

28.6.2017

A8-0097/ 001-032

AMENDMENTS 001-032

by the Committee on Legal Affairs

Report

Max Andersson

A8-0097/2017

Permitted uses of certain works and other protected subject-matter for the benefit of persons who are blind, visually impaired or otherwise print disabled

Proposal for a directive (COM(2016)0596 – C8-0381/2016 – 2016/0278(COD))

Amendment 1

Proposal for a directive

Citation 1 a (new)

Text proposed by the Commission

Amendment

– *having regard to Protocol No 2 of the Treaty on European Union (TEU) and the Treaty on the Functioning of the European Union (TFEU) on the application of the principles of subsidiarity and proportionality,*

Amendment 2

Proposal for a directive

Citation 1 b (new)

Text proposed by the Commission

Amendment

– *having regard to Article 26 of the Charter of Fundamental rights of the European Union and the United Nations Convention on the Rights of Persons with Disabilities (UNCRPD);*

Amendment 3

Proposal for a directive Recital 2 a (new)

Text proposed by the Commission

Amendment

(2a) The Charter of Fundamental Rights of the European Union enshrines the right to information (Article 11) and the right to education (Article 14).

Amendment 4

Proposal for a directive Recital 3

Text proposed by the Commission

Amendment

(3) Persons who are blind, visually impaired or otherwise print disabled continue to face many barriers in accessing books and other print material which are protected by copyright and related rights. **Measures** need to be taken to increase the availability of those works in accessible formats and to improve their circulation in the internal market.

(3) Persons who are blind, visually impaired or otherwise print disabled continue to face many barriers in accessing books and other print material which are protected by copyright and related rights. **Taking into consideration the social interests of granting such persons the right of access to information and the right to participate in cultural, economic and social life, on an equal basis with others, measures** need to be taken to increase the availability of those works in accessible formats and to improve their circulation in the internal market, **within the conditions set forth in this Directive, in order to ensure access to knowledge and information.**

Amendment 5

Proposal for a directive Recital 4

Text proposed by the Commission

Amendment

(4) The Marrakesh Treaty to Facilitate Access to Published Works for Persons

(4) The Marrakesh Treaty to Facilitate Access to Published Works for Persons

Who Are Blind, Visually Impaired, or Otherwise Print Disabled ('the Marrakesh Treaty') was signed on behalf of the Union on 30 April 2014²³. Its aim is to improve the availability of works and other protected subject-matter in accessible formats for persons who are blind, visually impaired or otherwise print disabled. The Marrakesh Treaty requires contracting parties to provide exceptions or limitations to the rights of holders of copyright and related rights for the making and dissemination of copies in accessible formats of certain works and other subject-matter, and for the cross-border exchange of those copies. The conclusion of the Marrakesh Treaty by the Union requires the adaptation of Union law by establishing a mandatory exception for uses, works and beneficiary persons covered by the Treaty. This Directive implements the obligations that the Union has to meet under the Marrakesh Treaty in a harmonised manner, with a view to ensuring that those measures are applied consistently throughout the internal market.

²³ Council Decision 2014/221/EU of 14 April 2014 on the signing, on behalf of the European Union, of the Marrakesh Treaty to Facilitate Access to Published Works for Persons who are Blind, Visually Impaired, or otherwise Print Disabled. (OJ L115, 17.4.2014, p. 1).

Amendment 6

Proposal for a directive Recital 5

Text proposed by the Commission

(5) This Directive is designed for the benefit persons who are blind, have a visual impairment which cannot be

Who Are Blind, Visually Impaired, or Otherwise Print Disabled ('the Marrakesh Treaty') was signed on behalf of the Union on 30 April 2014²³, ***having already been adopted in 2013 by the World Intellectual Property Organization***. Its aim is to improve the availability ***and cross-border exchange*** of works and other protected subject-matter in accessible formats for persons who are blind, visually impaired or otherwise print disabled. The Marrakesh Treaty requires contracting parties to provide exceptions or limitations to the rights of holders of copyright and related rights for the making and dissemination of copies in accessible formats of certain works and other subject-matter, and for the cross-border exchange of those copies. The conclusion of the Marrakesh Treaty by the Union requires the adaptation of Union law by establishing a mandatory ***and harmonised*** exception for uses, works and beneficiary persons covered by the Treaty. This Directive implements the obligations that the Union has to meet under the Marrakesh Treaty in a harmonised manner, with a view to ensuring that those measures are applied consistently throughout the internal market.

²³ Council Decision 2014/221/EU of 14 April 2014 on the signing, on behalf of the European Union, of the Marrakesh Treaty to Facilitate Access to Published Works for Persons who are Blind, Visually Impaired, or otherwise Print Disabled (OJ L115, 17.4.2014, p. 1).

Amendment

(5) This Directive is designed for the benefit ***of*** persons who are blind, have a visual impairment which cannot be

improved so as to give those persons visual function substantially equivalent to that of a person who has no such impairment, or have a perceptual or reading disability, including dyslexia, preventing them from reading printed works to **substantially** the same degree as persons without such disability, or are unable to hold or manipulate a book or to focus or move the eyes to the extent that would be normally acceptable for reading due to a physical disability. The objective of the measures introduced by this Directive is to improve the availability of books, journals, newspapers, magazines and other writings, sheet music and other print material, including in audio form, whether digital or analogue, in formats that make those works and other subject-matter accessible to those persons to substantially the same degree as to persons without an impairment or disability. Accessible formats include Braille, large print, adapted e-books, audio books and radio broadcasts.

improved so as to give those persons visual function substantially equivalent to that of a person who has no such impairment, or have a perceptual or reading disability, including dyslexia, **or any other learning disability**, preventing them from reading printed works to the same degree as persons without such disability, or are unable to hold or manipulate a book or to focus or move the eyes to the extent that would be normally acceptable for reading due to a physical disability. The objective of the measures introduced by this Directive is **therefore** to improve the availability of books, **including e-books**, journals, newspapers, magazines and other writings, sheet music and other print material, including in audio form, whether digital or analogue, **online or offline**, in formats that make those works and other subject-matter accessible to those persons to substantially the same degree as to persons without an impairment or disability. Accessible formats **also** include Braille, large print, adapted e-books, audio books and radio broadcasts.

Amendment 7

Proposal for a directive

Recital 6

Text proposed by the Commission

(6) This Directive should therefore provide for mandatory exceptions to the rights that are harmonised by Union law and are relevant for the uses and works covered by the Marrakesh Treaty. These include in particular the rights of reproduction, communication to the public, making available, distribution and lending, as provided for in Directive 2001/29/EC, Directive 2006/115/EC, and Directive 2009/24/EC, as well as the corresponding rights in Directive 96/9/EC. As the scope of exceptions and limitations required by the Marrakesh Treaty also includes works

Amendment

(6) This Directive should therefore provide for mandatory exceptions to the rights that are harmonised by Union law and are relevant for the uses and works covered by the Marrakesh Treaty. These include in particular the rights of reproduction, communication to the public, making available, distribution and lending, as provided for in Directive 2001/29/EC, Directive 2006/115/EC, and Directive 2009/24/EC, as well as the corresponding rights in Directive 96/9/EC. As the scope of exceptions and limitations required by the Marrakesh Treaty also includes works

in audio form, like audiobooks, it is necessary that these exceptions also apply to related rights.

in audio form, like audiobooks, it is necessary that these exceptions also apply to related rights. *The exercise of the exceptions provided for by this Directive should be without prejudice to other exceptions for persons with disabilities provided for by the Member States.*

Amendment 8

Proposal for a directive Recital 8

Text proposed by the Commission

(8) The mandatory exception should also limit the right of reproduction so as to allow for any act that is necessary in order to make changes to or convert or adapt a work or other subject-matter in such a way as to produce an accessible format copy. This includes providing the necessary means to navigate information in an accessible format copy.

Amendment

(8) *It is also necessary for* the mandatory exception *to* limit the right of reproduction so as to allow for any act that is necessary in order to make changes to or convert or adapt a work or other subject-matter in such a way as to produce an accessible format copy. This includes providing the necessary means to navigate information in an accessible format copy, *and includes also the acts that are necessary to adapt existing publications that are already accessible for certain categories of beneficiary persons to the needs of other beneficiary persons who require alternative formats to properly access the work. Lending of the work to beneficiary persons should be permitted.*

Justification

This amendment aims to improve clarity on what are “necessary acts” authorised by the exception set in Art. 3. A file format may be accessible by some categories of disabled persons (e.g. visually impaired people) but not by others (e.g. dyslexics). In this case, though there is no need to transform a file for a beneficiary person who is blind or visually impaired, a transformation is needed to make the work accessible for a dyslexic. The possibility of lending should also be granted.

Amendment 9

Proposal for a directive Recital 9

Text proposed by the Commission

(9) The exception should allow

Amendment

(9) The exception should allow

authorised entities to make and disseminate online and offline within the Union accessible format copies of works or other subject-matter covered by this Directive.

authorised entities to make and disseminate online and offline within the Union accessible format copies of works or other subject-matter covered by this Directive, *in line with relevant existing Union laws. The Directive does not establish any obligation on authorised entities to make and disseminate copies.*

Amendment 10

Proposal for a directive Recital 9 a (new)

Text proposed by the Commission

Amendment

(9a) When the market is unable to provide access, the rightholders' role in making their works accessible to persons with visual impairments or with other print disabilities is just as important as the exceptions provided for by this Directive when it comes to improving the availability of text-based works.

Justification

The new recital refers to a recital of the Marrakech Treaty. It recalls the equal importance of both appropriate limitations and exceptions, and the rightholders' role in making works accessible to persons with visual impairments, in order to end "the book famine" of millions of blind and partially sighted persons.

Amendment 11

Proposal for a directive Recital 9 b (new)

Text proposed by the Commission

Amendment

(9b) In order to foster exchange between Member States, a single publicly accessible online database should be established and managed by the European Intellectual Property Office (EUIPO) containing information on authorised entities and bibliographic data about works in accessible format copies that are produced and made available by

authorised entities. This database should also include information about born accessible publications, namely publications produced by publishers in accessible format, and should be interoperable with the ABC TIGAR (Trusted Intermediary Global Accessible Resources) database hosted by the WIPO.

Justification

The new recital calls on the European Commission to facilitate the exchange of information through creating a single database of the accessible format copies, including the accessible books directly produced by publishers in accessible formats. This new initiative should build on and remain interoperable with the existing worldwide database developed by the Accessible Book Consortium, hosted by WIPO.

Amendment 12

Proposal for a directive Recital 11

Text proposed by the Commission

(11) In view of the specific nature of the exception, its targeted scope and the need for legal certainty for its beneficiaries, Member States should not be allowed to impose additional requirements for the application of the exception, such as compensation schemes or the prior verification of the commercial availability of accessible format copies.

Amendment

(11) In view of the specific nature of the exception, its targeted scope and the need for legal certainty for its beneficiaries, Member States should not be allowed to impose additional requirements for the application of the exception, such as compensation schemes or the prior verification of the commercial availability of accessible format copies. ***Such additional requirements would run the risk of going against the purpose of the exceptions provided for by this Directive, and against the purpose of facilitating the cross-border exchange of special format copies within the internal market.***

Amendment 13

Proposal for a directive Recital 12

Text proposed by the Commission

Amendment

(12) Any processing of personal data under this Directive should respect fundamental rights, including the right to respect for private and family life and the right to protection of personal data under Articles 7 and 8 of the Charter of Fundamental Rights of the European Union and must be in compliance with Directive 95/46/EC of the European Parliament and of the Council, which ***governs*** the processing of personal data, as may be carried out by authorised entities within the framework of this Directive and under the supervision of the Member States' competent authorities, in particular the public independent authorities designated by the Member States.

(12) Any processing of personal data under this Directive should respect fundamental rights, including the right to respect for private and family life and the right to protection of personal data under Articles 7 and 8 of the Charter of Fundamental Rights of the European Union and must be in compliance with Directives 95/46/EC^{1a} and ***2002/58/EC^{1b} of the European Parliament and of the Council and with Regulation (EU) 2016/679 of the European Parliament and of the Council^{1c}***, which ***govern*** the processing of personal data, as may be carried out by authorised entities within the framework of this Directive and under the supervision of the Member States' competent authorities, in particular the public independent authorities designated by the Member States.

^{1a} ***Directive 95/46/EC of the European Parliament and of the Council of 24 October 1995 on the protection of individuals with regard to the processing of personal data and on the free movement of such data (OJ L 281 , 23.11.1995, p. 31).***

^{1b} ***Directive 2002/58/EC of the European Parliament and of the Council of 12 July 2002 concerning the processing of personal data and the protection of privacy in the electronic communications sector (Directive on privacy and electronic communications) (OJ L 201 , 31.7.2002, p. 37).***

^{1c} ***Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation) (OJ L 119, 4.5.2016, p. 1).***

Amendment 14

Proposal for a directive Recital 13

Text proposed by the Commission

(13) The United Nations Convention on the Rights of Persons with Disabilities ('the UNCRPD'), to which the **EU** is a party, guarantees people with disabilities the right of access to information and the right to participate in cultural, economic and social life on an equal basis with others. The UNCRPD requires parties to the Convention to take all appropriate steps, in accordance with international law, to ensure that laws protecting intellectual property rights do not constitute an unreasonable or discriminatory barrier to access by persons with disabilities to cultural materials.

Amendment

(13) The United Nations Convention on the Rights of Persons with Disabilities ('the UNCRPD'), to which the **Union** is a party **and which is binding for Member States of the Union**, guarantees people with disabilities the right of access to information and the right to participate in cultural, economic and social life on an equal basis with others. The UNCRPD requires parties to the Convention to take all appropriate steps, in accordance with international law, to ensure that laws protecting intellectual property rights do not constitute an unreasonable or discriminatory barrier to access by persons with disabilities to cultural materials.

Amendment 15

Proposal for a directive Recital 14

Text proposed by the Commission

(14) **Under the** Charter of Fundamental Rights of the European Union, the Union recognises and respects the right of people with disabilities to benefit from measures designed to ensure their independence, social and occupational integration and participation in the life of the community.

Amendment

(14) **The** Charter of Fundamental Rights of the European Union **prohibits all forms of discrimination, including on grounds of disability, and states that** the Union recognises and respects the right of people with disabilities to benefit from measures designed to ensure their independence, social and occupational integration and participation in the life of the community.

Amendment 16

Proposal for a directive Recital 15

Text proposed by the Commission

Amendment

(15) With the adoption of this Directive, the Union aims to ensure that beneficiary persons have access to books and other print material in accessible formats. Accordingly, this Directive is an essential first step in improving access to works for people with disabilities.

(15) With the adoption of this Directive, the Union aims to ensure that beneficiary persons have access to books and other print material in accessible formats ***across the internal market***. Accordingly, this Directive is an essential first step in improving access to works for people with disabilities.

Amendment 17

Proposal for a directive Recital 16

Text proposed by the Commission

(16) The Commission will monitor the effect of this Directive. As part of this, it will assess the situation regarding the availability in accessible formats of works and other subject-matter other than those covered by this Directive, as well as the availability of works and other subject-matter in accessible formats for persons with other disabilities. The Commission will review the situation closely. Changes to the scope of this Directive may be considered, if necessary.

Amendment

(16) The Commission will monitor the effect of this Directive. As part of this, it will assess the situation regarding the availability in accessible formats of works and other subject-matter other than those covered by this Directive, as well as the availability of works and other subject-matter in accessible formats for persons with other disabilities. The Commission will review the situation closely ***in order to fully guarantee the cultural and social aims of this Directive***. Changes to the scope of this Directive may be considered, if necessary, ***in accordance with the report presented by the Commission under Article 7 of this Directive, preceded by a feasibility study on the introduction of other similar exceptions for persons with other types of disabilities***.

Amendment 18

Proposal for a directive Recital 18

Text proposed by the Commission

(18) This Directive therefore respects the fundamental rights and observes the principles recognised in particular by the Charter of Fundamental Rights of the European Union. This Directive should be

Amendment

(18) This Directive therefore respects the fundamental rights and observes the principles recognised in particular by the Charter of Fundamental Rights of the European Union ***and the United Nations***

interpreted and applied in accordance with those rights and principles.

Convention on the Rights of Persons with Disabilities (UNCRPD). This Directive should be interpreted and applied in accordance with those rights and principles.

Amendment 19

Proposal for a directive Recital 20 a (new)

Text proposed by the Commission

Amendment

(20a) Member States should transpose this Directive within six months of entry into force, in order to swiftly implement the rights recognised by the Charter of Fundamental Rights of the European Union and the UNCRPD of persons with disabilities.

Justification

The amendment aims to take into account the provisions of Article 4 Par. 3 and Art. 10 of the Marrakesh Treaty on the implementation of the Treaty itself.

Amendment 20

Proposal for a directive Article 1 – paragraph 1

Text proposed by the Commission

Amendment

This Directive lays down rules on the use of certain works and other subject-matter without the authorisation of the rightholder, for the benefit of persons who are blind, visually impaired or otherwise print disabled.

This Directive lays down rules on the use of certain works and other subject-matter without the authorisation of the rightholder, for the benefit of persons who are blind, visually impaired or otherwise print disabled. ***It aims to effectively ensure their right to participate in cultural, economic and social life on an equal basis with others.***

Amendment 21

Proposal for a directive Article 2 – paragraph 1 – point 1

Text proposed by the Commission

(1) ‘work and other subject-matter’ means a work in the form of a book, journal, newspaper, magazine or other writing, including sheet music, and related illustrations, in any media, including in audio forms such as audiobooks, which is protected by copyright or related rights and which is published or otherwise lawfully made publicly available;

Amendment

(1) ‘work and other subject-matter’ means a work in the form of a book, journal, newspaper, magazine or other writing, including sheet music, and related illustrations, in any media, including in audio forms such as audiobooks ***and in digital formats, such as e-books***, which is protected by copyright or related rights and which is published or otherwise lawfully made publicly available;

Amendment 22

Proposal for a directive

Article 2 – paragraph 1 – point 2 – introductory part

Text proposed by the Commission

(2) ‘beneficiary person’ means:

Amendment

(2) ‘beneficiary person’ means, ***regardless of any other disabilities***:

Amendment 23

Proposal for a directive

Article 2 – paragraph 1 – point 2 – point c

Text proposed by the Commission

(c) a person who has a perceptual or reading disability, including dyslexia, and is, as a result, unable to read printed works to substantially the same degree as a person without an impairment or disability; or

Amendment

(c) a person who has a perceptual or reading disability, including dyslexia, ***or any other learning disability***, and is, as a result, unable to read printed works to substantially the same degree as a person without an impairment or disability; or

Amendment 24

Proposal for a directive

Article 2 – paragraph 1 – point 3

Text proposed by the Commission

(3) ‘accessible format copy’ means a copy of a work or other subject-matter in an alternative manner or form that gives a

Amendment

(3) ‘accessible format copy’ means a copy of a work or other subject-matter in an alternative manner or form that gives a

beneficiary person access to the work or other subject-matter, including allowing for the person to have access as feasibly and comfortably as a person without *a visual impairment or* any of the disabilities referred to in paragraph 2;

beneficiary person access to the work or other subject-matter, including allowing for the person to have access as feasibly and comfortably as a person without any of the *impairments or* disabilities referred to in paragraph 2;

Amendment 25

Proposal for a directive

Article 2 – paragraph 1 – point 4

Text proposed by the Commission

(4) ‘authorised entity’ means an organisation *providing* education, instructional training, adaptive reading or information access to beneficiary persons on a non-profit basis, as its main activity or as one of its main activities or public-interest missions.

Amendment

(4) ‘authorised entity’ means an organisation *authorised or recognised by the Member States in which it is established to provide* education, instructional training, adaptive reading or information access to beneficiary persons on a non-profit basis, as its main activity or as one of its main activities or public-interest missions.

Amendment 26

Proposal for a directive

Article 3 – paragraph 1 – subparagraph 1 – point a

Text proposed by the Commission

(a) a beneficiary person, or a person acting on their behalf, to make an accessible format copy of a work or other subject-matter for the exclusive use of the beneficiary person; and

Amendment

(a) a beneficiary person, or a person *lawfully* acting on their behalf, to make an accessible format copy of a work or other subject-matter for the exclusive use of the beneficiary person; and

Amendment 27

Proposal for a directive

Article 3 – paragraph 3

Text proposed by the Commission

3. Article 5(5) *and the first, third and fifth subparagraphs of Article 6(4)* of Directive 2001/29/EC shall apply to the

Amendment

3. Article 5(5) of Directive 2001/29/EC shall apply to the exception provided for in

exception provided for in paragraph 1 of this Article.

paragraph 1 of this Article.

Amendment 28

Proposal for a directive

Article 3 – paragraph 3 a (new)

Text proposed by the Commission

Amendment

3a. Member States shall ensure that the exceptions provided for in paragraph 1 cannot be overridden by contract. Regarding the relationship between the exception provided for in paragraph 1 of this Article and technical protection measures, the first, third and fifth subparagraphs of Article 6(4) of Directive 2001/29/EC shall apply. Member States shall ensure that complaints and redress mechanisms are put in place in case of disputes concerning the application of the measures referred to in this Article.

Justification

The proposed Directive does not mention any complaints or redress mechanisms that should be put in place by Member States in cases where beneficiaries are denied the permitted uses. Such mechanisms are provided under Art. 13(2) of the Proposal for a Directive of the European Parliament and of the Council on copyright in the Digital Single Market (COM(2016)593).

Amendment 29

Proposal for a directive

Article 5 – paragraph 1

Text proposed by the Commission

Amendment

The processing of personal data carried out within the framework of this Directive shall be carried out in compliance with Directive 95/46/EC.

The processing of personal data carried out within the framework of this Directive shall be carried out in compliance with Directive 95/46/EC, ***Directive 2002/58/EC of the European Parliament and of the Council^{1a}, and with Regulation (EU) 2016/679 of the European Parliament and of the Council^{1b}.***

^{1a} Directive 2002/58/EC of the European Parliament and of the Council of 12 July 2002 concerning the processing of personal data and the protection of privacy in the electronic communications sector (Directive on privacy and electronic communications) (OJ L 201, 31.7.2002, p.37).

^{1b} Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation) (OJ L 119, 4.5.2016, p. 1).

Amendment 30

Proposal for a directive Article 7 – paragraph 1

Text proposed by the Commission

By [two years after the date of transposition], the Commission shall present a report to the European Parliament, the Council and the European Economic and Social Committee on the availability, in accessible formats, of works and other subject-matter other than those defined in Article 2(1) for beneficiary persons, and of works and other subject-matter for persons with disabilities other than those referred to in Article 2(2), in the internal market. The report shall contain an assessment on whether ***an amendment*** of the scope of this Directive should be considered.

Amendment

By [two years after the date of transposition], the Commission shall present a report to the European Parliament, the Council and the European Economic and Social Committee on the availability, in accessible formats, of works and other subject-matter other than those defined in Article 2(1) for beneficiary persons, and of works and other subject-matter for persons with disabilities other than those referred to in Article 2(2), in the internal market. The report shall contain an assessment - ***taking into account technological developments and particularly the technologies available to help people with disabilities, and the accessibility of those technologies*** - on whether ***a broadening*** of the scope of this Directive should be considered, ***so that the exception and the related making of accessible format copies provided by this Directive may benefit other categories of disabilities***.

Amendment 31

Proposal for a directive Article 8 – paragraph 1

Text proposed by the Commission

No sooner than [five years after the date of transposition], the Commission shall carry out an evaluation of this Directive and present the main findings to the European Parliament, the Council and the European Economic and Social Committee, accompanied, where appropriate, by proposals for the amendment of this Directive

Amendment

By [five years after the date of transposition], the Commission shall carry out an evaluation of this Directive that takes ***into account technological developments in the context of accessibility*** and present the main findings to the European Parliament, the Council and the European Economic and Social Committee, accompanied, where appropriate, by proposals for the amendment of this Directive. ***The Commission's report shall take into account the viewpoints of relevant civil society actors, non-governmental organisations and social partners, including organisations of and by persons with disabilities and those representing older persons.***

Amendment 32

Proposal for a directive Article 9 – paragraph 1 – subparagraph 1

Text proposed by the Commission

Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive by [**12** month after entry into force] at the latest. They shall forthwith communicate to the Commission the text of those provisions.

Amendment

Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive by [~~six~~ months after entry into force] at the latest. They shall forthwith communicate to the Commission the text of those provisions.

Justification

The term of 6 months appears more adequate taking also into account Art. 10 of the Marrakesh Treaty