



## **Third Additional Protocol to the Protocol to the European Agreement on the Protection of Television Broadcasts**

Strasbourg, 20.IV.1989

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### **Preamble**

The member States of the Council of Europe, signatories hereto,

Having regard to the European Agreement on the Protection of Television Broadcasts of 22 June 1960, hereinafter called "the Agreement", as modified by the Protocol of 22 January 1965 and the Additional Protocols of 14 January 1974 and of 21 March 1983;

Having regard to the fact that the date given in Article 13, paragraph 2, of the Agreement was extended by the said Additional Protocols of 14 January 1974 and of 21 March 1983;

Considering the desirability of further extending this date for the benefit of States which are not yet Parties to the International Convention for the Protection of Performers, Producers of Phonograms and Broadcasting Organisations, signed in Rome on 26 October 1961,

Have agreed as follows:

### **Article 1**

Paragraph 2 of Article 3 of the Protocol to the Agreement and, consequently, paragraph 2 of Article 13 of the Agreement are replaced by the following text:

"2 Nevertheless, as from 1 January 1995, no State may remain or become a Party to this Agreement unless it is also a Party to the International Convention for the Protection of Performers, Producers of Phonograms and Broadcasting Organisations, signed in Rome on 26 October 1961."

### **Article 2**

- 1 This Additional Protocol shall be open for signature by the member States of the Council of Europe which have signed or acceded to the Agreement, which may become Parties to this Additional Protocol by:
  - a signature without reservation as to ratification, acceptance or approval, or
  - b signature subject to ratification, acceptance or approval, followed by ratification, acceptance or approval.
- 2 No member State of the Council of Europe shall sign without reservation as to ratification, acceptance or approval, or deposit an instrument of ratification, acceptance or approval, unless it is already or becomes simultaneously a Party to the Agreement.

- 3 Any State, not a member of the Council of Europe, which has acceded to the Agreement may also accede to this Additional Protocol.
- 4 Instruments of ratification, acceptance, approval or accession shall be deposited with the Secretary General of the Council of Europe.

**Article 3**

This Additional Protocol shall enter into force on the first day of the month following the date on which all the Parties to the Agreement have expressed their consent to be bound by this Additional Protocol in accordance with the provisions of Article 2.

**Article 4**

From the date of entry into force of this Additional Protocol, no State may become a Party to the Agreement without at the same time becoming a Party to this Additional Protocol.

**Article 5**

The Secretary General of the Council of Europe shall notify the member States of the Council of Europe, any State having acceded to the Agreement and the Director General of the World Intellectual Property Organisation of:

- a any signature of this Additional Protocol;
- b the deposit of any instrument of ratification, acceptance, approval or accession;
- c the date of entry into force of this Additional Protocol in accordance with Article 3.

In witness whereof the undersigned, being duly authorised thereto, have signed this Additional Protocol.

Done at Strasbourg, the 20th April 1989 in English and in French, both texts being equally authentic, in a single copy which shall be deposited in the archives of the Council of Europe. The Secretary General of the Council of Europe shall transmit certified copies to each member State of the Council of Europe, to any State invited to accede to the Agreement and to the Director General of the World Intellectual Property Organisation.