



Parlamentul României
Senat

Bucharest, 7th November 2016

Courtesy translation

**OPINION
of the SENATE OF ROMANIA**

on the Proposal for a Directive of the European Parliament and of the Council on certain permitted uses of works and other subject-matter protected by copyright and related rights for the benefit of persons who are blind, visually impaired or otherwise print disabled and amending Directive 2001/29/EC on the harmonisation of certain aspects of copyright and related rights in the information society

COM(2016) 596 final

The Romanian Senate has examined the Proposal for a Directive of the European Parliament and of the Council on certain permitted uses of works and other subject-matter protected by copyright and related rights for the benefit of persons who are blind, visually impaired or otherwise print disabled and amending Directive 2001/29/EC on the harmonisation of certain aspects of copyright and related rights in the information society - COM(2016) 596 final, according to the provisions of the Treaty of Lisbon (Protocol no. 2).

Taking into account the report of the Committee on European Affairs no. LXII/740/4.11.2016, **the plenum of the Senate**, during its session of 7th November 2016, has decided the following:

(1) It is ascertained that the proposal for a Directive complies with the principles of subsidiarity and proportionality.

(2) It is considered that:

- The provisions of the proposed Directive have a profound humanitarian impact, aiming at facilitating the access of visually impaired or otherwise print disabled persons to works protected by copyright;
- It should be considered the need to protect the rights of holders of copyright and related rights by ensuring that the works are used only by beneficiaries or people with visual/read impairments;

(3) It is appreciated that:

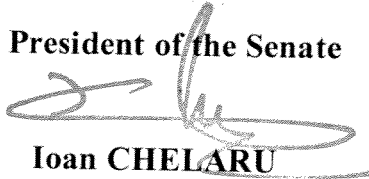
- The legislative act aims at increasing the availability of works and other subject-matter protected by copyrights (e.g. books, journals, newspapers, magazines and other writings, sheet music and other printed materials, including in audio form) in formats that are accessible to beneficiary persons mentioned in the title;

- Through this proposal, all special persons mentioned in the directive, together with the organizations serving their needs on a non-profit basis can rely on a mandatory and harmonised exception to copyright and related rights within the Union.

(4) It is recommended:

- To extend the reference from the Explanatory Memorandum of the act regarding the Convention on the Rights of Persons with Disabilities, by adding art. 9 Accessibility, art. 21 Freedom of expression and opinion and access to information and art. 24 Education;
- To clarify the phrase "alternative manner of form" easy to read, large text display font, audio, Braille, from art. 2 para. (3);
- To clarify the concept: copy/copies? (One copy of each sample: audio, Braille, video, etc.) from art. 3.

p. President of the Senate



Ioan CHELARU