

Copyright in the digital single market

2016/0280(COD) - 29/06/2018 - Committee report tabled for plenary, 1st reading/single reading

The Committee on Legal Affairs adopted the report by Axel VOSS (EPP, DE) on the proposal for a directive of the European Parliament and of the Council on copyright in the Digital Single Market.

The Committee on the Internal Market and Consumer Protection, exercising their prerogatives as associated committees in accordance with [Article 54 of the Rules of Procedure](#), also gave their opinions on the report.

The committee responsible recommended that the European Parliament's position adopted at first reading under the ordinary legislative procedure should amend the Commission proposal as follows.

Adapting exceptions and limitations to the digital and cross-border environment: the measures foreseen shall require Member States to provide exceptions to general copyright rules for the search of texts and data-mining for scientific research purposes, illustrations used for educational purposes and for cultural heritage institutions such as museums or libraries.

Educational establishments and cultural heritage institutions that conduct scientific research shall also be covered by the text and data mining exception provided that the results of the research do not benefit an undertaking exercising a decisive influence upon such organisations in particular. The reproductions and extractions made for text and data mining purposes should be stored in a secure manner and in a way that ensures that the copies are only used for the purpose of scientific research.

To encourage innovation also in the private sector, Member States shall be able to provide for an exception going **further than the mandatory exception** provided that the use of works and other subject matter referred to therein has not been expressly reserved by their rightholders including by machine readable means.

Principle of fair and proportionate remuneration: Member States shall ensure that authors and performers receive fair and proportionate remuneration for the exploitation of their works and other subject matter, **including for their online exploitation**. This may be achieved in each sector through a combination of agreements, including collective bargaining agreements, and statutory remuneration mechanisms. Contracts shall specify the remuneration applicable to each mode of exploitation.

Member States shall ensure that authors, performers receive, on a regular basis – **not less than once a year - accurate, relevant and complete information** on the exploitation of their works in a timely manner.

Member States shall ensure that where an author or a performer has licensed or transferred her or his rights concerning a work or other protected subject-matter on an exclusive basis, the author or performer has a **right of revocation** where there is an absence of exploitation of the work or other protected subject matter or where there is a continuous lack of regular reporting.

In addition, Member States shall ensure that an equitable proportion of the remuneration derived from the use of the right conferred on publishers is paid to journalists, authors and other right holders. Publishers of press publications shall receive fair and proportionate remuneration for the digital use of their press publications by information society service providers.

Negotiation rights of authors and performers: Member States shall ensure that where parties wishing to conclude an agreement for the purpose of making available audiovisual works on video-on-demand platforms face difficulties relating to the licensing of audiovisual rights, they may rely on the assistance of an **impartial body** with relevant experience. The impartial body created or designated by the Member State shall provide assistance to the parties with negotiation and help them to reach agreement.

In order to encourage the continuous exploitation of audiovisual works on video-on-demand platforms, Member States shall foster **dialogue** between representative organisations of authors, producers, video-on-demand platforms and other relevant stakeholders.

Access to Union publications: any electronic publication dealing with Union-related matters such as Union law, Union history and integration, Union policy and Union democracy, institutional and parliamentary affairs, and politics, that is made available to the public in the Union shall be subject to a Union Legal Deposit.