

- (a) nothing done before the commencement of this Act shall be taken to constitute an infringement of that copyright;
- (b) nothing done in relation to the work before the commencement of this Act shall be taken to constitute an offence against section 132 of the Principal Act; and
- (c) without limiting the generality of paragraph (a), a reproduction of the work, or of an adaptation of the work, made in, or im-

ported into, Australia before the commencement of this Act shall not be taken to be an infringing copy of the work.

(3) For the purposes of this section, a work the making of which extended over a period shall be deemed not to have been made before the commencement of this Act unless the making of it was completed before the commencement of this Act.

RWANDA

Law Governing Copyright

(No. 27/1983 of November 15, 1983)

PART I

The Protection of Copyright

TITLE I

Protected Works

Article 1. Authors of original literary, artistic and scientific works shall be entitled to the protection of their works as provided by this Law.

“Original work” shall mean a work whose characteristic elements and whose form, or whose form alone, enable its author to be distinguished.

Article 2. Protected literary, artistic and scientific works shall include, in particular:

- (a) books, pamphlets and other writings;
- (b) lectures, speeches, addresses, sermons and other works of the same nature;
- (c) dramatic and dramatico-musical works;
- (d) musical works, whether or not they are in written form and whether or not they include accompanying words;
- (e) choreographic works and pantomimes;
- (f) cinematographic, radiophonic and audiovisual works;
- (g) works of drawing, painting, architecture, sculpture, engraving, lithography, tapestry;

- (h) photographic works, including works expressed by processes similar to photography;
- (i) works of applied art, whether handicrafts or produced by industrial processes; however, industrial designs shall continue to be governed by the Law on Industrial Designs;
- (j) illustrations, maps, plans, sketches and other three-dimensional works relative to geography, history, topography, architecture.

Article 3. Works of folklore shall be protected in the same way as original works.

For the purposes of this Law, “folklore” shall mean all the literary, artistic, religious, scientific, technological and other traditions and productions created from generation to generation by individual unidentified Rwandese, which thus constitute the fundamental elements of the Rwandese heritage.

These shall include, in particular:

- (a) literary works of all kinds and of all categories: tales, legends, myths, proverbs, narrations and poems;
- (b) artistic styles and productions: dances and shows of all kinds, musical works of all kinds, styles and works of decorative art by any process, architectural styles;

- (c) traditions and religious events: rites and rituals, objects, clothing, places of worship;
- (d) practices and customs in general;
- (e) scientific knowledge: practices and products of medicine and of pharmacopoeia, acquired theoretical and practical knowledge in the fields of natural science and anthropology and others;
- (f) knowledge and works of technology: arts and crafts of all kinds.

“Work inspired by folklore” shall mean any work exclusively created with the aid of elements taken from Rwandese folklore.

Article 4. Derived works shall also be protected as original works.

“Derived work” shall mean a work created on the basis of one or more preexisting works. Derived works shall comprise in particular:

- (a) translations, adaptations, arrangements of music and other transformations of literary, artistic or scientific works;
- (b) collections of literary, artistic or scientific works, such as encyclopedias and anthologies which, by reason of the selection and arrangement of their contents, constitute intellectual creations;
- (c) works inspired by national folklore.

The protection enjoyed by derived works shall be without prejudice to any protection of the preexisting works used.

Article 5. Literary, artistic and scientific works shall be protected irrespective of their quality and the purpose for which they were created.

Article 6. The protection afforded by this Law shall not be subject to any formality. However, authors of works to which this Law applies shall have the faculty of having their works registered with the copyright administration service.

TITLE II

Non-Protected Works

Article 7. Protection shall not be afforded to laws, judicial decisions or decisions of administrative bodies.

Protection shall likewise not be afforded to news of the day that has been published and communicated to the public.

TITLE III

Protected Rights

CHAPTER I

Moral Rights

Article 8. The author of a work shall have the right:

- (a) to claim authorship of his work, in particular that his authorship be stated in connection with any of the acts referred to in Article 9, except where the work is included incidentally or accidentally when reporting current events by means of broadcasting;
- (b) to object to, and to seek relief in connection with, any distortion, mutilation or other modification of, and any other derogatory action in relation to, his work, where such action would be or is prejudicial to his honor or reputation;
- (c) to disclose his work or to prohibit disclosure thereof;
- (d) to withdraw from circulation or suspend any form of previously authorized utilization, prior to or after utilization.

The moral rights in works of folklore shall be exercised by the copyright administration service.

However, no such rights may be exercised unless third parties are compensated for any damage caused to them by such exercise.

CHAPTER II

Economic Rights

Section 1. Economic Rights in Protected Works

Article 9. Subject to the limitations stipulated by this Law, the author of a protected work shall have the exclusive right to do or to authorize the following acts in relation to the whole work or a part thereof:

- (a) reproduce the work by making one or more copies of a literary, artistic or scientific work in any material form whatsoever, including sound recording;
- (b) make a translation, an adaptation, an arrangement or any other transformation of the work;
- (c) communicate the work to the public by performance or by broadcasting.

The economic rights in works of folklore shall be administered by the Rwandese Copyright Administration Service, which may require payment of a fee as stipulated by the President of the Republic.

Likewise, full or part assignment of a work inspired by folklore or of an exclusive license in respect of such work shall not be valid without the approval of the Rwandese Copyright Administration Service.

Article 10. None of the acts referred to in Article 9 may be carried out by a third party without the formal and written authorization of the author or of his successors in title, duly countersigned by a notary or legalized by a competent authority.

Section 2. Droit de Suite

Article 11. Notwithstanding any assignment of the original work, the authors of original works of art and of original manuscripts shall have an inalienable right to a share in the proceeds of any sale of the work or manuscript by public auction or through a dealer, whatever the methods used by the latter to carry out the operation. However, such right shall not apply to architectural works or to works of applied art.

Article 12. The same right shall belong to the author's heirs for a period of time which is the same as the term of literary, artistic and scientific property laid down by this Law.

Article 13. The seller, the buyer and the organizer of public auctions shall be jointly responsible to the author or the heirs to the right laid down in Article 11 of this Law.

The tariff and other conditions for exercising this *droit de suite* shall be laid down by presidential decree.

Article 14. *Droit de suite* shall not be effective until publication in the Official Gazette of the presidential decree referred to in Article 13.

TITLE IV

Domaine public payant

Article 15. For the purposes of this Law, public domain shall mean all those works that may be exploited by anyone whatsoever without any authorization from the author, either because the term of

protection has expired or because no international instrument affords protection to them in the case of foreign works.

Article 16. Users of works in the public domain shall be required to pay to the Rwandese Copyright Administration Service a lump sum whose amount shall be laid down by the Minister having responsibility for culture. Such amount shall be paid into a fund for the furtherance of institutions set up for the benefit of authors.

Article 17. Full or part assignment of copyright in a work based on a literary, artistic or scientific production that has fallen into the public domain or an exclusive license in respect of such work shall not be valid unless it has obtained the approval of the Rwandese Copyright Administration Service, which may require in respect of such approval the payment of a fee subject to the conditions to be laid down by a decree of the Minister with responsibility for culture.

TITLE V

Limitations

CHAPTER I

General Limitations

Article 18. Notwithstanding Articles 8 and 9, the following uses of a protected work shall be permissible without payment of royalties and without the author's consent:

(I) in the case of a work that has been lawfully published:

- (a) the reproduction, translation, adaptation, arrangement or any other transformation of such work exclusively for the user's own personal and private use;
- (b) the inclusion, subject to mentioning the source and the name of the author, of quotations from such work in another work, provided that such quotations are compatible with fair practice and their extent does not exceed that justified by the purpose, including quotations from newspaper articles and periodicals in the form of press summaries;
- (c) the utilization of the work by way of illustration in publications, broadcasts or sound or visual recordings for teaching, to the extent justified by the purpose, or the communication for teaching purposes of the

work broadcast for use in teaching and research, provided that such use is compatible with fair practice and that the source and the name of the author are mentioned in the publication, the broadcast or the recording;

- (d) the reproduction of such a work by photographic or similar process by public libraries, non-commercial documentation centers, scientific institutions and educational establishments, provided that such reproduction and the number of copies made are limited to the needs of their activities, do not conflict with the normal exploitation of the work and do not unreasonably prejudice the legitimate interests of the author;

(II) reproduction in the press or on radio and television of an article published in a newspaper or periodical, provided that the source, the title and the name of the author be clearly stated, unless the article or the periodical in which it is published specifically states that its reproduction is prohibited;

(III) reproduction in the press or communication to the public of:

- (a) any political speech or speech delivered during legal proceedings;
- (b) any lecture, address, sermon or other work of the same nature delivered in public, provided that the use is exclusively for the purposes of current information, whereby the author shall retain the right to publish a collection of such works;

(IV) reproduction of works of architecture by means of photography, cinematography, television or any similar process or the publication of corresponding photographs in newspapers, periodicals and school textbooks; reproduction of works of art and of architecture in a film or in a television broadcast and the communication to the public of the works so reproduced, if the said works are permanently located in a place where they can be viewed by the public or are included in the film or in the broadcast only as incidental to the main subject represented.

The author of a work of architecture may not prevent modifications which the owner decides to make to such work. However, he may oppose the use of his name as the author of the modification.

The provisions on limitations to copyright shall also apply to works of folklore; however, any publication or any communication to the public of an identifiable expression of folklore shall state its source in an appropriate manner by referring to the community and/or geographical location from which it stems.

CHAPTER II

Special Limitations

Section 1. Limitation of the Right of Recording

Article 19. Notwithstanding Articles 8 and 9, any broadcasting organization may make, for the purpose of its own broadcasts and by means of its own facilities, an ephemeral recording, in one or more copies, of any work which it is authorized to broadcast.

All copies of it shall be destroyed within six months of the making or within any longer term agreed to by the author; however, where such recording has an exceptional documentary character, one copy of it may be preserved in official archives.

Section 2. Limitation of the Right of Broadcasting

Article 20. Notwithstanding the provisions of Article 9, and subject to Article 8, the broadcasting, even in the absence of authorization from the author, of a work which has been made available to the public with the consent of the author shall be lawful in return for remuneration. Likewise, communication to the public, even in the absence of authorization from the author, of a work broadcast with the consent of the author shall be lawful in return for remuneration.

The amount of such remuneration shall be laid down by the Minister having responsibility for culture.

Article 21. Article 20 shall not apply in the following cases:

- (1) if the works belonging to the repertoire of the Rwandese Copyright Administration Service or managed by that Service on the basis of a reciprocal contract concluded with a national or foreign organization may not be broadcast except on the basis of a blanket authorization contract that has to be concluded beforehand with the broadcasting organization for a fixed term;
- (2) if the author has exercised his right referred to in Article 8(d) and has notified such fact to the broadcasting organization, the works concerned may no longer be broadcast;
- (3) if in his contract for stage performance of his work, the author has entered reservations as regards transmission of stage performances by radio, such reservations must be respected by the broadcasting organization.

Section 3. Limitation of the Right of Translation

Article 22. Notwithstanding the provisions of Article 9, it shall be lawful, even without the author's authorization, to translate a work into Kinyarwanda, Swahili, French or English and to publish the translation in Rwanda under a license granted by the Rwandese Copyright Administration Service and under the conditions laid down by this Law.

Section 4. Limitation of the Right of Reproduction

Article 23. Notwithstanding the provisions of Article 9, it shall be lawful, even without the author's authorization, to reproduce a work and publish a particular edition thereof on the territory of the Rwandese Republic under a license granted by the Rwandese Copyright Administration Service and under the conditions laid down by this Law.

TITLE VI

The Duration of Authors' Rights

CHAPTER I

The Duration of Moral Rights

Article 24. At the death of the author, the rights referred to in Article 8(a), (b) and (c) shall devolve upon his heirs. The rights referred to in (a) and (b) shall be perpetual, inalienable and imprescriptible. Those referred to in (c) shall last during the period of protection.

Article 25. Notwithstanding Article 8(b), the rights referred to in Article 8(d) shall cease immediately at the death of the author. These rights may not be assigned by the author save by written deed.

CHAPTER II

The Duration of Economic Rights

Article 26. The rights referred to in Article 9 shall be protected during the author's lifetime and for 50 years after his death.

Article 27. In the case of a work of joint authorship, the rights referred to in Article 9 shall be protected during the lifetime of the last surviving author and for 50 years after his death.

Article 28. In the case of an anonymous work or a work published under a pseudonym, the rights referred to in Article 9 shall be protected up to expiry of a period of 50 years as from the date on which the work was lawfully published for the first time; however, Article 26 shall apply if the identity of the author has been revealed and is no longer in doubt before the expiry of that period.

Article 29. In the case of a cinematographic, radiophonic or audiovisual work that has been published with the consent of the author or is unpublished, the rights referred to in Article 9 shall be protected for a period of 50 years as from the making of the work.

Article 30. In the case of a posthumous work, the rights referred to in Article 9 shall be protected up to expiry of a period of 50 years as from the date on which the work was lawfully published for the first time. Where the general interest in access to such work that has not been published during the author's lifetime so justifies, the court may, on request of the Minister having responsibility for culture, order any appropriate measure should the author's heirs or the possessors of the work refuse without valid reason to disclose it.

The court may also pronounce to authorize disclosure of a work in the event of disagreement between two or more of the author's successors in title.

Article 31. In the case of a work belonging originally to a legal person, the rights referred to in Article 9 shall be protected up to expiry of 50 years as from the date on which the work was lawfully published for the first time.

TITLE VII

Ownership of Authors' Rights

CHAPTER I

General Provisions

Article 32. Subject to the special provisions of this Law, authors' rights shall belong originally to the author or authors who have created the work.

Article 33. A work shall be deemed to have been created, irrespective of any disclosure, by the mere fact of the author's concept being realized, even incompletely.

Article 34. Except as otherwise proved, the author of the work shall be deemed to be the person whose name or pseudonym, where the latter leaves

no doubt as to the identity of the author, is shown on the work.

However, folklore shall belong originally to the national cultural heritage.

CHAPTER II

Pseudonymous and Anonymous Works

Article 35. The author of a pseudonymous or anonymous work shall enjoy therein the rights afforded by this Law.

"Pseudonymous work" shall mean a work disclosed under an assumed name.

"Anonymous work" shall mean a work disclosed without stating the name or pseudonym of its author.

Article 36. The author shall be represented in the exercise of his rights by the original publisher or editor, until such time as he declares his identity and proves his authorship.

CHAPTER III

Posthumous Works

Article 37. The heirs or other successors in title of the author shall enjoy the rights afforded by this Law in a posthumous work. "Posthumous work" shall mean a work published after the death of the author.

CHAPTER IV

Works Published for Another Person

Article 38. Copyright in a work created by an author for a natural person or a legal person under an employment contract or in a work commissioned from the author by such person, shall belong originally to the author, unless otherwise stipulated in writing in the contract. For the purposes of this Law, a work produced for the State within the exercise of its official functions shall belong to the State that has commissioned the work, except as otherwise agreed.

CHAPTER V

Works Created by More Than One Person

Section 1. Works of Joint Authorship

Article 39. "Work of joint authorship" shall mean a work created by two or more authors in collaboration, in which the individual contributions

are indissociable from each other and form a whole.

Article 40. A work of joint authorship shall be indivisible where it is not possible to distinguish the share of each author; it shall belong jointly to the co-authors. Where copyright is indivisible, exercise of that right shall be governed by agreement and none of the co-owners may exercise it in isolation, subject to court decision in the case of disagreement. However, each of the co-owners shall remain entitled to take legal action in his own name and without intervention by the other co-owners against any infringement of copyright and to claim damages on his own behalf.

Article 41. Where the participation of each of the co-authors belongs to a different category or comprises parts having an autonomous creative character, the work of joint authorship is divisible and each author may, except where agreed otherwise, exploit his personal contribution separately without, however, prejudicing the exploitation of the joint work.

Section 2. Collective Works

Article 42. "Collective work" shall mean a work created on the initiative of a natural or legal person who discloses it under his direction or under his name and in which the contribution of the various persons that have participated in its production is contained in the whole for the purpose of which it was intended, without it being possible to allocate to each of them a separate right in the whole.

Article 43. A collective work shall belong, except as otherwise stipulated, to the natural or legal person who has taken the initiative of its creation and under whose name it has been disclosed. Copyright shall vest in that person.

Section 3. Composite Works

Article 44. "Composite work" shall mean a work in which a preexisting work, or fragments of such work, has been incorporated without the assistance of the author of such work.

Article 45. Copyright in a composite work shall belong to the person who has created it, subject to the rights of the author of the preexisting work.

CHAPTER VI

Copyright in Cinematographic Works

Article 46. Copyright in a cinematographic work shall belong originally to the intellectual creators of

the work. Except as otherwise provided, the following co-authors shall be deemed the intellectual creators of a cinematographic work:

- the director,
- the author of the adaptation,
- the author of the screenplay,
- the author of the script,
- the author of musical compositions, with or without words, specially created for the work,
- the cartoonist, in the case of cartoons.

Article 47. Where the cinematographic work is drawn from a preexisting work that is still protected, the author of the original work shall be considered one of the authors of the new work.

Article 48. Before undertaking the production of a cinematographic work, the producer, who is the natural or legal person taking financial responsibility for the work, shall be required to conclude written contracts with all persons whose works are to be used for that production.

The contracts concluded with the intellectual creators of the work shall imply a presumption of assignment of the rights necessary for the cinematographic exploitation of the work in favor of the producer for a term stipulated by those contracts.

Article 49. Each co-author may, unless otherwise agreed, freely use his personal contribution with a view to its exploitation in a different field, provided that this does not prejudice the exploitation of the joint work.

Article 50. If one of the co-authors of the cinematographic work refuses to complete his contribution to that work or is unable to complete his contribution due to circumstances beyond his control, he shall not be entitled to object to completion and to use of the part of his contribution already completed, for the making of the cinematographic work. He shall be deemed the author of that contribution and shall enjoy the rights deriving therefrom. In any event, he shall retain the possibility of withdrawing his name from the credits of the work.

Article 51. A cinematographic work shall be declared completed by the producer when the master print has been established.

Article 52. Any work expressed by means of a process resulting from visual effects similar to those of cinematography shall be assimilated to a cinematographic work.

TITLE VIII

Transfer of Copyright

CHAPTER I

Transfer of Copyright in General

Article 53. The rights referred to in Article 9 shall be moveable, assignable and transferable, in whole or in part, in accordance with the rules of the Civil Code, unless otherwise stipulated by this Law.

Any transfer of the rights referred to in Article 9, other than by operation of the law, must be recorded in a written contract.

Any transfer of all or part of any of the rights referred to in Article 9, shall be limited to the types of exploitation stipulated in the contract. The author shall retain all rights not expressly transferred by him. Transfer of property of the sole copy or of a number of copies shall not imply transfer of copyright in the work.

In the event of a dispute arising from the contractual assignment of rights referred to in Article 9, the most diligent party may request the assistance of the Rwandese Copyright Administration Service, which may settle the dispute out of court. Should the dispute persist, the parties may proceed to the courts.

Article 54. In the absence of heirs, authors' economic rights that have escheated shall become the property of the Rwandese State acting through the Minister having responsibility for copyright and any revenue therefrom shall be paid into the fund referred to in Article 16 of this Law, without prejudice to the rights of creditors and to the execution of any assignment contracts concluded by the author or his successors in title.

Article 55. The assignment contract must stipulate, *inter alia*:

- (1) the nature of the rights assigned and the field and form of exploitation of the work;
- (2) the term of utilization of the rights assigned;
- (3) the number of performances or broadcasts or the number of copies, in the case of publications or reproductions;
- (4) the amount and method of remuneration to the author. This amount may be a lump sum or may be proportional to revenue from sales or exploitation and must comply with a guaranteed minimum, the value of which will be specified by the Minister having responsibility for culture;
- (5) provisions governing possible amendment or termination.

Article 56. Remuneration shall be laid down as a lump sum:

- (1) where use of the work involved constitutes only a subsidiary element in relation to the exploited subject matter;
- (2) where the work is used by a public or private undertaking for non-profit-making purposes.

Article 57. The assignment in whole of future works shall be null and void. However, assignment in whole of the author's right in the administration of rights in future works afforded by the author to the Rwandese State acting through the Rwandese Copyright Administration Service shall be lawful as shall the conclusion of a contract of commission for specified works.

CHAPTER II

Publishing Contracts

Article 58. A publishing contract is a contract under which the author of a work or his successors in title assign to the publisher, under specified conditions, the right to manufacture or have manufactured a sufficient number of graphical, mechanical or other copies of the work, it being for the latter to ensure publication and dissemination thereof.

Article 59. The form and mode of expression, the terms of publication and the termination clauses shall be specified in the contract. The publisher may not make any amendment to the work without the agreement of the author. He shall have the name or pseudonym of the author appear on each of the copies. Unless otherwise stipulated, the publisher shall effect publication within the period of time that is usual in the trade.

Article 60. Unless otherwise stipulated, the subject matter of publication supplied by the author shall remain the property of the latter.

Article 61. The publishing contract shall specify the number of copies of the first edition. Unless otherwise stipulated in the contract, no further edition may be made without the agreement of the author.

Article 62. The author's remuneration shall consist of a percentage of the selling price of each copy of the work sold. This percentage, irrespective of other forms of remuneration, such as the payment for non-publication, shall not be less than 10 per cent. In addition, the publishing contract may stipu-

late payment to the author of an advance on his royalties, either at the time of commission or at the date of acceptance of the manuscript.

The publisher shall be required to furnish to the author appropriate proof to establish the accuracy of his accounts. Unless otherwise stipulated, the author may require the publisher to furnish at least once a year a statement showing:

- (1) the number of copies made during the period, specifying the date and number of printings;
- (2) the number of copies in stock;
- (3) the number of copies sold;
- (4) the number of copies that are unusable or have been destroyed due to unavoidable circumstances;
- (5) the amount of the royalties owing and, possibly, the amount of royalties already paid to the author.

Article 63. The publisher may not transfer the benefits of the publishing contract to a third party, for or without valuable consideration, or as a contribution to the assets of a partnership, independently of the business, without having first obtained the authorization of the author.

Article 64. In the event of transfer of the business in such a way as to seriously compromise the material or moral interests of the author, the latter shall be entitled to obtain equitable reparation, failing which he may even request termination of the contract.

Where the publishing business has been exploited as a partnership or has depended on joint ownership, the allocation of the business to one of the ex-partners or one of the joint owners, as a consequence of the dissolution or division thereof, shall in no case be considered a transfer.

Article 65. In the case of a fixed term contract, the publisher's rights shall automatically terminate on expiry of the term without need for formal notice. However, for three years following such expiry, the publisher may continue to sell at the normal price the copies remaining in stock unless the author prefers to buy those copies at a price to be established, failing amicable agreement, by evaluation, whereby this faculty afforded to the first publisher shall not prevent the author from having a new edition made within a period of three months.

Article 66. Termination shall take place automatically when, upon formal notice by the author fixing a suitable period, the publisher has not effected publication of the work or, should the work be out of print, its re-edition.

An edition shall be deemed out of print if two orders for the delivery of copies addressed to the publisher have not been met within six months. The publishing contract may be terminated by the publisher if, upon formal notice fixing a suitable period, the author has not enabled the publisher to effect publication of the work.

If, in the event of the author's death, the work is incomplete, the contract shall be rescinded as regards the unfinished part of the work, except where otherwise agreed between the publisher and the author's successors in title.

Article 67. A "contract at the author's expense" shall not constitute a publishing contract within the meaning of Article 58. Under such contract, the author or his successors in title pay to the publisher an agreed remuneration against which the latter manufactures a number of copies of the work in the form and according to the modes of expression specified in the contract and ensures their publication and dissemination.

Such contract constitutes a contract of undertaking governed by the agreements, usage and the rules of civil law and commercial law.

Article 68. A "contract at joint expense" shall not constitute a publishing contract within the meaning of Article 58. Under such a contract, the author or his successors in title commission a publisher to manufacture at his expense a number of copies of the work in the form and according to the modes of expression specified in the contract and to ensure their publication and dissemination in accordance with the agreement reciprocally contracted to share profits and losses of exploitation in the agreed proportion. Such contract shall constitute a joint undertaking.

CHAPTER III

Public Performance Contracts

Article 69. A public performance contract is a contract under which the author of a work of the mind or his successors in title authorize a natural or legal person to publicly perform that work under conditions laid down by the contracting parties.

A "general performance contract" is a contract under which the body administering copyright grants to an entertainment promoter the right to perform, for the duration of a contract, the existing or future works constituting the repertoire of such body under the conditions laid down by the two parties.

Article 70. A performance contract shall be concluded for a limited term and for a given number of communications to the public.

Article 71. Except where exclusive rights are expressly stipulated, a performance contract shall not afford any exploitation monopoly. The entertainment promoter may not transfer enjoyment of his contract without the formal consent given in writing by the author or his representative.

Article 72. The entertainment promoter shall be required:

- (1) to inform the author or his representatives of the exact program of public performances;
- (2) to supply to them a documented statement of receipts;
- (3) to pay to them the amount of the stipulated royalties;
- (4) to ensure that the public performance takes place under technical conditions such as to guarantee the moral rights of the author.

CHAPTER IV

Broadcasting Contracts

Article 73. A broadcasting contract is a contract under which the author or his successors in title undertake to make a work available to a broadcasting organization that acquires the right to broadcast the work for a period of time laid down by the contract and the right to record it on a sound or visual carrier and is required, in return for that utilization, to pay remuneration to the author or his successors in title.

Where the work created for broadcasting is not used within the period of time laid down in the contract, the author shall be entitled to terminate the contract and to require payment of his remuneration.

Article 74. A "general broadcasting contract" is a contract under which the copyright administration service grants to a broadcasting organization the right to broadcast, for the duration of the contract, the existing or future works constituting the repertoire of such body under the conditions stipulated by the two parties. Articles 70 to 72 shall apply to broadcasting contracts in respect of relations between authors or copyright administration bodies and the broadcasting organizations.

TITLE IX

Administration of Copyright

Article 75. There shall be set up within the Ministry having responsibility for culture a service responsible for defending the moral and material interests of authors and the administration of authors' rights having the title "Rwandese Copyright Administration Service" [*Service rwandais chargé de la gestion du droit d'auteur*] and the abbreviation "SRDA." The SRDA shall be the sole service empowered to administer the economic and moral rights of authors in conformity with the provisions of this Law. It shall be assisted by a Committee for the Collection and Distribution of Royalties. The terms of the operation of SRDA and of the Committee shall be laid down by Presidential Decree.

TITLE X

Offenses and their Repression

Article 76. Under this Law, any fraudulent act committed against copyright shall constitute an offense of infringement. Those who knowingly sell, put up for sale, offer for hire, hold or introduce into the territory of the Rwandese Republic, infringing objects for commercial purposes, commit the same offense. The offenses under this Article shall be punishable by imprisonment for between two months and one year and a maximum fine of 20,000 francs or by one of these penalties only.

Article 77. Fraudulent affixing on a literary, artistic or scientific work of the name of an author or of any distinctive sign adopted by him to distinguish his works shall be punishable by imprisonment for between two months and one year and a maximum fine of 20,000 francs or by one of these penalties only.

Those who knowingly sell, put up for sale, offer for hire, hold or introduce into the territory of the Rwandese Republic the works referred to in these Articles shall be liable to the same penalties.

Article 78. Exploitation of a work of folklore or of a work that has fallen into the public domain without requesting the authorization referred to in Articles 9 or 16 of this Law shall be punishable by a fine amounting to twice the amount of the fees that would normally be payable, up to a maximum of 40,000 francs.

Article 79. The infringing works referred to in Articles 76 and 77 of this Law shall be confiscated.

Confiscation shall also be ordered in respect of the works referred to in Article 78 where exploitation has been made without prior authorization.

Article 80. Civil proceedings resulting from the exercise of copyright shall be instituted in compliance with the statutory provisions in force.

TITLE XI

Field of Application of the Part I of this Law

Article 81. Part I of this Law shall apply to works for which Rwanda is the country of origin. The following shall be deemed of Rwandese origin:

- (a) works published for the first time in Rwanda whatever the nationality or domicile of their authors;
 1. "published work" shall mean a work published with the consent of its author whatever the mode of manufacture of the copies provided that they have been made available in such a way as to satisfy the reasonable needs of the public, taking into account the nature of the work;
 2. "work published for the first time in Rwanda" shall mean a work whose first publication has been effected in Rwanda or a work whose first publication has been effected abroad but whose publication in Rwanda has taken place within 30 days of that prior publication, whereby these two publications shall be deemed simultaneous;
- (b) works created by authors of Rwandese nationality;
- (c) works of authors having their usual place of residence or staying in Rwanda;
- (d) cinematographic works whose producer has his offices or his usual place of residence in Rwanda;
- (e) works of architecture erected on the territory of the Rwandese Republic and any work of art incorporated in a building located on that territory.

Article 82. Under the commitments entered into by the Rwandese Republic in accordance with international conventions, works for which Rwanda is not the country of origin shall enjoy the protection afforded by this Law.

Article 83. Works not falling within any of the categories referred to in Articles 81 and 82 shall not enjoy the protection afforded by this Law unless the

country of which the owner of the copyright is a national or in which he has his domicile affords equivalent protection to works of Rwandese origin.

PART II

Protection of Neighboring Rights

TITLE I

Definitions

Article 84. For the purposes of this Law, “neighboring rights” shall mean the protection of works of performers, producers of phonograms and broadcasting organizations.

Article 85. “Performers” shall mean actors, singers, musicians, dancers and other persons who in any way perform literary and artistic works of which they are not the authors, including works of folklore.

Article 86. “Broadcasting” shall mean the transmission by wireless means for public reception of sounds or of images and sounds.

Article 87. “Fixation” shall mean the embodiment of sounds, images, or both in a material form sufficiently permanent or stable to permit them to be perceived, reproduced or otherwise communicated during a period of more than transitory duration.

Article 88. “Rebroadcasting” shall mean the broadcasting by one broadcasting organization of the broadcast of another broadcasting organization.

Article 89. “Reproduction” shall mean the making of a copy or copies of a fixation or a substantial part of that fixation.

Article 90. “Phonogram” shall mean any exclusively aural fixation of sounds of a performance or other sounds.

“Producer of phonograms” shall mean the natural or legal person who first fixes the sounds of a performance or other sounds. “Copy of a phonogram” shall mean any physical medium containing sounds taken directly or indirectly from a phonogram and incorporating all or a substantial part of the sounds fixed on that phonogram. “Publication of a phonogram” shall mean the offering of copies of a phonogram to the public in reasonable quantity.

Article 91. “Distribution to the public” of phonograms shall mean any act of which the purpose is to offer copies of a phonogram directly or indirectly to the general public or to a part thereof.

TITLE II

Protection of Performers’ Works

CHAPTER I

Acts Requiring Authorization of Performers

Article 92. Without the authorization of the performers, no person shall do any of the following acts:

- (a) the broadcasting of their performance, except where the broadcast:
 1. is made from a fixation of the performance, other than a fixation made under the terms of Title V, Article 107;
 2. is a rebroadcast authorized by the organization initially broadcasting the performance;
- (b) the communication to the public of their performance, except where the communication:
 1. is made from a fixation of the performance;
 2. is made from a broadcast of the performance;
- (c) the fixation of their unfixed performance;
- (d) the reproduction of a fixation of their performance, in any of the following cases:
 1. where the performance was initially fixed without their authorization;
 2. where the reproduction is made for purposes different from those for which the performers gave their authorization;
 3. where the performance was initially fixed in accordance with the provisions of Title V, but the reproduction is made for purposes different from any of those referred to in this Chapter.

Article 93. Except as otherwise agreed:

- (a) the authorization to broadcast does not imply authorization to license other broadcasting organizations to broadcast the performance;
- (b) the authorization to broadcast does not imply an authorization to fix the performance;
- (c) the authorization to broadcast and fix the performance does not imply an authorization to reproduce the fixation;

- (d) the authorization to fix the performance and to reproduce the fixation does not imply an authorization to broadcast the performance from the fixation or any reproduction of such fixation.

Article 94. Once the performer has authorized for profit-making purposes the fixation of his performance as defined in Article 87 of this Law, the provisions of Articles 92 and 93(c) and (d) above shall cease to be applicable.

Article 95. Protection under the provisions of this Chapter shall subsist for a period of 25 years as from the date on which the performance took place for the first time.

CHAPTER II

Granting of Authorizations

Article 96. The authorization required by the provisions of the preceding Chapter may be given by the performer or, on his instructions, by the Rwandese Copyright Administration Service.

Article 97. Any authorization given by a performer stating that he has retained certain rights or by the Rwandese Copyright Administration Service shall be considered valid.

Article 98. Any person who gives authorizations on behalf of performers without being duly appointed or any person who knowingly acts under such unlawful authorization shall be punishable by imprisonment for between two months and one year and a maximum fine of 20,000 francs or by one of these penalties only.

TITLE III

Protection of Phonograms

CHAPTER I

Request for Authorization from Producers of Phonograms

Article 99. Without the authorization of the producer of phonograms, no person shall do any of the following acts:

- (a) the direct or indirect reproduction of copies of his phonogram;

- (b) the importation of such copies for distribution to the public;
- (c) the distribution to the public of such copies.

CHAPTER II

Term of Protection for Phonograms

Article 100. The protection referred to in Article 99 above shall subsist for a period of 25 years as from the date on which the phonogram was published for the first time or was initially made.

CHAPTER III

Notice of Protection of Phonograms

Article 101. All copies placed in commerce of the published phonogram or their containers shall bear a notice consisting of the symbol (P), accompanied by the year date of the first publication, placed in such a manner as to give reasonable notice of claim of protection.

Article 102. If the copies or their containers do not identify the producer by carrying his name, trademark or other appropriate designation, the notice shall also include the name of the owner of the rights of the producer. Furthermore, if the copies of the phonograms or their containers do not identify the principal performers, the notice shall also include the name of the person who, in the country in which the fixation was effected, owns the rights of these performers.

TITLE IV

Protection of Broadcasts made by Broadcasting Organizations

Article 103. Without the authorization of the broadcasting organization, no person shall do any of the following acts:

- (a) the rebroadcasting of its broadcasts;
- (b) the fixation of its broadcasts;
- (c) the reproduction of a fixation of its broadcasts:
1. where the fixation, from which the reproduction is made, was done without its authorization;

2. where the broadcast was initially fixed in accordance with the provisions of Article 105 below, but the reproduction is made for purposes different from any of those referred to in that Article.

Article 104. The protection under this Title shall subsist for a period of 25 years as from the date on which the broadcast took place.

TITLE V

Limitations

Article 105. The Articles in Titles II, III and IV shall not apply where the acts referred to in those Articles are made for:

- (a) private use;
- (b) the reporting of current events, provided that no more than short excerpts of a performance of a phonogram or of a broadcast are used;
- (c) use solely for the purposes of teaching or scientific research without going beyond the needs of one class or of one group of researchers;
- (d) quotations in the form of short excerpts of a performance of a phonogram or of a broadcast, provided that such quotations are compatible with fair practice and are justified by their informatory purpose;
- (e) such other purposes as constitute exceptions in respect of copyrighted works under Articles 18 and 19 of this Law.

Article 106. Where reproduction of copies of phonograms is intended for the exclusive purposes of teaching or of scientific research and the copies made exceed the needs of one class or of one group of researchers, a license shall be required from the Minister having responsibility for culture.

This license shall exclude any exportation of copies and shall stipulate for the producer of phonograms a fixed remuneration that shall take into account, in particular, the number of copies to be made and to be distributed.

Article 107. The authorizations required under the provisions of Titles II, III and IV for making fixations of performances and broadcasts, for reproducing such fixations, and for reproducing phonograms published for commercial purposes shall not apply where the ephemeral fixation or reproduction of such fixation is made by a broadcasting organization by means of its own facilities and for its own broadcasts, provided that:

- (a) in respect of each broadcast of a fixation of a performance or of a reproduction thereof, the broadcasting organization has the right to broadcast the particular performance;
- (b) in respect of each broadcast of a fixation of a broadcast and each broadcast of a reproduction of such a fixation of a broadcast, the broadcasting organization has the right to broadcast the particular broadcast;
- (c) all fixations and any reproductions thereof are destroyed within the same period as that applying to fixations and reproductions of works protected by copyright under Article 19 of this Law, except for a single copy which may be preserved exclusively for archival purposes.

TITLE VI

Offenses and their Repression

Article 108. Any person infringing or causing to be infringed the rights protected under this Part shall be punishable by imprisonment for between two months and one year and a fine not exceeding 20,000 francs or one of these penalties only.

Article 109. Civil proceedings arising from the exercise of neighboring rights shall be instituted in compliance with the statutory provisions in force.

TITLE VII

Field of Application of the Part II of this Law

Article 110. Works of performance shall be protected under the provisions of Title II in any of the following cases:

- (a) where the performer is of Rwandese nationality or subject to the laws of the Rwandese Republic;
- (b) where the performance has taken place on the territory of the Rwandese Republic;
- (c) where the performance is fixed on a phonogram protected under Article 111;
- (d) where the performance that has not been fixed on a phonogram is incorporated in a radio broadcast protected under Article 112.

Article 111. Phonograms shall be protected under the provisions of Title III in any of the following cases:

- (a) where the producer is of Rwandese nationality or is a national of the Rwandese Republic;
- (b) where the first fixation of sounds has been made in the Rwandese Republic;
- (c) where the phonogram was published for the first time in the Rwandese Republic.

Article 112. Broadcasts shall be protected under the provisions of Title IV in any of the following cases:

- (a) where the registered offices of the broadcasting organization are located on the territory of the Rwandese Republic;
- (b) where the broadcast has been transmitted from a station located on the territory of the Rwandese Republic.

Article 113. This Part shall also apply to performances, phonograms and broadcasts that are protected under Conventions to which the Rwandese Republic is a party.

Article 114. The provisions of this Part concerning protection of performances, phonograms and broadcasts shall in no way be interpreted to limit or prejudice the protection of copyright.

PART III

Translation Licenses

CHAPTER I

Works to Which this Part Applies

Article 115. The provisions on translation licenses shall apply to works published in printed form or in any other similar form of reproduction.

CHAPTER II

Applications for Licenses

Article 116. Any person may, after the expiration of the period laid down in Article 117, apply to the Minister having responsibility for culture for a license to make a translation of the work into any of the languages referred to in Article 22 of this Law and to publish that translation in a printed or similar form of reproduction.

Article 117. No license shall be granted until the expiration of whichever of the following periods is applicable:

- (a) one year from the date of first publication of the work where the application is for a license for translation into Kinyarwanda or Swahili;
- (b) three years from the date of first publication of the work where the application is for a license for translation into French or English.

CHAPTER III

Grant of a License

Article 118. Before granting a license, the Minister having responsibility for culture shall determine that:

- (a) no translation of the work into the language in question has been published in printed or similar forms of reproduction, by or with the authorization of the owner of the right of translation, or that all previous editions in that language are out of print;
- (b) the applicant for the license has established that he either has requested, and has been denied, authorization from the owner of the right of translation or, after due diligence on his part, he was unable to find such owner;
- (c) at the same time as addressing the request referred to in (b) above to the owner, the applicant for the license has informed any national or international information center designated for this purpose by the government of the country in which the publisher of the work to be translated is believed to have his principal place of business;
- (d) if he could not find the owner of the right of translation, the applicant has sent, by registered mail, a copy of his application to the publisher whose name appears on the work and another such copy to any information center referred to in (c) above or, in the absence of such a center, to the Unesco International Copyright Information Centre.

Article 119. No license shall be granted unless the owner of the right of translation, where known or located, has been given an opportunity to be heard.

Article 120. No license shall be granted until the expiration of a further period of six months, where the three-year period referred to in Article 117(b) applies, or a further period of nine months, where the one-year period referred to in Article 117(a) applies.

Such further period shall be computed from the date on which the applicant complies with the requirements mentioned in Article 118(b) and (c) or, where the identity or the address of the owner of the right of translation is unknown, from the date on which the applicant also complies with the requirement mentioned in Article 118(d).

If, during either of the said further periods, a translation into the language in question has been published in print or similar forms of reproduction, by or with the authorization of the owner of the translation right, no license shall be granted.

The formalities of application for a translation license cannot be validly presented until the three-year or one-year periods referred to in Article 117 have expired.

Article 121. For works composed mainly of illustrations, a license shall be granted only if the conditions for granting a reproduction license are also fulfilled.

Article 122. No license shall be granted when the author has withdrawn all copies of the work from circulation.

CHAPTER IV

Scope and Conditions of Applicability of the License

Article 123. Any license granted under this Part of the Law:

- (a) shall be only for the purpose of teaching or research;
- (b) shall only allow publication in a printed or similar form of reproduction and only within the territory of the Rwandese Republic. However, where the Minister having responsibility for culture certifies that facilities do not exist on the territory of the Rwandese Republic for such printing or reproduction or that existing facilities are incapable for economic or practical reasons of effecting such reproduction, the reproduction may be made outside the country if:
 1. the country where the work of reproduction is done is party to the Berne Convention or to the Universal Copyright Convention;

2. all copies reproduced are sent to the licensee in one or more bulk consignments for distribution exclusively in the Rwandese Republic in accordance with the compulsory written contract between the licensee and the establishment doing the work of reproduction;

3. the said contract provides that the establishment engaged for doing the work of reproduction guarantees that the work of reproduction is lawful in the country where it is done;

4. the licensee does not entrust the work to an establishment specially created for the purpose of having copies reproduced of works for which a license has been granted under this Part of the Law;

(c) shall not extend to the export of copies made under the license, except as provided for in Article 124;

(d) shall be non-exclusive;

(e) shall not be transferable.

Article 124. Copies of a translation published under a license may be sent abroad by the Government or other public body provided that:

(a) the translation is into a language other than French or English;

(b) the recipients of the copies are of Rwandese nationality or are subject to the laws of Rwanda;

(c) the recipients will use the copies only for the purposes of teaching or research;

(d) both the sending of the copies abroad and their subsequent distribution to the recipients are without any commercial purpose.

Article 125. The license shall provide for remuneration in favor of the owner of the right of translation that is consistent with standards of royalties normally operating in the case of licenses freely negotiated between those concerned and the owners of the rights of translation.

Article 126. As a condition of maintaining the validity of the license, the translation must be correct and all published copies must include the following:

(a) the original title and name of the author;

(b) a notice in the language of the translation stating that the copy is available for distribution only on the territory of the Rwandese Republic;

(c) a copyright notice, if the work which is to be translated was published with such notice.

Article 127. The license shall terminate if a translation of the work in the same language and with the same content as the translation published under the license is published in print or similar forms of reproduction in the Rwandese Republic by or with the authorization of the owner of the right of translation, at a price reasonably related to that normally charged in the Rwandese Republic for comparable works.

However, the Minister having responsibility for culture shall ensure that the translation made by the owner of the right of translation or with his authorization shall not prejudice the moral rights of the licensee.

Any copies already made before the license terminates may continue to be distributed until the stock is exhausted.

CHAPTER V

Licenses for a Broadcasting Organization

Article 128. A license under this part of the Law may be granted to a domestic broadcasting organization, provided that the following conditions are met:

- (a) the translation is made from a copy made and acquired in accordance with the laws of the Rwandese Republic;
- (b) the translation is for use in broadcasts intended exclusively for teaching or for the dissemination of information of a scientific or technical nature to experts in a particular profession;
- (c) the translation is used exclusively for the purposes specified in (b) above, through broadcasts that are lawfully made and are intended for the Rwandese public, including broadcasts made through the medium of sound or visual recordings that have been made lawfully and for the sole purpose of such broadcasts;
- (d) sound or visual recordings of the translation may not be used by broadcasting organizations other than those having their headquarters in the country;
- (e) all uses made of the translation are without any profit-making purpose.

A license may also be granted to a domestic broadcasting organization, under all of the preceding conditions stipulated in this Article, to translate any text incorporated in an audiovisual fixation that

was itself prepared and published for the sole purpose of teaching or research.

CHAPTER VI

Applicability of Article 22 and of this Part of the Law

Article 129. Article 22 of this Law and the provisions on the grant of translation licenses shall apply to works whose country of origin is the Rwandese Republic or any other country party to the international conventions to which the Rwandese Republic has acceded.

PART IV

Reproduction Licenses

CHAPTER I

Works to Which this Part of the Law Applies

Article 130. Subject to Article 144, the provisions of this Part of the Law shall apply to works which have been published in print or similar forms of reproduction.

CHAPTER II

Application for Licenses

Article 131. Any person may, after the expiration of the period laid down in Article 132 below, apply to the Minister having responsibility for culture for a license to reproduce and publish a particular edition of a work in print or similar forms of reproduction.

Article 132. No reproduction license may be granted until the expiration of whichever of the following periods is applicable, commencing from the date of first publication of the particular edition of the work:

- (a) three years for works dealing with the natural and physical sciences, including mathematics, and with technology;
- (b) seven years for works of the imagination, such as novels, poetry, drama and music, and for art books;
- (c) five years for all other works.

CHAPTER III

Grant of Reproduction Licenses

Article 133. Before granting a reproduction license, the Minister having responsibility for culture shall determine that:

- (a) no offer for sale, by or with the authorization of the owner of the right of reproduction, of copies in print or similar forms of reproduction of that particular edition has taken place in the Rwandese Republic, to the general public or in connection with teaching or research, at a price reasonably related to that normally charged in the Rwandese Republic for comparable works, or that, under the same conditions, such copies have not been on sale in the country for a continuous period of at least six months;
- (b) the applicant for the license has established that he either has requested, and has been denied, authorization from the owner of the right of reproduction, or that, after due diligence on his part, he was unable to find such owner;
- (c) at the same time as addressing the request referred to in (b) above to the owner of the right, the applicant for the license has informed any national or international information center designated for this purpose by the government of the country in which the publisher of the work to be reproduced is believed to have his principal place of business;
- (d) if he could not find the owner of the right of reproduction, the applicant has sent, by registered mail, a copy of his application to the publisher whose name appears on the work and another such copy to any information center referred to in (c) above or, in the absence of such a center, to the Unesco International Copyright Information Centre.

Article 134. No reproduction license shall be granted unless the owner of the right of reproduction, where known or located, has been given an opportunity to be heard.

Article 135. Where the three-year period referred to in Article 132 applies, no reproduction license shall be granted until the expiration of six months computed from the date on which the applicant complies with the requirements mentioned in Article 133(b) and (c) or, where the identity or the address of the owner of the right of reproduction is

unknown, from the date on which the applicant also complies with the requirement mentioned in Article 133(d).

Article 136. Where the seven-year or five-year periods referred to in Article 132(b) and (c) apply and where the identity or the address of the owner of the right of reproduction is unknown, no license shall be granted until the expiration of three months computed from the date on which the copies referred to in Article 133(d) have been mailed.

Article 137. If, during the period of six or three months referred to in Articles 135 and 136, distribution or offer for sale as described in Article 133(a) has taken place, no license shall be granted.

Article 138. No reproduction license shall be granted if the author has withdrawn from circulation all copies of the edition which is the subject of the application.

Article 139. Where the edition which is the subject of an application for a reproduction license under this Part is a translation, the license shall only be granted if the translation is in a language mentioned in Article 22 of this Law and was published by or with the authorization of the owner of the right of translation.

CHAPTER IV

Scope and Conditions of Applicability of the Reproduction License

Article 140. Any license granted under this Part of the Law:

- (a) shall be for use only in connection with teaching and research;
- (b) shall, subject to Article 143, only allow publication in a printed or similar form of reproduction at a price reasonably related to, or lower than, that normally charged in the Rwandese Republic for a comparable work;
- (c) shall only allow publication on the territory of the Rwandese Republic and shall not extend to the export of copies made under the license; however, where the Minister having responsibility for culture certifies that facilities do not exist on the territory of the Rwandese Republic for such printing or reproduction or that existing facilities are incapable for economic or practical reasons of such reproduction, the reproduction may be made outside the country if:

1. the foreign country where the work of reproduction is done is party to the Berne Convention or to the Universal Copyright Convention;
 2. all copies reproduced are sent to the holder of the reproduction license in one or more bulk consignments for distribution exclusively in the Rwandese Republic in accordance with the compulsory written contract between the licensee and the establishment doing the work of reproduction;
 3. the said contract provides that the establishment engaged for doing the work of reproduction guarantees that the work of reproduction is lawful in the country where it is done;
 4. the licensee does not entrust the work of reproduction to an establishment specially created for the purpose of having copies reproduced of works for which a license has been granted under this Part of the Law;
- (d) shall be non-exclusive;
- (e) shall not be transferable.

Article 141. The reproduction license shall provide for remuneration in favor of the owner of the right of reproduction that is consistent with standards of royalties normally operating in the case of licenses freely negotiated between the persons concerned and the owners of reproduction rights.

Article 142. As a condition for maintaining the validity of the license, the reproduction of that particular edition must be accurate and all published copies must include the following:

- (a) the title and the name of the author of the work;
- (b) a notice in the language of the publication stating that the copy is available for distribution only on the territory of the Rwandese Republic;
- (c) a copyright notice, if the reproduced edition bears such notice.

Article 143. The license shall terminate if copies of an edition of the work in print or similar forms of reproduction are offered for sale in the Rwandese Republic, by or with the authorization of the owner of the right of reproduction, to the general public or in connection with teaching or research, at a price reasonably related to that normally charged in the Rwandese Republic for comparable works, if such edition is in the same language and is the same in content as the edition which is published under the reproduction license.

However, the Minister having responsibility for culture shall ensure that the reproduction made by the owner of the right of reproduction or with his authorization shall not prejudice the moral right of the licensee.

Any copies already made before the license terminates may continue to be distributed until the stock is exhausted.

CHAPTER V

License for Audiovisual Fixations

Article 144. Under this Part of the Law, a license may be granted:

- (a) to reproduce in audiovisual form a lawfully made audiovisual fixation, including any protected works incorporated in it, provided that the said fixation was prepared and published for the sole purpose of teaching or research;
- (b) to translate any text incorporated in the said fixation into Kinyarwanda, Swahili, French or English.

CHAPTER VI

Applicability of Article 23 and of this Part of the Law

Article 145. Article 23 and the provisions relating to the grant of reproduction licenses shall apply to works whose country of origin is the Rwandese Republic or any other country party to the international copyright conventions to which the Rwandese Republic has acceded.

PART V

Final Provisions

Article 146. All provisions contrary to this Law and to the Decree of June 21, 1948, on the protection of copyright are hereby repealed.

Article 147. This Law shall enter into force on the day of its publication in the Official Gazette of the Rwandese Republic.