

Amendments to Law 2121/1993 on Transmission and the Right to Equitable Remuneration

- A. Enactment of Law 5105/2024
- B. Amendment of Article 35 of Law 2121 on Radio and Television Transmission and Retransmission
- C. Amendment to Article 49 of the Law Pertaining to the Right to Equitable Remuneration

A. Enactment of Law 5105/2024

1. On 29 April 2024, Law 5105/2024¹ introduced provisions for further support of the cinematographic, audiovisual, and creative sector in Greece, as well supportive provisions for modern culture. This law also introduced various amendments to Law 2121/1993 on intellectual property, related rights, and cultural issues (Law 2121).

B. Amendment of Article 35 of Law 2121 on Radio and Television Transmission and Retransmission (Article 35)

1. Under par. 1 of Article 35 (as previously in force), authors were not required to consent each time their work was retransmitted on the radio or television, unless an agreement to the contrary existed between the author and the broadcasting organization.
2. Broadcasting organizations were also required to pay authors an additional fee of at least 50% of the initially agreed amount for the first retransmission and an additional 20% for each subsequent transmission.
3. The newly introduced amendments to Article 35 extend these additional payments to apply to every transmission made by a different broadcaster, provided that the organization has the same shareholders or consolidates under the same parent entity² with the broadcasting

¹ Government Gazette A' 61/29.04.2024.

² In accordance with the provisions of Article 32 of Law 4308/2014.

organization which first transmitted and retransmitted the work.

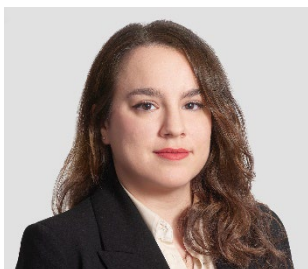
C. Amendment to Article 49 of the Law Pertaining to The Right to Equitable Remuneration

1. Law 5105/2024 introduced minor additions to par. 1 of Article 49 of Law 2121 concerning the right to equitable remuneration for the use of sound carriers.
2. When a sound carrier containing a legal recording is used, by itself or incorporated into an audiovisual work, for transmission by any means (eg electromagnetic waves, satellites, cables or for presentation to the public), the user owes equitable and unified remuneration to the performers, and producers.
3. This fee must be paid to collective management organizations, which negotiate, agree the fees, present the claims for payment and collect the fees from the users.



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