



An Bille Cóipchirt agus Ceart Gaolmhar (Leasú), 2025
Copyright and Related Rights (Amendment) Bill 2025

Mar a tionscnaíodh

As initiated



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COPYRIGHT AND RELATED RIGHTS (AMENDMENT) BILL 2025

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ACTS REFERRED TO

Copyright and Related Rights Act 2000 (No. 28)

Copyright and Related Rights Acts 2000 to 2019



**AN BILLE CÓIPCHIRT AGUS CEART GAOLMHAR (LEASÚ), 2025
COPYRIGHT AND RELATED RIGHTS (AMENDMENT) BILL 2025**

Bill

entitled

An Act to amend the Copyright and Related Rights Act 2000 to make further provision 5
for the sharing of equitable remuneration as between performers and owners of the
copyright in sound recordings; to give further effect to Directive 2006/115/EC of the
European Parliament and of the Council of 12 December 2006¹ on rental right and
lending right and on certain rights related to copyright in the field of intellectual
property; and to provide for related matters. 10

Be it enacted by the Oireachtas as follows:

Definition

1. In this Act, “Principal Act” means the Copyright and Related Rights Act 2000.

Amendment of section 208 of Principal Act

2. Section 208 of the Principal Act is amended— 15
- (a) by the insertion of the following subsections after subsection (3):
- “(3A) Subject to subsections (3B) to (3E), equitable remuneration less
reasonable collecting costs shall be shared equally as between a
performer and an owner of the copyright in a sound recording.
- (3B) Where the sharing of equitable remuneration in accordance with 20
subsection (3A) is not acceptable to a performer or an owner of the
copyright in a sound recording, an alternative sharing of equitable
remuneration as between a performer and an owner of the copyright in
a sound recording may be agreed by, or on behalf of, the performer
and the owner of the copyright concerned. 25
- (3C) Where a performer and an owner of the copyright in a sound recording
do not reach an agreement under subsection (3B), either party may
serve a notice, in such form and manner as the Minister may prescribe,
on the other party of its intention to make an application to the Circuit
Court under subsection (3D) if no agreement under subsection (3B) is 30
reached within 6 months (or such shorter period as may be agreed by
the parties) of service of the notice.

¹ OJ No. L376, 27.12.2006, p.28

(3D) Where a notice has been served under subsection (3C) and the period referred to in that subsection has expired without an agreement under subsection (3B) having been reached, either party may make an application to the Circuit Court for an order to determine how the equitable remuneration shall be shared as between the parties concerned. 5

(3E) The Circuit Court, on application to it in that behalf under subsection (3D) may, having regard, *inter alia*, to the importance of the performer's contribution to a sound recording which is the subject of the application concerned, make such order as to the sharing of equitable remuneration as between the performer and the owner of the copyright in a sound recording as the Circuit Court determines to be just and reasonable.” 10

(b) by the deletion of subsections (4) to (9), and

(c) in subsection (10)— 15

(i) in paragraph (b), by the substitution of “equitable remuneration.” for “equitable remuneration, or”, and

(ii) by the deletion of paragraph (c).

Transfer of existing applications from Controller to Circuit Court and transitional provision relating to applications made under section 208 of Principal Act 20

3. (1) An application made to the Controller under section 208 of the Principal Act before the coming into operation of *section 2* which has not been finally determined on such coming into operation shall be transferred for determination to the Circuit Court and the Circuit Court may, having regard to any submissions made by the parties to the application, give such directions and make such orders for the conduct and hearing of the application as the Circuit Court determines to be just and reasonable in the circumstances. 25

(2) An appeal on a point of law arising from a decision of the Circuit Court under *subsection (1)* shall lie to the High Court.

(3) Subject to *subsection (4)*, a decision of the High Court under this section shall be final and may not be appealed. 30

(4) By leave of the High Court, an appeal from a decision of the High Court under this section shall lie to the Court of Appeal on a question of law.

(5) An agreement made under section 208(4) of the Principal Act prior to the coming into operation of *section 2* shall, after such coming into operation, be deemed to have been made under section 208(3B) of that Act. 35

Amendment of section 287 of Principal Act

4. Section 287 of the Principal Act is amended, in the definition of “qualifying country”—

(a) in paragraph (b), by the deletion of “or”,

(b) in paragraph (c), by the substitution of “section, or” for “section;”, and 40

(c) by the insertion of the following paragraph after paragraph (c):

“(d) any country, territory, state or area that is a contracting party to—

- (i) the World Intellectual Property Organization (WIPO) Performances and Phonograms Treaty, adopted by the Diplomatic Conference at Geneva on December 20, 1996, or 5
- (ii) the International Convention for the Protection of Performers, Producers of Phonograms and Broadcasting Organizations, done at Rome on October 26, 1961;”.

Short title, collective citation, construction and commencement

- 5.** (1) This Act may be cited as the Copyright and Related Rights (Amendment) Act 2025. 10
- (2) The Copyright and Related Rights Acts 2000 to 2019 and this Act may be cited as the Copyright and Related Rights Acts 2000 to 2025, and shall be construed together as one.
- (3) This Act shall come into operation on such day or days as the Minister for Enterprise, Tourism and Employment may appoint by order or orders either generally or with reference to any particular purpose or provision and different days may be so 15
appointed for different purposes or different provisions.

An Bille Cóipchirt agus Ceart Gaolmhar
(Leasú), 2025

BILLE

(mar a tionscnaíodh)

dá ngairtear

Acht do leasú an Achta Cóipchirt agus Ceart Gaolmhar, 2000 chun socrú breise a dhéanamh maidir le luach saothair cothromasach a chomhroinnt amhail idir taibheoirí agus úinéirí an chóipchirt i dtaifeadtaí fuaim; do thabhairt tuilleadh éifeachta do Threoir 2006/115/CE ó Pharlaimint na hEorpa agus ón gComhairle an 12 Nollaig 2006 maidir leis an gceart cíosa agus leis an gceart iasachta agus maidir le cearta áirithe a bhaineann le cóipcheart i réimse na maoine intleachtúla; agus do dhéanamh socrú i dtaobh nithe gaolmhara.

*An tAire Fiontar, Turasóireachta agus Fostaíochta a
thíolaic,*
13 Meitheamh, 2025

Copyright and Related Rights (Amendment)
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*Presented by the Minister for Enterprise, Tourism
and Employment,*
13th June, 2025

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ARNA FHOILSIÚ AG OIFIG AN tSOLÁTHAIR
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