



Notification Number: 2013/166/F

Decree on the information for purchasers of recording media subject to the private copying levy.

Date received : 22/03/2013

End of Standstill : 24/06/2013

Message

Message 002

Communication from the Commission - SG(2013) D/5860

Directive 98/34/EC

Translation of the message 001

Notification: 2013/0166/F

No abre el plazo - Nezahajuje odklady - Fristerne indledes ikke - Kein Fristbeginn - Viivituste perioodi ei avata - Καμμία έναρξη προθεσμίας - Does not open the delays - N'ouvre pas de délais - Non fa decorrere la mora - Neietekmē atlikšanu - Atidėjimai nepradedami - Nem nyitja meg a késések - Ma' jiftaħ il-perijodi ta' dawmien - Geen termijnbegin - Nie otwiera opóźnień - Nao inicia o prazo - Neotvorí oneskorenia - Ne uvaja zamud - Määräaika ei ala tästä - Inleder ingen frist - He ce предвижда период на прекъсване - Nu deschide perioadele de stagnare - Nu deschide perioadele de stagnare.

(MSG: 201300860.EN)

1. Structured Information Line

MSG 002 IND 2013 0166 F EN 22-03-2013 F NOTIF

2. Member State

F

3. Department Responsible

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3. Originating Department

Ministère de l'économie et des finances

Direction Générale de la Concurrence Consommation et Répression des Fraudes (DGCCRF)

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Bureau 6B- Télécommunications, biens et services culturels
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4. Notification Number

2013/0166/F - H00

5. Title

Decree on the information for purchasers of recording media subject to the private copying levy.

6. Products Concerned

Recording media that may be used for the reproduction of works for private use

7. Notification Under Another Act

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8. Main Content

Article L. 311-4-1 of the Intellectual Property Code provides that the purchaser must be informed of the amount of the private copying levy when purchasing equipment subject to this levy, pursuant to the provisions of the first title of Book III of the Intellectual Property Code. The purchaser must also receive an explanatory notice which must mention the possibility, for professional purchasers, of having this amount refunded or even signing a waiver agreement. The Decree must therefore define the procedures by which operators should provide this information (the amount of the levy and the notice) to purchasers.

For sales to consumers, the information shall be displayed at the point of sale, where such a display is possible (e.g. in shops) or by any appropriate means in other cases. For sales between professionals, the information shall be mentioned at the bottom of invoices.

The notice relating to the private copying levy will be available online. Purchasers shall be informed of the website via the same procedures as for the amount of the levy paid. The manufacturer may also decide to integrate the notice with the product in paperless form.

9. Brief Statement of Grounds

In order to improve consumer awareness of the right to private copying and professional purchasers' awareness of their right to reimbursement of the private copying levy, Article L.311-4-1 of the Intellectual Property Code imposes requirements for information to be provided when equipment subject to this levy is sold, and refers to an Implementing Decree. This draft Decree thus defines the procedures for the dissemination of this information to purchasers.

10. Reference Documents - Basic Texts

References to reference texts: Article L 311-4-1 of the Intellectual Property Code notified 2011/450/F
The reference texts were forwarded with an earlier notification: 2011/450/F

11. Invocation of the Emergency Procedure

No



12. Grounds for the Emergency

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13. Confidentiality

No

14. Fiscal measures

No

15. Impact assessment

-

16. TBT and SPS aspects

TBT aspect

No - the draft is not a technical provision or a conformity assessment procedure.

SPS aspect

No - the draft is not a sanitary or phytosanitary measure.

Catherine Day
Secrétaire général
Commission européenne

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