



DÁIL ÉIREANN

**AN BILLE UM CHÓIPCHEART AGUS FORÁLACHA EILE DE
CHUID AN DLÍ MAOINE INTLEACHTÚLA, 2018
COPYRIGHT AND OTHER INTELLECTUAL PROPERTY
LAW PROVISIONS BILL 2018**

**LEASUITHE A RINNE AN SEANAD
AMENDMENTS MADE BY THE SEANAD**

DÁIL ÉIREANN

AN BILLE UM CHÓIPCHEART AGUS FORÁLACHA EILE DE CHUID AN DLÍ MAOINE INTLEACHTÚLA, 2018 [BILLE DÁIL ARNA LEASÚ AG AN SEANAD]

COPYRIGHT AND OTHER INTELLECTUAL PROPERTY LAW PROVISIONS BILL 2018 [DÁIL BILL AMENDED BY THE SEANAD]

Leasuithe a rinne an Seanad
Amendments made by the Seanad

*[The page and line references in this list of amendments
are to the text of the Bill as passed by Dáil Éireann.]*

SECTION 4

1. In page 9, lines 16 and 17, to delete “includes a specified transmission through the Internet and transmission by wireless means,” and substitute the following:

“means a specified transmission through the Internet, a transmission by wireless means and a transmission prescribed for the purposes of this definition.”.

SECTION 5

2. In page 10, between lines 19 and 20, to insert the following:

“Provisions supplementary to definition of “broadcast”

5. The Principal Act is amended by the insertion of the following section after section 2:

“2A. The definition of ‘broadcast’ shall not be construed to prejudice the exclusive right under this Act of a person to make a work available by means of a broadcast of the work.”.

SECTION 14

3. In page 14, to delete lines 4 to 7 and substitute the following:

“57. (1) Subject to subsections (2) to (4), it is not an infringement of the rights conferred by this Part—

- (a) to make or cause to be made a copy or communication of a work for the sole purpose of illustration for education, teaching or scientific research or of preparation for education, teaching or scientific research, or
- (b) for an educational establishment, for the educational purposes of that establishment, to reproduce or cause to be reproduced a work,

[SECTION 14]

or to do or cause to be done, any other necessary act, in order to display it.

- (2) Subsection (1) shall apply only if the reproduction or communication is—
- (a) made for purposes that are non-commercial,
 - (b) made only to the extent justified by the non-commercial purposes to be achieved, and
 - (c) accompanied by a sufficient acknowledgement.
- (3) Not more than 5 per cent of any work can be copied under this section in any calendar year.
- (4) Where a copy which would otherwise be an infringing copy is made under this section but is subsequently sold, rented or lent, or offered or exposed for sale, rental or loan, or otherwise made available to the public, it shall be treated as an infringing copy for those purposes and for all subsequent purposes.”.”.

4. In page 14, line 25, to delete “50, 50A,”.

SECTION 27

5. In page 21, between lines 13 and 14, to insert the following:

“Amendment of section 173 of Principal Act

27. Section 173 of the Principal Act is amended—

- (a) in subsection (1), by the substitution of “, 57C” for “, 57”, and
- (b) in subsection (3), by the substitution of “, 57C” for “, 57”.”.

SECTION 106

6. In page 41, line 13, to delete “Bill” and substitute “Act”.

SCHEDULE

7. In page 42, to delete lines 5 to 45 and substitute the following:

“

Reference No. (1)	Provision of Principal Act (2)	Words to be substituted (3)	Substituting words (4)
1	section 53(1)	instruction or of preparation for instruction	education or of preparation for education

[SCHEDULE]

Reference No. (1)	Provision of Principal Act (2)	Words to be substituted (3)	Substituting words (4)
2	section 53(2)(a)	instruction	education
3	section 53(3)	instruction or of preparation for instruction	education or of preparation for education
4	section 53(4)(a)	instruction	education
5	section 55(1)(b)	instruction	education
6	section 55(2)	instruction	education
7	section 61(2)	research	education, research
8	section 62(2)	research	education, research
9	section 63(2)(b)	instructions	education
10	section 67(3)	research	education, research
11	section 92(3)(a)	research	education, research
12	section 168(1)	instruction	education
13	section 171(1)	instruction	education
14	section 172(1)	instruction	education
15	section 223(1)	instruction or preparation for instruction where the copying is done by or on behalf of a person giving or receiving instruction	education or of preparation for education where the copying is done by or on behalf of a person giving or receiving education
16	section 224(1)(b)	instruction	education
17	section 229(2)	research	education, research
18	section 230(2)(b)	instructions	education
19	section 234(3)	research	education, research
20	section 245(3)(a)	research	education, research
21	section 329(1)	research	education, research
22	section 330(1)	instruction or of preparation for instruction	education or of preparation for education
23	section 330(1)(a)	instruction	education

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