

(3) *Except where otherwise provided, permission granted in accordance with the first paragraph of this Article shall not imply permission to record the work radio-diffused by means of instruments recording sounds or images.*

It shall, however, be a matter for legislation in the Countries of the Union to determine the regulations for ephemeral recordings made by a broadcasting body by means of its own facilities and used for its own emissions. The preservation of these recordings in official archives may, on the ground of their exceptional documentary character, be authorized by legislation.

ARTICLE 11ter

Authors of literary works shall enjoy the exclusive right of authorizing the public recitation of their works.

ARTICLE 12

Authors of literary, scientific or artistic works shall enjoy the exclusive right of authorizing adaptations, arrangements and other alterations of their works.

ARTICLE 13

(1) *Authors of musical works shall have the exclusive right of authorizing: 1° the recording of such works by instruments capable of reproducing them mechanically; 2° the public performance of works thus recorded by means of such instruments.*

(2) *Reservations and conditions relating to the application of the rights mentioned in the preceding paragraph may be determined by legislation in each Country of the Union, in so far as it may be concerned; but all such reservations and conditions shall apply only in the Countries which have prescribed them and shall not, in any circumstances, be prejudicial to the author's right to obtain just remuneration which, in the absence of agreement, shall be fixed by competent authority.*

(3) *The provisions of the first paragraph of this Article shall not be retroactive and consequently shall not be applicable in a Country of the Union to works which, in that Country, may have been lawfully adapted to mechanical instruments before the coming into force of the Convention signed in Berlin on the 13th November, 1908, and, in the case of a country having acceded to the Convention since that date or acceding to it in the future, before the date of its accession.*

(4) *Recordings made in accordance with paragraphs 2 and 3 of this Article and imported without permission from the parties concerned into a Country where they are not lawfully allowed, shall be liable to seizure.*

ARTICLE 14

(1) *Authors of literary, scientific or artistic works shall have the exclusive right of authorizing: 1° the cinematographic adaptation and reproduction of these works, and the distribution of the works thus adapted or reproduced; 2° the public presentation and performance of the works thus adapted or reproduced.*

(2) *Without prejudice to the rights of the author of the work adapted or reproduced, a cinematographic work shall be protected as an original work.*

(3) *The adaptation under any other artistic form of cinematographic productions derived from literary, scientific or artistic works shall, without prejudice to the authorization of their authors, remain subject to the authorization of the author of the original work.*

(4) *Cinematographic adaptations of literary, scientific or artistic works shall not be subject to the reservations and conditions contained in Article 13, paragraph 2.*

(5) *The provisions of this Article shall apply to reproduction or production effected by any other process analogous to cinematography.*

ARTICLE 14bis

(1) *The author or, after his death, the persons or institutions authorized by national legislation shall, in respect of original works of art and original manuscripts of writers and composers, enjoy the inalienable right to an interest in any sale of the work subsequent to the first disposal of the work by the author.*

(2) *The protection provided by the preceding paragraph may be claimed in a Country of the Union only if legislation in the Country to which the author belongs so permits, and to the degree permitted by the Country where this protection is claimed.*

(3) *The procedure for collection and the amounts shall be matters for determination by national legislation.*

ARTICLE 15

(1) *In order that the author of a literary or artistic work protected by this Convention shall, in the absence of proof to the contrary, be regarded as such, and consequently be entitled to institute infringement proceedings in Countries of the Union, it shall be sufficient for his name to appear on the work in the usual manner. This paragraph shall be applicable even if this name is a pseudonym, where the pseudonym adopted by the author leaves no doubt as to his identity.*