



**Performers and Broadcasters Rights (TRIPS Agreement*)
Order, 5760 — 1999**

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By virtue of my power under section 13 (b) of the Performers and Broadcasters Rights Law, 5744 — 1984² (hereinafter: the “Law”) and with the consent of the Constitution Law and Justice Committee under section 48 (a) of the Basic Law: The Government³ and section 2 (b) of the Penal Law 5737 — 1977⁴, I hereby order as follows:

Definitions

1. In this Order —

“World Trade Organization” — the World Trade Organization constituted by the agreements signed in Marrakech on 15 April 1994;

“Foreign performance” — a performance made in a member state;

“Member state” — a state that is a member of the World Trade Organization;

“Phonogram” — as defined in the Copyright (Convention for the Protection of Producers of Phonograms) Order, 5738 — 1978⁵

Application of Provisions of the Law

2. The provisions of the Law set out below shall apply to a foreign performance:

(1) section 2 —

(a) paragraphs (1), (2) (a) and (4) in respect of the recording of a performance on a phonogram;

(b) the first part of paragraph (3) in respect of the real-time broadcast of a live performance only, not including a secondary broadcast;

(2) sections 1, 3, 4, 5 through 9, 10, 11 and 14 through 17.



Commencement

3. This Order shall commence on 23 Tevet 5760 (1 January 2000).

_____ 5760. (_____ 1999)

Minister of Justice

* The purpose of this Order is the performance of the provisions of the World Trade Organization Agreement on Trade-Related Aspects of Intellectual Property Rights Including Trade in Counterfeit Goods (TRIPS). The Agreements have been deposited in the library of the Ministry of Industry and Trade and any person may inspect them.

- 2 *Sefer Hachukim*, 5744, p. 157.
- 3 *Sefer Hachukim*, 5752, p. 214.
- 4 *Sefer Hachukim*, 5737, p. 226.
- 5 *Kovetz Hatakanot* of 5738, p. 1462.