



## Recommendation 822 (1977)<sup>1</sup>

# Payment to creators for library loans (public lending right)

Parliamentary Assembly

The Assembly,

1. Having noted the report of its Committee on Culture and Education on public lending right ([Doc. 4070](#)) ;
2. Welcoming the increased support given by member governments to public lending libraries that make available to the borrowing public the work of authors, translators, composers and artists, that are susceptible to reproduction in book, sheet music, recording, print or other form ;
3. Believing that creators have a right to receive a fair return for copies of their work that are lent publicly ;
4. Aware that certain European countries already recognise this right, but operate, or envisage operating, a number of different schemes ;
5. Wishing to ensure the harmonisation of national schemes, or their compatibility, within the framework of existing or contemplated legislation in the areas of social security, arts promotion and copyright or allied rights,
6. Recommends that the Committee of Ministers ask member governments :
  - to recognise the right of creators to payment for their work when lent publicly ;*
  - to negotiate with libraries and creators the setting up of public lending right schemes with the following features :*
    - statutory recognition of public lending right ;*
    - central (and/or regional) funding ;*
    - payment to creators for works borrowed (based on an accurate loans sampling procedure, and incorporating an element of individual remuneration) ;*
    - special administrative provision for different categories of works borrowed (translation, reference books and non-literary in-copyright works) ;*
  - to endeavour, in setting up such schemes, whenever practicable to make some provision for reciprocal payments for works originating from other countries, but without prejudice to the smaller linguistic areas ;*
  - to co-operate towards the eventual harmonisation of all European public lending rights schemes.*

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1. See [Doc. 4070](#), report of the Committee on Culture and Education. Text adopted by the Standing Committee acting on behalf of the Assembly on 13 December 1977.

