

## European Union's competence in adopting legal acts on copyright protection

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### Abstract

The European Union (EU) needs to have the necessary legislative competence in order to enact legal acts in any given area.<sup>1</sup> Whenever the Treaties empower it to act, the EU will be granted legislative competence in order to achieve the objectives set therein<sup>2</sup>. It follows that any legislative act must be based on a Treaty provision that justifies an action by the European legislator. So to say, legislative acts must have a legal basis. Copyright was faced with the provisions of the EEC Treaty (1957) at a relatively late stage and it is firmly based on the principle of territoriality. This means that national rules govern copyrighted subject matter within the territory of a given Member State. That's why EU had the necessity to adopt legislative acts to harmonize the copyright laws of member states. This paper will analyze the legislative competence of EU in approving legal acts on copyright area and how the TFEU is legally interpreted to allow it.

**Keywords:** European Union, Directive, Regulation, Competence, Copyright, Treaty.

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