

Marrakesh Treaty Questionnaire – Israel

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

Copyright Act, 2007, Article 28B

Performers' and Broadcasters' Rights Law, 1984, Article 4c1

In general: Copyright Act, 2007, Article 19 (open ended fair use system)

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

Yes, as provided under Copyright Act, Article 28B(C)(2):
28B...

(C) The reproduction of a Formatted Copy made under the provisions of this section is permitted to the Organization only and said Organization may transfer a Formatted Copy, for non-profit, to any of the following:...

(2) A person outside of Israel with disabilities or a Foreign Organization, however a Formatted Copy shall not be transferred to said person or Organization if the Organization knows, or should have known, that the Formatted Copy will be used by or transferred to a person who does not have disabilities; In this paragraph, "Foreign Organization" – means a not for profit entity outside of Israel, having as one of its objectives or primary activities education, or training of persons with disabilities, or provision of information to such persons.

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?

Yes, provided that if the imported accessible format copies of works, would have been made in Israel, its making would not have constituted an infringement of the right of reproduction (i.e. would enjoy the exception under Article 28B), or have been made with the consent of the copyright owner in the country in which they was made.

¹ Article 2 b) “accessible format copy” means a copy of a work in an alternative manner or form which gives a beneficiary person access to the work, including to permit the person to have access as feasibly and comfortably as a person without visual impairment or other print disability. The accessible format copy is used exclusively by beneficiary persons and it must respect the integrity of the original work, taking due consideration of the changes needed to make the work accessible in the alternative format and of the accessibility needs of the beneficiary persons

² See above

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.

Yes. The definition of "Organization" in Article 28B(A) and "Foreign Organization" in Article 28B(C)(2).

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

Refer to Marrakesh Treaty webpage (Information Access Point) on WIPO website.

³ Article 2 c) “authorized entity” means an entity that is authorized or recognized by the government to provide education, instructional training, adaptive reading or information access to beneficiary persons on a non-profit basis. It also includes a government institution or non-profit organization that provides the same services to beneficiary persons as one of its primary activities or institutional obligations.