



SCREENING CHAPTER 7 INTELLECTUAL PROPERTY

AGENDA ITEM X: ADMINISTRATIVE STRUCTURES IN THE FIELD OF COPYRIGHT AND RELATED RIGHTS

**Country Session: The Republic of TURKEY
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NATIONAL LEGISLATION

- **Responsible Authority: The Ministry of Culture and Tourism**
- **Related Legislation**
 - **Constitution of the Republic of Turkey (Art. 84)**
 - **Law No 4848 on the duties and organization of the Ministry of Culture and Tourism.**
 - **Law No 5846 on Intellectual and Artistic Works.**

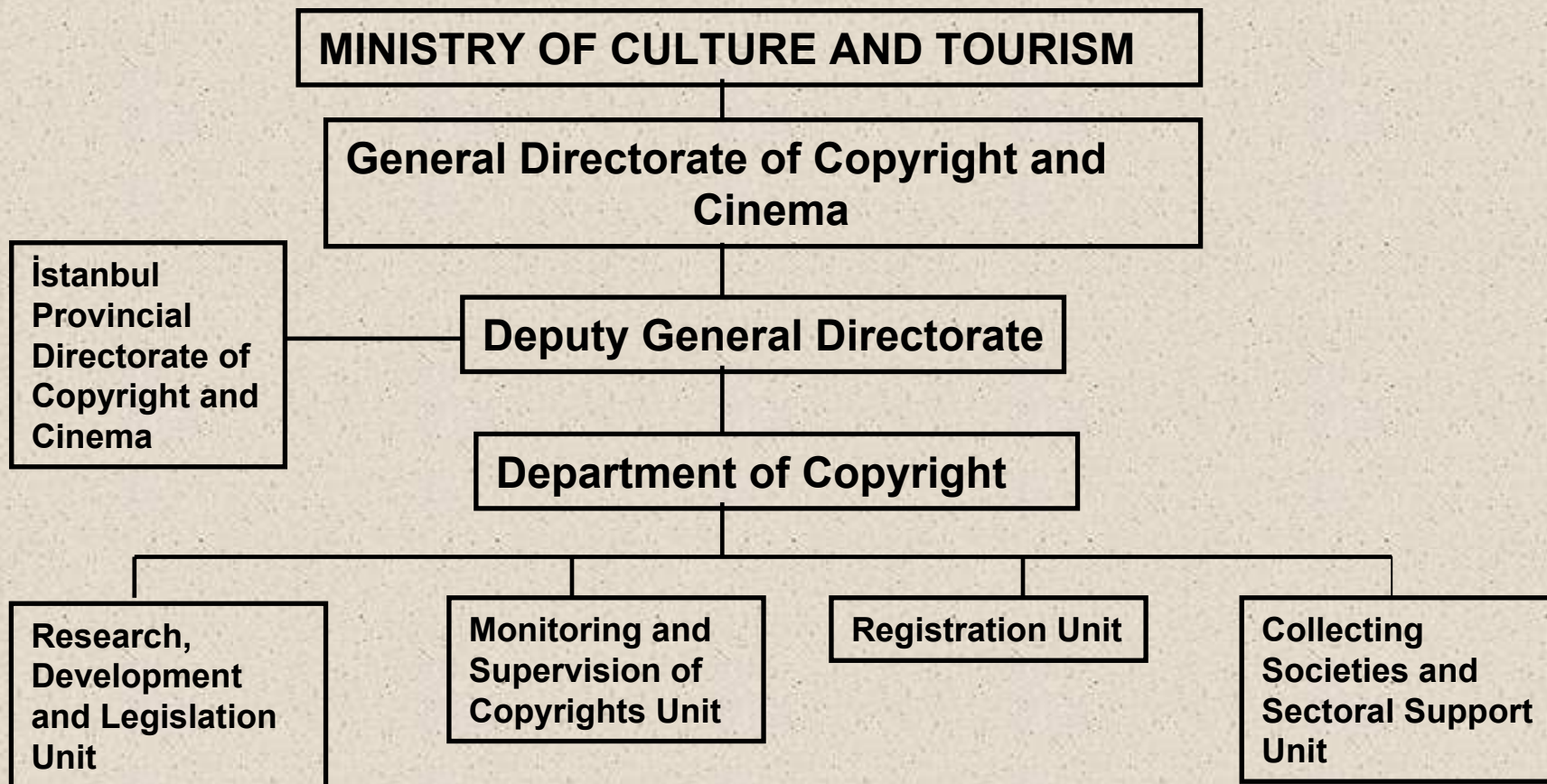


MAIN DUTIES OF THE MINISTRY IN THE FIELD OF COPYRIGHT AND RELATED RIGHTS

- **Policy making**
- **Strengthening copyrights in terms of intellectual property system**
- **Supporting all related sectors as a legal regulator**



ORGANIZATIONAL STRUCTURE





DUTIES OF THE GENERAL DIRECTORATE OF COPYRIGHT AND CINEMA (Law No 4848)

- **Executing the tasks and duties laid down in the Law No 5846 on Intellectual and Artistic Works**
- **Supervision of the collecting societies from administrative and financial perspective**
- **Regulating the relations between the Ministry and rightholders and collecting societies.**
- **Executing, controlling and auditing of the studies regarding marking of intellectual and artistic works**
- **Cooperation with international organizations and carrying out necessary studies in the field of copyright.**



DUTIES OF THE DEPARTMENT OF COPYRIGHT

- **Drafting legislation**
- **Ensuring coordination in combating piracy**
- **Authorizing the establishment of collecting societies**
- **Supervising collecting societies**
- **Preparing database**
- **Carrying out relations with international organizations**



DUTIES OF THE MINISTRY REGARDING ENFORCEMENT

- **Combating piracy**
- **Recording and registration of works**
- **Permitting the establishment and supervision of collecting societies**
- **Filing complaints to the relevant bodies**
- **Ensuring the use of banderoles**
- **Formation of a database**



INTER-MINISTERIAL ANTI-PIRACY COMMISSION

- **“Fight Against Piracy Commission”** was established in December 2005 to promote the coordination among relevant public authorities
- The duty of the Commission is to evaluate the legal and administrative regulations and enforcement thereof
- The Commission consists of the representatives of the Ministry of Culture and Tourism, the Ministry of National Education, the Ministry of Justice, the Ministry of Interior, the Ministry of Finance and the representatives of Collecting Societies



PROVINCIAL ANTI-PIRACY COMMISSIONS

- The local administrative authorities may form an “anti-piracy commission” in provinces either on their own initiative or upon the Ministry’s mandate
- Representatives of the Ministry and the collecting societies can also take part in these commissions
- Anti-piracy commissions receive technical support from the Ministry
- Anti-piracy commissions work in cooperation with security forces and municipality police



STAFF RESPONSIBLE FOR COPYRIGHT

- **General Director**
- **Deputy General Director (1)**
- **Head of Department (1)**
- **Head of Unit (5)**
- **Experts (13)**
- **Officers (26)**



DEVELOPMENT OF INSTITUTIONAL CAPACITY

TWINNING PROGRAMME

“Support to Turkey’s Efforts in the Full Alignment and Enforcement in the Field of Intellectual Property Rights with a Focus on Fight Against Piracy” was approved by the EU within the framework of 2004 pre-accession financial assistance

- **Project budget is 2,75 million Euros**



PUBLIC AUTHORITIES IN IPRs

- **Policy making and legislation**
 - **Ministry of Culture and Tourism**
- **Enforcement**
 - **Ministry of Interior**
 - **Ministry of Justice**
 - **Undersecretariat for Customs**



THANK YOU FOR YOUR ATTENTION