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

Original: English/
anglais/
inglés

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

LATVIA

The present document reproduces the text¹ of the Regulations of the Cabinet of Ministers N° 312 on "Film Distribution and Public Exhibition", as notified by Latvia under Article 63.2 of the Agreement (see document IP/N/1/LVA/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**

LETONIE

Le présent document contient le texte¹ du Règlement du Cabinet des Ministres n° 312 sur "La distribution et la projection publique de films", notifié par la Lettonie au titre de l'article 63:2 de l'Accord (voir le document IP/N/1/LVA/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**

LETONIA

En el presente documento se reproduce el texto¹ del Reglamento del Consejo de Ministros N° 312 relativo a la distribución y proyección pública de películas, notificado por Letonia en virtud de lo dispuesto en el párrafo 2 del artículo 63 del Acuerdo (véase el documento IP/N/1/LVA/1).

¹ In English only/En anglais seulement/En inglés solamente.

CABINET OF MINISTERS OF THE REPUBLIC LATVIA

October 31, 1995

Regulations No. 312

REGULATIONS OF FILM DISTRIBUTION AND PUBLIC EXHIBITION

Issued in accordance with the Article 32
of the Law on Entrepreneurial Activity

1. These regulations determine the order of the film distribution and public exhibition in the Republic of Latvia.
2. The terms used in these regulations:
 - 2.1. film - a complete audiovisual work, produced in any materialized form, that give the impression of movement by projection;
 - 2.2 distribution of a film - selling or renting of a film for individual use or public exhibition;
 - 2.3 public exhibition of a film - the demonstration of a film (by means or technical equipment) in public places as well as in television programs;
3. Only those enterprises (companies) or state institutions are authorized to distribute and exhibit films that have received a license to distribute and exhibit film⁶ issued by The National Film Center ("License" - further in the text).
4. The state enterprise "Latvijas Televīzija" does not need to receive the License for public demonstration of films.
5. The License for a years term is issued by the Licensing Commission of National Film Center. License is certified by the Chairman of the Commission and confirmed with the seal of Licensing Commission.
6. The composition of the National Film Center's Licensing Commission and its statute is corroborated by the Minister of Culture.
7. The License fee is from 10 to 150 lats per year (further in the text "annual fee"). The annual fee is determined according to the kind and size of the enterprise (see Appendix)
The annual fee for enterprise and companies engaged in several kinds of activities mentioned in the Appendix is determined by summing the annual fee for each kind of activity.
Exempted from paying the annual fee are:
 - 7.1 Latvian film producers that distribute their products themselves;
 - 7 2 State institutions publicly demonstrating films for special audiences (army units, schools etc.)
8. All Films publicly distributed or exhibited in Latvia must bc registered in the Film Register of the National Film Center (Film Register - further in the text). The films intended for the use of television broadcasting organizations and demonstrated in television programs need not to be registered.
9. The statute of Film Register is approved by the Minister of Culture.

10. The Film Register accordingly to the presented documentation issues a Registration Certificate of the film, determines the kind of distribution and public exhibition of the film, asserts the title of the film in the official language and, if necessary, determines limitations of distribution and public exhibition of the film.
11. The information about the films registered is to be published In the newspaper – “Latvijas Vēstnesis” (Latvian Harold).
12. The distribution has to ensure that the number of the Registration Certificate and its expiration term are indicated in the distribution documentation and/or the visual design.
13. A due for the. registration of the film is collected conforming to the statute of the Film Register. The films produced in Latvia are registered gratuitously.
14. Film theatres and television broadcasting organizations are allowed to screen only those films that have the Registration Certificate.
15. The films provided for screenings in festivals, symposiums, shows and educational undertakings of that kind in the Republic of Latvia are exempts of registration. The organizers of the relevant undertaking are obliged to inform the Film Register about those Films in writing.
16. The film theaters and television broadcaster organizations by projecting a film must ensure that translation of the. film in the official language.
17. The license is nullified in following cases;
 - 17.1 if the provision of the Articles 8, 12, 13, 14 and 20 are infringed;
 - 17.2 if the annual fee is not paid till the January 1 of the relevant year.
18. The films that are illegally distributed or publicly exhibited are seized and the transgressor is made answerable by administrative or criminal order.
19. The Expert Commission of the National Film Center evaluate the seized films. Films of high artistic value that can increase the State film collection are deposited with the State. The rest of the films are liable to destruction accordingly to the provisions of the Law on Copyright and Neighboring Rights (The Harold of the Supreme Council and the Government of the Republic of Latvia, 1993, Nr.23).
20. Licenses issued before the day these Regulations have come into effect must be reregistered in the National Film Center within three month after coming into force of these Regulations. After expiration of the re-registration term licenses that are not reregistered must be considered as nullified. The annual fee by re-registering of license is determined accordingly to the provisions of the Article 7 of these Regulations.
21. Th. revenues obtained by licensing the business and by issuing the Film Registration Certificates are to include in the special budget of the National Film Center and are to be used to ensure the operation of the Film Register as well as the development and promotion of Latvian cinematography.

22. The execution of those Regulation is superintended by the National Film Center and the Regional and State Inspectors of Culture of the Ministry of Culture in cooperation with the State and Municipal police.

23. These Regulations come into affect from December 1, 1995

Prime Minister

M.Gailis

Minister of Culture

J.Dripe

Appendix
To the Regulations No.312
of the Cabinet of Ministers
from the October 31, 1995

ANNUAL FEE

1. Distribution of Films

No		Foreign films	Latvian films
1.	Distribution of films	150	10
2.	Enterprises (companies) engaged in reproduction and wholesale trade of videocassettes	150	10
3.	Enterprises (companies) owning three or more videocassettes rental and/or trade outlets	100	-
4.	Enterprises (companies) owning one or two videocassettes rental and/or trade outlets	50	-

2. Public exhibition of films by TV broadcasting organizations

No		One film per week	Two four films per week	Five and more films per week
1.	Regional TV broadcasting organizations	50	75	100
2.	Cable and local TV broadcasting organizations	15	30	50

Note: Film program the running time of which does not exceed one hour is considered as one film.

3. Public exhibition of films in film theater

No		Operating four or less days per week	Operating five and more days per week
1.	Film theaters not exceeding 400 seats	20	40
2.	Film theaters with 400 and more seats	30	60

Minister of Culture

J.Dripe
