

Canadian Public Lending Right: Forty Years Later

Rob Tiessen – University of Calgary

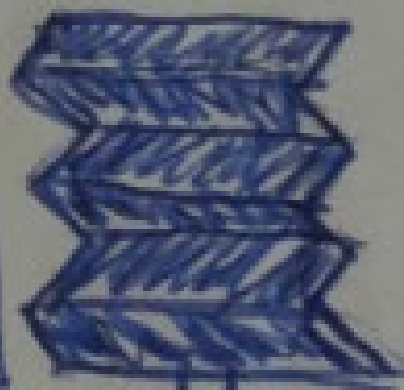
works

mmmm

W

Contracts

PKR



Turn

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- Background & History of the PLR
- Library Positioning on the PLR
- TWUC as Primary Lobbyist for the PLR

What is the PLR?

- Denmark equals 6% of Gov't grant to Public Libraries.
- Sweden based upon circ stats and library holdings.

Origins after WWI

- Danish Arctic Explorer Peter Freuchen in reaction to rental libraries in Scandinavia.
- UK Author and MP Sir A.P. Herbert came up with the English name: Public Lending Right

Nordic Countries

- Denmark 1946
- Norway 1947
- Sweden 1954
- Finland 1964
- Iceland 1968

Adoption by Other Countries

- Netherlands (1971)
- New Zealand (1973)
- Germany (1973) Only country that includes PLR in Copyright Act.
- Australia (1974)
- United Kingdom (1979)
- Canada (1986)

Copyright Instit:

= No - we don't want into that -

= We want 100% of public body right

- circulation of that

- administered by ~~that~~ agency

Do you want — —

- PUBLIC LENDING RIGHT
- BETTER CONTRACT
- PROFESSIONAL ADVICE AND INFORMATION
- INCREASED GRANTS
- READING TOURS
- MORE CANADIAN BOOKS IN CANADA

? ? ? ? ?

SOLIDARITY IS BETTER THAN
SOLITUDE

YOU CAN GET THESE THINGS
IF YOU COME ALONG WITH US

03 12 2014

Efforts this year have been focussed on building up membership, composing the Standard Contract, and promoting the idea that Public Lending Right fees are authors' rights. The Union, it is hoped, will continue ^{work} along these lines, and also widen its aims to encompass fair ~~xxx~~ paym



Albert Bowron

“Apparently, libraries because they freely lend books, films, recordings and tapes are the enemies of authors, producers and musicians and therefore would never agree to any lending rights scheme, let alone support one.”



Marian Engel (1)

“...I must now for my own protection consider the libraries as my enemy.”

“Straight ahead is a woman in furs who is taking out my book for nothing...”

“I am not against free libraries, I am against ripoffs.”



Marian Engel (2)

“As for the public lending right, we need it because earned money is moral money, not government grant money. When a production budget for a Canadian book is based on a maximum sale of 3,000 copies, books are necessarily expensive.”

Basil Stuart Stubbs/George Woodcock 1

Saturday Night March 1974

- Since the creation of public libraries, authors have been subsidizing public learning & education.
- Equivalent to the Public Performance Right for Musicians.
- Libraries outnumber bookstores in Canada.

Basil Stuart Stubbs/George Woodcock 2

- Authors tend to be poor. It is an issue of social justice.
- Canada is a small market and most Canadian authors don't get sales outside of Canada.
- Funded by the Federal Government, not public libraries.
- Based upon holding and not on circulation.

Ontario Library Association

- Rudolph Ellsworth
- Diana Mason - PLR will only work if the Federal Government funds it. No other scheme will work.



Piternick – Rothstein Feliciter 1975

- How can printing exist for 500 years and PLR only come up now?
- If PLR, why not royalties for car manufacturers for car rentals?
- No data showing that libraries damage sales. Publishers, authors want library sales, but then want PLR.
- Maybe libraries should stop purchasing Canadian publishers for a year, to see if that increases sales



3 unchallenged claims for PLR

George Piternick. (Library Trends 1981)

- Author's proprietary rights to the texts they have written are fixed and inalienable natural rights
- These rights are unfairly infringed upon by libraries which freely circulate the books embodying these texts, and
- The effect of such infringements materially deprives the authors of sums they would otherwise realize through private purchase of these books.

Timeline Leading Up to the CLA Resolution on the PLR

- 1965 CAA begins to advocate for the PLR (Ellsworth 1972)
- 1974 Resolution on PLR at CLA in Winnipeg
- March 1975 Piternick/Rothstein article in Feliciter.
- 1975 Resolution on PLR at CLA in Toronto
- 1975 Special Issue of Canadian Library Journal
- March 1976, Executive Council turns down PLR
- PLR Forum at CLA June 11, 1976
- 1976 Resolution in favour of PLR in Halifax
Moved by George Piternick.

Text of the CLA PLR (1)

Be it recommended that:

CLA recognizes the cultural importance of the contributions of Canadian writers and sympathizes with the financial difficulties in which many of them find themselves;

And

CLA strongly urges the Federal Government, in recognition of the situation, to develop and fund a system of financial rewards to writers including the administrative costs of such a system;

And

Text of the CLA PLR (2)

CLA stands ready to support the use of library holdings data in the consideration and development of an appropriate system;

And

that CLA makes these recommendations in recognition of the cultural contribution of Canadian writers and *not* in recognition of any legal entitlement to recompense for library use, i.e. a public lending "right".



Books & Computers: PLR Dream

- Everytime a library book is taken off the shelf it should be scanned to record its use.
- Old books have a barcode added.
- Newer books already have a UPC barcode.

Marcel Masse - cut things advocates
support
= only nationalist in the Cabinet - (2nd)
knows the connection between
Power & culture -

We have invited Marcel Masse, his deputies and provincial counterparts, foreign cultural directors, publishers, librarians to listen and take part. So, plan to spend two days in Toronto after the AGM. It's our symposium, our concerted bid to government for compensation for the use of our books in libraries. Come and meet -- and help entertain -- the writers who fought for this right in their own countries -- and won. May 14 in Toronto, don't forget!

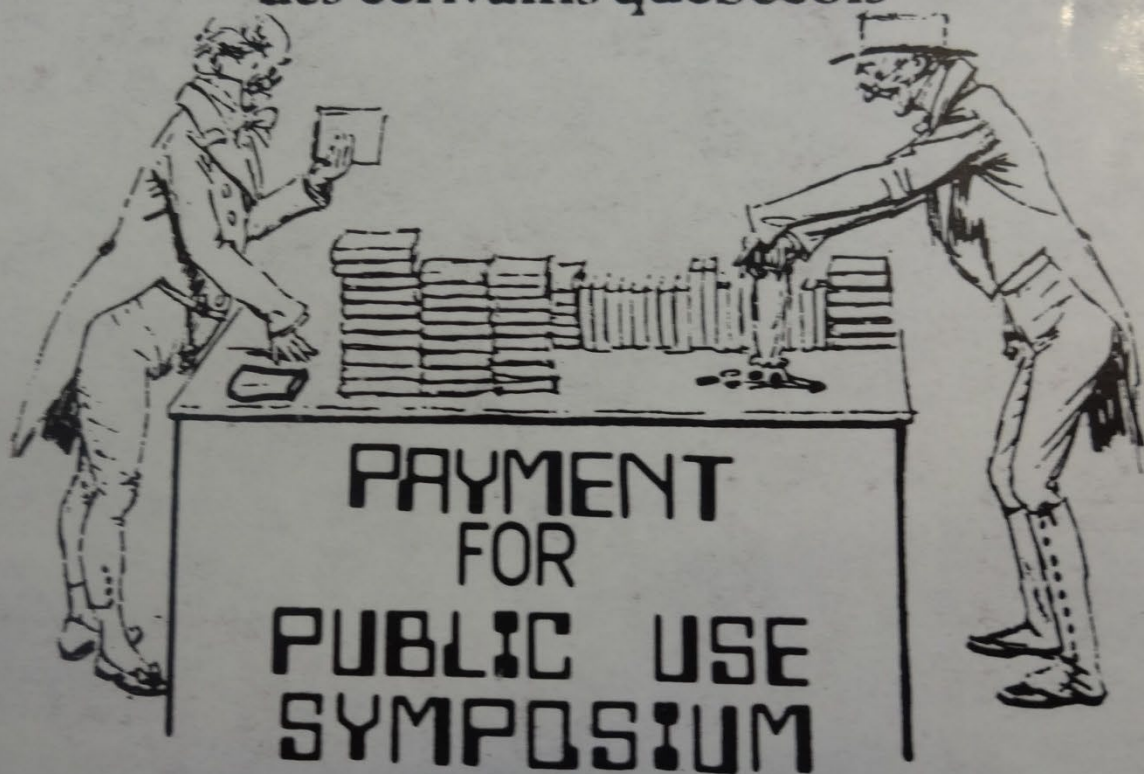
*Writers' Union of
Canada*

WITH

AVEC

UNION

des écrivains québécois



TUESDAY, MAY 14, 1985

03 12 2014

Establishment of the PLR

- Marcel Masse, Minister of Communications wanted to move ahead. (85 letter to Rudy Wiebe)
- No costs or administrative burden for libraries (critical for Fed Gov support)
- TWUC & L'Union Des Ecrivains Quebecois to jointly administer



The Many Names of PLR

- CLA asked for PLR to be changed because it wasn't a right.
- Changed to Compensation for Authors (CFA).
- Offended libraries because it implies that libraries are causing writers direct financial losses.
- Changed to Payment for Public Use (PPU). (taken from an ACTRA proposal on PLR and Photocopying Collective in 1974)
- Writers on the committee rebelled because they couldn't stand the acronym.
- Changed back to Public Lending Rights months before the first payment finally went out.