

09/12/2022 Events

Law No. 230/2022 on Copyright and Related Rights (hereinafter - Law No. 230/2022) was published in the Official Gazette of the Republic of Moldova No. 278-282 of 09.09.2022 and will enter into force within one month from the date of publication.

With a view to implementing the provisions of the new law, in the period between the date of publication and the date of its entry into force (10.10.2022), the State Agency on Intellectual Property (AGEPI) provides the necessary support to the current organizations for collective management, public associations that wish to obtain the collective management organization status, other groups of rightholders, who intend to associate with a view to managing on collective principles, the copyright and/or related economic rights, users and any interested parties to undertake the necessary actions to achieve this process.

In order to comply with the transitional provisions established in Art. 123 of Law No. 230/2022, implicitly, with the object of meeting the time limit thus established, AGEPI presents its willingness to work with the interested parties in order to implement the provisions of the law and presents as a reference the necessary measures to be taken by them, indicating some approximate time limits, as follows:

1. **Collective management organizations** which, on the date of entry into force of Law No. 230/2022 carried out their activity according to the provisions of Law No. 139/2010 on Copyright and Related Rights:

- **in the period September 12-26, 2022**, can submit to AGEPI, for consultation and obtaining clarifications, the draft Statutes, in order to comply with the provisions of Art. 85 para (1) of Law No. 230/2022;
- **in the period September 26-October 10, 2022**, can submit to AGEPI, for approval, the draft Statutes, in accordance with the provisions of Art. 84, Art. 85 and Art. 123 para (1) (a) of Law No. 230/2022;
- in order to approve the Statutes that have obtained the approval of AGEPI, can order the convening/reconvening of the General Assembly, which will take place in the period **November 10-15, 2022**, so as to ensure compliance with the provisions of Art. 88 para (3) and (4) of Law No. 230/2022;
- starting from November 15, 2022, will take the legal steps in order to register the statutory amendments with PSA;
- **in the period December 11-16, 2022**, can submit applications for re-approval, in compliance with the provisions of Art. 84 and Art. 123 para (1) b) of Law No. 230/2022.

2. **Public associations** that do not currently hold the status of collective management organizations:

- **in the period September 12-October 10, 2022**, can submit to AGEPI, for consultation and clarification, the draft Statutes, in order to comply with the provisions of Art. 85 para (1) of Law No. 230/2022;
- **starting from October 10, 2022**, can submit to AGEPI, applications for approval as collective management organizations, in compliance with the conditions established in Art. 83-84 of Law No. 230/2022

3. **Groups of rightholders**, who intend to associate with a view to managing on collective principles, the copyright and/or related economic rights:

- **starting from September 12, 2022**, can request clarifications from AGEPI, in order to comply with the provisions of Art. 83-85 of Law No. 230/2022.

**4. Representative user associations at national and local level:**

- **starting from September 12, 2022**, can present to AGEPI the list of members, the statute and the legal representative, in order to draw up a centralized situation, available on the AGEPI website, which will include the necessary information in order to set up the negotiation commissions, in correspondence with the provisions of Art. 100 of Law No. 230/2022.

**5. Major Users and Local Users:**

- **starting from September 12, 2022**, can declare on their own responsibility, the turnover, in order to establish the negotiation commissions, in accordance with the provisions according to Art. 100 para (2) letter b) of Law No. 230/2022;
- **starting from September 12, 2022**, can declare their intention to participate in the future negotiations, according to Art. 100 para (2) c) of Law No. 230/2022.

**We should mention the fact that the possibility to submit a request for initiation of the methodology negotiation procedure belongs to both collective management organizations and users, starting from 10.10.2022.**

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