to the public of their performances fixed in phonograms and phonograms, respectively, by wire or wireless means, in such a way that members of the public may access them from a place and at a time individually chosen by them.

3. Each Party shall provide to authors, performers, and producers of phonograms the exclusive right to authorise or prohibit the reproduction of their works, performances fixed in phonograms, and phonograms in any manner or form.

Article 11.11: Right to Remuneration for Broadcasting[6]

Performers and producers of phonograms shall enjoy the right to a single equitable remuneration, or alternatively the right to receive royalties, for the direct or indirect use of phonograms published for commercial purposes for broadcasting.

Article 11.12: Protection of Broadcasting Organisations and Encrypted Programme-Carrying Satellite Signals

1. Each Party shall provide to broadcasting organisations the exclusive right to prohibit the re-broadcasting of their broadcasts by at least wireless means, the fixation of their broadcasts, and the reproduction of fixations of their broadcasts.[7, 8]

2. Each Party shall endeavour to provide measures, in accordance with its laws and regulations, against at least one of the following acts:

   (a) wilful reception[9];

   (b) wilful distribution[10];or

   (c) wilful reception and further distribution[11],

   of a programme-carrying signal that originated as an encrypted programme-carrying satellite signal, knowing that it has been decoded without the authorisation of the lawful distributor of the signal.

Article 11.13: Collective Management Organisations

1. Each Party shall endeavour to foster the establishment of appropriate organisations for the collective management of copyright and related rights. Each Party shall encourage such organisations to operate in a manner that is fair, efficient, publicly transparent, and accountable to their members, which may include open and transparent record keeping of the collection and distribution of royalties[12].

2. The Parties recognise the importance of fostering cooperation between their respective collective management organisations for the purposes of mutually ensuring easier licensing of content among the Parties, as well as encouraging[13] mutual transfer of royalties for use of works or other copyright-protected subject matters of the nationals of another Party.

Article 11.14: Circumvention of Effective Technological 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 referred to in this Section and

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[6] Where a Party is, or becomes, party to the WPPT, that Party's obligations under this Article shall be subject to any commitments and reservations that that Party has made, or will make, under the WPPT.

[7] Where a Party does not grant such rights to broadcasting organisations, it shall provide owners of copyright in the subject matter of broadcasts with the possibility of preventing the above acts, subject to the provisions of the Berne Convention.

[8] Any Party may, in relation to the rights conferred under this paragraph, provide for conditions, limitations, exceptions, and reservations, to the extent permitted by the Rome Convention.

[9] For greater certainty and for the purposes of subparagraphs 2(a) and (c), a Party may provide that wilful reception of an encrypted programme-carrying satellite signal means reception and use of the signal, or reception and decoding of the signal.

[10] For greater certainty, a Party may interpret "distribution" as "retransmission to the public".

[11] For greater certainty, a Party may interpret "distribution" as "retransmission to the public".

[12] For greater certainty, "royalties" may include equitable remuneration.

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