

Legislation for publisher participation passed by German Parliament

On December 15th the German Parliament approved legislation for the participation of publishers in distributions by collective management organizations. In concrete terms:

It will be made clear in the Collective Management Organization Law (Verwertungsgesellschaftengesetz - VGG (§ 27, para. 2)), that in general collective management organizations representing authors and publishers - such as VG WORT - can distribute income regardless of whether the relevant rights are transferred to the collective management organization by the author or by the publisher. Moreover the collective management organization may establish fixed shares for both professional groups. Further a provision has been added to the VGG (§ 27a) whereby the author, after publication of a published work or when registering the work with the collective management organization, can consent to the publisher sharing in the legal remuneration. Here too the collective management organization can establish fixed shares through the decisions of its members' meeting.

The new legal rules were finally approved by the Bundestag on December 15th and by the Bundesrat on December 16th and will enter into force shortly, on the day after the publication of the law. They make it clear that joint collective management organization representing authors and publishers have a legal basis. The statutes of VG WORT have provided for joint administration since its foundation in 1958. For decades it has safeguarded and secured the implementation of copyright exploitation rights and claims to remuneration on behalf of authors and publishers. The decision of the German Parliament is to be welcomed as a clear signal of approval for this model.

The managing directors of VG WORT, Dr. Robert Staats and Rainer Just, commented: "We greatly welcome the decision of the German Parliament. It is to be hoped that this will enable VG WORT to once again carry out its central task, of ensuring that authors and publishers receive equitable remuneration, as soon and as fully as possible. "

Apart from the above it remains necessary that European law should provide for the participation of publishers in claims to legal remuneration. In this connection a proposal of the European Commission in September 2016 should be implemented as soon as possible. It is therefore also very much to be welcomed that the Legal Committee of the German Parliament has proposed to press for the rapid implementation of the EU Commission proposal.

VG WORT administers the copyright exploitation rights and claims to remuneration of more than 400,000 authors and over 10,000 publishers in Germany on a fiduciary basis. www.vgwort.de.

Press contact: Angelika Schindel: 089 5141292 angelika.schindel@vgwort.de