

“On Copyright and Related Rights”

Newsletter



On Copyright and Related Rights

On July 2, 2026, the Council of Ministers submitted to the Parliament the draft law “On amending Law no. 35/2016 ‘On Copyright and Related Rights’, as amended” (the **Draft Law**). The proposed Draft Law fully transposes the following EU instruments governing copyright in the digital environment:

- Directive (EU) 2019/790 of the European Parliament and of the Council of 17 April 2019 on copyright and related rights in the Digital Single Market and amending Directives 96/9/EC and 2001/29/EC.
- Directive (EU) 2019/789 of the European Parliament and of the Council of 17 April 2019 laying down rules on the exercise of copyright and related rights applicable to certain online transmissions of broadcasting organizations and retransmissions of television and radio programmes and amending Council Directive 93/83/EEC.
- Directive 2012/28/EU of the European Parliament and of the Council of 25 October 2012 on certain permitted uses of orphan works Text with EEA relevance.
- Council Directive 93/83/EEC of 27 September 1993 on the coordination of certain rules concerning copyright and rights related to copyright applicable to satellite broadcasting and cable retransmission.
- Directive (EU) 2017/1564 of the European Parliament and of the Council of 13 September 2017 on certain permitted uses of certain works and other subject matter protected by copyright and related rights for the benefit of persons who are blind, visually impaired or otherwise print-disabled and amending Directive 2001/29/EC on the harmonization of certain aspects of copyright and related rights in the information society.

The current copyright framework in Albania no longer adequately reflects the realities of digital content distribution, nor does it provide sufficient tools to counter the unauthorized online exploitation of protected works, commonly known as online piracy. The proposed amendments of the Draft Law aim to fill this existing legal gap while also facilitating the cross-border availability of ancillary online services accompanying television and radio broadcasts, enabling broadcasters, media service providers, and retransmission operators to extend their programming across jurisdictions, while ensuring that the underlying copyright and related rights are properly licensed.

Key Changes to Broadcasting and Retransmission Rules

The Draft Law introduces “*direct injection*” as a recognized retransmission technique, whereby a broadcasting organization transmits its programme-carrying signals directly to a distributor, without the broadcaster itself simultaneously making the signal available to the public.

In addition, the Draft Law extends the *country-of-origin principle* to ancillary online services provided simultaneously with, or within a defined period following, the initial broadcast, meaning that the relevant copyright acts will be deemed to occur solely in the jurisdiction where the broadcasting organization has its principal establishment.

Furthermore, the Draft Law expands the scope of mandatory collective management to additional forms of retransmission carried out through electronic communications networks, while expressly excluding online services from this

regime, thereby preserving separate licensing arrangements for digital platforms.

Practical Implications for Market Participants

The proposed amendments of the Draft Law are expected to have important implications for broadcasters, audiovisual media service providers,

cable and retransmission operators, collective management organizations, copyright owners and other rightsholders operating in or targeting the Albanian market. Businesses involved in the distribution of television and radio content shall review their existing licensing structures and contractual arrangements in anticipation of the new rules, particularly where cross-border transmissions or retransmissions are concerned.

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