

Law No. 14 for the Year 1998
The Law Amending Copyright Protection Law

We, Al-Hasan Ben Talal, the Viceroy of the His Majesty pursuant to Article 31 of the Constitution and the resolution of the Houses of Lords and Representatives, hereby ratify this law and order to promulgate it and to add it to the Laws of the State.

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Article 1

This law shall be called “The Law Amending Copyright Protection Law for the Year 1998” and shall be read in conjunction with Law No. 22 for the Year 1992 referred to hereinafter as the original law as one Law. It shall become enforceable as of the date of its publication in the Official Gazette.

Article 2

Article 2 of the original law shall be amended as follows:

First: Adding the following definition to the word “Ministry” before the definition of the “Minister” mentioned therein:

The Ministry: The Ministry of Culture.

Second: Adding the following definition to the word “fixation” after the definition of the word “Filing” mentioned therein.

Fixation: Putting the work in any permanent material form.

Third: Cancelling the definition of the word the “Centre” mentioned therein and replacing it by the following definition:

The Centre: The filing centre of the National Library Department or any other government department accredited by the Minister.

Article 3

Article 3 of the original law shall be amended by adding paragraph D with the following wording:

D) Protection shall also be granted to other literary and artistic collections such as encyclopedias, anthologies and data compilations whether in machine-readable form or any other form, which constitute, in terms of their selection and arrangement of material, creative intellectual works. Protection shall likewise be granted to collections containing selected pieces of poetry, prose, music or suchlike provided that the sources and authors of such pieces are mentioned in those collections and without prejudice to the authors' rights with regard to each of the works which constitutes part of the said collections.

Article 4

The text of paragraph C of Article 5 of the original law shall be cancelled and replaced by the following text:

C) The authors of encyclopaedias, selections, data compilations and collections which are protected under the provisions of this law.

Article 5

The text of Article 11 of the original law shall be cancelled and replaced by the following text:

Article 11: Notwithstanding the provisions of Article 9 of this law.

A—1) Upon obtaining an authorization from the Minister, any Jordanian citizen may translate any printed foreign work into Arabic after the elapse of three years from the date of the first publication of such work..

A—2) The Minister, or any person delegated by the Minister, shall be entitled to issue a licence to any Jordanian citizen to reproduce any printed work after the elapse of three years of the publication dates of the works relating to technology and natural sciences including mathematics, after the elapse of seven years of the works of poetry, music, art and fiction as well after the elapse of five years for the other types of works.

B) The licence for translation and reproduction provided for in paragraph (A) of this Article shall be granted for meeting the educational purposes needs of schools and universities and for disseminating general culture.

C) In case a licence for translation or reproduction is issued, the author of the original work of art which has been translated or reproduced shall be entitled to receive an equitable remuneration from the applicant for a translation or reproduction licence.

Article 6

The text of paragraph A of Article 17 of the original law shall be cancelled and replaced by the following text:

A) Presenting, displaying, reciting, acting or putting the work of art into rhythm if it occurs in a family gathering or at educational, cultural or social institution. The musical

bands of the state may play musical works provided that this does not generate any financial returns.

Article 7

The text of Article 23 of the original law shall be cancelled and replaced by the following text:

Article 23

Without prejudice to the provisions of Article 17 of this law:

A—1) A performer shall have the right to prevent third parties from fixing his unfixed performance and from reproducing any fixation of his performance or to broadcast the same to the public without his consent.

A—2) The radio and television commissions as well as the copyright holder shall have the right to prevent third parties from fixing unfixed broadcast programmes and from reproducing any fixation of those programmes or broadcasting the same to the public by wireless means without obtaining a permission from the concerned commission or the copyright holder as the case may be.

B) The producers of phonograms shall enjoy the right to authorize or prevent direct or indirect reproduction of their audio recordings and to leasing the original copies of the same.

C) The protection period of the rights of performers and producers of phonograms shall be fifty years to be calculated as from the first of January of the calendar Gregorian year following the year in which the performance or the fixation of the phonogram, as the case may be, has taken place.

D) The protection period for the broadcasting programmes broadcasted by any radio or television commission shall be twenty years to be calculated as from the first January of the calendar Gregorian year following the year in which the programme was broadcasted for the first time.

Article 8

The text of Article 30 of the original law shall be cancelled and replaced by the following text:

Article 30

The protection period of the financial rights of the author provided for in this law shall be valid for the lifetime of the author and of fifty years after his death or after the death of the last person remaining alive among the authors who took part in compiling the work if they were more than one author.

Article 9

The text of Article 31 of the original law shall be cancelled and replaced by the following text:

Article 31

The protection period for the following works of art shall be valid for fifty years as of the date of publication:

- A) Cinematographic and televisional works, in case such works are not published during the said period, then the protection period shall be calculated from the date of completing the work.
- B) Any work whose author or copyright holder is a corporate body.
- C) Any work of art which is published for the first time after the death of its author.
- D) Any work of art which does not bear the name of its author or which bears a pseudonym. However, the author reveals his identity during the protection period, the protection period shall however commence from the date of the author's death.

Article 10

The text of Article 32 of the original law shall be cancelled and replaced by the following text:

Article 32

The protection period for the following works of art shall be valid for twenty-five years as of the date of the completion thereof:

- A) Photographic works which are not of copying nature and are limited to recording images mechanically.
- B) Works of applied arts.

Article 11

The text of Article 36 of the original law shall be cancelled and replaced by the following text:

Article 36

- A) The employees of the Copyright Protection Office at the National Library Department who are commissioned by the Minister shall be regarded as judicial policemen when implementing the provisions of this law.
- B) In case any doubt that any of the provisions of this law was violated by any shop engaged in printing, reproducing, producing or distributing works of art, then the employees of the Copyright Protection Office may inspect the shop and seize the copies and all the materials used in committing that violation and refer them together with the violators to the court. The Minister may ask the court to close down the shop

Article 12

Article 38 of the original law shall be amended by adding the following phrase to its beginning: "Without prejudice to the provisions of Article 45 of this law".

Article 13

The text of Article 45 of the original law shall be cancelled and replaced by the following text:

Article 45

Non-filing of the work of art shall not affect the rights of the author provided for in this law.

Article 14

The text of Article 51 of the original law shall be cancelled and replaced by the following text:

Article 51

- A) He shall be penalized by an imprisonment term of no less than three months and of no more than three years as well as a fine of no less than JD's 1000 and of no more than JD's 3000, or by one of those two penalties:
- 1) Whoever illegally exercised one of the privileges provided for in Articles 8, 9, 10 & 23 of this law.
 - 2) Whoever offers for sale circulation or lease an imitated work of art or copies thereof, or communicates it to the public in any manner whatsoever, or imports it into the Kingdom or exports it abroad despite the fact that he knows it is imitated.
- B) In case of a repetition of any of the crimes provided for in paragraph (A) of this Article, the perpetrator of the crime shall be penalized by the maximum of the imprisonment and fine penalties. In such a case, the court may decide to close down the establishment in which the crime was committed for a period of no more than one year or to suspend its licence for a certain period of time or for good.

Article 15

The text of Article 52 of the original law shall be cancelled and replaced by the following text:

Whoever contravenes any of the provisions of Articles 38, 39, 41 & 42 of this law shall be penalized with a fine of no less than JD's 500 and of no more than JD's 1000. This penalty shall not exempt him from carrying out the provisions provided for in the said articles.

Source: World Intellectual Property Organization
<http://www.wipo.int>