

Memorandum to provide

Definition of the Moroccan Copyright Office:

The Moroccan Copyright Office watches over and cares for the management of copyright and related rights in Morocco. It is a collective management board created under Decree No. 2.64.406 of 5 Kaada 1384 – 8 March 1965 and has been entrusted to under Chapter 60 of Law No. 2.00 on copyright and related rights, the job of protection and exploitation of copyright and related rights, under the tutelage of the Ministry of Communication, and solely entrusted with collection and distribution of various rights of authors in music, theater and literature areas, and representing foreign copyright boards in the Kingdom of Morocco within the scope of the agreements concluded with them.

Private copy Law:

The private copy remuneration has been part of most recent legislation texts:

- in order to compensate for the damage inflicted to authors and those of neighboring rights to curb the rising prevalence of unauthorized reproduction operations, namely piracy.**
- to enable consumers to reproduce protected works for the purposes of private use without the need for prior authorization from the rights holders**
- to provide important financial income due to the large numbers of CDs imported and locally manufactured, for the benefit of authors, performers, phonogram producers and videogram producers in accordance with Article 59.1 of the Law No. 12.79.**

This exception is provided for in Article 12 of Law No. 2.00 issued on February 15, 2000 on copyright and related rights, which reads as follows:

"... Be authorized without the author's permission and without remuneration to reproduce a legally published work for exclusive personal use..."

This procedure does not apply to:

"... The process of reproduction of any work that may be detrimental to the normal exploitation of this work, or would unduly harm the legitimate interests of the author."

On the basis of the text of Article 59.6, the Moroccan Copyright Office will distribute private copy due to rights holders according to a ratio as follows:

☐ % 35 authors;

☐ % 35 performers;

☐ % 10 to phonogram and videogram producers.

☐ 20% for management expenses of the Moroccan Copyright Office and its programs in collecting authors' rights and neighboring rights, the fight against piracy, support for rights holders social care, and the contribution to the preservation of national artistic memory.

To enact the legal requirements issued in Law No. 79.12 on the remuneration of private copy it was necessary to create the private copy commission within the Moroccan Copyright Office entitled with the role of proposing inclusive tariffs on recording media and recording devices.