General shall notify all Contracting States of this request. If, within a period of six months following the date of notification by the Secretary-General of the United Nations, not less than one half of the Contracting States notify him of their concurrence with the request, the Secretary-General shall inform the Director-General of the International Labour Office, the Director-General of the United Nations Educational, Scientific and Cultural Organization and the Director of the Bureau of the International Union for the Protection of Literary and Artistic Works, who shall convene a revision conference in co-operation with the Intergovernmental Committee provided for in Article 32.

2. The adoption of any revision of this Convention shall require an affirmative vote by two-thirds of the States attending the revision conference, provided that this majority includes two-thirds of the States which, at the time of the revision conference, are parties to the Convention.

3. In the event of adoption of a Convention revising this Convention in whole or in part, and unless the revising Convention provides otherwise :

(a) this Convention shall cease to be open to ratification, acceptance or accession as from the date of entry into force of the revising Convention ;

(b) this Convention shall remain in force as regards relations between or with Contracting States which have not become parties to the revising Convention.

Article 30

Any dispute which may arise between two or more Contracting States concerning the interpretation or application of this Convention and which is not settled by negotiation shall, at the request of any one of the parties to the dispute, be referred to the International Court of Justice for decision, unless they agree to another mode of settlement.

Article 31

Without prejudice to the provisions of paragraph 3 of Article 5, paragraph 2 of Article 6, paragraph 1 of Article 16 and Article 17, no reservation may be made to this Convention.

Article 32

1. An Intergovernmental Committee is hereby established with the following duties :

(a) to study questions concerning the application and operation of this Convention ; and

(b) to collect proposals and to prepare documentation for possible revision of this Convention.

2. The Committee shall consist of representatives of the Contracting States, chosen with due regard to equitable geographical distribution. The number of members shall be six if there are twelve Contracting States or less, nine if there are thirteen to eighteen Contracting States and twelve if there are more than eighteen Contracting States.

3. The Committee shall be constituted twelve months after the Convention comes into force by an election organised among the Contracting States, each of which shall have one vote, by the Director-General of the International Labour Office, the Director-General of the United Nations Educational, Scientific and Cultural Organization and the Director of the Bureau of the International Union for the Protection of Literary and Artistic Works, in accordance with rules previously approved by a majority of all Contracting States.

4. The Committee shall elect its Chairman and officers. It shall establish its own rules of procedure. These rules shall in particular provide for the future operation of the Committee and for a method of selecting its members for the future in such a way as to ensure rotation among the various Contracting States.

5. Officials of the International Labour Office, the United Nations Educational, Scientific and Cultural Organization and the Bureau of the International Union for the Protection of Literary and Artistic Works, designated by the Directors-General and the Director thereof, shall constitute the Secretariat of the Committee.

6. Meetings of the Committee, which shall be convened wherever a majority of its members deems it necessary, shall be held successively at the headquarters of the International Labour Office, the United Nations Educational, Scientific and Cultural Organization and the Bureau of the International Union for the Protection of Literary and Artistic Works.

7. Expenses of members of the Committee shall be borne by their respective Governments.

Article 33

1. The present Convention is drawn up in English, French and Spanish, the three texts being equally authentic.

2. In addition, official texts of the present Convention shall be drawn up in German, Italian and Portuguese.

Article 34

1. The Secretary-General of the United Nations shall notify the States invited to the Conference referred to in Article 23 and every State Member of the United Nations, as well as the Director-General of the International Labour Office, the Director-General of the United Nations Educational, Scientific and Cultural Organization and the Director of the Bureau of the International Union for the Protection of Literary and Artistic Works :

- (a) of the deposit of each instrument of ratification, acceptance or accession ;
- (b) of the date of entry into force of the Convention ;
- (c) of all notifications, declarations or communications provided for in this Convention ;
- (d) if any of the situations referred to in paragraphs 4 and 5 of Article 28 arise.

2. The Secretary-General of the United Nations shall also notify the Director-General of the International Labour Office, the Director-General of the United Nations Educational, Scientific and Cultural Organization and the Director of the Bureau of the International Union for the Protection of Literary and Artistic Works of the requests communicated to him in accordance with Article 29, as well as of any communication received from the Contracting States concerning the revision of the Convention.

IN FAITH WHEREOF, the undersigned, being duly authorised thereto, have signed this Convention.

DONE at Rome, this twenty-sixth day of October 1961, in a single copy in the English, French and Spanish languages. Certified true copies shall be delivered by the Secretary-General of the United Nations to all the States invited to the Conference referred to in Article 23 and to every State Member of the United Nations, as well as to the Director-General of the International Labour Office, the Director-General of the United Nations Educational, Scientific and Cultural Organization and the Director of the Bureau of the International Union for the Protection of Literary and Artistic Works.

For Afghanistan :
Pour l'Afghanistan :
Por Afganistán :

For the People's Republic of Albania :
Pour la République Populaire d'Albanie :
Por la República Popular de Albania :

For Andorra :
Pour Andorre :
Por Andorra :

For the Argentine Republic :
Pour la République Argentine :
Por la República Argentina :

Ricardo TRICORNIA

For Australia :
Pour l'Australie :
Por Australia :

For Austria :
Pour l'Autriche :
Por Austria :

Rudolf KIRCHSCHLAGER

For Belgium :
Pour la Belgique :
Por Bélgica :

Robert VAES

For Bolivia :
Pour la Bolivie :
Por Bolivia :

For Brazil :
Pour le Brésil :
Por el Brasil :

Ildefonso MASCARENHAS DE SILVA

For the Bulgarian People's Republic :
Pour la République Populaire de Bulgarie :
Por la República Popular de Bulgaria :

For the Union of Burma :
Pour l'Union Birmane :
Por la Unión Birmana :

For the Byelorussian Soviet Socialist Republic :
Pour la République Socialiste Soviétique de Byelorussie :
Por la República Socialista Soviética de Bielorusia :

For Cambodia :
Pour le Cambodge :
Por Camboya :

S. SOTH

For Cameroun :
Pour le Cameroun :
Por el Camerún :

For Canada :
Pour le Canada :
Por el Canadá :

For the Central African Republic :
Pour la République Centrafricaine :
Por la República Centroafricana :

For Ceylon :
Pour Ceylan :
Por Ceilán :

For Chad :
Pour le Tchad :
Por el Chad :

For Chile :
Pour le Chili :
Por Chile :

Luis MORAND DUMAS

For China :
Pour la Chine :
Por la China :

For Colombia :
Pour la Colombie :
Por Colombia :

For the Congo (capital : Brazzaville) :
Pour le Congo (capitale : Brazzaville) :
Por el Congo (capital : Brazzaville) :

For the Congo (capital : Leopoldville) :
Pour le Congo (capitale : Léopoldville) :
Por el Congo (capital : Leopoldville) :

For Costa Rica :
Pour le Costa Rica :
Por Costa Rica :

For Cuba :
Pour Cuba :
Por Cuba :

For Cyprus :
Pour Chypre :
Por Chipre :

For Czechoslovakia :
Pour la Tchécoslovaquie :
Por Checoeslovaquia :

For Dahomey :
Pour le Dahomey :
Por el Dahomey :

For Denmark :
Pour le Danemark :
Por Dinamarca :

STEENSEN-LETH

For the Dominican Republic :
Pour la République Dominicaine :
Por la República Dominicana :

For Ecuador :
Pour l'Équateur :
Por el Ecuador :

Leopoldo BENITES
June 26, 1962

For El Salvador :
Pour le Salvador :
Por El Salvador :

For Ethiopia :
Pour l'Éthiopie :
Por Etiopía :

For Finland :
Pour la Finlande :
Por Finlandia :

Ralph ENCKELL
June 21, 1962

For France :
Pour la France :
Por Francia :

PUGET

For the Republic of Gabon :
Pour la République Gabonaise :
Por la República del Gabón :

For the Federal Republic of Germany :
Pour la République Fédérale d'Allemagne :
Por la República Federal de Alemania :

Eugen ULMER

For Ghana :
Pour le Ghana :
Por Ghana :

For Greece :
Pour la Grèce :
Por Grecia :

For Guatemala :
Pour le Guatemala :
Por Guatemala :

For the Republic of Guinea :
Pour la République de Guinée :
Por la República de Guinea :

For Haiti :
Pour Haiti :
Por Haití :

For the Holy See :
Pour le Saint-Siège :
Por la Santa Sede :

Vittorio TROCCHI

For the Republic of Honduras :
Pour la République de Honduras :
Por la República de Honduras :

For the Hungarian People's Republic :
Pour la République Populaire de Hongrie :
Por la República Popular Húngara :

For Iceland :
Pour l'Islande :
Por Islandia :

Th. EYJOLFSSON

For India :
Pour l'Inde :
Por la India :

G. K. MOOKERJEE

For Indonesia :
Pour l'Indonésie :
Por Indonesia :

For Iran :
Pour l'Iran :
Por el Irán :

For Iraq :
Pour l'Irak :
Por el Irak :

For Ireland :
Pour l'Irlande :
Por Irlanda :

T. F. O'SULLIVAN
30th June 1962

For Israel :
Pour Israël :
Por Israel :

M. S. COMAY
7 Feb. 1962

For Italy :
Pour l'Italie :
Por Italia :

Talama Atenolfi BRANCACCIO DI CASTELNUOVO

For Ivory Coast :
Pour la Côte-d'Ivoire :
Por la Costa del Marfil :

For Japan :
Pour le Japon :
Por el Japón :

For the Hashemite Kingdom of the Jordan :
Pour le Royaume Hachémite de Jordanie :
Por el Reino Hachemita de Jordania :

For the Republic of Korea :
Pour la République de Corée :
Por la República de Corea :

For Kuwait :
Pour Koweït :
Por Kuweit :

For Laos :
Pour le Laos :
Por Laos :

For Lebanon :
Pour le Liban :
Por el Líbano :

Georges HAKIM
26 June 1962

For Liberia :
Pour le Libéria :
Por Liberia :

For Libya :
Pour la Libye :
Por Libia :

For Liechtenstein :
Pour le Liechtenstein :
Por Liechtenstein :

For Luxembourg :
Pour le Luxembourg :
Por Luxemburgo :

For the Malagasy Republic :
Pour la République Malgache :
Por la República Malgache :

For the Federation of Malaya :
Pour la Fédération de Malaisie :
Por la Federación Malaya :

For the Republic of Mali :
Pour la République du Mali :
Por la República del Malí :

For the Islamic Republic of Mauritania :
Pour la République Islamique de Mauritanie :
Por la República Islámica de Mauritania :

For Mexico :
Pour le Mexique :
Por México :

Jorge GAXIOLA

For Monaco :
Pour Monaco :
Por Mónaco :

G. R. BORGHINI
June 22, 1962

For Morocco :
Pour le Maroc :
Por Marruecos :

For Nepal :
Pour le Népal :
Por Nepal :

For the Netherlands :
Pour les Pays-Bas :
Por los Países Bajos :

For New Zealand :
Pour la Nouvelle-Zélande :
Por Nueva Zelandia :

For Nicaragua :
Pour le Nicaragua :
Por Nicaragua :

For Niger :
Pour le Niger :
Por Niger :

For Nigeria :
Pour la Nigéria :
Por Nigeria :

For Norway :
Pour la Norvège :
Por Noruega :

For Pakistan :
Pour le Pakistan :
Por el Pakistán :

For Panama :
Pour le Panama :
Por Panamá :

For Paraguay :
Pour le Paraguay :
Por el Paraguay :

Ruben RAMIREZ PANE

ad referendum

June 30, 1962

For Peru :
Pour le Pérou :
Por el Perú :

For the Republic of the Philippines :
Pour la République des Philippines :
Por la República de Filipinas :

For the People's Republic of Poland :
Pour la République de Pologne :
Por la República Popular de Polonia :

For Portugal :
Pour le Portugal :
Por Portugal :

For the Rumanian People's Republic :
Pour la République Populaire de Roumanie :
Por la República Popular Rumana :

For the Kingdom of Saudi Arabia :
Pour le Royaume de l'Arabie Saoudite :
Por el Reino de Arabia Saudita :

For Senegal :
Pour le Sénégal :
Por el Senegal :

For Sierra Leone :
Pour le Sierra Leone :
Por Sierra Leona :

For the Republic of Somalia :
Pour la République de Somalie :
Por la República de Somalia :

For the Republic of South Africa :
Pour la République Sud-Africaine :
Por la República Sudafricana :

For Spain :
Pour l'Espagne :
Por España :

MESSIA

For Sudan :
Pour le Soudan :
Por el Sudán :

For Sweden :
Pour la Suède :
Por Suecia :

Sture PETREN

Sous réserve de ratification ¹

For Switzerland :
Pour la Suisse :
Por Suiza :

For Thailand :
Pour la Thaïlande :
Por Tailandia :

For Togo :
Pour le Togo :
Por el Togo :

For Tunisia :
Pour la Tunisie :
Por Túnez :

¹ Subject to ratification.

For Turkey :
Pour la Turquie :
Por Turquía :

For the Ukrainian Soviet Socialist Republic :
Pour la République Socialiste Soviétique d'Ukraine :
Por la República Socialista Soviética de Ucrania :

For the Union of Soviet Socialist Republics :
Pour l'Union des Républiques Socialistes Soviétiques :
Por la Unión de Repúblicas Socialistas Soviéticas :

For the United Arab Republic :
Pour la République Arabe Unie :
Por la República Arabe Unida :

For the United Kingdom of Great Britain and Northern Ireland :
Pour le Royaume-Uni de Grande-Bretagne et d'Irlande du Nord :
Por el Reino Unido de la Gran Bretaña e Irlanda del Norte :

Gordon GRANT

For the United States of America :
Pour les États-Unis d'Amérique :
Por los Estados Unidos de América :

For the Oriental Republic of Uruguay :
Pour la République Orientale de l'Uruguay :
Por la República Oriental del Uruguay :

For the United States of Venezuela :
Pour les États-Unis du Venezuela :
Por los Estados Unidos de Venezuela :

For Viet-Nam :
Pour le Viet-Nam :
Por el Vietnam :

For the Upper Volta :
Pour la Haute-Volta :
Por el Alto Volta :

For the Federal People's Republic of Yugoslavia :
Pour la République Fédérative Populaire de Yougoslavie :
Por la República Federativa Popular de Yugooslavia :

A. JELIĆ

RESERVATIONS AND DECLARATIONS MADE AT THE TIME OF RATIFICATION OR ACCESSION

RÉSERVES ET DÉCLARATIONS FAITES AU MOMENT DE LA RATIFICATION OU DE L'ADHÉSION

CONGO (BRAZZAVILLE)¹

[TRANSLATION — TRADUCTION]

(1) Article 5, paragraph 3: the "criterion of publication" is excluded ;

« 1) sur l'article 5, alinéa 3 : le « critère de la publication » est exclu ;

(2) Article 16: the application of article 12 is completely excluded.

« 2) sur l'article 16 : l'application de l'article 12 est totalement exclue ».

SWEDEN

SUÈDE

[TRANSLATION — TRADUCTION]

(a) With regard to article 6, paragraph 2 ;

« a) sur l'article 6, paragraphe 2 ;

(b) With regard to article 16, paragraph 1, sub-paragraph (a) (ii) : the provisions of article 12 will be applied only with respect to use for broadcasting ;

« b) sur l'article 16, paragraphe 1^{er} alinéa a) (ii) : les dispositions de l'article 12 ne seront appliquées qu'en ce qui concerne l'utilisation pour la radiodiffusion ;

(c) With regard to article 16, paragraph 1, sub-paragraph (a) (iv) ;

« c) sur l'article 16, paragraphe 1^{er}, alinéa a) (iv) ;

(d) With regard to article 16, paragraph 1, sub-paragraph (b) : the provisions of article 13, item (d), will be applied only with respect to the communication to the public of television broadcasts in a cinema or similar place ;

« d) sur l'article 16, paragraphe 1^{er}, alinéa b) : les dispositions de l'article 13, alinéa d) ne seront appliquées qu'en ce qui concerne la communication au public d'émissions de télévision dans un cinéma ou local similaire ;

(e) With regard to article 17.

« e) sur l'article 17 ».

NIGER²

[TRANSLATION — TRADUCTION]

(1) Article 5, paragraph 3: the "criterion of publication" is excluded ;

« 1) sur l'article 5, alinéa 3 : le « critère de la publication » est exclu ;

¹ Reservations notified on 16 May 1964, to take effect on 16 November 1964.
Les réserves, notifiées le 16 mai 1964, prendront effet le 16 novembre 1964.

² Reservations notified on 25 June 1963.
Les réserves ont été notifiées le 25 juin 1963.

(2) Article 16: the application of article 12 is completely excluded.

« 2) sur l'article 16: l'application de l'article 12 est totalement exclue ».

UNITED KINGDOM OF GREAT
BRITAIN AND NORTHERN
IRELAND

ROYAUME-UNI DE
GRANDE-BRETAGNE ET
D'IRLANDE DU NORD

[TRADUCTION — TRANSLATION]

“(1) in respect of Article 5 (1) (b) and in accordance with Article 5 (3) of the Convention, the United Kingdom will not apply, in respect of phonograms, the criterion of fixation ;

1) En vertu du paragraphe 3 de l'article 5 de la Convention, le Royaume-Uni n'appliquera pas en ce qui concerne les phonogrammes le critère de la fixation, énoncé dans le paragraphe 1, alinéa b) de l'article 5 ;

“(2) in respect of Article 6 (1) and in accordance with Article 6 (2) of the Convention, the United Kingdom will protect broadcasts only if the headquarters of the broadcasting organisation is situated in another Contracting State and the broadcast was transmitted from a transmitter situated in the same Contracting State ;

2) En ce qui concerne le paragraphe 1 de l'article 6, et conformément au paragraphe 2 de l'article 6 de la Convention, le Royaume-Uni n'accordera de protection à des émissions que si le siège social de l'organisme de radiodiffusion est situé dans un autre État contractant et si l'émission a été diffusée par un émetteur situé sur le territoire du même État contractant ;

“(3) in respect of Article 12 and in accordance with Article 16 (1) of the Convention,

3) En ce qui concerne l'article 12, et conformément au paragraphe 1 de l'article 16 de la Convention,

“(a) the United Kingdom will not apply the provisions of Article 12 in respect of the following uses :

a) Le Royaume-Uni n'appliquera pas les dispositions de l'article 12 en ce qui concerne les utilisations suivantes :

“(i) the causing of a phonogram to be heard in public at any premises where persons reside or sleep, as part of the amenities provided exclusively or mainly for residents or inmates therein except where a special charge is made for admission to the part of the premises where the phonogram is to be heard,

i) Audition d'un phonogramme en public dans un lieu quelconque où résident ou dorment des personnes, si cette audition fait partie des avantages accordés exclusivement ou essentiellement aux résidents ou pensionnaires, sauf si un droit d'admission est demandé pour avoir accès au lieu où le phonogramme est utilisé,

“(ii) the causing of a phonogram to be heard in public as part of the activities of, or for the benefit of, a club, society or other organisation which is not established or conducted for profit and whose main objects are charitable or are otherwise concerned with the advancement of religion, education or social welfare, except where a charge is made for admission to the place where the phonogram is to be heard, and any of the proceeds of the charge are applied otherwise than for the purposes of the organisation.

“(b) as regards phonograms the producer of which is not a national of another Contracting State or as regards phonograms the producer of which is a national of a Contracting State which has made a declaration under Article 16 (1) (a) (i) stating that it will not apply the provisions of Article 12, the United Kingdom will not grant the protection provided for by Article 12, unless, in either event, the phonogram has been first published in a Contracting State which has made no such declaration.”

ii) Audition en public d'un phonogramme dans le cadre des activités, ou au profit d'un club, d'une société ou d'une autre organisation à but non lucratif ou dont l'objet essentiel est la charité, le service de la religion, de l'éducation ou du bien-être social, sauf lorsqu'un droit d'admission est demandé pour avoir accès au lieu où le phonogramme est utilisé, et que le produit de ce droit d'admission est utilisé à des fins autres que les fins de l'organisation.

b) Le Royaume-Uni n'accordera pas la protection prévue à l'article 12, en ce qui concerne les phonogrammes dont le producteur n'est pas ressortissant d'un autre État contractant ou en ce qui concerne les phonogrammes dont le producteur est ressortissant d'un État contractant qui a spécifié conformément au paragraphe 1, alinéa a, i, de l'article 16 qu'il n'appliquera pas les dispositions de l'article 12, à moins que le phonogramme ait été publié pour la première fois dans un État contractant qui n'a pas fait une telle déclaration.

CZECHOSLOVAKIA

TCHÉCOSLOVAQUIE

[CZECH TEXT — TEXTE TCHÈQUE]

...s výhradami podle článku 16 odstavce 1) písmena a) bodu iii) a bodu iv) Úmluvy.

[TRANSLATION¹]

[TRADUCTION]

“...with reservations set forth in Article 16, paragraph 1, sub-paragraph a, (iii) and (iv) of the Convention.”

...avec réserves prévues à l'article 16, paragraphe 1^{er}, alinéa a, iii et iv, de la Convention.

¹ Translation provided by the Government of Czechoslovakia.
Traduction du Gouvernement tchécoslovaque.