



4.20. LV – Latvia¹¹⁷

4.20.1. 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)	No ¹¹⁸
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 defined in a general way without any specific reference to its independence from broadcasters.
- The national legislation does not include rules on the retention of IP rights by independent producers in their relationship with audiovisual media service providers.
- Although, in the case of retransmission of an audiovisual work created by an independent producer, the broadcaster shall disclose to the audience the ownership of the programme in question.¹¹⁹

¹¹⁷ The summary on Latvia incorporates the feedback received from Māra Madara Lūse, head of the International Cooperation and Analytics Division at the National Electronic Mass Media Council, during the checking round with the national regulatory authorities.

¹¹⁸ According to section 11 (3) of the Latvian Copyright Law, the authors of an audiovisual work may transfer by contract to the producer the exploitation rights to the work in question. The same rules apply to the performers. According to section 49 (1) of the above Copyright Law, the performers of an audiovisual work may transfer by contract to the producer their rights to fix, reproduce and communicate their performance to the public. See Latvian Copyright Law (2000/2023) available at: <https://www.wipo.int/wipolex/en/text/587475> (in Latvian).

¹¹⁹ See section 30 (4) of the Latvian Electronic Mass Media Law (as amended up to 1 May 2023) available at: <https://www.wipo.int/wipolex/en/text/587479> (in Latvian).



4.20.2. National definition of independent producer/ independent production

Legislation	Summary of the measures
Section 1(13) and section 1(7) of the Latvian Electronic Mass Media Law (2019) (<i>Elektronisko plašsaziņas līdzekļu likums</i>) ¹²⁰	<p>According to section 1(13) of the Latvian Electronic Mass Media Law an independent producer is “a private person who is not an electronic mass medium, but who is engaged in the production of films, advertising, individual radio or television broadcasts”.</p> <p>According to section 1(7) of the same Law, electronic mass medium is defined as “a private person to whom a broadcasting permit or a retransmission permit has been issued in accordance with the procedures set out by laws and regulations or who in accordance with this law has submitted to the National Electronic Media Council a notification on the provision of on-demand electronic mass media services”.</p>

4.20.3. National rules on IPR assignment/retention

Legislation	Summary of the measures
	N/A

In Latvia, there are no rules ensuring independent producers retain their exploitation rights. However, according to section 30 (4) of the Latvian Electronic Mass Media Law, in the case of the broadcasting of a programme created by an independent producer, the electronic mass medium shall – at the beginning of the programme – inform the audience in an unambiguous manner that the content is a broadcast created by an independent producer.

¹²⁰ Latvian Electronic Mass Media Law in the original language available at: <https://likumi.lv/ta/id/214039-elektronisko-plassazinas-lidzeklu-likums> and in English at: <https://likumi.lv/ta/en/en/id/214039-electronic-mass-media-law>