



4.15. HU – Hungary⁹⁴

4.15.1. Key Findings

Notions	Existence of definitions/rules
Independent production	No
Independent producer	Yes
Legal provisions concerning the transfer or cession of authors'/performers' rights to the producer (e.g. legal presumption, etc.) (Relationship author-producer)	Yes ⁹⁵
Specific rules related to the assignment or retention of IP rights by independent producers (Relationship independent producer-AVMS)	No

- The concept of the independent producer of audiovisual works is related to its financial and administrative independence from broadcasters.
- The national legislation does not include rules on the retention of IP rights by the independent producer in its relationship with broadcasters.

4.15.2. National definition of independent producer/independent production

Legislation	Summary of the measures
Section 203 paragraph 12 of Act CLXXXV 2010 on Media Services and Mass Communication (2010. évi CLXXXV. Törvény a	An independent producer is an entity in which a broadcaster has no direct or indirect ownership interest or the staff of which have no employment relationship with a broadcaster.

⁹⁴ It was not possible to receive feedback on the country summary concerning Hungary during the checking round with the national regulatory authorities.

⁹⁵ Article 66 (1) and (2) of the Copyright Act 1999/2020 provides for a legal presumption of transfer to the producer of the exploitation rights owned by the director of an audiovisual work, with the exception of specific rights (fair remuneration for private copying, lending and rental rights, rebroadcasting rights). According to Article 66:

(1) Unless otherwise stipulated, pursuant to the contract concluded on the production of a cinematographic creation (hereinafter referred to as "agreement for adaptation for screen"), the author – with the exception of the composer of a musical work with or without text – shall assign to the producer the right of use of the cinematographic creation and of licensing its use. (2) The assignment of the right of licensing shall not extend to the economic rights provided for in Articles 20, 23 (3) and (6) and 28.

See the text available at <https://www.wipo.int/wipolex/en/text/577881>.



<i>médiaszolgáltatásokról és a tömegkommunikációról</i> ⁹⁶	
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4.15.3. National rules on IPR assignment/retention

Legislation	Summary of the measures
	N/A.

⁹⁶ <https://net.jogtar.hu/jogszabaly?docid=a1000185.tv>