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Pursuant to article 17 of the Law on the Council of Ministers of Bosnia and Herzegovina (Official Journal of BiH, volumes 30/03, 42/03, 81/06, 76/07, 81/07 and 24/08), article 7 of the Act Establishing the Institute for Intellectual Property of Bosnia and Herzegovina (Official Journal of BiH, volume 43/04) and item 8.2.4. of the Development Strategy of the Institute for Intellectual Property of Bosnia and Herzegovina (2008-2015) (Official Journal of BiH, volume 69/09), upon the recommendation by the Institute for Intellectual Property of Bosnia and Herzegovina, the Council of Ministers of Bosnia and Herzegovina passed at the 124<sup>th</sup> session, held on June 10, 2010

## **DECISION**

### **ON CONSTITUTING THE COPYRIGHT AND RELATED RIGHTS COUNCIL**

#### Article 1

(Subject Matter of the Decision)

The Copyright and Related Rights Council (hereinafter: the Council) is constituted under this Decision as an advisory and coordinating body of the Institute for Intellectual Property of Bosnia and Herzegovina (hereinafter: the Institute).

#### Article 2

(Role of the Council)

(1) The Council shall be responsible for:

- a) raising public awareness on the purpose and importance of copyright and related rights and collective management of such rights;
- b) establishing and fostering cooperation between organizations and bodies representing copyright and related rights holders on one side and users of such rights on the other side;
- c) affirming a need for the existence of modern associations of artists which shall take care of the economic status of their members in an efficient manner;
- d) affirming the principles of individual management of copyright and related rights on the basis of collective agreements;
- e) affirming a need for drafting model agreements on individual assignment of copyright and related rights within the associations of artists as well as setting the tariff of minimum remunerations of authors;

- f) formulating advisory attitudes on the contentious issues of the collective management of copyright and related rights which are principled in nature;
  - g) assisting copyright and related rights holders in using the possibility of protecting their interests within the framework of BiH legislation in an effective manner;
  - h) identifying inadequate normative solutions which impede copyright and related rights protection;
  - i) pointing to a need for changes in legislation, administrative practice and case law in order to increase efficacy and equity of copyright and related rights.
- (1) The Council shall come up with the periodic work plan.

Article 3  
(Membership)

- (1) The Council consists of the representatives of the following institutions and other relevant legal persons, namely:
- a) Institute for Intellectual Property of Bosnia and Herzegovina – 2 representatives;
  - b) Ministry of Justice of Bosnia and Herzegovina – 1 representative;
  - c) Federal Ministry of Justice – 1 representative;
  - d) Ministry of Justice of Republika Srpska – 1 representative;
  - e) Mayor's Office of the Brčko District of Bosnia and Herzegovina – 1 representative;
  - f) Ministry of Education and Culture of Republika Srpska – 1 representative;
  - g) Ministry of Culture and Sport of the Federation of Bosnia and Herzegovina – 1 representative;
  - h) Communications Regulatory Agency (CRA) – 1 representative;
  - i) Faculty of Law of the University of Sarajevo – 1 representative;
  - j) Faculty of Law of the University of Banja Luka – 1 representative;
  - k) Faculty of Law of the University of East Sarajevo – 1 representative;

- l) Faculty of Law of the Džemal Bijedić University of Mostar – 1 representative;
  - m) Faculty of Law of the University of Mostar – 1 representative;
  - n) Faculty of Law of the University of Tuzla – 1 representative;
  - o) Organizations for the Collective Management of Copyright and Related Rights – 1 representative from each.
- (2) Professional and administrative-technical work for the Council shall be carried out by the secretary of the Council who is employed with the Institute.

#### Article 4 (Term)

- (1) Council members are appointed to a five-year term.
- (2) Council members may be reappointed to the Council twice at the most.

#### Article 5 (Constitutive Meeting and Rules of Order and Procedure)

- (1) Constitutive meeting shall be convened by the Director of the Institute.
- (2) Constitutive meeting shall be held no later than 60 days after the day of coming into force of this decision.
- (3) The Council shall adopt the Rules of Order and Procedure and elect Chairman and Deputy Chairman at the constitutive meeting.
- (4) The Rules of Order and Procedure regulate organization, manner of decision making and other issues of importance for the work of the Council.

#### Article 6 (Costs)

The costs of the work of the Council members shall be borne by the institution or another legal person which they represent.

#### Article 7 (Professional and Administrative Support)

Professional and administrative support to the Council shall be provided by the Institute.

Article 8  
(Coming into Force)

This Decision shall come into force on the eighth day after the publishing thereof in the Official Journal of BiH.

Council of Ministers Number 172/10  
June 10, 2010  
Sarajevo

Chairman  
Council of Ministers of BiH  
Dr Nikola Špirić, signed