

## QUESTIONNAIRE

### A. COPYRIGHT REGISTRATION AND RECORDATION

1. What is the name and legal status of the copyright registering/recording body in your country?

**In Croatia, there is no the copyright registering/recording body.**

2. Please provide full contact details of the copyright registering/recording body, including location of its offices, with indication of the hours they open to public.
3. Does the copyright registering/recording body have a webpage and e-mail address? If so, please list them.
4. Is the copyright registry interconnected to any other copyright data system?
5. Please list relevant national legislation, including regulations, regarding copyright recordation/registration.

**COPYRIGHT AND RELATED RIGHTS ACT, NN 167/03, 179/07 does not provide for the recordation/registration system**

6. What kind of copyright works can be registered/recorded? Is the registration/recordation process different for each type of copyrighted work? Please describe the differences, if any.
7. Can the subject matter of related rights (e.g., performances, broadcasts, sound recordings) also be registered/recorded? If yes, is there a different registration/recordation process than for works protected by copyright?

Is there a possibility to record the transfer or licensing of copyright/related rights?

8. Is there a possibility to record a security interest in the copyright or related right? If so, what are the legal requirements and effects of such recordation?
9. What is the legal effect of registration?
10. Is copyright registration/recordation mandatory or voluntary in the following circumstances?
  - (a) Recognition of creation?
  - (b) Transfer of rights?
  - (c) Initiation of judicial proceedings?
  - (d) Other changes in title/ownership (such as leasing)?

If your country has a mandatory registration/recordation system, please describe any legal consequences for non-compliance.

12. Do courts in your country recognize copyright registrations affected by public authorities in other countries? If yes, is recognition automatic or is a local procedure required to validate or otherwise give effect to the foreign registration?

**No case law is available at this moment.**

13. What are the requirements for registration?
- (a) What are the mandatory elements of the request for registration/recordation?
  - (b) Does the request need to be submitted in a specific form? Can the request be submitted by the post? Can the request be submitted electronically?  
The request can be submitted by the post.
  - (c) Is there a deposit requirement, that is, must a copy of the work be submitted with the registration request? If so, can it be submitted in digital form?  
It can not be submitted in digital form.
  - (d) Is there a registration/recordation fee? If so, how much is the registration/recordation fee?
  - (e) What is the average time taken to complete the registration/recordation process?
14. Are foreigners allowed to register/record their creations? Are people without legal residence in your country allowed to register/record their creations? Is there a different registration/recordation process for domestic as opposed to foreign works or objects of related rights?
15. Are the files stored in digital form?
16. What criteria are followed for classification of the registrations/recordations (including chronology/name of right owner/name of work or related right/type of work or subject matter of related rights, etc)? Is it possible to correct or update relevant information? Does the system have a search facility?  
The system hasn't a search facility.
17. Is it accessible by the public? Is the search facility available online?
18. Is access granted to the work registered or its copies?
19. Does the general public have access to other documents submitted or to any information regarding the work registered/recorded?
21. Does your country have legislation dealing specifically with "orphan works", i.e. works in respect of which the right owner can not be identified and/or located (e.g., a compulsory license or a limitation on liability)? Please briefly describe the main elements of that legislation.

**No, Croatia has no legislation dealing specifically with “orphan works”.**

22. Independently of whether your country has legislation on the subject, are there industry practices in your country aimed at identifying and/or locating the copyright owner of “orphan works”?

**There are industry practices in Croatia aimed at identifying and/or locating the copyright owner of “orphan works”.**

23. Does the registering/recording body play a relevant role in the legislation or practice dealing with “orphan works”?

**In Croatia, only the deposit of a work may be made, which in this case does not play an important role.**

24. Is there a system to identify and list recorded/registered works or objects of related rights in the public domain? Is that system automated? Is that information made available to the public?

**In the Digital Library of Croatia in full text access, they have material which is in public domain and free of copyright.**

If your country has a public registration/recording system, do private institutions or initiatives exist that provide additional mechanisms to access registered/recorded information from the public system?

**Croatia has not a public registration/recording system, because in our legal system the copyright registration does not exist.**

25. Please provide statistics on following registrations/recordingations:
- (a) Number per statistical period (last five years)
  - (b) Number per nationality (last five years)
  - (c) Number of inquiries/requests for information filed per statistical period (last five years).
  - (d) Number of recordingation/registrations whose subject matter has entered the public domain. Global figure/Figure per statistical period (last five years)

**The registrations/recordingations system does not exist.**

## B. LEGAL DEPOSIT

26. Does your country have a legal deposit system/s in place?

**Yes, our country has a legal deposit system in place.**

27. Please list relevant national legislation regulating the legal deposit.

**Law on Libraries** “Official Gazette of the Republic of Croatia” **105/97, 5/98, 104/2000, 69/2009, Chapter 9, Articles from 37 to 44.**

28. Is the legal deposit mandatory or voluntary in your Country? If mandatory, what are the legal consequences in case of non compliance?

**The deposit is mandatory in our country.**

29. What are the functions performed by your National legal deposit system (e.g. preservation of cultural heritage; collection of statistical information, etc)?

**Preservation of cultural heritage in national institutions, cataloguing in publication before printing, building of national union catalogue, statistical reports.**

Is there any connection or interaction among legal deposit and copyright protection?

**No, there is no such connection or interaction.**

30. Does your national legislation have any provision in regard to making copies or adapting formats of deposited works for preservation purposes? If so, please clarify under which terms and conditions.

**The treatment of deposit copies and special measures for their protection and safe-keeping are stipulated by the Minister of Culture at the proposal of the Library Council of Croatia.”**

31. What is the object of legal deposit? Please list all types or categories of material subject to legal deposit (e.g. Print Material, such as books, serials, government publication; Non-Print Material, such as music and audiovisual works, broadcast material).

**The object of legal deposit may be: books, brochures, mimeographed notes, special prints, journals, newspapers, magazines, bulletins, geographical and other charts, reproductions of fine art works, music scores, catalogues, calendars, theatre and other programmes, and their additions in print, audio-visual and electronic form, as well as posters, leaflets, short advertisements and announcements, post cards, official and trade forms, audio-visual materials: records, audio and visual cassettes, tapes, micro-films and compact discs.**

32. Does legal deposit apply upon production/printing of content or after its distribution? Does legal deposit apply to material printed in your country but distributed abroad?

**A legal or physical person publishing or producing materials intended for the public, is required to deliver free of charge and at its expense, not later than 30 days of publishing, copying or producing, eight deposit copies to the National and University Library in Zagreb. Out of that number the National and University Library in Zagreb keeps two copies, and sends a copy one each to the university**

**libraries in Split, Rijeka, Pula and Osijek, as well as in Mostar, and to general scientific libraries in Dubrovnik and Zadar.**

33. Is there any type or category of material exempted from legal deposit for policy reasons?

**Printed materials of confidential contents are exempt from the depositing requirement, but the ordering parties are required to keep permanently at least two copies.**

**Libraries have an obligation to keep the deposit copies whose distribution has been subsequently forbidden.**

34. Is there any specific regulation in regard to material published in electronic format? If so, does the regulation distinguish between on-line and off-line material? Please clarify relevant differences.

**Publishers, printing houses and producers of audiovisual material and electronic publications in the Republic of Croatia are required to send the last day of the current month a report in two copies to the National and University Library in Zagreb on the overall material published, printed or produced during the previous month.**

35. How many copies does the depositor have to deposit? Are there special conditions for limited or *de luxe* editions?

**Publishers of exceptionally valuable and expensive editions (collectors' editions, graphic maps etc.) are required to send one copy of their textual part to the National and University Library in Zagreb.**

36. Who is/are the subject/subjects responsible for delivering the legal deposit?

**Printing houses from Croatia and publishers when publication is edited abroad.**

37. What are the time requirements for legal deposit?

**Not later than 30 days of publishing, copying or producing, eight deposit copies to the National and University Library in Zagreb.**

38. Is there a payment or compensation involved in legal deposit? If so, Please indicate its amount.

**No, it is free by Law.**

39. What is/are the entity/entities responsible for acting as legal depository?

**National and University Library in Zagreb for the whole territory of Croatia.**

Does the general public have access to legally deposited materials? If so, please explain under which terms and conditions.

**The general public has free access to legally deposited materials in reading rooms of deposit libraries under regular rules on using of library materials.**

40. Do/does the depository/depositories provide publicly available search facilities? If so, are they accessible on-line?

**Croatian Union Catalogue with more than 2,5 million of bibliographic records is available online and free of charge and presents the unique search facility. In the Digital Library of Croatia in full text access we have only material which is in public domain and free of copyright.**

41. Non-Print Material, such as music and audiovisual works Is legal deposit linked to any number or code? Is there any relation with the International Standard Books Number (ISBN) with the International Standard Serial Number (ISSN) and other such codes?

**National and University Library in Zagreb is the National agency for publishers. They are offering them many different services: CIP (Cataloguing In Publication) before printing, ISBN -International Standard Book Number, ISSN - International Standard Serial Number, ISMN – International Standard Music Number (printed music), ISAN – International Standard Audiovisual Number (for DVD films), DOI – Digital Object Identifier (for electronic articles).**