ARTICLE 14.14

Limitations and exceptions

Each Party may provide for limitations or exceptions to the rights set out in Articles 14.8 to 14.12 only in certain special cases which neither conflict with a normal exploitation of the subject matter nor unreasonably prejudice the legitimate interests of the right holders, in accordance with the conventions and international agreements to which it is party.

ARTICLE 14.15

Artist's resale right in works of art

The Parties agree to exchange views and information on issues related to a right to an interest in the resale of an original work of art and the situation in this regard in the United Kingdom and in Japan.

ARTICLE 14.16

Collective management

1. The Parties recognise the importance of fostering cooperation between their respective collective management organisations for the purposes of facilitating licensing of content between such collective management organisations, as well as encouraging[1] transfer of royalties for use of works or other copyright-protected subject matters of the nationals of the other Party.

2. Each Party shall ensure that its collective management organisations are encouraged to:

(a) operate to collect and distribute revenues to the right holders they represent in a manner that is fair, efficient, transparent and accountable; and

(b) adopt open and transparent record keeping of the collection and distribution of revenues.

3. The Parties endeavour to facilitate non-discriminating treatment by collective management organisations of right holders they represent either directly or via another collective management organisation.

ARTICLE 14.17

Protection of existing subject matter

1. Each Party shall apply Article 18 of the Berne Convention and paragraph 6 of Article 14 of the TRIPS Agreement, *mutatis mutandis*, to works, performances and phonograms, and the rights in and protections afforded to those subject matters as required by this Sub-Section.

2. A Party shall not be required to restore protection to subject matter that, on the date of entry into force of this Agreement, has fallen into the public domain in its territory.

ARTICLE 14.18

Technological protection measures

Each Party shall provide adequate legal protection and effective legal remedies against the circumvention of effective technological measures that are used by authors, performers or producers of phonograms in connection with the exercise of their rights under the laws and regulations of the Party and that restrict acts, in respect of their works, performances or phonograms, which are not authorised by the authors, performers or producers of phonograms concerned or permitted by the laws and regulations of the Party.

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[1] For greater certainty, "encouraging" does not require a Party to intercede in any contractual arrangements between collective management organisations.