



Country Report Latvia

Annual report to the IFLA CLM committee
San Juan Puerto Rico 2011

Copyright

New legislation

Orphan works – The national position is currently being prepared in the response of EC proposal for Orphan works directive. A national legislation is expected to be developed as soon as the final version of EC directive will be issued. The publisher organization The Book Guild of Latvia (National Library is a member of this organization) has joined the ArrowPlus project of ICT PSP framework, the national project kick-off is scheduled for September 2. National Library expects to be a key player in the project and hopefully the project will help to (finally) build (and connect) proper databases for both publishers (Books in Print database) and the collecting society, and will help not only to better locate orphan works, but could have some additional benefits and make cooperation of all sides easier.

Revision/changes in existing law or regulations

Mass digitization and digital preservation – The current Copyright law is under the revision process. Little is expected to change regarding the digitization, as currently ALM sector is allowed to digitize all the works in their holdings not currently used commercially without obtaining permission of copyright holder. One thing that probably will change is the rather complicated clause, which states that such digital reproductions can be made only to preserve a work or to replace a work which is damaged, if there are no other means of obtaining a copy and if the reproduction is performed just in separate non-connected cases, which effectively forbids mass digitization. The clause could be change to a statement that ALM sector is permitted to digitize everything in their holdings not in commercial use with preservation in mind.

Legal deposit – The current Legal deposit law is undergoing revision process as well. As a result it is expected that the number of books deposited will be changed from 7 to 3-4, effectively turning the legal deposit copies in preservation copies and prohibiting lending of these copies. The definition of works in electronic form is expected to be revised, and possibly moved from the law to separate regulations of Cabinet of Ministers, together with regulations of accessibility of deposited works. A proposal to deposit also electronic versions of printed works was made by National Library however it was rejected by publishers.

Public lending rights – The revised version of Copyright law could remove the notion that authors are to be remunerated for usage of digitized versions of their works according to the public lending scheme (the reason being the law case mentioned below).

Levies - The revised version of Copyright law could change the way some of the levies are calculated, but this will probably affect only levies for public performance of works, thus not directly affection ALM sector.

Creative Commons – There are rumors that local group of activists have begun to localize the CC licence, however it has cannot be confirmed on the CC web page as of yet.

Legal matters

Revision/changes in existing law or regulations

New legislation

Trade agreements
Privacy
Anti terrorist law
DRM

Law cases

An interesting case is currently in the court – some authors (backed by their publishers) have sued a privately owned digital library venture for digitizing and making available their works. The company claims that it actually haven't made their works available, since they are a state registered library (which is true), they are lending works (and paying authors according to state regulations, which also is true), and that they are digitizing works (which they do not own) on basis that digital copies can be lent, therefore they insist that the digitization is also legal. Currently there is no word how the case is proceeding but it is doubtful that such an original view on public lending right will gain court's support.

Lobby activities

Educational activities

Strategic plans for future

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