

# Marrakesh Treaty Questionnaire – Cabo Verde

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**1. Please indicate the relevant provisions in your national legislation providing for or regulating the limitations and exceptions to facilitate access to published works for persons who are blind, visually impaired, or otherwise print disabled.**

Article 64 of the Copyright Law (Legislative Decree No. 1/2009, of April 27, Amended by Legislative Decree No. 2/2017, of November 16) - Uses for the benefit of people with disabilities

**2. Does your national legislation permit the cross-border exchange (i.e. exportation) of “accessible format copies”, as defined in Article 2 b) MVT? If yes, under which conditions?**

Yes, our legislation allows export. Pursuant to Article 64(1)(f) of the Copyright Law, it is lawful, without the authorization of the author and without payment of remuneration, for export by a person with a disability or by an authorized legal entity, including the distribution and the making available to the public, by wire or wireless, of a copy, in an accessible format for persons with physical, mental, auditory or visual impairments, or for a non-profit legal entity acting on their behalf, located in the territory of a Party Contractor of the Treaty of Marrakesh, provided that access to the work in the available versions, due to the disability, is not possible, and are not carried out for profit.

**3. Does your national legislation allow the importation of “accessible format copies”, as defined in Article 2 b) MVT? If yes, under which conditions?**

The national legislation, through article 64°, nº 1, subparagraph e), grants this possibility. That is, it stipulates that it is lawful, without authorization from the author and without payment of remuneration, for people with disabilities or authorized legal entities to import a copy in an accessible format for people with motor, mental, auditory or visual disabilities.

**4. Does your national legislation provide a definition of “authorized entity”, as defined in Article 2 c) MVT? If yes, please provide the reference.**

There is no clear definition of the authorized entity in our legislation, however, what our legislation prescribes is in line with what is observed in the second part of Article 2 c)3 MVT, where it establishes that government institutions are included as authorized entities. Thus, paragraph 3 of article 64 of the copyright law, governs that it is up to the government department responsible for culture, to grant due authorization to legal entities for the distribution and making available to the public, as well as the import and export of the work in accessible format. Likewise, the government department may practice them on its own initiative if justified.

**5. Please provide a list with contact details of entities that can operate as authorized entities in your territory, and any further information that you can provide, such as number of accessible titles in the catalogue of the authorized entity and the languages covered.**

N/A