



Number 4 of 2026

Copyright and Related Rights (Amendment) Act 2026



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COPYRIGHT AND RELATED RIGHTS (AMENDMENT) ACT 2026

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[No. 4.]

*Copyright and Related
Rights (Amendment) Act 2026.*

[2026.]

ACTS REFERRED TO

Copyright and Related Rights Act 2000 (No. 28)

Copyright and Related Rights Acts 2000 to 2019



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COPYRIGHT AND RELATED RIGHTS (AMENDMENT) ACT 2026

An Act to amend the Copyright and Related Rights Act 2000 to make further provision for the sharing of equitable remuneration as between performers and owners of the copyright in sound recordings; to give further effect to Directive 2006/115/EC of the European Parliament and of the Council of 12 December 2006¹ on rental right and lending right and on certain rights related to copyright in the field of intellectual property; and to provide for related matters. [12th March, 2026]

Be it enacted by the Oireachtas as follows:

Definition

1. In this Act, “Principal Act” means the Copyright and Related Rights Act 2000.

Amendment of section 208 of Principal Act

2. Section 208 of the Principal Act is amended—

(a) by the insertion of the following subsections after subsection (3):

- “(3A) Subject to subsections (3B) to (3E), equitable remuneration less reasonable collecting costs shall be shared equally as between a performer and an owner of the copyright in a sound recording.
- (3B) Where the sharing of equitable remuneration in accordance with subsection (3A) is not acceptable to a performer or an owner of the copyright in a sound recording, an alternative sharing of equitable remuneration as between a performer and an owner of the copyright in a sound recording may be agreed by, or on behalf of, the performer and the owner of the copyright concerned.
- (3C) Where a performer and an owner of the copyright in a sound recording do not reach an agreement under subsection (3B), either party may serve a notice, in such form and manner as the Minister may prescribe, on the other party of its intention to make an application to the Circuit Court under subsection (3D) if no agreement under subsection (3B) is reached within 6 months (or such shorter period as may be agreed by the parties) of service of the notice.

¹ OJ No. L376, 27.12.2006, p.28

- (3D) Where a notice has been served under subsection (3C) and the period referred to in that subsection has expired without an agreement under subsection (3B) having been reached, either party may make an application to the Circuit Court for an order to determine how the equitable remuneration shall be shared as between the parties concerned.
- (3E) The Circuit Court, on application to it in that behalf under subsection (3D) may, having regard, *inter alia*, to the importance of the performer's contribution to a sound recording which is the subject of the application concerned, make such order as to the sharing of equitable remuneration as between the performer and the owner of the copyright in a sound recording as the Circuit Court determines to be just and reasonable.
- (3F) Subject to subsection (3G), a party to an order under subsection (3E) or (3H) may apply to the Circuit Court to vary that order where a change in circumstances has occurred since the order was made, relevant to the particulars of that order.
- (3G) An application under subsection (3F) may not be made within 12 months from the date on which the order in respect of the application was made except with the leave of the Circuit Court.
- (3H) The Circuit Court, on application to it in that behalf under subsection (3F), having regard, *inter alia*, to the importance of the performer's contribution to a sound recording which is the subject of the order concerned and, in particular, the change in circumstances that has occurred since the order was made relevant to the particulars of that order, may—
- (a) confirm the order, or
 - (b) make such order varying the order as the Circuit Court determines to be just and reasonable.”,
- (b) by the deletion of subsections (4) to (9), and
- (c) in subsection (10)—
- (i) in paragraph (a), by the substitution of “this section, or” for “this section,”,
 - (ii) in paragraph (b), by the substitution of “equitable remuneration.” for “equitable remuneration, or”, and
 - (iii) by the deletion of paragraph (c).

Transfer of existing applications from Controller to Circuit Court and transitional provision relating to applications made under section 208 of Principal Act

3. (1) An application made to the Controller under section 208 of the Principal Act before the coming into operation of *section 2* which has not been finally determined on such

coming into operation shall be transferred for determination to the Circuit Court and the Circuit Court may, having regard to any submissions made by the parties to the application, give such directions and make such orders for the conduct and hearing of the application as the Circuit Court determines to be just and reasonable in the circumstances.

- (2) An appeal on a point of law arising from a decision of the Circuit Court under *subsection (1)* shall lie to the High Court.
- (3) Subject to *subsection (4)*, a decision of the High Court under this section shall be final and may not be appealed.
- (4) By leave of the High Court, an appeal from a decision of the High Court under this section shall lie to the Court of Appeal on a question of law.
- (5) An agreement made under section 208(4) of the Principal Act prior to the coming into operation of *section 2* shall, after such coming into operation, be deemed to have been made under section 208(3B) of that Act.

Amendment of section 287 of Principal Act

4. Section 287 of the Principal Act is amended, in the definition of “qualifying country”—

- (a) in paragraph (b), by the deletion of “or”,
- (b) in paragraph (c), by the substitution of “section, or” for “section;”, and
- (c) by the insertion of the following paragraph after paragraph (c):

“(d) any country, territory, state or area that is a contracting party to—

- (i) the World Intellectual Property Organization (WIPO) Performances and Phonograms Treaty, adopted by the Diplomatic Conference at Geneva on December 20, 1996, or
- (ii) the International Convention for the Protection of Performers, Producers of Phonograms and Broadcasting Organizations, done at Rome on October 26, 1961;”.

Short title, collective citation, construction and commencement

5. (1) This Act may be cited as the Copyright and Related Rights (Amendment) Act 2026.
- (2) The Copyright and Related Rights Acts 2000 to 2019 and this Act may be cited as the Copyright and Related Rights Acts 2000 to 2026, and shall be construed together as one.
- (3) This Act shall come into operation on such day or days as the Minister for Enterprise, Tourism and Employment may appoint by order or orders either generally or with reference to any particular purpose or provision and different days may be so appointed for different purposes or different provisions.