
**Council for Trade-Related Aspects of
Intellectual Property Rights**

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inglés

**MAIN DEDICATED INTELLECTUAL PROPERTY
LAWS AND REGULATIONS NOTIFIED UNDER
ARTICLE 63.2 OF THE AGREEMENT**

ALBANIA

Addendum

The present document reproduces the text¹ of Law N° 8826 on some supplements to Law N° 7564 on Copyright, dated 19 May 1992, as amended, as notified by Albania under Article 63.2 of the Agreement (see document IP/N/1/ALB/1).

**Conseil des aspects des droits de propriété
intellectuelle qui touchent au commerce**

**PRINCIPALES LOIS ET RÉGLEMENTATIONS CONSACRÉES À LA
PROPRIÉTÉ INTELLECTUELLE NOTIFIÉES AU TITRE
DE L'ARTICLE 63:2 DE L'ACCORD**

ALBANIE

Addendum

Le présent document contient le texte¹ de la Loi n° 8826 complétant la Loi n° 7564 sur le droit d'auteur datée du 19 mai 1992, telle qu'elle a été modifiée, notifiée par l'Albanie au titre de l'article 63:2 de l'Accord (voir le document IP/N/1/ALB/1).

**Consejo de los Aspectos de los Derechos de Propiedad
Intellectual relacionados con el Comercio**

**PRINCIPALES LEYES Y REGLAMENTOS DEDICADOS A LA
PROPIEDAD INTELECTUAL NOTIFICADOS EN VIRTUD
DEL PÁRRAFO 2 DEL ARTÍCULO 63 DEL ACUERDO**

ALBANIA

Addendum

En el presente documento se reproduce el texto¹ de la Ley N° 8826 por la que se amplían algunas disposiciones de la N° 7564 de Derecho de Autor de 19 de mayo de 1992, modificada, notificado por Albania en virtud del párrafo 2 del artículo 63 del Acuerdo (véase el documento IP/N/1/ALB/1).

¹ In English only. The text in the original language will be available for consultation by interested Delegations at the WTO Secretariat./En anglais seulement. Les délégations intéressées pourront consulter le texte dans sa langue d'origine au Secrétariat de l'OMC./En inglés solamente. Las delegaciones interesadas podrán consultar en la Secretaría de la OMC el texto en su idioma original.

**REPUBLIC OF ALBANIA
PARLIAMENT**

LAW

No. 8826, dated on November 5, 2001

**On some supplements to Law No. 7564, dated 19.05.1992
“On Copyright”**

Based on Articles 78, 81 point 1 and 83 point 1 of the Constitution, upon the proposal of one deputy,

**THE PARLIAMENT
OF
THE REPUBLIC OF ALBANIA**

D E C I D E D

In the Law No. 7564 dated 19.05.1992 “On Copyright” amended by Laws No.7923, dated 19.4.1995, No.8594, dated 6.4.2000 and No. 8630, dated 3.7.2000 will be made these supplements:

Article 1

At the end of Article 50 it is added Article 50/1 having the following content:

“Article 50/1”

The following infringements constitute administrative violations:

- a) The use of the artistic property, by legal and physical subjects, not being provided with the author’s permission, or not having a contract with the collective management organizations, be them Albanian or foreigners, all this in compliance with the international agreements signed by Republic of Albania.

- b) The non-payment in due time of the obligations deriving from the execution of the contracts or the authorizations concluded between Albanian or foreign authors or the collective management organization and the users of the artistic property” .

Article 2

At the end of Article 50/1 it will be added Article 50/2 having the following content:

“Article 50/2”

The violations provisioned in Article 50/1 of this Law, when not making up a penal act, are called administrative infringements and are punished by fine administered by the supervision inspectors of the Tax Police operating within the General Directorate of Taxation. In addition to the collection of the fines provisioned hereinafter, these inspectors oblige the users to proceed with the cashing of royalties pursuant to this Law. The fines are as follows:

1. Fines varying from 100 000 to 400 000 Leke for big users, such as national radios and televisions, hotels, producers (editors) of cassettes, video-tapes, or CDs and other users of the artistic property in the field of literature, visual arts and artistic photography.
2. Fines varying from 50 000 to 150 000 Leke for middle users, such as local radios and televisions, discotheques, piano bars, restaurants fitted up with dancing areas, pubs, internet operators, TV-bingos and other gambling games taking place along with artistic shows, halls of other destinations as The Palace of Congresses, stadiums or indoors sport halls when are rented for show purposes.
3. Fines varying from 25 000 to 90 000 Leke for small users, such as coffee bars, pubs, restaurants, taverns, hotels, motels and the aerobic-gym halls.

Procedures of complaint and procedures of administrative measure execution are made in accordance with the Law No. 8560, dated 22.11. 1999 “On the Taxation Procedures in the Republic of Albania.”

Article 3

At the end of Article 50/2 it is added the Article 50/3 having the following content:

“ Article 50/3”

The taxes collected by the users of the artistic property not complying with the Law, are shared out as follows : 60% go to the state budget and 40% on the account of the collective management organizations.

Article 4

At the end of Article 50/4 it is added Article 50/4 having the following content :

“Article 50/4

The Minister of Finance issues an instruction on the way the organs of the Tax Police control intellectual property users.

Article 5

This Law enters into force 15 days after its publication in the Official Gazette.

CHAIRMAN

NAMIK DOKLE
