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WORLD INTELLECTUAL PROPERTY ORGANIZATION
GENEVA

DIPLOMATIC CONFERENCE
ON THE PROTECTION OF AUDIOVISUAL PERFORMANCES

Geneva, December 7 to 20, 2000

AMENDMENT TO ARTICLE 19

OF THE BASIC PROPOSAL FOR THE SUBSTANTIVE PROVISIONS
OF AN INSTRUMENT ON THE PROTECTION OF AUDIOVISUAL PERFORMANCES
TO BE CONSIDERED BY THE DIPLOMATIC CONFERENCE
(DOCUMENT IAVP/DC/3)

Proposal by the Delegations of the European Community and its Member States

Article 19

Application in Time

(1) Contracting Parties shall apply the provisions of Article 18 of the Berne Convention, *mutatis mutandis*, to the rights of performers provided for in this Agreement.

(2) Notwithstanding paragraph (1), a Contracting Party may limit the application of Article 5 of this Agreement to performances which occurred after the entry into force of this Agreement for that Party.

Agreed statement concerning Article 19

For the purposes of this Agreement, it is hereby confirmed that Article 18 of the Berne Convention is without prejudice to any acts concluded and rights acquired in any Contracting State before the date of coming into force of the Convention for that State, and that Article 18 of the Berne Convention allows Contracting States to establish transitional provisions under which any person who engaged in lawful acts with respect to a work, prior to the entry into force of the Convention for the respective State, may undertake with respect to the same work acts within the scope of the rights provided for in the Convention after the entry into force of the Convention for the respective Contracting State.

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