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Answer given by Ms Gabriel  
on behalf of the European Commission  
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The Directive on copyright in the Digital Single Market is addressed to Member States. The Directive, unlike a regulation, is not directly applicable. Under Article 17, Member States are required to comply with a number of obligations with respect to exceptions and limitations to copyright. For example, paragraph 7 provides that the general application of Article 17 shall not affect legitimate uses, such as uses under exceptions or limitations provided for in Union law. These obligations imposed on Member States extend to the activity of online content sharing service providers ('OCSSPs'). This means that any obligation directed at OCSSPs should be properly implemented in national law. Therefore, whilst it is correct that paragraph 9 requires OCSSPs to inform their users in their terms and conditions that they can use works and other subject matter under exceptions or limitations to copyright and related rights provided for in Union law, this obligation must be given effect to by Member States in their implementing legislation. Accordingly, the Commission considers that the obligations provided for in paragraphs 7 and 9 cannot be considered fulfilled by Member States by seeking to rely on any general provision informing users about existing exceptions and limitations in the terms of use of the OCSSPs.