

# Marrakesh Treaty Questionnaire – Netherlands

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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.**

The specific provisions to facilitate access to published works for persons who are blind, visually impaired, or otherwise print disabled are:

- Articles 15j, 15k, 15l and 15m and Article 29a, paragraph 5, of the Copyright Act (Auteurswet)
- Articles 10m, 10n and 10o and Article 19a, paragraph 4, of the Related Rights Act (Wet op de naburige rechten)
- Article 5, paragraph 2, and Article 5a, paragraph 4, of the Databases Act (Databankenwet)

**2. Does your national legislation permit the cross-border exchange (i.e. exportation) of “accessible format copies”, as defined in Article 2 b)<sup>1</sup> MVT? If yes, under which conditions?**

This question relates to exchanges between the EU and third countries which are regulated by Regulation (EU) 2017/1563 and can be answered by the Commission.

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

This question relates to exchanges between the EU and third countries which are regulated by Regulation (EU) 2017/1563 and can be answered by the Commission.

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

Yes, in the Dutch legislation an authorised entity is defined as: an entity that is authorised or recognised by a Member State to provide education, instructional training, adaptive reading or information access to beneficiary persons on a non-profit basis. It also includes a public institution or non-profit organisation that provides the same services to beneficiary persons as one of its primary activities, institutional obligations or as part of its public-interest missions. (*“een entiteit die door een lidstaat is gemachtigd of erkend om zonder winstoogmerk onderwijs, opleiding, aangepast lezen of toegang tot informatie aan leesgehandicapten te bieden. Hieronder wordt mede verstaan openbare instellingen of organisaties zonder winstoogmerk die leesgehandicapten dezelfde diensten aanbieden als een van hun hoofdactiviteiten, institutionele verplichtingen of in het kader van hun taken van openbaar belang”*).

This definition can be found in Article 15m, subparagraph d, of the Copyright Act (Auteurswet).

This provision applies accordingly to the Related Rights Act (Wet op de naburige rechten) and to the Databases Act (Databankenwet) (see Articles 10m, 10n and 10o, of the Related Rights Act and Article 5, paragraph 2, of the Databases Act).

**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.**

1. Name authorised entity: Stichting Dedicon  
Address: Traverse 175, 5361 TD Grave  
Phone number: 0486 - 486 486
  
2. Name authorised entity: Stichting Bibliotheekservice Passend Lezen (BPL)  
Address: Zuid Hollandlaan 7, 2596 AL Den Haag  
Phone number: 070 - 338 15 00
  
3. Name authorised entity: Vereniging CBB  
Address: Paul Krugerweg 39, 3851 ZH Ermelo  
Phone number: 0341 - 56 54 99

Please note that this is a non-exhaustive list.