

Marrakesh Treaty Questionnaire – Poland

1. Please indicate the relevant provisions in your national legislation providing for or regulating the limitations and exceptions to facilitate access to published works for persons who are blind, visually impaired, or otherwise print disabled.

In Polish copyright legislation, the exception aiming to facilitate the access to published works for persons who are blind, visually impaired, or otherwise print disabled is foreseen in the art. 331. 2 and the art. 35a-e of Polish copyright law.

2. Does your national legislation permit the cross-border exchange (i.e. exportation) of “accessible format copies”, as defined in Article 2 b)₁ MVT? If yes, under which conditions?

3. Does your national legislation allow the importation of “accessible format copies”, as defined in Article 2 b)₂ MVT? If yes, under which conditions?

Yes. According to the Polish copyright law, on Polish territory the authorised entity can disseminate copies of works in available formats, made independently or received from another authorised entity, among beneficiaries and authorised entities. The dissemination (distribution or communication to the public) should be performed with due diligence and only for the purpose of ensuring that the beneficiary has equally effective and convenient access to the work as the person without dysfunctions. This activity shall be non-profit and undertaken in proportion to the nature of the disability. Additionally, the authorised entities should fulfill some other obligations (i.e. the information obligation). As the exception was unified among EU Member States, the exchange between the authorised entities from EU Member States is permitted. The possibility of the exchange with the authorised entities from other countries- parties to the Marrakesh Treaty is ensured on the basis of Regulation 2017/1563 on the cross-border exchange between EU and non-EU countries of accessible format copies of certain works for the benefit of persons who are blind, visually impaired or otherwise print-disabled.

4. Does your national legislation provide a definition of “authorized entity”, as defined in Article 2 c)₃ MVT? If yes, please provide the reference.

Yes. According to the article 6.1 point 19) of Polish copyright law, authorized entity is a public finance sector entity, an educational institution, university or non-profit organisation carrying out activities related to education, training, adaptive reading or access to information to the benefit of beneficiaries as part of its statutory activity.

5. Please provide a list with contact details of entities that can operate as authorized entities in your territory, and any further information that you can provide, such as number of accessible titles in the catalogue of the authorized entity and the languages covered.

There is no exhaustive list of the authorized entities in Poland. Every entity that fulfill the conditions mentioned above, i.e. libraries, schools, universities, can operate as authorized entity. Please find below the information provided by one of them:

Główna Biblioteka Pracy i Zabezpieczenia Społecznego
(Central Library of Labor and Social Security)

[gbpizs Website](#)

Number of titles in the catalogue: approx. 20 414 (approx. 75 % of the titles are accessible in more than one accessible format).

Foreign languages covered: English (779 titles), French (134 titles), German (103 titles), Russian (74 titles), some titles in other languages