

National Workshop on Public Lending Right in the context of the EU Acquis on Copyright

Global Library Perspective - Establishing a PLR System

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When PLR is chosen...

- Implement in the **best way** for authors, libraries and the tax payer
- **Cultural framing** - even under copyright law

“It is common for PLR systems to restrict PLR to nationals, residents or writers in the specific language...even in copyright law countries under European Law, where after intense discussions involving the European Commission, restrictions were not challenged in front of court”. - WIPO Scoping Study p.47

- Any PLR system should **reflect the capacity of the government to support it**, and adapt to change as needed
 - Ireland reduced PLR allocation due to economic crash (2009-2010)
 - Lithuania linked PLR to library acquisitions budget

**Best Practice for Establishing a PLR System
that
Supports Authors and Libraries and
Enables Literacy and Learning**

- IFLA Position on Public Lending Right (Annex)

- Scope and Governance
- Funding
- Eligibility
- Payment calculation
- Reporting

Best Practice for Establishing a PLR System

Are libraries at the table?



Photo: The Right Copyright. Library association engagement in copyright around the world. IFLA report, July 2025

- Librarians should be closely involved in the design of the PLR system
 - Librarians can advise on what works best for the public library system in your country
 - Know how public libraries operate, library collections funding models, library data
- Opportunities – invest in library automation (Lithuania), reimburse libraries for time compiling data (UK)



**NO DECISION ON LIBRARIES
WITHOUT LIBRARIANS**

thank you

Best Practice - Scope and Governance

- PLR should operate as a [supplementary public support](#) for authors, separate and additional to support for public libraries
 - Not a substitute for fair contracts with publishers
 - Responsibility for awarding a fair income lies primarily with publishers and those who manage author rights
- PLR [should not lead to restrictions](#) on lending by libraries – a remuneration right
- PLR [should apply to public libraries \(only\)](#)
 - Academic, scientific, school libraries should be excluded - nature of the collections, authors, fundamental importance of education, not open the general public
 - EU countries that exempt categories of libraries: [Croatia, Estonia, Greece, Ireland, Italy, Lithuania, Poland, Slovenia](#).

“These creative, artistic and entrepreneurial activities are, to large extent, activities of self-employed persons”. – Recital 6 PLR Directive
- A [national PLR Advisory Board](#) should be established with stakeholders, including authors, rightsholder representatives and librarians, to set up and govern the PLR system

Best Practice - Funding

- Funding for PLR must be come **directly from central (or regional) government**
 - additional to existing funding to creators
 - unrelated to existing funding for education institutions, and libraries
- PLR should be **appropriately funded** taking into account
 - the size of the economy
 - size of the library and publishing sectors
 - existing government funding of library, creative and publishing sectors
- Novel ways of funding PLR
 - Poland: **Gambling Act** – Culture Promotion Fund
 - France: **booksellers contribute to PLR fund**, in return independent bookshops can access discounted book prices offered to libraries

Best Practice - Who is eligible?

- Authors are the **primary recipients** of PLR payments
 - At least authors must be included in PLR systems (Recital 14 PLR Directive)
- Others who **have contributed substantially to the work** should be considered, where funds are available e.g. translators, illustrators, photographers, producers, publishers
- As a public policy tool, PLR should be **appropriately limited to encourage local content creation and languages**
 - citizens/residents, or writing in a local language - particularly important in countries where public library holdings are dominated by foreign authors.
 - EU countries with eligibility criteria: **Croatia, Cyprus, Czech Republic, Denmark, Estonia, Poland, Slovenia, Spain.**

A note on publishers

“In traditional PLR systems, the focus primarily revolves around compensating individual authors for the lending of their works. Consequently, publishers are not recognized as direct beneficiaries of PLR in all systems. The rationale behind this exclusion is grounded in the principle of directing compensation to the primary creators, authors, who contribute to the artistic and intellectual content of literary works.” - WIPO Scoping Study, p.45

- PLR is generally intended for **primary creators** (authors, illustrators, etc.)
- Authors qualify for PLR **even when they have transferred their economic rights**
- Out of 33 countries **surveyed in the WIPO Scoping Study**, 40% include publishers in PLR (13), 60% do not (20)

Best Practice - Payment Calculations

- **Books available for loan** should form the basis of PLR payment calculations
 - Format neutral – print, digital copies of print books, e-books owned by the library on a permanent basis
 - Reference works within libraries should be excluded
 - Lending between libraries must be excluded (Recital 10)
- Payment models should adopt **the most efficient approach** taking into account costs of administration, IT infrastructure, etc.
- **Inventory counts** are preferred over tracking individual loans (potential risks to privacy for borrowers)
- Additional formats, such as **audiobooks**, may also be considered

Best practice - Reporting

- The entity operating the PLR scheme must abide by the [highest standards](#) of governance, transparency and efficiency
- CMOs should [operate in alignment with Directive 2014/26/EU](#) on collective management, and the WIPO Good Practice Toolkit for Collective Management Organizations
- Detailed [public reporting on an annual basis](#) by the government and the entity managing PLR is essential
- The [maximum percentage of funds](#) should be distributed to eligible authors
- Transparency [will build trust](#), and enable authors and libraries to play an active role in monitoring the effectiveness of the system.

Key Takeaways

Basic elements of a functioning PLR System

- Living authors
- Residents/citizens of Moldova, writing in Romanian
- Books available for loan in public libraries (loans data/sampling system)
- Infrastructure to register authors and distribute payments
- Budget allocation and strong government oversight

Additional elements are policy choices...

Considerations for Policymakers Developing a PLR System

- National policy objectives
- Other government supports for authors
- National capacity requirements
- Investment in public libraries
- Administration and costs

Thank you!

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