We thank you again, Mr. Chair, for giving the floor to IFRRO

1. Libraries should be allowed to lend out copyright works in tangible formats which are returned to the library after the expiry of the lending period. Rightholders should have the right to receive some remuneration for such lending. We note that at least 54 countries, possibly more, have adopted public lending library schemes in their legislation.

2. Libraries should also be enabled to provide access for their users to works in their collections with the permission and under a license from the rightholders or their representatives, such as RROs (Reproduction Rights Organisations). Digital lending is a part of many publishers’ business models. Any library lending of works in digital format under an exception must ensure that it does not conflict with the commercialising or other normal exploitation of the work, or unreasonably prejudice the author’s legitimate interest. It is therefore difficult to see that there is much scope to allow digital lending under an exception.

3. Document Delivery is substantially different from lending. It is the reproduction and delivery or communication of a work to a remote client on his request. Any Document Delivery of copyright works should be conducted with the permission of the rightholder or his authorised representative; or, if performed under an exception in national legislation which complies with the “three step test, then with the conditions agreed to and accepted by the rightholder in the territory or by his authorised representatives.

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