

Marrakesh Treaty Questionnaire – Germany

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.

The relevant provisions for the implementation of Directive 2017/1564 are sections 45b to 45d of the German Copyright Act, available [at gesetze-im-internet](#).

Section 45b Persons with visual impairment or reading disability

1. Persons with a visual impairment or reading disability may reproduce, for their personal use, published literary works which are available in text or in audio format as well as graphic recordings of musical works, or may have them reproduced, in order that they may be converted into an accessible format. This authorisation also encompasses illustrations of all kinds which are contained within literary or musical works. Copies may only be produced of works to which persons with a visual impairment or reading disability have lawful access.
2. Persons with a visual impairment or reading disability within the meaning of this Act are persons who are unable, as a result of a physical or mental impairment or of a perceptual disability, to read literary works, even with the assistance of a visual aid, to substantially the same degree as persons without such an impairment or disability.

Section 45c Authorised entities; remuneration; authorisation to issue statutory instruments

- 1) Authorised entities may reproduce published literary works which are available in text or in audio format as well as graphic recordings of musical works in order that they may be converted into an accessible format for the exclusive use of persons with a visual impairment or reading disability. Section 45b (1) sentences 2 and 3 shall apply accordingly.
- 2) Authorised entities may lend out and disseminate copies produced in accordance with subsection (1) to persons with a visual impairment or reading disability or to other authorised entities and may use them to make the works available to the public or for other communication to the public.
- 3) ‘Authorised entity’ means any establishment providing education or accessible reading or information access on a non-profit basis to people with a visual impairment or reading disability.
- 4) Authors shall be entitled to payment of equitable remuneration for uses in accordance with subsections (1) and (2). Claims may only be asserted by a collecting society.
- 5) The Federal Ministry of Justice and Consumer Protection shall be authorised to regulate the following by statutory instrument not requiring the approval of the Bundesrat concerning authorised entities:
 1. their duties in relation to uses pursuant to subsections (1) and (2),

2. their duty to notify the German Patent and Trade Mark Office of their status as an authorised entity,
3. oversight over the German Patent and Trade Mark Office concerning compliance with the duties under no. 1, with the proviso under section 85 (1) and (3) and section 89 of the Collecting Societies Act (Verwertungsgesellschaftengesetz).

The Statutory Instrument on Authorised Entities under the Copyright Act pursuant to Section 45c (5) of the Copyright Act [Verordnung über befugte Stellen nach dem Urheberrechtsgesetz (UrhGBefStV)] is available [here](#) [German]

Section 45d Lawfully permitted use and contractually authorised use

The rightholder may not invoke agreements which restrict or prohibit uses permitted in accordance with sections 45b and 45c and such restriction or prohibition is to the detriment of the persons entitled to such use.

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?

The cross-border exchange of “accessible format copies” within the EU is addressed by the Directive 2017/1564, whose provisions had to be implemented into national law by the member states of the EU (for Germany, see above). Directive 2017/1564 is available at [lex europa website](#).

In particular, see Art. 4 sentence 2 of Directive 2017/1564:

Member States shall also ensure that a beneficiary person or an authorised entity established in their territory may obtain or may have access to an accessible format copy from an authorised entity established in any Member State.

The cross-border exchange of “accessible format copies” between member states of the EU and third countries is allowed according to and under the conditions of Art. 3 and Art. 4 of Regulation 2017/1563, available at: [lex europa website](#).

Article 3 Export of accessible format copies to third countries

An authorised entity established in a Member State may distribute, communicate or make available to beneficiary persons or to an authorised entity established in a third country that is a party to the Marrakesh Treaty an accessible format copy of a work or other subject matter made in accordance with the national legislation adopted pursuant to Directive (EU) 2017/1564.

Article 4 Import of accessible format copies from third countries

A beneficiary person or an authorised entity established in a Member State may import or otherwise obtain or access and thereafter use, in accordance with the national legislation adopted pursuant to Directive (EU) 2017/1564, an accessible format copy of a work or other subject matter that has been distributed, communicated or made available to beneficiary persons or to authorised entities, by an authorised entity in a third country that is a party to the Marrakesh Treaty.

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

See answer to question 2.

4. Does your national legislation provide a definition of “authorized entity”, as defined in Article 2 c)³ MVT? If yes, please provide the reference.

A definition of the term “authorized entity” is provided in section 45c (3) of the German Copyright Act, available at [gesetze im internet website](#).

(3) ‘Authorised entity’ means any establishment providing education or accessible reading or information access on a non-profit basis to people with a visual impairment or reading disability.

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.

The German Patent and Trade Mark Office (DPMA) maintains a list of the authorised entities and publishes it on its [website](#) in an accessible form [German].

List of authorised entities (as of: October 2021):

Arbeitsgruppe Services Behinderung und Studium (AG SBS)

Technische Universität Dresden
Nöthnitzer Straße 46
01187 Dresden
Tel: 0049 351 463 38467
Fax: 0049 351 463 38491
E-mail: agsbs@tu-dresden.de
[AG SBS Website](#)

The Arbeitsgruppe Services Behinderung und Studium (Working Group Services Disability and Study - AG SBS) was founded in 1990 and since then supports students with visual impairments at the Dresden University of Technology (TU Dresden) by lending technology and preparing accessible teaching materials. Over the decades, the AG SBS has become increasingly important at the TU Dresden. Its field of activity is now advising and supporting people with visual and reading disabilities in the context of the university. The AG SBS is an important body for inclusion at the TU Dresden.

Bayerischer Blinden- und Sehbehindertenbund e.V. (BBSB) BIT-Zentrum

Arnulfstr. 22

80335 München

Tel: 0049 89 55988-235

Fax: 0049 89 55988-336

E-mail: bit@bbsb.org

[BBSB Website](#)

The BIT Centre (Counselling, Information, Text Service) is a non-profit organization of the Bavarian Association of the Blind and Visually Impaired (BBSB). The focus is on the individual conversion of texts and books into accessible formats. Braille, DAISY audio books, audio CDs, large print, accessible files, tactile images and tactile maps (3D printing) are produced, archived and distributed. The beneficiaries are blind and visually impaired people. The BIT Centre of the BBSB is a member of the Mediengemeinschaft für blinde, seh- und lesebehinderte Menschen e.V. (Media Association for Blind, Visually Impaired and PrintDisabled People – Medibus).

Bayerische Hörbücherei für Blinde, Seh- und Lesebeeinträchtigte e.V.

Lothstraße 62

80335 München

Tel: 0049 89 12155-0

E-mail: info@bbh-ev.org

[BBH Website](#)

The Bayerische Hörbücherei für Blinde, Seh- und Lesebeeinträchtigte e.V. (Bavarian Audio Library for the Blind, the Visually Impaired and the Print-Disabled) produces audio books and lends them both as MP3 compatible Daisy CDs and for download. The beneficiaries are blind, visually impaired and print-disabled people. The non-profit association is member of the Mediengemeinschaft für blinde, seh- und lesebehinderte Menschen e.V. (Media Association for Blind, Visually Impaired and Print-Disabled People – Medibus).

Berliner Blindenhörbücherei gemeinnützige GmbH (BHB)

Auerbachstr. 5

14193 Berlin

Tel: 0049 30 826 31 11

Fax: 0049 30 92 37 41 01

E-mail: info@berliner-hoerbuecherei.de

[BHB Website](#)

The Berliner Blindenhörbücherei (Berlin Audio Library for the Blind) produces audio books and lends them both as CDs in Daisy format and for download. The beneficiaries are blind and visually impaired people. The non-profit association is member of the Mediengemeinschaft für blinde, seh- und lesebehinderte Menschen e.V. (Media Association for Blind, Visually Impaired and Print-Disabled People – Medibus).

Blindenhörbibliothek der Stadtbibliothek Köln

Josef-Haubrich-Hof 1

50676 Köln

Tel: 0049 221 221 26207

E-mail: blindenbibliothek@stbib-koeln.de

[Blindenhörbibliothek der Stadtbibliothek Köln Website](#)

The Blindenhörbibliothek der Stadtbibliothek Köln (Hearing Library for the Blind of the Cologne Public Library) is the only one in Germany that is run as an integral part of a metropolitan public library system. It offers its users predominantly the lending of the audio books of the Cologne Public Library as well as the lending of audio books and DAISY audio books, but also Braille. Interlibrary loan via blista is also used. The offer is aimed at blind and visually impaired people. DAISY players can also be borrowed free of charge. The Blindenbibliothek der Stadtbibliothek Köln is member of the Mediengemeinschaft für blinde, seh- und lesebehinderte Menschen e.V. (Media Association for Blind, Visually Impaired and Print-Disabled People – Medibus).

Blindenschrift-Verlag und -Druckerei gGmbH „Pauline v. Mallinckrodt“

Graurheindorfer Str. 151a

53117 Bonn

Tel: 0049 228 55949-20

Fax: 0049 228 55 949-19

E-mail: info@pader-braille.de

[Pader braille Website](#)

The Braille-Verlag und -Druckerei gGmbH "Pauline v. Mallinckrodt" (The Braille Publishing and Printing Company "Pauline v. Mallinckrodt") produces books, magazines and other publications in Braille, in computer print and synthetic DAISY format. The beneficiaries are blind and visually impaired people. The company is a member of the Mediengemeinschaft für blinde, seh- und lesebehinderte Menschen e.V. (Media Association for Blind, Visually Impaired and Print-Disabled People – Medibus).

Deutsche Blindenstudienanstalt e.V. (blista)

Am Schlag 2-12

35037 Marburg

Tel: 0049 6421 606-0

Fax: 0049 6421 606-476

E-mail: info@blista.de

[Blista Website](#)

The Deutsche Blindenstudienanstalt e.V. (German Institute for the Blind – blista) produces literature in Braille, e-book, large print and DAISY formats. A special focus is on the production of textbooks, non-fiction literature as well as literature in the fields of education and training. The books are lent through the German Library for the Blind (dbb), which is located at blista. The beneficiaries are blind and visually impaired people. Blista is a member of the Mediengemeinschaft für blinde, seh- und lesebehinderte Menschen e.V. (Media Association for Blind, Visually and Print-Disabled People – Medibus).

Deutsche Katholische Blindenbücherei gGmbH (DKBBLesen)

Graurheindorfer Straße 151a

53117 Bonn

Tel: 0049 228 55 94 9-0

Fax: 0049 228 55 94 9-19

E-mail: info@dkbblesen.de

[Dkbblesen Website](#)

The Deutsche Katholische Blindenbücherei (German Catholic Library for the Blind) produces and lends audio books and audio magazines in DAISY format, as well as books in Braille. The beneficiaries are blind, visually impaired and print-disabled people. The Deutsche Katholische Blindenbücherei is a member of the Mediengemeinschaft für blinde, seh- und lesebehinderte Menschen e.V. (Media Association for Blind, Visually and Print-Disabled People – Medibus).

Deutsches Zentrum für barrierefreies Lesen (dzb lesen)

Gustav-Adolf-Straße 7

04105 Leipzig

Tel: 0049 341 7113-0

Fax: 0049 341 7113-125

E-mail: info@dzb.de

[dzb Website](#)

The Deutsches Zentrum für barrierefreies Lesen (German Centre for Accessible Reading – dzb lesen) is a Saxon public enterprise and subordinate institution of the Saxon State Ministry of Science and Art. The beneficiaries are blind, visually impaired and print-disabled people. The following media are produced, archived and distributed to the users by dzb lesen:

- Books and magazines as well as sheet music in Braille (in printed and digital form)
- tactile illustrations and reliefs
- literature, including sheet music, in large print
- Audio books and audio magazines as well as audio tracks of audio films in DAISY format (CD delivery; download via voice assistance)
- accessible designed e-books

The dzb lesen is a member of the Mediengemeinschaft für blinde, seh- und lesebehinderte Menschen e.V. (Media Association for Blind, Visually Impaired and Print-Disabled People – Medibus).

Deutscher Verein der Blinden und Sehbehinderten in Studium und Beruf e.V. (DVBS)

Frauenbergstraße 8

35039 Marburg

Tel: 0049 6421 94888-0

E-mail: info@dvbs-online.de

[DVBS Website](#)

The Deutscher Verein der Blinden und Sehbehinderten in Studium und Beruf e.V. (German Association of Blind and Visually Impaired Students and Professionals) produces a small amount of literature, especially with a focus on vocational education and training. The beneficiaries are blind and visually impaired people. The DVBS is a member of the Mediengemeinschaft für blinde, seh- und lesebehinderte Menschen e.V. (Media Association for Blind, Visually Impaired and Print-Disabled People – Medibus).

Hope Hörbücherei

Eine Stimme der Hoffnung für blinde und sehbehinderte Menschen

Sandwiesenstr. 35

64665 Alsbach-Hähnlein

Tel: 0049 6257 506 53-35

Fax: 0049 6257 506 53-84

E-mail: andre.thaeder@hope-hoerbuecherei.de

[Hope hoerbuecherei Website](#)

The Hope Audio Library is part of the media centre STIMME DER HOFFNUNG e.V. (Voice of Hope) and produces and lends literature on Christian topics, namely Christian magazines and other publications (DAISY-CD, MP3-CD or Audio-CD and books on DAISY-CD, MP3-CD). The beneficiaries are blind and visually impaired people. The Hope Audio Library is a member of the Mediengemeinschaft für blinde, seh- und lesebehinderte Menschen e.V. (Media Association for Blind, Visually Impaired and Print-Disabled People – Medibus).

Kontakt- und Informationsstelle für Studierende mit Behinderung und chronischer Erkrankung (KIS) der Universität Würzburg

Universität Würzburg

KIS

Mensanebengebäude, Am Hubland

97074 Würzburg

Tel: 0049 931 31 84052

E-mail: kis@uni-wuerzburg.de

[Universität Würzburg Website](#)

The Kontakt- und Informationsstelle für Studierende mit Behinderung und chronischer Erkrankung (KIS) der Universität Würzburg (Contact and Information Center for Students with Disabilities and Chronic Illness (KIS) at the University of Würzburg) was founded in 2008 and since then has supported students with visual impairments by lending technology and preparing accessible teaching materials. The KIS supports prospective students, students, lecturers and staff on issues of inclusion at the University of Würzburg.

Medienzentrale im Landesbildungszentrum für Blinde, Hannover

Bleekstraße 22

30559 Hannover

Tel: 0049 511 5247-0

Fax: 0049 511 5247-349

E-mail: f-j.beck@lbbz.de

[lbbz Website](#)

The Medienzentrale im Landesbildungszentrum für Blinde (Media Centre in the State Education Centre for the Blind) in Hanover supplies all blind, severely visually impaired and visually impaired pupils and trainees in Lower Saxony with educational media. Textbooks in e-book standard (Word file) and tactile media are produced. These are made available in pdf format in addition to the textbooks. The beneficiaries are exclusively pupils and trainees with a special focus on vision who are registered in Lower Saxony.

Medienzentrum der LVR-Louis-Braille-Schule Düren

Meckerstraße 1-3

52351 Düren

Tel: 0049 2421 40 78 20

Fax: 0049 2421 40 78 22 97

E-mail: medienzentrum.louis-braille-schule@lvr-465.logineo.de

[LVR-Louis-Braille-Schule Düren Website](#)

The Medienzentrum der LVR-Louis-Braille-Schule Düren (Media centre of the LVR Louis Braille School Düren) supplies the visually impaired pupils of the LVR special schools – special focus: seeing – with learning material. It produces textbooks in e-book standard (Word file) and provides these as well as textbooks in pdf format. The beneficiaries are blind and visually impaired people.

Norddeutsche Hörbücherei e.V.

Bücherei für blinde, seh- und lesebehinderte Menschen

Georgsplatz 1

20099 Hamburg

Tel: 0049 40 227 286-0

E-mail: info@blindenbuecherei.de

[Norddeutsche Hörbücherei e.V. Website](#)

The Norddeutsche Hörbücherei e. V. (Northern German Audio Library) produces and lends audio books. The beneficiaries are blind, visually impaired and print-disabled people. The audio library is a member of the Mediengemeinschaft für blinde, seh- und lesebehinderte Menschen e.V. (Media Association for Blind, Visually and Print-Disabled People – Medibus).

Stiftung Centralbibliothek für Blinde

Georgsplatz 1

20099 Hamburg

Tel: 0049 40 227 286-0

E-mail: info@blindenbuecherei.de

[Stiftung Centralbibliothek für Blinde Website](#)

The Stiftung Centralbibliothek für Blinde (Central Library for the Blind Foundation) produces and lends books printed in Braille. The beneficiaries are blind people. The foundation is a member of the Mediengemeinschaft für blinde,

seh- und lesebehinderte Menschen e.V. (Media Association for Blind, Visually Impaired and Print-Disabled People – Medibus).

Westdeutsche Bibliothek der Hörmedien für blinde-, seh- und lesebehinderte Menschen e.V. (WBH)

Harkortstr. 9

48163 Münster

Tel: 0049 251 719901

Fax: 0049 251 712846

E-mail: wbh@wbh-online.de

[wbh Website](#)

The Westdeutsche Bibliothek der Hörmedien für blinde-, seh- und lesebehinderte Menschen (West German library of audio media for blind, visually impaired and print-disabled people) produces and lends audio books as MP3-capable Daisy CDs. In addition, audio books are offered for download. The beneficiaries are blind, visually impaired and print-disabled people. The WBH is a member of the Mediengemeinschaft für blinde, seh- und lesebehinderte Menschen e.V. (Media Association for Blind, Visually Impaired and Print-Disabled People – Medibus)