

No. 7247. INTERNATIONAL CONVENTION FOR THE PROTECTION OF PERFORMERS,  
PRODUCERS OF PHONOGRAMS AND BROADCASTING ORGANISATIONS. DONE AT  
ROME ON 26 OCTOBER 1961<sup>1</sup>

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RATIFICATION

*Instrument deposited on:*

8 January 1975

ITALY

(With effect from 8 April 1975.)

With the following declarations in respect of article 6 (1); of articles 12 and 13 (d); of article 5, and of article 16, paragraph 1 (a) (iii) and (iv):

[TRANSLATION — TRADUCTION]

(1) With regard to article 6, paragraph 1, and in accordance with article 6, paragraph 2, of the Convention: Italy will protect broadcasts only if the headquarters of the broadcasting organization is situated in another Contracting State and the broadcast was transmitted from a transmitter situated in the same Contracting State;

(2) With regard to article 12 and in accordance with article 16, paragraph 1 (a), of the Convention:

- (a) Italy will apply the provisions of article 12 to use for broadcasting or for any other communication to the public for commercial purposes, with the exception of cinematography;
- (b) It will apply the provisions of article 12 only to phonograms fixed in another Contracting State;
- (c) With regard to phonograms fixed in another Contracting State, it will limit the protection provided for by article 12 to the extent to which, and to the term for which, that Contracting State grants protection to phonograms first fixed in Italy; however, if that State does not grant the protection to the same beneficiary or beneficiaries as Italy, that fact will not be considered as a difference in the extent of the protection;

(3) With regard to article 13 and in accordance with article 16, paragraph 1 (b), of the Convention: Italy will not apply the provisions of article 13 (d);

(4) With regard to article 5 and in accordance with article 17 of the Convention, Italy will apply only the criterion of fixation for the purposes of article 5; the same criterion, instead of the criterion of nationality, will be applied for the purposes of the declarations provided for in article 16, paragraph 1 (a) (iii) and (iv), of the Convention.

*Registered ex officio on 8 January 1975.*

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<sup>1</sup> United Nations, *Treaty Series*, vol. 496, p. 43; for subsequent actions, see references in Cumulative Indexes Nos. 7, 8, 10 and 11, as well as annex A in volumes 781, 807, 826, 861 and 939.