

ARTICLE E

IMPORTATION OF ACCESSIBLE FORMAT COPIES

To the extent that the national law of a Member State/Contracting Party would permit a beneficiary person, someone acting on his or her behalf, or an authorized entity, to make an accessible format copy of a work, the national law of that Member State/Contracting Party should/shall also permit [them/authorized entities] to import an accessible format copy for the benefit of [a] beneficiary person[s], without the authorization of the rightholder.

ARTICLE F

OBLIGATIONS CONCERNING TECHNOLOGICAL MEASURES

Alternative A

1. Member States/Contracting Party should/shall ensure that beneficiaries of the exception provided by Article C are not prevented from enjoying the exception in the exception where technological protection measures have been applied to a work.
2. A Member State/Contracting Party may fulfill Article F(1) by permitting, under its national copyright law, circumvention of technological protection measures for the purposes of, and to the extent necessary for benefiting from an Article C exception. Member States/Contracting Parties may encourage rightholders to take adequate, effective and readily accessible voluntary measures to ensure the exercise of limitations and exceptions by beneficiaries.

Alternative B

Where the national law of a Member State/Contracting Party provides adequate legal protection and effective legal remedies against the circumvention of technological measures, a Member State/Contracting Party should/shall/may adopt effective and necessary measures to ensure that a beneficiary person may enjoy limitations and exceptions provided in that Member State's/Contracting Party's national law, in accordance with this instrument/Treaty, where technological measures have been applied to a work and the beneficiary person has legal access to that work, in circumstances such as where appropriate and effective measures have not been taken by rights holders in relation to that work to enable the beneficiary person to enjoy the limitations and exceptions under that Member State/Contracting Party's national law.

ARTICLE G
RELATIONSHIP WITH CONTRACTS

Alternative A

[Nothing herein shall prevent Member States/Contracting Parties from addressing the relationship of contract law and statutory exceptions and limitations for beneficiary persons.]

Alternative B

[Nothing here shall prevent the Member States/Contracting Parties from treating the limitations or exceptions provided to beneficiary persons under this instrument/Treaty as immune from private contracts and such contractual provisions entered into in violation of provisions of this instrument/Treaty are null and void.]

Alternative C

[Member States/Contracting Parties may establish in their national legislation that any contract which contains clauses contrary to the limitations or exceptions provided for the beneficiary persons under this instrument/Treaty those clauses may be considered null in accordance their national law.]

Text agreed on November 19, 2012

ARTICLE J

LIST OF AUTHORIZED ENTITIES

[Member States/Contracting Parties shall/should set up a voluntary list of authorized entities which may be used by authorized entities to help identify one another for the purposes of Article D.]