**Country report <>**

Annual report to the IFLA CLM committee

Lyon 2014

This report is a short account of the activities of <FESABID. Spanish Federation of Societies of Archivist, Librarians, Documentalist and Museology >

Copyright

***New legislation***

The Spanish Government has approved by Royal Decree the new system to calculate the library lending payment. This text is only available in Spanish:

http://www.boe.es/diario\_boe/txt.php?id=BOE-A-2014-8275

The new system is based on loans. The method to calculate the cost is: 0,004€ per work has been borrowed and 0,05€ per active user each year

This Royal Decree develops the current act  [Ley 10/2007, de 22 de junio, de la lectura, del libro y de las bibliotecas.](http://www.boe.es/boe/dias/2007/06/23/pdfs/A27140-27150.pdf)

Fesabid sent their comments: <http://www.fesabid.org/federacion/noticia/fesabid-y-el-proyecto-de-rd-por-el-que-se-regula-la-remuneracion-a-los-autores-po>

***Proposed legislation***

A draft for a new regulation on copyright was launched two years ago by Ministry of Culture and the proposal has been approved by the Congress of the Spanish Parliament last July. When it will be passed by the Senate will come into force. The most important issues are relating to private copy, reproduction and public communication in educational environment and collecting societies.

This proposal is limited concerning the private and educational uses and introduces a new fee to universities and establish a tax for private copy uses on electronic environment.

The project proposes the enforcement of the supervision of the collecting societies activity.

This text is available only in Spanish

http://www.congreso.es/public\_oficiales/L10/CONG/BOCG.

Paul Keller wrote a post against the project: *Did Spain just declare the war on the commons?*

<http://t.co/vY5PDoF4mK>

And there are a lot of activism in social media against this project.

FESABID sent their comments to the Government (in Spanish): <http://www.fesabid.org/system/files/repositorio/2014_Comentarios_Reforma_LPI_FESABID.pdf>

***Pending legislative issues***

**Legal Matters**

**Law cases**

The most important case in Spain involves university libraries. Collecting societies denounced two university libraries for copyright infringement and claimed a remuneration for internal website uses. Universities defended that not the whole material kept in their repositories could be claimed by collecting entities. The first judge’s decision rejects the university libraries arguments.

This text is only available in Spanish:  
<http://www.poderjudicial.es/search/doAction?action=contentpdf&databasematch=AN&reference=6705845&links=universidad&optimize=20130514&publicinterface=true>

<http://www.cedro.org/docs/jur%C3%ADdico/stc-j-mercantil-8-de-barcelona---2-de-septiembre-de-2013---cedro-vs-ub.pdf?sfvrsn=2>

**Advocacy/Lobbying activities**

The Spanish Government has announced their intention to update the current copyright act two years ago. Fesabid sent a proposal to the Ministry of Culture about limitations needed by libraries. This document was based on Rebiun report and TLIB (IFLA). The document is available in Spanish.

<http://www.fesabid.org/federacion/noticia/propuestas-para-la-reforma-legislativa-de-la-ley-de-propiedad-intelectual>

**Educational activities**

Fesabid promotes the training on copyright and information law in libraries.

**Strategic plans for the future**

Fesabid advocates for a fair balance between the copyright and the public interest.

Fesabid supports and disseminates all the activities and documents prepared by Eblida (The right to e-red) and IFLA (TLIB).

Fesabid has sent their response to the Public Consultation on the Review to the EU on Copyright Rules. This document in available in Spanish <http://www.fesabid.org/repositorio/grupo-bpi/respuesta-a-la-consulta-publica-para-la-reforma-de-la-regulacion-de-derechos-d>

**Other issues**

Prepared by <Núria Altariba>

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