Handbook of Comparative E-Lending Policies in European Public Libraries

EBLIDA EGIL
(Expert Group on Information Law)

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1. E-LENDING IN BELGIUM (FLEMISH COMMUNITY), BY GWENNY VLAEMYNCK

INTRODUCTION

There are 307 public libraries in the region of the Flemish community of Belgium. Cultural policy and its implementation are an exclusive competence of the Government of Flanders, with Brussels as its capital. Flemish municipalities are fully autonomous in the governance of their public libraries. Subsidies are allocated to the respective municipality’s Gemeentefonds, a public funding mechanism which works for all municipality expenditure; therefore, there is no special budget earmarked for the local public library. Since 2018, the provinces are no longer involved in cultural policy and the task to support public libraries has been transferred to the Flemish government. A separate regulation for Brussels-Capital, a bilingual area, is maintained. The Brussels-Capital Dutch language public library system is subsidised if public libraries comply with a number of prerequisites, such as policy plans, staff, digital expectations and expenditure criteria. Funding is allocated in accordance with several criteria, such as the number of residents (more or less than 10,000 residents).

For the implementation of digital services and innovation in public libraries, the Flemish government works with Cultuurconneet. Among other things, this non-profit organisation manages the unified library system, the local library websites and also offers a range of digital collections (e.g. the Flemish e-book platform). For this, Cultuurconneet works together with the public libraries like a cooperative, in which the libraries decide how to expand services.

GENERAL DATA AND THE LEGAL FRAMEWORK

In September 2020, Cultuurconneet launched the Flemish e-book platform, cloudLibrary, with a collection of over 5,000 titles in Dutch and English. The e-book platform is currently offered by 208 public libraries to their members. All participating libraries form a consortium that co-manages the e-book platform under the guidance of Cultuurconneet.

E-books are offered to the public within a single use model. Apart from economic constraints, there is no limitation on the number of copies that can be bought by the consortium.

Windowing practices for e-book circulation may vary from 6 months to 1 year. Usually, however, there are no clearly defined restrictions; for each title, publishers choose whether to supply them (or not) and under what licence conditions.

Members can borrow 2 e-books at a time for a period of up to 6 weeks. Extensions are only possible if there are no simultaneous reservations of the title. At the moment there’s no limitation on the number of loans per month because it’s technically not possible within the cloudLibrary system. E-books can be returned at any time.

1 Product manager Digitale Collecties, CultuurConnect
In 2021, 331,000 e-books were loaned by 44,000 unique users. What follows is a table summarising the number of e-lending transactions broken down by typology of material and its percentage in relation to printed collections.

<table>
<thead>
<tr>
<th>2021</th>
<th>Printed collection</th>
<th>E-lending</th>
</tr>
</thead>
<tbody>
<tr>
<td>Number of transactions</td>
<td>3.72 Ml (all libraries that offer e-lending)</td>
<td>331,000 (e-books)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>441,000 (digital magazines &amp; newspapers)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>47,000 (interactive children’s books)</td>
</tr>
<tr>
<td>Unique users</td>
<td>1.2 Ml</td>
<td>44,000 (e-books)</td>
</tr>
<tr>
<td>Number of titles</td>
<td>2.7 Ml</td>
<td>12,000+ (e-books)</td>
</tr>
</tbody>
</table>

75% of the loans within the cloudLibrary system are fiction and 25% are non-fiction. Most popular are thrillers, romantic literature, (auto)biographical literature and cookbooks.

At the moment, there is no automatic link between the printed-related user data and the digital-related user data. A solution is currently being worked out to provide for a Business intelligence (BI) tool, which will allow us to analyse data and integrate them into our library system. Another working point is that we cannot follow up the data from our digital collections in real time. Mostly, data is only available one month later. This makes it difficult to take certain CRM (Custom Relationship Management) actions.

Besides the judgement made by the European Court of Justice (law case 174-15), there is no legal framework for e-lending in Belgium (Flemish community). Cultuurconnect launched a public tender requesting an aggregator and an IT-platform. As a result of the Call, an agreement was concluded with Standaard Boekhandel, one of the largest bookstores in Flanders, who took on the role of aggregator, and Bibliotheca, who provided the cloudLibrary platform as a technical partner.

**INTERACTION BETWEEN AUTHORS/PUBLISHERS/LIBRARIES**

Standaard Boekhandel, the aggregator, negotiates the licences for all participating public libraries. As mentioned earlier, public libraries participate in a cooperative model, centrally purchasing one collection to be used by the members of all participating libraries. Standaard Boekhandel is the negotiator for Dutch titles and Bibliotheca for the English (or other languages) titles.

The platform model was established within the single use model. Under pressure from publishers, however, titles are being loaned via a licensing model, which means that there’s a deviation from the ruling of the Court of Justice. It is the reason why currently no public lending rights are now paid to authors for e-book loans.

Within the single use model, (most) licences contain a number of 16/26 loans for a period of maximum 2 or 4 years. These licences are of restrictive nature and are offered at a price per copy which may be up to 4 times higher than the price for an individual purchase. Most major publishers participate in this model, although they
often offer a rather limited part of their collection. The DRM is built into the cloudLibrary platform. Loans happen through a secure app or through Adobe Digital Editions.

The e-book licences are paid by the consortium of participating public libraries. The libraries are joining a business model developed by Cultuurconnect. They pay an annual fee which is proportional to the number of inhabitants of their municipality. In return, library members get access to the central e-book platform and marketing and communication support.

The annual amount of money levied for e-book lending services in libraries is up to €600,000 a year. How this money is re-distributed among right holders is partly a black box. A small part of it goes to the IT vendor. Most of it is paid for licences to Standaard Boekhandel, which pays publishers who should in turn compensate authors. Neither the current distribution between publishers and authors nor the fee that Standard Boekhandel gets for the services they offer, are transparent.

Because of that, since the launch of our e-lending platform there have been discussions with authors' associations about the compensation they receive for loaned e-books. This compensation is now not contractually regulated and is determined by the individual publishers. Authors complain that mechanisms for remuneration are not transparent. They also feel that the compensation they currently receive is too low. As a general assessment, it seems unfair that public libraries pay up to 4 times more than an individual buyer for a limited licence and authors do not get a fair share of the amount. There are definitely shortcomings in the e-book value chain and Cultuurconnect wishes to re-start the dialogue with all stakeholders. A solution that is acceptable to all parties involved is being sought.

In the opinion of the Flemish libraries, e-book lending through the public library is a way to combat piracy. Public libraries in Flanders are (almost) free. When people can read books legally for free or for a small fee, this will move or keep them away from illegal downloading.

THE ROLE OF LIBRARIES AND OF PUBLIC POWERS

As mentioned earlier, the e-book platform is set up as a consortium. Within the consortium, e-books are purchased centrally by a team of 3 collection developers (Dutch fiction, non-fiction and English fiction) who are also responsible for the same publishing categories of the printed collection within their own local library. The collection developers seek the right balance between popular titles and lesser known titles that are brought to the attention through digital bookshelves on the platform.

The platform is identical for all participating libraries and the collection is therefore also shared. The collection developers are also part of a broader working group of libraries representing the consortium. This working group also decides on the collection plan, the marketing and communication approach, technical improvements and the overall operation of the e-book platform.

USERS’ PRACTICES

Library users seem to be quite happy about e-lending services. In a recent survey, carried out one year after the launch of the e-book platform, 80% of the users were satisfied or very satisfied with the platform. Users would like to see more titles and more recent titles in the offering, but the general assessment is positive. Many users also indicated that they would recommend the platform to friends or relatives. 10% of our users indeed have learnt about the platform through relatives.
The first e-book collection focused only on adults. Since mid-2021, young adult titles have also been purchased and an expansion of the collection to 12+ is planned for the Fall of 2022.

In 2021, 5% of loans were made by young adults: the larger the offer for young adults, the more young adults use the platform.

Given the difficulties in building a quality Dutch-language collection, many foreign-language (mainly English-language) titles are also being purchased. We notice that these are also well lent. Especially by young people and 30-40+.

Some libraries offer both e-books and e-readers for their users. This is usually done for specific target groups, such as retirement home residents or reading groups.

Public libraries in Flanders do not want to just offer e-books. They are also looking for ways to use digital reading to encourage people to read more.

Cultuurconnect works for example with the organisers of a children’s book award. As part of their annual campaign, children in each age group read about 6 books, of which one wins a prize. The organisers of this campaign wanted to extend these reading groups also to e-books offered via public libraries. Unfortunately, most publishers do not want to cooperate, which means that on average only one or two titles per age group can be offered as e-books and that fully digital reading groups cannot take off. It may be easily argued that this is a missed opportunity to appeal to a new generation of young reading audience.

In addition, Cultuurconnect is currently working on two projects: a) the first is to make e-books available to the older population (70-80+) and b) to look at ways in which schools can also use the public libraries’ e-book platform in a classroom context.
INTRODUCTION

In Denmark public libraries are organised as part of 98 municipalities. With 37.4 million visits in 2019 (data in the following years are altered by the impact of the pandemic), they are the most visited Danish cultural institution. A public library-system is in place in each of the 98 Danish municipalities and a unique platform is offered to the development of common societal solutions, in collaboration with other bodies / agents and in cooperation with local citizens.

The purpose of the public libraries is to promote enlightenment, education and cultural activity by making books, magazines, music and digital resources available, and ensuring free and equal access to knowledge.

The Danish Act Regarding Library Services provides the framework for the public libraries. It aims to do so by defining the library as ‘extended’ in relation to media and by providing more flexible rules on the development of library infrastructure. The act continues the basic traditions in Danish public libraries, above all free (also free of charge) and equal access to information.

By law, every municipality in Denmark must run a public library – either by themselves or in co-operation with other bodies / agents. The financing of the municipal library service is done via block grants, which means that each individual municipal council determines the level of their particular local library service. The framework for the public libraries and their co-operation with the research libraries is determined in the Act regarding library services, which makes it obligatory to purchase collections and provide services. A basic principle in the Danish welfare society is that using the library is free of charge, and so is e-lending for citizens.

GENERAL DATA AND THE LEGAL FRAMEWORK

There are 80,000 titles available and 7.8 million e-lending transactions (2021) in Danish public libraries, which represents 20% of the total number of lending transactions, with some small municipalities having a few thousand transactions annually and some others like Copenhagen reaching over 500,000 transactions annually. More detailed statistics, as for instance patrons’ preferences, are difficult or unavailable because they may use sensitive social security numbers of patrons.

The legal act regulating e-lending is The Danish Act Regarding Library Services, which was approved in 2000. E-lending is implemented through the “eReolen” and administered by the association “The Digital Public Library” composed of all 98 Danish municipalities, Greenland, The Faroe Islands and Slesvig. The Digital Public Library association enters into collaborations with technical intermediaries and negotiates prices and terms & conditions with publishers.

In Denmark e-lending used to be a bone of contention between Danish publishers (with major players like Gyldendal, Lindhardt & Ringhof, and Politiken) and eReolen, Denmark’s only digital public library, to the point that major publishers withdrew cooperation at certain stages of the process (2012 and 2016). In 2018, however, eReolen settled terms with Danish publishers, in a country where the number of people are 5.8 million people and 96% of households have internet access.
eReolen uses different lending models and one of them is the one-copy-one-user model, while the rest of transactions are regulated through bilateral pricing agreements with publishers. The country that is the cradle of public lending right - the first PLR programme in Denmark was initiated in 1941 – started remunerating authors for digital books in 2018. Denmark was the first country in the world to include digital audiobooks in e-lending schemes.

<table>
<thead>
<tr>
<th>Year</th>
<th>E book loans</th>
<th>Cost (ebooks)</th>
<th>Audiobook loans</th>
<th>Cost (audiobook)</th>
<th>All costs</th>
</tr>
</thead>
<tbody>
<tr>
<td>2013</td>
<td>640 629</td>
<td>Kr 8 300 659</td>
<td>545.391</td>
<td>Kr 9 271 657</td>
<td>Kr 17 572 317</td>
</tr>
<tr>
<td></td>
<td></td>
<td>€ 1 115 680</td>
<td></td>
<td>€ 1 246 190</td>
<td>€ 2 361 870</td>
</tr>
<tr>
<td>2014</td>
<td>598.168</td>
<td>Kr 7 485 853</td>
<td>716.607</td>
<td>Kr 12 182 319</td>
<td>Kr 19 668 172</td>
</tr>
<tr>
<td></td>
<td></td>
<td>€ 1 006 163</td>
<td></td>
<td>€ 1 637 408</td>
<td>€ 2 643 571</td>
</tr>
<tr>
<td>2015</td>
<td>1,165.910</td>
<td>Kr 14 026 069</td>
<td>1.381.478</td>
<td>Kr 20 484 675</td>
<td>Kr 34 510 745</td>
</tr>
<tr>
<td></td>
<td></td>
<td>€ 1 885 224</td>
<td></td>
<td>€ 2 753 316</td>
<td>€ 4 638 540</td>
</tr>
<tr>
<td>2016</td>
<td>996.834</td>
<td>Kr 11 047 420</td>
<td>1.534.664</td>
<td>Kr 19 298 887</td>
<td>Kr 30 346 307</td>
</tr>
<tr>
<td></td>
<td></td>
<td>€ 1 484 868</td>
<td></td>
<td>€ 2 593 936</td>
<td>€ 4 078 804</td>
</tr>
<tr>
<td>2017</td>
<td>1,108.361</td>
<td>Kr 12 661 965</td>
<td>1.771.200</td>
<td>Kr 24 860 800</td>
<td>Kr 37 522 765</td>
</tr>
<tr>
<td></td>
<td></td>
<td>€ 1 701 877</td>
<td></td>
<td>€ 3 341 505</td>
<td>€ 5 043 382</td>
</tr>
<tr>
<td>2018</td>
<td>1,396.575</td>
<td>Kr 17 613 241</td>
<td>2.225.155</td>
<td>Kr 27 221 191</td>
<td>Kr 44 834 432</td>
</tr>
<tr>
<td></td>
<td></td>
<td>€ 2 367 371</td>
<td></td>
<td>€ 3 658 762</td>
<td>€ 6 026 133</td>
</tr>
<tr>
<td>2019</td>
<td>1,950.365</td>
<td>Kr 22 660 099</td>
<td>2.879.106</td>
<td>Kr 34 202 669</td>
<td>Kr 56 862 769</td>
</tr>
<tr>
<td></td>
<td></td>
<td>€ 3 045 712</td>
<td></td>
<td>€ 4 597 132</td>
<td>€ 7 642 845</td>
</tr>
<tr>
<td>2020</td>
<td>2,629.292</td>
<td>Kr 27 756 885</td>
<td>3.871.602</td>
<td>Kr 43 609 681</td>
<td>Kr 71 366 566</td>
</tr>
<tr>
<td></td>
<td></td>
<td>€ 3 730 764</td>
<td></td>
<td>€ 5 861 516</td>
<td>€ 9 592 280</td>
</tr>
<tr>
<td>2021</td>
<td>2,826.785</td>
<td>Kr 32 922 352</td>
<td>4.595.317</td>
<td>Kr 53 092 863</td>
<td>Kr 86 015 215</td>
</tr>
<tr>
<td></td>
<td></td>
<td>€ 4 425 047</td>
<td></td>
<td>€ 7 136 137</td>
<td>€ 11 561 184</td>
</tr>
</tbody>
</table>

Moreover, these are e-lending transactions directly from data bases:

**International ebook & audiobook databases:**

<table>
<thead>
<tr>
<th>Database</th>
<th>2021</th>
</tr>
</thead>
<tbody>
<tr>
<td>ProQuest (Ebook Central)</td>
<td>321.449</td>
</tr>
<tr>
<td>EBSCO (Ebook Collection)</td>
<td>384</td>
</tr>
<tr>
<td>Overdrive</td>
<td>402.969</td>
</tr>
<tr>
<td>Books 24x7</td>
<td>1.645</td>
</tr>
</tbody>
</table>
INTERACTION BETWEEN AUTHORS/PUBLISHERS/LIBRARIES

Major actors in the Danish e-lending system are:

A. Publishers, who supply titles and content on the basis of national framework agreements entered into by the association The Digital Public Library;

B. the Digital Public Library (formerly The Danish Digital Library), an association that operates and manages digital services for their library members and the public (98 country’s municipalities, as well as Greenland, The Faroe Islands, and South Schleswig). The Digital Public Library develops and maintains a platform for websites through which public libraries can make their online materials and physical catalogues available to the public, along with all other relevant library services and information. It also operates eReolen and negotiates prices and terms & conditions with publishers and enters into framework contracts;

C. eReolen, the national e-lending service which used to be its own association but is now under control of The Digital Public Library;

D. libraries, which pay individually for their loans;

E. Publizon; the 3rd party platform operator serving as the backend for both the public library and commercial vendors and streaming services.

Financial details are governed by bilateral agreements with the big publishers and by bilateral agreements between every individual municipality and the platform vendor Publizon. For each loan, a small percentage is taken by Publizon for their services on the platform (ca. 12%). In this way, the quasi totality of the publishing output is made available (99%) by eReolen.

Seven big publishers (Gyldendal, Politiken, etc.) have individual contracts with eReolen which grants them some flexibility in the use of lending models. Only the “big seven” allow for the one copy – one user model and have windowing constraints in time – with time lapse between the offer of a publication in the book trade and the offer of the same title through eReolen. All other publishers are subject to eReolens general pricing and terms and conditions which, as a rule, do not contain embargo provisions and only practices the one-copy-multiple-users model.

DRM devices are implemented strictly within the Digital Public Library in a closed app environment and the web solution only allows streaming. Therefore, no general DRM system for downloading is needed.

eReolen is regarded by publishers as a way to prevent piracy; it is possible to say that eReolen has made piracy practically redundant; therefore, fear of piracy (or of potential piracy practices) is no major impediment for authors and publishers to go digital.

The role of libraries and of public powers

E-books are purchased as individual e-books only when licenses are purchased on the one copy – one user basis (ca. 5% of the Digital Public Library collection). The remaining 95% of the purchases are spent equally between a flat rate model where entire catalogues are bought for a year at a time (“borrow as many as you want”) and the one-copy-multiple-users model where the individual libraries pay per loan based on the age of the title.
Limitations to e-lending are set locally by individual municipalities. They range from 2 e-books and 2 audiobooks per month (in one municipality) to unlimited use (in six municipalities). The rest falls somewhere in between with most municipalities staying within the limits of about 4-5 ebooks and 4-5 audiobooks per month per patron.

Only the national association The Digital Public Library is entitled to make agreements on e-lending with publishers. Requirements are different from those of university libraries. University libraries deal with large, globalised scholarly communication publishers and find it difficult to negotiate with actors having de facto monopoly on must-have content. eReolen deal with smaller companies and have an excellent collaboration with national publishers as well as much more power on the buying side.

The negotiation team is in-house in The Digital Public Library secretariat. The negotiation team is very mindful of eReolen’s role in the national book market and the sector’s interest in eReolen’s business practices. E-lending represents 28% of the digital trade market and gives the public libraries leverage in the yearly negotiations.

In this respect, public lending rights reinforces digital lending in libraries, since the more widespread the availability of digital titles is - de facto availability on eReolen - the more money is distributed to authors and other contributors, to the widespread satisfaction of all actors operating in the e-book chain. Authors may feel that they are underpaid for digital rights and may complain about their little remuneration from e-sales, streaming and/or lending; this depends, however, on bilateral negotiations between authors and publishers and does not impact on the soundness of the e-lending system.

Altogether, the annual amount of money / year levied for e-lending services in libraries is €12 million for content and an additional €1.2 million for the management and maintenance of eReolen, which represents a large part of the digital trade market and 28% the percentage of the annual publishing turnover.

**USERS’ PRACTICES**

Library users are in general happy about e-lending services, as is demonstrated by the number of 715,000 unique users in 2021 out of a population of 5.8 million inhabitants. It is interesting to note that borrowers of books in printed form and borrowers of digital products are not the same and overlap between them is in the order of 20% according to the national statistics bureau.

E-lending transactions can be broken down by target group (children/adults) and by overall category (fiction/non-fiction). Children’s books are historically about 40% of all loans, but the figure is rising. Fiction is historically about 70% of all loans. In particular, the e-book diffusion among children and teenagers is quite successful with e-lending with school children totalling +1.3 million loans in 2021 through the eReolen GO! product. E-lending only works through the platform and there is no distribution of devices (e-readers, for instance).

In general, there is no issue regarding the functioning of e-lending in Denmark and problems are found at more general level. One of them is the correct repartition between funds allocated to the digital library and the physical library, with the first taking more and more funds. The major problem is therefore to make the physical and the digital library work together in a more effective and user-friendly way, in relation for instance to the 20% overlap between loans of printed and digital e-products.

Another major problem is perhaps to ensure better long-term access, because the digital collection available for e-lending is assured year after year on the basis of a contractual relations; a legal impediment or a major clash could make the e-lending offer unsustainable in the long-term.
INTRODUCTION

The Finns are avid readers and library users: in 2019 the total annual lending was 85.9 million items (15.7 per capita), the annual number of library visits was 53.7 million (9.79 per capita) and the internet services of the libraries were used 47.0 million times. There is a public library in every municipality (281), most of them also have branch libraries (436) and bookmobiles (135).

In Finland, public libraries are the responsibility of municipalities. The services are free of charge to users. Libraries are funded from the state (30%) and municipal (70%) budgets.

The last Public Libraries Act came into effect in 2017. Its objective is to promote:

1) equal opportunities for everyone to access education and culture;
2) availability and use of information;
3) reading culture and versatile literacy skills;
4) opportunities for lifelong learning and competence development;
5) active citizenship, democracy and freedom of expression.

The digital literacy of citizens is supported in many ways, and library premises can be used as venues for cultural events, meetings, work and learning.

Public libraries must provide equal services to residents everywhere in Finland. To help libraries develop their activities, the legislation provides for the national and regional development of these activities. A library tasked with the national development responsibility is responsible for the development and maintenance of shared online services as well as communications and promotion of the joint activities of libraries. The nine libraries tasked with the regional development responsibility coordinate joint activities and developing the skills of the library personnel within their region.

This national and regional development is funded from the budget of the Ministry of Education and Culture. Libraries can also apply for a project grant for development, projects and new service trials. The granting and use of these project grants is guided by the library authorities of regional administrations, which also train library employees in judicial and administrative matters.

In recent years, development efforts have particularly focused on promoting reading, learning environments, online services and media education. From the beginning of 2020, Seinäjoki Public Library will be assigned the special task of promoting children and young people’s reading and literacy in Finland.
Data in the Finnish Public Libraries Statistics Database and its maintenance are the responsibility of the Ministry of Education and Culture.

<table>
<thead>
<tr>
<th>Year</th>
<th>Lending transactions</th>
<th>Per inhabitant</th>
<th>E-lending transactions</th>
<th>Per inhabitant</th>
</tr>
</thead>
<tbody>
<tr>
<td>2021</td>
<td>71,730,751</td>
<td>13.75</td>
<td>1,509,599 of which:</td>
<td>0.27</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>630,601 (ebooks)</td>
<td></td>
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<tr>
<td></td>
<td></td>
<td></td>
<td>878,997 (eaudiobooks)</td>
<td></td>
</tr>
<tr>
<td>2020</td>
<td>70,366,365</td>
<td>12.72</td>
<td>1,553,275 of which:</td>
<td>0.28</td>
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<td></td>
<td></td>
<td></td>
<td>708,548 (ebooks)</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>844,726 (eaudiobooks)</td>
<td></td>
</tr>
<tr>
<td>2019</td>
<td>85,942,056</td>
<td>15.53</td>
<td>988,896 of which:</td>
<td>0.18</td>
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<tr>
<td></td>
<td></td>
<td></td>
<td>488,577 (ebooks)</td>
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<tr>
<td></td>
<td></td>
<td></td>
<td>500,318 (eaudiobooks)</td>
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<td>2018</td>
<td>84,530,120</td>
<td>15.42</td>
<td>640,715 of which:</td>
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<td></td>
<td>278,608 (ebooks)</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>362,106 (eaudiobooks)</td>
<td></td>
</tr>
</tbody>
</table>

Finna, the national library catalogue, produced by the Finnish National Library, is used by museums, archives and libraries to catalogue the content located elsewhere. Public libraries do use Finna as well, but it doesn’t solve the problem of content provision for public library users. There is also another catalogue https://ekirjasto.kirjastot.fi/en, which links to the resources – it is possible to have access to it if the user is entitled to use a specific library.

The annual public expenditure for e-lending amounts to about 1.8 million. It is not possible to identify how public money is spent at each of the stages of the process, but the provision for aggregators can be estimated to be ca 10-15% of the total expenditure.

E-lending is regulated through EU legislation and copyright-related legislation. The bulk of operations, however, is realised through licenses.

The Finnish National Digital Library was created by the Ministry of Education and Culture as a unifying structure for contents and services. Using Finna as library catalogue, the aims of the Finnish National Digital Library are:

- to develop a centralized long-term preservation system;
- to provide Finnish materials to Europeana, and
- to promote the digitisation of cultural heritage materials and the ICT interoperability of libraries, archives and museums.

The National Digital Library (Finna.fi) is in many respects a unique entity: it brings libraries, archives and museums together to build a system that provides easily available materials and services and secures the long-term preservation of digital materials for future generations.
In response to a growing demand for e-books, the Helsinki City Library and the National Library of Finland joined forces in the Next Media project and its subproject “E-books for public libraries”. The aim of the project was to generate a model that would facilitate publishers’ business practices, enable the payment of royalties to authors, and formulate a framework that would enable public libraries to provide high-quality domestic literature as e-books to the libraries’ users. A starting point of the project was the establishment of a co-operative mechanism among libraries, publishers, as well as usability and online service experts whose aim is to create a service that would encourage users to read Finnish literature. It is within this framework that the lending platform was also created with Ellibs (technology company) stepping in with its good performance in terms of usability.

Consortium of Public Libraries with Kuntahankinnat launched a Call for tender in 2014 and 2018 with a view to having a platform which would support e-lending both in content and technologies. The Framework agreement is so engineered that Kuntahankinnat was responsible of the agreement and municipalities sign contracts individually with the service provider, while the Consortium of Public Libraries organises the procurement process.

As a result of 2018 calls, two aggregators were selected: Finnish solutions, Ellibs, and Swedish Axiell Biblio. Both of them provide Finnish and Swedish literature through different licence models. Libraries were able to choose a service provider/aggregator independently; some of the libraries chose Axiell, some Ellibs and some both, because the contents they offer are different. Ellibs has a larger offer of Finnish content, whereas Biblio has more Swedish e- and audiobook books. Some libraries also subscribe to the Overdrive library to cover the demand for literature in English. Each of these platforms has its own licensing and e-lending system, which is inconvenient for both libraries and customers.

The system that was created in the “E-books for public libraries” project has proven to be unsuccessful in some respects. Tendering for four years is challenging. As a result of the tendering, the service provider and lending platform may be changing every four years, which is not customer friendly. Another challenge in the tenders was to be able to tender the service fee of the lending platform, even though it is only about 10% of the total purchase value of the e-book service and the content itself, i.e. the e-books, is the remaining 90%. The aim of this requirement was to separate the provider of the platform from the publishers.

This acquisition model has brought about a series of models with the formation of 46 e-book collections of different contents and sizes. Access to content has therefore put citizens in an unequal position in relation to each other. Some have extensive e- and audiobook collections, while others only have e-books.

The E-library project was established to correct these issues presented above by implementing a shared e-library for all Finnish public libraries. The purpose of the project is to improve the usability and digital collections of public libraries by creating a one-stop e-library for Finnish library users.

INTERACTION BETWEEN AUTHORS/PUBLISHERS/LIBRARIES

In “the e-book for public libraries” project, set up in collaboration with publishers, license models following suitable requirements for Finnish public libraries were created: the one copy - one user model; the one copy - multiple user model and loan pool. After the project, the constant contact and follow-up with the publishers was transferred to the service provider. At the end of the day, new license models have been introduced with the result that each service provider has its own models, such as pay per view.

Consortium of Public Libraries has discussed with publishers on the same playground, but not the licensing model. The Consortium of Public Libraries is funded by Finnish municipalities through fees which are calculated...
on the number of inhabitants that libraries serve; The Consortium represents libraries in the negotiations and the tendering of digital content.

The e-library project is currently negotiating with publishers to find an economical balance between commercial services and public libraries. The aim is to create ways to secure collections to the libraries also in digital form.

Also, there is practically no contact with Swedish publishers, and the international provider Overdrive reports problems in contacting them. (Apparently, this is a problem also common to Swedish libraries).

Officially, there is no embargos or windowing practices, although embargoes have been reported for some titles. The e-book trade for libraries is generally not aligned to the e-book trade and there should be more transparency in the process. Another problem is that there is no interoperability with the publishing catalogue and therefore information in advance about the availability and prizes of e-books to libraries is not available.

DRMs are currently directly administered by the three aggregators.

**THE ROLE OF LIBRARIES AND OF PUBLIC POWERS**

The e-lending scheme in Finland is not clearly consistent with the law case 174-15 of the European Court of Justice of the EU because authors are not remunerated. The Ministry of Education and Culture is finding ways to reimburse authors and studies have been promoted, although there is not yet a clear solution. On 19.10.2022, the Ministry of Education and Culture announced that there is no impediment to the remuneration of authors through PLR (public loan remuneration); even more, they made clear that compensation could have an 

In spite of smooth relations and close monitoring, there are criticalities that may suggest the further enhancement of the scheme in the following directions:

1) the scheme is considered expensive, since only 15% of citizens have access to it; the following shortcomings were detected:
   a. The basis for pricing e- and audio books and the distribution of costs in the value chain are unclear;
   b. citizens’ access to local collection is unequal;
2) authors are not satisfied because they are not remunerated;
3) the second biggest publisher in the country does not offer e-books and a solution to this is being sought.

In general, Finnish publishers do not seem to have a clear vision on e-publishing and feel they are threatened in an e-book trade environment. Whereas the printed book scheme is easily predictable and publishers knew in advance the number of book orders that libraries may be able to place, this information is not available for e- and audiobooks and publishers’ attitudes seem to be described by uncertainty and hesitation. Although there is clear awareness that there is no piracy in libraries, there is a lack of understanding on the publishers’ side.
It is possible to monitor the scheme and have a good understanding of users’ practices. It is possible to identify the deliberate features, like age of the user, but not sex.

Some users are happy, some are not. In general, there are complaints about the number of platforms and the fact that too many platforms create confusion among users. Paradoxically, it is not possible for users to know what libraries may make available to them, for instance, no less than 80% of the users do not know that libraries also make available e- and audiobooks.
4. E-LENDING IN FRANCE, BY VALÉRIE BOUISSOU

INTRODUCTION

In France, more than 16,000 public libraries are currently listed, the two national libraries, the Bibliothèque nationale de France (BnF) and the Bibliothèque publique d'information (Bpi) are under the direct supervision of the Ministry of Culture. The vast majority of other public libraries (municipal libraries, departmental lending libraries) are under the responsibility of local authorities. These libraries have very different means depending on the size of the community they serve. In their regard, the action of the Ministry of Culture is multiple: definition of the legislative and regulatory framework, statistical evaluation of their activity, technical and scientific inspection provided for by the Heritage Code, technical and financial support through various mechanisms.

Municipal libraries: some figures (2018 data from the Observatoire de la lecture publique)

Nearly 90% of French people live in a community offering access to at least one library;
€145.5 million in documentary expenditure;
279.5 million in loans;
16,3 million audio documents;
7,6 million video documents.

Libraries are monitored by the Department of Libraries of the Book and Reading Service (DGMIC) at the Ministry of Culture.

Information on e-lending was provided by Ms Valérie Bouissou, on the basis of a Report drafted in 2019 by Réseau Carel and the Ministry of Culture. The 2019 Carel investigation dealt with the totality of paid-for digital resources acquired by French public libraries, although it puts more emphasis on resources acquired through the Carel network.

GENERAL DATA AND THE LEGAL FRAMEWORK

In France, e-lending of books is taking place in an eco-system called PNB “Prêt numérique en bibliothèque”. PNB offers both a legal and a technical framework for making digital books available in libraries. PNB is an inter-professional project, an economic model and a technical data exchange system. Dilicom, the project’s technical operator and trusted third party, coordinates exchanges and transactions between the various players in the book chain (publishers via their distributors, booksellers and libraries) thanks to a technical interface that connects the various information systems.

From a copyright point of view, PNB is based on a contractual model: publishers negotiate the marketing rights of digital books with the authors or their beneficiaries and then set the price and conditions of use for public libraries. With regard to the law on the single price of digital books, this price is fixed and corresponds to a specific offer towards libraries and with precise access conditions (numbers of loans and simultaneous users authorized, maximum duration of access to the title).

2 Director, Public Library Nîmes and Chair, EGIL.
Since 2014, more and more library networks have joined PNB and usage is gradually increasing. The arrival of the new LCP DRM in PNB also offers interesting prospects for facilitating the uses of digital books and for increasing the number of titles available. There is still room for improvement in PNB. Publishers are working to enrich this offer, which already covers a large part of the production; it is also to be hoped that the dialogue between librarians and publishers can improve the conditions of access, in order to adapt them even better to the expectations of libraries, both small and large.

This dialogue is mainly conducted by the association “Réseau Carel”. The association is a national network of competences and exchanges in the field of electronic documentation for public libraries, structured around an online collaborative tool. The principal aim is to contribute to improve the editorial offers, the information systems, the pricing methods, ergonomics and accessibility, to develop acquisition policies and to develop the policies of acquisitions and valorisation in the field of digital resources as well as the observation of the uses; and then evaluate the digital resource offers.

In France, the average number of e-resources subscribed by all public libraries is 9,1 per library, of which 55 % are negotiated through the Réseau Carel (2019 data). Two public libraries - BCU Lausanne and BPI – acquire respectively 300 and 107 resources. Without these two libraries, the average number of acquisitions falls to 5,3 e-resources. In general, it can be said that, when library expenditure is equal to € 10 000 yearly, the average number of acquired resources is 2,8; when library expenditure is about 30 000 € per year, the average number is 19,1.

The PNB (Prêt Numérique entre Bibliotheques) platform, is used by 46 % of the public libraries having responded to the 2019 investigation of réseau Carel. In 2019, 196 libraries networks were connected corresponding to 5,100 libraries benefiting the service. The enquiry shows a very heterogeneous landscape and a growing role for departmental lending libraries.

The average budget spent by libraries on PNB amounts to 9,182 €, with 44% of public libraries allocating less than € 5000 for PNB transactions, 40 % public libraries allocating between € 5,000 and 20,000 and 12 % more than € 20,000. The following libraries are at the top of public library expenditure on e-books e-lent through PNB: BCU Lausanne (€ 60,000), Médiathèque Sillon lorrain (€ 50 000) and the Médiathèque départementale du Pas-de-Calais (€ 30,000). In 2018, public libraries spent an average € 0.65 for any registered user through PNB.

In France, e-lending is an issue relevant within the European law on authors’ right; therefore, there is an active role of public authorities in ensuring that there is an appropriate balance between, and a role to, all actors belonging to the (e-)book chain. The French Ministry of Culture actively supports e-lending in public libraries. In 2014, The French Minister of Culture has signed with representatives of professional organizations and local authorities a text of recommendations for the distribution of digital books by public libraries. This text establishes a balanced framework for the development of digital book lending in libraries, while respecting copyright, remuneration of creation and public expectations. An inter-professional working group, including representatives of authors, publishers, booksellers, librarians and elected officials, has drawn up these 12 recommendations, which constitute principles and best practices shared by all the players on several important issues, such as the conditions for distributing digital books to libraries, usage models, economic models and the legal framework for the distribution of digital books by public libraries.

The document includes the following recommendations to all signatories, who should:

1. Ensure that public libraries should have access to the totality of the publishing output;
2. Ensure that bookshops are made aware of the offer of digital resources for libraries, so that they are enabled to offer them to libraries;
3. Integrate quality metadata that are needed for transactions in the digital offers to public libraries;

4. Ensure the interoperability of the catalogues proposed to public libraries;

5. Develop access to digital resources for public library users both within library premises and from remote places;

6. Acknowledge that regulating access to digital resources is needed to ensure a balance between consultation in libraries and acquisitions in bookshops, since e-books do not have the same modalities of usage as printed books;

7. Acknowledge that Digital Rights Management are a proper way to ensure access to digital resources in libraries;

8. Facilitate the offer of digital libraries to people who are unable to read;

9. Share usage statistics;

10. Adequately remunerate authors and maintaining all opportunities for creation in the publishing environment;

11. Experiment a diversity of economic business models;

12. Ensure the stability of the contracts signed with local communities.

**INTERACTION BETWEEN AUTHORS/PUBLISHERS/LIBRARIES**

A concern of public authorities is that actors already operating in the printed book chain may find a similar role in the sale of digital books to individuals and in the lending of digital books to libraries. The business model works as follows.

Dilicom circulates information: they deal with e-book records and loan requests as well as the metadata of titles. The system is open to booksellers, traditional suppliers to libraries, at least those who have set up an interface that allows a library to buy digital books. Not all booksellers join the system since this represents a significant investment.

Distributors of printed books also deliver e-books. Libraries, however, do not detain the files, which go directly from the distributor to the reader. The library does not own, even temporarily e-books, it only owns the metadata of the titles and the licenses on e-lending rights.

The publisher dictates the conditions of sale of the books they publish, which vary considerably from one distributor to another. The portal provider develops the interface with readers, Dilicom and the distributors, according to libraries’ requests, provides a turnkey solution. Through the platform users to consult a catalogue, to access their account and to address a loan request through Dilicom to various distributors.

From the library’s perspective, a digital resource comes together with a license that gives certain rights within the time and the price determined by the publisher. A library knows whether a book is purchased because the book title is displayed on the portal and because loans start flowing in.

A digital book which is made available on PNB is defined by 6 components: the price of the book, a time-limited license, a series of tokens, authorization for simultaneous loans, the maximum authorized loan duration and the reference price on which the price of the digital book is calculated.
The price of an e-book is defined in a way that is different from the printed book. While this is a well-defined object, the digital book in PNB is determined by the duration of the license and the number of tokens. A license is limited in time from 6 to 7 years, and sometimes 10; in some cases there are no time limits. This situation reflects the rotation of shelves in libraries, where books are discarded after 9-10 years. This wear-and-tear permanence of the book in the library is somehow artificially reconstructed by the publishers in the digital environment.

The license enables libraries to acquire a certain number of chips in casino terms, i.e. the number of loans that the publisher authorises the library to make during the term of the license. As soon as a library uses all chips they are entitled to, the license expires, even within the time limits. Once the terms of the license expire, the license is automatically terminated.

A long-term license allows libraries to purchase catalogue holdings having a slower turnover rate. A short-term license encourages libraries to purchase recent, new, or even best-selling books to be lent out quickly. The collection policy of the digital library changes accordingly. Experience shows that new e-books have a rapid turnover. Some libraries have opted for an acquisition policy essentially focused on new titles, in the short term at least. A long-term license allows libraries to make their users discover older titles. Réseau Carel’s action encourages acquisition policies based on long-tail products.

The number of tokens is also a qualifying element of e-acquisition policies. A small library will have less trouble in lending all the tokens of a book – for instance 30 tokens instead of 60 – and may find more convenience to pay half the price for license. Flexibility in the number of tokens protects the interests of small libraries with a license not based on the duration of the license, but on the number of tokens.

The cost for a library is therefore the relationship between the total price of the e-book/number of tokens and is a good indicator of the soundness of a library acquisition policy. Distributors also use the same variables.

The requirements set by publishers may be different according to the distributor. It is the reason why libraries are asking their providers to display the unit cost of the token on their acquisition platform.

The reference price that the publisher uses to set the price of the book in PNB must be included in the criteria. The publisher fixes a multiplying coefficient and this tendency is being generalized. Some publishers use multipliers of less than 2; for other, the multiplying coefficient is close to or equal to 3. A better indicator is the unit cost of the token because some distributors offer batches of 60 tokens for one title and others batches of 20 tokens for one title.

For many publishers there are two reference prices: the price of the book when it is released and then a reduced price after a year, or the price of the paperback, even if this notion is strange when referred to digital books. Some publishers are keen to preserve, at least temporarily, the notion of paperback in digital (notably for marketing reasons). Some publishers even manage to have three consecutive prices: price of a novelty book, price after one year sale and the paperback price. This makes things even more complicated.

PNB has chosen to rely on a time-dependent DRM. DRM (Digital Rights Management”) is a technical device that allows to protect the digital book against certain unauthorized uses (duplication of the file, massive copy-paste,...). It also allows to limit the possibility of opening the file, which is an operation similar to borrowing. So if the borrowing duration is fixed by the library to 30 days, for example, at the end of this period the file can no longer be opened by the reader; this corresponds to an automatic return of the book.
The DRM used for PNB, Adobe DRM, also allows for an early return so that other users can borrow the e-book, provided that borrowing does not exceed the ceiling set up by the library. For example, if the user has actually 5 titles on loan, the fact of returning a title in advance allows her/him to borrow a new one. Among the weaknesses of Adobe’s DRM, it is to be mentioned its relatively high price (8 cents per loan), the absence of certain functions (namely, the basic function in a library of extending the loan term) and the fact that the data that the user has to introduce during the creation of the account (a prerequisite for opening borrowed files) are kept by a single major commercial player.

These weaknesses of the Adobe DRM have encouraged Dilicom and several PNB players to think about the adoption of another DRM recently produced by EDRlab (a European association linked to the Readium Foundation), LCP, which is now currently used.

**THE ROLE OF LIBRARIES AND OF PUBLIC POWERS**

Libraries subscribe to the offers made by distributors partly through Réseau Carel, partly directly through PNB. Specific to PNB, is also the ability of the library to lend simultaneous loans of the copy they have purchased. This possibility must be authorized by the publisher, otherwise it is technically impossible. When PNB was launched, it was not uncommon for some publishers to allow up to 20 simultaneous loans. Under the pressure of some authors’ societies, many publishers have gone back to decreased numbers with two major distributors now offering five simultaneous copies. This requirement allows to concentrate loans in the time window when the book is requested. Libraries not resorting to PNB claim that this service is expensive, or does not provide with a satisfactory offer.

Some authors’ societies fear that the simultaneous copy requirement may cannibalize the trade of the book at the very time the author is making the most sales, but this element has not been proven by any study. Rather the opposite, there is evidence that the overall effect (not limited to new releases or new titles offered through simultaneous lending) tend to show a positive effect of lending on sales.

Two major publishers - Hachette and Albin Michel - do not permit simultaneous loans, in spite of Réseau Carel’s recommendations to allow a minimum of 10 simultaneous copies.

Dilicom has launched a project based on the interaction between four components, within a system: a distributor's warehouse, the bookseller's sales platform, the library's lending platform (one library or a network of libraries) and, at the centre, the Dilicom hub. The sequential operation can therefore be described as follows, with three chains of actions taking place in parallel: the first for the dissemination of metadata, the second for the acquisition of a title (or, more precisely, the authorisation to lend x times this title - x "tokens"), and the last one for the borrowing of a digital book.

1st sequence: metadata supply. The distributor sends the Dilicom hub the description (the metadata in Onix format) of the offers defined by the publishers it distributes; offers are integrated into the Fichier Exhaustif du Livre (FEL) and distributed to the bookseller connected to the hub. The bookseller presents the offers of the various distributors to the libraries under contract via the Web interface of its platform. (Files are hosted by distributors and they leave the warehouse of a distributor only to be directly downloaded by the library).

2nd sequence: acquisition of a title by the librarian. The library proceeds to its acquisitions from the bookseller by connecting to its professional space within the bookseller's platform. The bookseller validates the library's order and sends it to the hub; the hub transmits the orders to the distributors' platforms concerned by the titles ordered so that they can prepare their warehouse for the supply of these titles for future downloading by the library users. The hub transmits the metadata corresponding to these titles to the library's platform.
3rd sequence: the borrowing of a title by the user of the library. The user asks to borrow a title on the digital platform of his library. The library's platform sends the loan request to the Dilicom hub; the hub examines whether there are still tokens available for the title, transmits the request to the distributor's platform. The hub validates the order and sends the request to the distributor's platform. The link is downloaded by the library, which sends it to its reader. The user downloads the digital file in a reading application present on his reading device (e-reader, tablet, laptop, smartphone, etc.) and the book is ready for reading. At the end of the loan period, the file will either be no longer available or will disappear from the books in the application/reading tool; this is known as chrono-degradability.

Users' practices

In 2019, the most popular resources subscribed by public libraries were: Toutapprendre.com (self-learning through e-learning courses, e-newspapers, e-books and e-cartoons, and other services), Médiathèque numérique (a selection of films), Arte UniversCiné (a selection of films d'essai), LeKiosk (newspapers and magazines), diMusic (cultural diversity and artists), la Cité de la musique en ligne (music), Skilleos (photos), Vodeclic (software programmes, webapps, cloud services), Assimil, (language courses), Storyplayr (children books), Europresse.com (magazines). These resources are aggregations including huge quantities of resources; to give an example, Dimusic offers a catalogue of more than 7 million titles.

Concerning the status of the offer of digital resources proposed by Réseau Carel, the institutions surveyed identified several obstacles to the development of digital technology. First, the cost of e-resources is strongly criticized. The economic models based on usage slow down the development and even call into question the sustainability of the offer.

Lack of institutional communication about the digital offer can also slow down the use and development of the offer, especially for those libraries that are not open to the public and work in collaboration with partner libraries in their territory. The question of statistics also comes up to the stage. Indeed, both institutions mention the difficulty of defending the interest of purchasing digital resources in libraries to their colleagues and, above all, with the supervisory body that funds these resources, because of the heterogeneity of the indicators.

Other obstacles to the development of digital resources are mainly technical. The obsolescence of certain products/services makes it impossible to develop the library's digital offer. Another frequently cited example is that DRM on digital books considerably complicates reading and discourages users. Search engines on some platforms are not efficient and do not take into account the width of the digital offer. All libraries surveyed report that they spend a considerable amount of time in providing technical assistance to users and resolving bugs.

Users' willingness to consult the digital offer proposed by the library is another factor which hampers the development of the digital offer in libraries. The library's e-offer is in competition with the rich domestic packages proposed in particular by telephone operators (for films, press and music). Resources are still consulted in streaming while many users have problems with internet connections, whose functioning remains uneven across the territory. The general impression is that digital resources remain tools that are only accessible to computer-literate people, use proprietary formats and do not work on all formats and on all devices. The development of digital resources in libraries can only be based on the most open resources possible, working on all devices, whatever their version.

In addition to these various obstacles, it is difficult to evaluate the use of resources by the public. Institutions have great difficulty in obtaining reliable and consistent statistics that would allow them to set up reliable and
consistent data enabling them to accurately assess the use of their resources. When institutions manage to get statistics, they find that digital resources are still not well known by the public.

The results of the use of self-training resources are more uneven and librarians seem to be very much linked to the mediation and partnerships set up by the library. In some libraries, reading on screen and technical problems have led to a decline in usage. Some "niche" resources allow the library to play its role as a discovery space, but their promotion will remain difficult and their use is limited.

**PROFESSIONALS’ EXPECTATIONS.**

Professionals that have been interviewed are in demand for training and tools specific to digital collections, in particular in the mediation of digital resources or in the management and use of tablets and e-readers, in particular when related to self-learning resources. They would like to have tools enabling them to manage and use applications for promoting digital resources integrated into the media library’s portal. These expectations are mainly related to the cinema, online press and audio book offers. Concerning the press, librarians expect, for instance, a subscription to *Le Monde en ligne*, more national daily newspapers and, on Pressreader, more magazines. Librarians would like to see offers like Canalplay, Amazonplay, Netflix, HBO negotiated. They also would like to be able to "buy" recent documentaries in digital form.

Librarians’ expectations are technical simplicity and adapted functionalities such as the administrator’s module - libraries need reliable and directly accessible statistics, good ergonomics, improvement of DRM to facilitate the reading of digital books. Libraries expect publishers to adapt to the technical constraints of libraries by improving interface with metadata and better information about their potential maintenance work or technical malfunctions.

Concerning financial issues, it seems that digital resources are very expensive: they take up a large part of the budget, even though they are less used than physical resources. The pricing model should not be indexed to usage. On the PNB system, a library is expecting for digital books to be more accessible and the creation of a national platform of e-resources could help rationalize costs. Expectations from the libraries are: at least 5 simultaneous accesses and 20 tokens for a license lasting at least 5 years.

**Users’ expectations.** Users ask for digital books, online press, youth resources and children’s resources. In all the libraries surveyed, users seem to be satisfied with the digital offer that is proposed to them. They appreciate a cultural offer of proximity, accessible 24/7 from their homes. The public is sometimes astonished by the richness of the proposed offer. They express specific requests concerning the purchase of video games on consoles and specific needs for self-training. Concerning audio-visuals, users would like to consult beyond the quota allowed for films. Feedback from readers is positive despite the technical difficulties they may encounter.

Other random answers refer to PNB as too complicated for users, while others emphasise that going through the library’s portal to access digital resources is cumbersome for readers and hinders use of the resources.

**The expectations of the supervisory authority.** Supervisory authorities are not straightforward in supporting digital resource projects in libraries. Some of them are not interested, the majority see in it an innovative image for libraries that are accessible 24/7. In the majority of cases, elected officials are not aware of the creation of the digital offer and trust the library management.

**Expectations of Réseau Carel.** Interviewed librarians encourage the association Réseau Carel to continue to defend the interests of libraries. Some librarians regret not being able to invest more time in this important and useful work, while others, who are very involved in Réseau Carel, would like to see more colleagues participate.
On the site, the catalogue of digital resources is consulted by the majority of the librarians interviewed. Registration in the Carel catalogue is interpreted as a quality label. They praise the work of negotiation with the publishers, while measuring the extent of the work to be done.

Some members would like to see more regular updates. Several librarians point out to the limitations of negotiations: publishers offer different pricing conditions than those published on the Carel website, rates should be negotiated with some toughness. Réseau Carel should have more leverage with publishers and have more means to negotiate by creating a consortium similar to Bibliopresto in Canada. Some librarians also would like to be better informed about the status of negotiations.

One library regrets that the extensive work on paid-for resources is leading to the neglect of the work on open access resources, even though expectations are high on this subject. Almost all librarians interviewed expect the Réseau Carel association shares experiences on digital resources, evaluation, digital projects carried out by members about the use of resources, so that difficulties encountered in the management of digital resources become common knowledge.
INTRODUCTION

There are approximately 6,859 public, 240 academic and 400 special libraries in Germany, where the library landscape is decentralized – there is no central planning and control authority, in spite of intensive cooperation among libraries. Most libraries are financed with public funds from either the national state like the National Library, the 16 federal states (Region, Laender) like many but not all academic libraries, or local authorities like most public libraries, along with other very rare sponsorships.

Five of the 16 Individual federal states have library laws which describe the system as a networked, cooperative system at the level of the respective state, but do not define standards or funding framework except for in Schleswig-Holstein. Due to the federal state system, there is no national library law.

Cooperating institutions have been established at the federal levels: library departments and library service centres as well as regional library network systems. Member-funded professional associations play an important role. The most important are: The German Library Association (dbv) as an association of institutions, and the two Professional Association Information Library (BIB) and the Association of German Librarians (vdb) as associations for employees. These associations are united, together with the Goethe Institute and the ekz Library Service Group, under the umbrella association Library and Information Germany (BID).

Other central coordinating functions are fulfilled by, among others, the Network of Excellence for Libraries (knb), which, for example, develops the German Library Statistics at the Hochschulbibliothekszentrum NRW, and the German Research Foundation (DFG), to provide financial support for projects and tasks in the academic library system.

Information for e-lending in Germany was provided by Barbara Schleihagen, Director of the German Library Association (dbv).

GENERAL DATA AND THE LEGAL FRAMEWORK

In 2020, there has been an estimated number of 30,2 Million e-lending transactions in Germany, which corresponds to 13,54% of lending transactions of lending of printed/physical products (223 Million). It is fair to say that these statistics having been taken in 2020, the first year of pandemic, and reflect a spectacular increase for the loan of digital products library loan and a considerable decrease for the loan of physical products. These figures are referred to public libraries only and are provided by the German Library Statistics, an excellent source

3 Director, German Library Association.
6 https://aspb.de/ueber-uns/
for general statistics, but not very detailed. Internal statistics related to one of the two main aggregators for e-product loans in Germany - Divibib GmbH and Overdrive Inc. - are not available.


Sales of e-books in the general-interest book market increased by 16.2 percent in 2020 compared to the previous year, while unit sales climbed by 10.8 percent from 32.4 to 35.8 million copies sold. In 2021 sales increased by an additional 6.0% from 35.8 to 38.0 million copies sold (5.7% of the whole book trade) [source: https://www.boersenverein.de/markt-daten/marktforschung/e-books/]. According to Boersenverein des deutschen Buchhandels, the e-book turnover generated from loan in libraries (only via Divibib) is equal to € 26,9 Million – this figure, however, is based on assumption and the real cost is 12.222.736 Euro paid for the licenses contracted by public libraries with Divibib GmbH and Overdrive Inc. Since there is no legal basis for e-lending, e-lending royalty are not distributed to authors.

There are no legal regulations on e-lending in Germany, but all library transactions are based on licenses negotiated through two intermediate actors and aggregators: Divibib GmbH and Overdrive Inc. Divibib is a subsidiary company of the ekz.bibliotheksservice; it created the “Onleihe” service in 2007, which is active in all German-speaking countries and in Italy, France, Denmark and Belgium, as well as in all Goethe-Institute sites all over the world. Divibib GmbH offers a service that is called “Onleihe”, which is not a mediator but an aggregator.

The Onleihe offer includes E-Books und E-Paper, E-Audio und E-Music, E-Video and E-Learning. OverDrive Inc. is the German branch of the American company leader in digital reading platforms for libraries and schools, with a worldwide diffusion in 84 countries. OverDrive has provided ebook services for Germany since 2014 and partnered with Libreka, one of the largest distributors in Germany representing over 40,000 publishers and more than 1,000 domestic and international trading partners. The OverDrive network uses a one-tap reading app, Libby.

Loans of physical products in Germany falls within the German copyright law, where library royalties to authors are regulated in Section 27 (2) UrhG. It is estimated that libraries pay around 3-4 cents for each loan (14,9 million divided by the number of loans). In Germany, royalties are not paid by libraries but by the 16 federal states (KMK) and the national government. They negotiate regularly a new contract with the Verwertungsgesellschaft Wort (VG Wort). The amount paid by the 16 federal states and the national government (2020 and 2021: 14.9 million euros lump-sum remuneration) is distributed to the authors and the publishers in the form of royalties after deduction of VG Wort’s administrative costs. This distribution is made according to criteria determined in the contract between KMK and VG Wort. While there are royalties to authors and publishers for the lending of physical products, no royalties for authors and publishers are paid for e-lending. Libraries do also not play a role in the governance of VG Wort.

Basic licensing agreements for e-products are based on the principle of one copy - one user. Therefore, local practices are consistent with the law case 174-15 of the Court of Justice of the EU. Publishers and authors are against a legal framework for e-lending. They claim that e-lending by libraries is cannibalising the free e-book trade and they prefer to negotiate condition and prices.

**INTERACTION BETWEEN AUTHORS/PUBLISHERS/LIBRARIES**

In Germany, the basic model is the one copy - one user loan model - a digital library can pay for multiple copies of a title when it pays accordingly, but only one user can borrow a copy at a specific time. When it comes to multiple copies, there are different licensing models offered by Divibib GmbH and Overdrive Inc. Divibib makes
available a catalogue of 500,000 e-book titles by approx. 7,200 publishers with the following limitations: only 7% of them concern publications of recent release (referring to 2021); ca 40% of the catalogue concerns e-books published in the years 2014-2017, and more than 10% are older than 2010. Many of the 500,000 e-book titles are therefore not relevant for library users. Moreover, big publishing houses set an embargo of up to 12 months.

E-books made available to libraries are often sold at ca 1.5 the price of the same e-book to the customer. In other words, there is a general increase in prices when an e-book is sold to libraries.

Over 3,500 libraries (inside and outside of Germany) rely on Onleihe for their e-book loan transactions. The two aggregators - Divibib GmbH and Overdrive Inc. - are implementing DRM devices and they exert full control over them. In 2018, Divibib discarded the Adobe DRM system and adopted "CARE" (Content & Author Rights Environment), a DRM solution based on the open source solution Readium LCP 2015. CARE’s advantages are that: a) It enables the lending of electronic reading media without an additional password and registration with a DRM provider; b) protected content distributed by Onleihe no longer requires additional reading software such as Adobe Digital Editions (ADE); c) data inserted by users in the library also work for access to Onleihe.

Piracy is no major impediment for authors and publishers to go digital, since there is a commercial offer of e-books.

THE ROLE OF LIBRARIES AND OF PUBLIC POWERS

Individual e-books are offered under license by the aggregator to public libraries under the conditions set by publishers. In Germany, public libraries do not negotiate with authors / publishers / collecting societies.

Academic libraries negotiate e-media themselves, often in consortia, they are very often forced to accept bundle packages under license at very high prices. Scholarly communication publishers operate on their own platform and only registered members of the university can use these media.

Licences offered by aggregators also provide the necessary technical platform for public libraries where e-books and e-media are borrowed by all registered members of the public.

Divibib GmbH is not assisting libraries in their negotiations, but they negotiate all licences on behalf of libraries. They provide the technical infrastructure that is integrated into the digital portals of the libraries. At the same time, they arrange the licences that allow the public libraries to offer e-books to users according to the respective licence. Next to Divibib GmbH, Overdrive Inc. too is offering their services to libraries. About 100 libraries (especially big libraries) are using both services.

Public libraries are institutions that serve the general public and are paid through taxation. Since they have a much broader mission than just lending (e-)books, they provide free access to information and freedom of expression in any format.

E-lending is seen by librarians as a support for the book field, as it raises interest in reading and stimulates also the buying of books, while authors and publishers claim that e-lending is a factor causing harm to the book trade.
The German Library Association has lobbied for more than 10 years for a legal basis for e-lending. Libraries consider that an embargo of up to 12 months set by major publishing companies is not acceptable. In addition, libraries think that it is unfair that authors and publishers do not receive royalties for e-lending. The Authors Association in Germany claims that authors do not earn enough from e-lending. In addition, they regard royalties as too low already for the printed environment and ask for an extension to e-media and an increase by 10 times. The Publisher Association fears that e-lending cannibalises their e-book sales.

During the implementation of the EU directive, the Federal Council (Bundesrat) suggested on 26 March 2021 during consultation phase, a new paragraph for legal regulation for e-lending:

§ 42b Digital lending

If a written work has been published with the consent of the rightsholder as a digital publication (e-book) and is available as such, the publisher is obliged to grant non-commercial libraries the right of use on reasonable terms and conditions. Reasonable conditions include in particular that the libraries are granted the right to make one copy of the work digitally available to one person at a time for a limited period.

This clause was not included in the final law. However, the coalition agreement which forms the basis of the current Government promised that they will find a solution for e-lending based on fair conditions.

**USERS’ PRACTICES**

About 1/3 of the users are unhappy with the offer, since there are no new releases and not enough copies for popular titles. There is no study available about users’ behaviour in relation of the use of printed books and e-books. Many public libraries offer also borrow devices.

There is a need for a broader user behaviour study. From the GfK survey (GfK is a provider of data and analytics to the consumer goods industry), we know that library users are main book buyers and that they buy more than non-e-book users. However, the cross-media usage is not known. From personal experience we know that readers use both printed and e-books, and some read e-books and buy afterwards the printed version as a gift for friends.
GENERAL DATA AND THE LEGAL FRAMEWORK

In Greece only the National Library of Greece (NLG) engages in e-lending, as part of the Greek public library system. The annual number of e-lending transactions at the National Library of Greece has been approximately 19,472 in 2021. In 2020, the number of e-lending transactions amounted to 23,919; 1.34% of the total number of lending transactions which amounted to 1,782,553 the same year (Hellenic Statistical Authority, ELSTAT).

The Greek National Library only caters for trade books in Greek. The greatest percentage of e-lending is realised through academic libraries (scientific publishing, mostly).

<table>
<thead>
<tr>
<th>Category</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Fiction</td>
<td>72,90%</td>
</tr>
<tr>
<td>Social sciences</td>
<td>9,15%</td>
</tr>
<tr>
<td>Philosophy and psychology</td>
<td>7,25%</td>
</tr>
<tr>
<td>History and geography</td>
<td>5,58%</td>
</tr>
<tr>
<td>Technology</td>
<td>1,58%</td>
</tr>
<tr>
<td>General interest</td>
<td>1,33%</td>
</tr>
<tr>
<td>Arts</td>
<td>1,01%</td>
</tr>
<tr>
<td>Other</td>
<td>2,31%</td>
</tr>
</tbody>
</table>

There is no official agency that collects data on the subject of e-lending in Greece. The only way to find relevant statistics would be by contacting libraries individually.

Concerning e-lending, the only legal framework is the general law of contracts, in combination with the law on the protection of intellectual property 2121/1993. The National Library of Greece has designed and implemented the eReading Room Service, on the basis of negotiations undertaken with publishers.

In the case of academic libraries, part of their online collections is provided by Heal-Link which negotiates all the contracts on behalf of all Greek academic libraries. The rest of their online collections is negotiated directly between libraries and individual publishers or libraries and intermediates (such as EBSCO).

INTERACTION BETWEEN AUTHORS/PUBLISHERS/LIBRARIES

As e-books are purchased on an individual basis, the only e-lending platform is provided by the National Library of Greece: [ereading.nlg.gr](http://ereading.nlg.gr).
Lending is ensured for a period of 15 days with a renewal period of 15 more days (1 renewal for each e-book), up to 3 simultaneous downloads. As an average, that makes 36 e-book downloads yearly per user. Public libraries do not engage in e-lending, although their users would like to benefit from more variety and a bigger collection of e-books.

Since e-books are diffused exclusively through the e-reading room at the National Library of Greece, the publishers themselves are in charge of disseminating the royalties to the authors.

E-lending transactions are limited in time and in use. The e-lending model envisages a compensation to publishers based on the maximum amount of downloads in the first two years an e-book is made available for e-lending, irrespective of whether the book is actually used or not. After the first two years, publishers are compensated for the number of actual downloads.

In Greece, there are some 950 publishers and of these, only 120 publish e-books. Only 15 from the 120 publishers allow their e-books to be used in e-lending services (1.6%) – these are among the largest and most prolific publishers.

There is no consensus amongst Greek publishers on requirements. Each publisher sets their own rules. Some enforce embargos, some do not. We have seen a limit on the number of times that an e-book can be borrowed. For example, 100 downloads per year for each e-book. There are, however, no embargo provisions. DRM services are implemented either by the publishers (if they already have a DRM server) or by the contractor. The most common used is Adobe.

The National Library of Greece has been trying to trace any pirated copies, but so far there have been no incidents on record, to the point that e-lending is considered by libraries the best way to decrease piracy. However, most publishers in Greece disagree with this position and this is the main reason why they are reluctant to allow e-books to be lent. However, at least in Greece and as far as Greek books are concerned, there are no serious incidents of e-book piracy. Piracy (or fear of potential piracy practices) is a major impediment for authors and publishers to go digital.

E-books purchased are purchased individually and in bundles, the latter being the most common and the one copy - one user model is followed.

Only academic libraries are networked in a system (HEAL-link) which is active in university libraries.

Libraries are well aware that networking is a crucial asset for pooling resources and gain favourable rates. E-books do not enjoy extreme popularity in general, so even libraries tend to underestimate their worth.

There are no significant policies or measures taken to support the e-book diffusion. In fact the only attempt that has been made is by the NLG and the launch of the e-Reading Room.

E-book readership for Greek books is very low; in fact e-books represent only about 10% of print titles in circulation. NLG is the only library that offers Greek language e-book lending. The users are happy that such a service exists, but they would like a lot more variety in the titles they offer. E-books do not have wide diffusion among children and teen-agers.
7. **E-LENDING IN IRELAND, BY STUART HAMILTON**

### INTRODUCTION

With a population of 4,995,000 inhabitants (2000), Ireland has a dense public library service including 330 library branches across 31 local authorities and 30.5 mobile libraries. Between 2012 and 2017, 45 new or extended library branches were created and, in 2018, there were 1,195,909 valid members and 17,067,255 visits to libraries. The number of loans in 2018 was 17,879,890.

Libraries play an important community role as centres of knowledge, information and culture. They develop a national literacy and reading programme (Right to Read), services for business and employment supports for locally based entrepreneurs, start-ups and job seekers, and a health information in public libraries programme, providing books, e-books, audiobooks and e-magazines.

Academic libraries are largely funded through the core government grants to higher education institutions or through central funding for private institutions. The Health Service Executive runs 28 libraries and other hospitals host independent libraries in medical and healthcare settings.

### GENERAL DATA AND LEGAL FRAMEWORK

The Library Development, LGMA, **COLLECTS GENERAL STATISTICS ABOUT LIBRARIES, IRELAND. DATA AVAILABLE ON THE LGMA WEBSITE SHOW THAT** The public library service provides access to a large collection of free online resources:

- More than 58,699 eBooks and 44,571 eAudiobooks
- 4,000 magazines
- 2,500 online newspapers from over 100 countries
- More than 500 e-learning courses
- More than 100 online language courses

<table>
<thead>
<tr>
<th>Year</th>
<th>Ebook Loans</th>
<th>Audiobook Loans</th>
<th>Libraries overall media expenditure</th>
</tr>
</thead>
<tbody>
<tr>
<td>2017</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2018</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2019</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2020</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2021</td>
<td>900,441</td>
<td>1,283,646</td>
<td>1.7 mil euro</td>
</tr>
</tbody>
</table>

---

7 Head, Libraries Development at Local Government Management Agency (LGMA), County Dublin, Ireland
In percentage, this represents 0.18 e-book transactions per inhabitant and 0.25 e-audiobook transactions per inhabitant.

The number of book or audiovisual loans in Ireland is:

<table>
<thead>
<tr>
<th>Year</th>
<th>Book Loans (available)</th>
<th>Audiobook loans (physical)</th>
</tr>
</thead>
<tbody>
<tr>
<td>2017</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2018</td>
<td>17,879,890</td>
<td></td>
</tr>
<tr>
<td>2019</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2020</td>
<td>NA (Covid)</td>
<td>NA (Covid)</td>
</tr>
<tr>
<td>2021</td>
<td>NA (Covid)</td>
<td>NA (Covid)</td>
</tr>
</tbody>
</table>

In 2018 the percentage was 3.58: 3.58 loans per inhabitant.

There is no legal framework regulating e-lending transactions in Ireland, but only a contractual relation between LGMA, which negotiates on behalf of the thirty public authorities managing public library services, and the aggregator having been awarded the contract for e-lending transactions.

In the last quinquennium the e-lending contracted supply service was Bolinda. Originally an e-commerce website especially oriented at libraries, Bolinda started in 2010 a BorrowBox app where e-audiobooks are made available commerce initially to Australian libraries and, then, to the rest of the world, in particular Great Britain and Ireland.

Similar to OverDrive, Bolinda is one of the key suppliers operating in the Anglo-Saxon e-lending market; they work both on audiobooks and e-books.

Not only there is no regulation regulating current e-lending practices, but the Public Lending Right is not applied. Therefore, there would be no appropriate legal framework for e-lending on the basis of the two EU Directives on lending rights. Solutions for e-lending can only be found at EU level.


**INTERACTION BETWEEN AUTHORS/PUBLISHERS/LIBRARIES**

There is no dominant business model underlying e-lending practices in Ireland, but a variety of license models dependent on publishers’ decisions. Bolinda only acts as an intermediary between publishers and libraries and aggregates audiobooks, also managing DRM applications. In general, these are the terms of conditions of e-
publications set up by publishers in regard to the whole collection of e-publications, with best sellers being the front-end of the e-collection and publishers deciding their own windowing policies.

<table>
<thead>
<tr>
<th>Usage Conditions</th>
<th>Percentage of collection</th>
</tr>
</thead>
<tbody>
<tr>
<td>No Loan or Term Limit</td>
<td>59.2%</td>
</tr>
<tr>
<td>Loan Limit: 26</td>
<td>9.2%</td>
</tr>
<tr>
<td>Loan Limit: 26 &amp; Term Limit: 4 years</td>
<td>0.6%</td>
</tr>
<tr>
<td>Loan Limit: 36 &amp; Term Limit: 1 year</td>
<td>0.06%</td>
</tr>
<tr>
<td>Loan Limit: 36 &amp; Term Limit: 2 years</td>
<td>12.2%</td>
</tr>
<tr>
<td>Loan Limit: 52 &amp; Term Limit: 2 years</td>
<td>6.5%</td>
</tr>
<tr>
<td>Term Limit: 2 years</td>
<td>9.5%</td>
</tr>
<tr>
<td>Term Limit: 5 years</td>
<td>2.75%</td>
</tr>
</tbody>
</table>

Prices are also applied to libraries discriminatorily in relation to the unitary price applied to individuals. As a rule, it is 1.8 times more than the unitary cost of a e-book, when the publisher is Irish, 2.6 times more if the publisher is one of the Big Five, and 5 times more when it is an audio-book. This percentage does not apply to academic libraries, which are included in other supply chains.

There are two problematic issues in the current state of affairs. The first is that the basis underlying this system is fragile, with contracts that are renewed every one or every two years, and unsteady prices (normally three times more than the unitary price of a e-book). On this basis, it is hard for a library decision-maker to implement collection management policies which may serve the interest of the local community.

The second is that, with collection management being externalised, libraries do not engage with their own users. Since e-lending transactions are managed by the aggregating agencies, library patrons become invisible to libraries – libraries do not know any longer their usage patterns and practices.

The role of libraries and public powers

In the traditional lending environment, libraries are supporting the traditional book chain - the measure that better illustrates this approach is the Public Lending Right. The e-lending value chain is instead an opaque environment where royalties to authors are not known. The assignment of Public Lending Right would further increase e-lending costs for libraries. The issue of transparency along the e-book chain, however, stays relevant.
During the COVID-19 global pandemic, ebook usage soared by up to 300% and, with an additional €200,000 investment in e-books for public libraries, the government responded positively to this increase. The Library Association of Ireland launched an “ebooksos” campaign pointing to the dysfunctional market and skyrocketing customer demand in relation to ebook provision. This campaign resulted in increased levels of awareness of the challenges facing libraries. The ultimate goal of this campaign is that publishers play their part in the ebook market, but on fair, reasonable and sustainable terms.⁸

**INTRODUCTION**

This chapter is the result of two interviews given to Mr Giulio Blasi, CEO Horizon - a company in charge of e-lending transactions in Italy through their MLOL (Media Library Online) service oriented to public libraries and mediating between public libraries and publishers – and Mr Michele Corsello, librarian in Parma and MLOL coordinator for the Region Emilia (ca 4 M inhabitants, 7% of the Italian population). The interviews took place on 13 and 26 January 2022.

**GENERAL DATA AND THE LEGAL FRAMEWORK**

In Italy, it is not easy to collect data at national level, since the Italian Institute of Statistics has started collecting these data only recently. It is difficult, therefore, to build up historical series of data. Library policies are implemented at local level where “local” means either regional (as is the case of the Region Emilia-Romagna) or city level (as is the case of Milan, Rome, Turin, etc.). Thanks to the information provided by MLOL, Horizon Inc. (see below), it is possible to get data on e-lending on a national basis; MLOL claims to cover the totality of the book trade.

### E-lending transactions in Italy (e-books)

<table>
<thead>
<tr>
<th>E-lending transactions</th>
<th>2017</th>
<th>2018</th>
<th>2019</th>
<th>2020</th>
<th>2021</th>
</tr>
</thead>
<tbody>
<tr>
<td>E-Books</td>
<td>466 791</td>
<td>653 087</td>
<td>784 257</td>
<td>1 609 182</td>
<td>1 474 013</td>
</tr>
</tbody>
</table>

According to the Italian Statistics Office, in 2019 the number of loans of physical books was 45 469 000.

It may also be interesting to focus on a single region - the Region Emilia-Romagna - where e-lending is a priority in library policy.
## Data for the Emilia-Romagna region

<table>
<thead>
<tr>
<th>E-lending product (percentage / e-lending offer)</th>
<th>Overall budget 2022: €415,806 + €50,000 (separate funding)</th>
<th>Unitary cost / individual loan</th>
<th>Number of loan transactions</th>
<th>Relation physical / digital lending</th>
</tr>
</thead>
<tbody>
<tr>
<td>E-book (52%)</td>
<td>€220,236 + €50,000</td>
<td>0.95 (1 copy / 1-2 user(s) model) 1.75 (pay per loan model) 98% local access; 2% ILL</td>
<td>261,620</td>
<td>Parma: 332.622 physical (90.5%), 34.950 digital (9.5%) Modena: 784.790 physical (93.9%), 51,269 digital (6.1%) Piacenza 162.239 physical (88%), 22.186 digital (12%)</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>E-newspapers (45%)</td>
<td>€161,744</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>MLOL (8.1%)</td>
<td>€21,220 (fee and other services)</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Disparities from region to region and from city to city may produce anomalous data altering the meaningfulness of e-lending statistics. Small scale examples, like the provinces of Parma and Modena (ca 1,158,992 inhabitants, ca 2% of the Italian population) may be homogeneous and express a trend likely to be followed by other Italian cities and regions.

There is no legal framework for e-lending transactions in Italy; these are regulated through private arrangements made between library systems and publishers. Contacts with publishers are of an individual nature, although one big publishing group (like Mondadori, for instance) may cover up to 30 imprints and publishing brands.

The MLOL platform, set up by Horizon Inc., is specialised in the book trade, whereas other actors (for instance, Casalini Libri) operate in the Italian academic publishing business or (Il Mulino, for instance) have their own channels. MLOL mainly works with public libraries, whereas Casalini and Il Mulino operate in the Italian academic publishing segment. Global STM publishing is still another segment.

In regard to the CJEU decision on the one copy – one user model implemented in The Netherlands the impression is that CJEU has given legal status to e-lending, thus providing some kind of legitimacy to it; on the other, the one copy-one user model is not the only e-lending model. The risk is that a widespread application may freeze technological developments and provide an economic advantage to global platforms which are providing e-lending exclusively on the basis of this model. It can be a basic model but alternatives (flat rate, pay per loan, etc.) may even be more convenient for libraries.
INTERACTION BETWEEN AUTHORS/PUBLISHERS/LIBRARIES

There is no single model, but MLOL applies a variety of models. For instance, an ad hoc model has been found with GEDI (Italian publisher of La Repubblica, La Stampa, etc); still another with Il Sole 24 ore (Italian financial newspaper).

As a rule, two models are widely applied by MLOL:

a) one copy-one user (and most generally, one copy-two users), with a cap limit of loans or windowing practice beyond which the copy has to be re-purchased; under this model, an additional archive copy is provided for local, and not remote, consultation;

b) pay per loan, where the publisher applies a fixed price for each loan with no limitation; this model is particularly suitable for best-seller, which have a short life-cycle and therefore their e-lending cost is minimised. The pay per loan system is much appreciated by publishers because it guarantees a good balance between publishers’ revenues and library usage.

The distribution of e-books, however, is broken down between two dominant actors:

**Edigita** (60% of the e.lending offer). It is a publishing platform gathering some 10 imprints (Feltrinelli, Mauri Spagnol, etc.) and individual publishers (e.g. Nave di Teseo). Their e-lending model is one copy-one (and two in several cases) user model, where the licence is acquired to buy 40 downloads (twenty in the local system, twenty for digital ILL). This model has disadvantages: it is costly because it imposes an ILL quota to the detriment of the consumption in the local library. Moreover, even if there is no 14-day ceiling and is good for long-selling books (and not for the loan of best-sellers), e-lending stops when the credit (20 internal loans + 20 external loans, rarely used) is exhausted. According to Corsello’s estimation the one copy-one (or two) user model has a unitary cost of cover price + €0.90-0.98 / loan.

**Mondadori** (also including Einaudi, Rizzoli, etc), 22% of the e-lending publishing offer. Mondadori offers both models: one copy-one (or two) user model and pay per loan.

Both distributors have a share of 82% of the e-lending publishing offer.

Another important group is Giunti (also a MLOL major stakeholder). The only model provided is pay per loan, with pay per loan unitary costs that are dependent on the publishing houses hosted by the Giunti distributor. According to Michele Corsello’s estimation, the weighted cost for each loan is €1.64.

Under certain limitations, the most convenient e-lending model is the one copy-one (two) user because: 1) the unitary cost is lower and 2) it allows expenditure control (It has happened, for instance, that loans for one single bestseller in individual libraries absorbed in one week the budget allocated for 1 year.

MLOL makes a point in saying that there are very limited practices of embargo, windowing schemes, or other kinds of restrictions made by publishers to the e-lending of traded books ion Italy. School books follow different practices (and also providers, they are not within the remit of MLOL).

Italian publishers do not apply overpricing in the 1 copy-1 user systems. The reason may also be that e-lending is still limited in Italy and therefore publishers do not see it as a threat to their sales in commercial channels.
DRMs are totally within the control of MLOL. DRMs are: Adobe, the open source READIUM LCP (European Digital Reading LAB). MLOL works under a push frame: the publisher provides the file and MLOL manages the platform. It is the only way to ensure economies of scale.

There are piracy problems in Italy as there are all over the world, but the market ensured by MLOL is very much controlled.

THE ROLE OF LIBRARIES AND OF PUBLIC POWERS

While information produced by MLOL and Corsello concerns public libraries, it should be remembered that university libraries have licensing contracts with Italian publishers (e-books, e-newspapers, e-audio), such as Il Sole 24 ore, Il Mulino/Carrocci, Giuffrè etc. Similarly, the diffusion of non-Italian online published products in Italy is ensured by aggregators like EBSCO or ProQuest. It should also be remembered that access to scientific literature is dealt with directly by the Conference of Italian Rectors (CRUI). Moreover, university handbooks are not present in MLOL and the publisher only decides whether to have an online offer.

There is no common framework for e-book purchases. Libraries can participate either on a regional basis (for instance Region Emilia Romagna or Toscana), or on a municipal basis (Milano city, for instance). This creates an e-lending offer which may be underexploited, since local libraries may not fully use the offer that is made available by the central buyer (the library system).

There are no limitations in terms of use of e-books, unless those envisaged in the contract.

Consortia in Italy are created to deal with academic libraries; for the book trade negotiations are mediated by MLOL. Individual libraries refer to their networked systems, such as the regional library system (Emilia-Romagna, Toscana) or the city network system (Milano).

E-lending mechanisms implemented in academic libraries and in public libraries are of a totally different nature, since academic libraries negotiate through consortia with global publishers and public libraries resort to MLOL to cover their digital offer.

On the other hand, the amount of library expenditure spent for digital books cannot be compared with that spent by academic libraries. Libraries may be aware of the role of distributors as king-makers; some of them (Modena, Milan) have tried to convince individual authors to make available the rights of one book for free – what may be considered a form of freemium.

E-lending is not a policy undertaken by public powers to support the whole of the book trade; it is a market-driven need designed to cover the inter-relation between public libraries and, to some extent school libraries. Public libraries adapt their budgets and pay a fee to MLOL to subscribe the service. A different model is pursued in school libraries based on a fee of € 1/student and making available a collection of 70,000 books. There is also the possibility to use MLOL as an interlibrary system with a minimal fee of €250 per a package of 40,000 books and a cost of € 1,50 per loan.

Public powers helped libraries during the pandemic and results are quite visible with e-lending transactions growing by almost double in comparison with pre-pandemic transactions.
E-lending costs can be assessed against the cost of library loans of the analogue (physical) book which can be estimated at €30 euro per loan. Arguments against e-lending value the fact that centralised policies may generate disaffection with local needs in terms of library policy. These arguments, however, are not of an economic nature, but should be assessed in terms of library governance and policy.

MLOL has no clue on how royalties are re-distributed by publishers among authors. This is totally within the remit of right holders; it can be said that literary agents tried to formalise contracts – unsuccessfully.

It can be estimated that the digital offer is 5% of the whole book trade in Italy, but the percentage of e-lending services is unknown.

**USERS’ PRACTICES**

Librarians find it difficult to incorporate e-lending practices into the general offer of library services. The feel that the digital library is far from the current collection and somehow remote. In particular they feel that collection curation is developed elsewhere, and not by them. This is a strong disincentive in using digital collections as part of the services offered to the library community. In this respect, by strongly incentivising digital access, the Covid crisis has accelerated the leap forward. It has been assessed that e-lending transactions increased by 70% during the Covid crisis in the Emilib library system: Piacenza, Parma, Reggio Emilia, Modena, Bologna and Ferrara; this increase is sustainable and tends to persist also after the Covid crisis.

In spite of common opinions, e-lending is not for youngsters. The large majority are the 50-60 year old users, who use e-lending for practical purposes: reading while travelling, possibility of increasing text size, etc.

A major impediment has been the DRM Adobe configuration which requires technology literacy. When MLOL also made available the LCP Radium DRM technology, users found the app is easy to use and e-lending transactions increased remarkably.

Teenagers consider a printed book as part of their individual identity, while older users may consider e-lending as part of their territorial identity.
In Latvia, e-lending transactions are not many. Latvian publishers are against e-lending in libraries; e-books collected through the legal deposit channel are not accessible for e-lending purposes; in the National Library of Latvia e-books are accessible within its premises and on some devices; in many cases, publishers prohibited any access to them.

The National library and public libraries have access to some international databases, also including e-books, but access to them is restricted by clauses set in the contracts that have been signed (EBSCOeBook Academic Subscription Collection, eBook Public Library Collection).

There is however one Latvian database of e-books for public libraries (https://www.3td.lv/), where publishers have granted access to publications with fixed prices for each view (pay-per-loan model); public library users can get access to them through links to the publication, for a limited period of time, and can read them from a PC or a phone. This access is not supported by e-book reader).

No statistics are available for the lending of e-books. Those concerning https://www.3td.lv/ show a number of 39,346 transactions regarding e-books in 2021. It is minimal if compared to the number of lending transactions of books in printed form, which, in 2021, were 5,394,208 in public libraries only. In the portal https://www.3td.lv/ 39346 e-books are recorded. (These statistics do not include EBSCO and other databases, because terms and agreements are different from one library to another). Altogether, the percentage of e-lending in relation to general lending in public libraries is 0.007% only.

Statistics produced by the National Library are only available for public libraries. Schools, High schools and university libraries are independent, and do not report to the National Library of Latvia. In general, 90% of the resources stored in https://www.3td.lv/ are fiction, or literature e-books. It can be said that publishers do not give access to e-books stored by libraries, but only to links.

Since e-lending is regulated by contracts stipulated between publishers and libraries, the legal framework can be found in the Legal Deposit law, approved in 2006, which also extends to e-publications, and the implementation of the 2019 European Directive on copyright in the Digital Single Market, approved in 2020.

Negotiations with publishers are carried out by the National Library of Latvia, the Ministry of Culture and the Centre of Cultural Information. Libraries only make available e-books for which publishers have granted access. It is not known where royalties to authors are distributed to authors.

In general, it can be said that publishers are afraid to see their e-books be pirated and this is the reason why they do not allow e-book downloads or their storage into libraries, but only a limited access to publishers’ databases.
INTERACTION BETWEEN AUTHORS/PUBLISHERS/LIBRARIES

Libraries negotiate with publishers and international databases for e-lending: discriminatory prices, however, are not applied. Publishers themselves implement DRM services or these are done by the international contracted aggregator. They believe that this practice enhances security and avoids piracy, in spite of the fact that access to more e-books locally stored would not result in piracy cases.

THE ROLE OF LIBRARIES AND PUBLIC POWERS

Practically all public libraries have potential access to e-lending transactions either within the framework of the international database, with limited access, or to https://www.3td.lv/, on a pay-per-loan basis.

During the pandemic, the National Library of Latvia negotiated directly with a number of authors access to their works converted in digital format.
INTRODUCTION

In addition to the national library (RToyal Library, Thee Hague), in 2021 there were 1,122 libraries in The Netherlands: 1,072 are public libraries and 49 are academic libraries. Their number has increased again after a period of streamlining when, between 2009 and 2019, approximately 300 libraries were suppressed or merged with other libraries. From 2012 onwards, service points made up around one fifth of library services available.

The Netherlands has a number of organisations, not-for-profit-foundations, and for-profit enterprises involved in maintaining library infrastructure and keeping services up-to-date. The KB, National Library of the Netherlands, offers a platform for people and information to come together. Its most important task for the coming years is the further development of a national digital library and the focus on the three societal challenges (literate society, participation in the information society and lifelong learning).

Responsibility for libraries lies within Dutch municipalities, which also provide for the majority of funding. The Ministry of Education, Culture and Science is responsible for the development of policy and legislation concerning libraries.

The law regulating library work is the Public Library Facilities Act / Wet stelsel openbare bibliotheekvoorzieningen (Wsob), approved in 2015. This law describes a.o. the core functions of libraries and the roles of parties involved. It also states that the highly decentralized library sector constitutes a network for which the national government, provincial governments and municipalities are jointly responsible. The execution of the OCW tasks is carried out by the National Library (KB), which is responsible for the digital domain and for the coherence of the library system as a whole.

GENERAL DATA AND THE LEGAL FRAMEWORK

5.4 million e-books and 2.1 million audiobooks were loaned in 2021 in public libraries. In 2019 and 2020, before and during the pandemic, the number of e-loan transaction is described in the following table (source: National Library, Netherlands):
In 2021 this volume of traffic represented ca 16% of the total number of loans (print and e-lending). Between January and August 2022, this is the number of transactions broken down by Dutch provinces (Source: https://www.metdekb.nl/pages/16; login required):

<table>
<thead>
<tr>
<th>Province</th>
<th>Number of e-book loans</th>
</tr>
</thead>
<tbody>
<tr>
<td>Drenthe</td>
<td>110,767</td>
</tr>
<tr>
<td>Flevoland</td>
<td>89,736</td>
</tr>
<tr>
<td>Friesland</td>
<td>146,448</td>
</tr>
<tr>
<td>Gelderland</td>
<td>485,073</td>
</tr>
<tr>
<td>Groningen</td>
<td>154,680</td>
</tr>
<tr>
<td>Limburg</td>
<td>128,663</td>
</tr>
<tr>
<td>Noord-Brabant</td>
<td>420,704</td>
</tr>
<tr>
<td>Noord-Holland</td>
<td>504,580</td>
</tr>
<tr>
<td>Overijssel</td>
<td>275,011</td>
</tr>
<tr>
<td>Utrecht</td>
<td>316,190</td>
</tr>
<tr>
<td>Zeeland</td>
<td>94,442</td>
</tr>
<tr>
<td>Zuid-Holland</td>
<td>673,245</td>
</tr>
</tbody>
</table>

Users subscribe as members of the national digital library; this has consequences for data ownership, since local libraries do not have access to this data, since providing this data is in conflict with the privacy law.
After the 2016 Judgement of the Court of Justice of the EU (law case 174-15 opposing the Dutch Library Association to the Leenrecht Foundation), contracts with individual publishers were signed on the basis of the E-lending Covenant, signed in Oct 2018, that came into force on 1 January 2019. The E-lending Covenant is agreed between the Dutch publishers, libraries, KB, government, Dutch Authors’ Association and the collective management organizations (CMO’s). Evaluated in 2021, this Covenant is currently still running, at least until next evaluation.

E-lending is implemented through a number of intermediate actors, namely:

- KB, the National Library, which makes individual arrangements with Dutch publishers on a one-copy-multiple-users basis (and is supported by CB, which runs the e-lending platform, and Odilo, delivering the platform to KB);
- Lira and Pictoright, the Dutch Collective Management Organizations for authors, translators, photographers and illustrators; they are in charge of collecting e-lending royalties on behalf of libraries and are responsible for payments to the creators.

One of the difficulties in setting up a legal framework on e-lending in The Netherlands is that, unlike books in printed form, there is no fixed book price for e-books. Since there is no legal framework for e-lending in the Dutch law, it is not clear whether publishers have to deliver e-books, for which price, and on which conditions to the libraries.

INTERACTION BETWEEN AUTHORS/PUBLISHERS/LIBRARIES

Each user has to pay at least 42 euro per year for library membership, while children have a free subscription until they are 18 years old. This fee enables members to lend 10 audiobooks and 10 e-books simultaneously every 3 weeks.

More than 50% of the total number of publishers (trade, academic, etc) are part of the national e-lending platform. Following the E-lending Covenant, one year after publication, every Dutch publisher has to add at least the original Dutch titles they have published to the digital collection.

The Royal Library receives a grant from the Ministry both to acquire e-titles from publishers and to compensate authors per loan (with different loan charges). Local libraries are not charged for e-loans.

DRM measures are implemented by CB, that hosts the distribution platform.

As a whole the system is working well, although criticalities are found in a) lack of traceability, b) security of the platform and c) the current loan period, which is sometimes too long and does not allow for further borrowing (it is not possible to borrow more than 10 e-books and 10 audiobooks every three weeks).

In The Netherlands, potential piracy practices are no major impediment for authors and publishers to go digital; there is, however, no clear and objective assessment of the level of piracy at the moment, although it may be assumed that e-lending is also a way to control piracy.
**THE ROLE OF LIBRARIES AND OF PUBLIC POWERS**

E-books are purchased as a national service offered by KB, which agrees on licenses for all local libraries. KB tries to add as much e-book titles as possible to the digital collection. Standard limitations to e-book usage in libraries are applied at national level: library members can borrow 10 e-books and 10 audiobooks every 3 weeks. Since negotiations are done by the National Library (KB), all actors comply with this general rule.

Although there may be occasional complaints, during the 2021 evaluation all parties involved in the e-lending Covenant recommended it be continued; they committed themselves to pursue its objectives and to implement its procedures.

Initially, the cost of e-lending was equal to €0.60 per lending as an average. In 2019, however, authors were included in the scheme and royalties generated from e-lending were redistributed to them, too. Therefore, as it is apparent in the following table, the average cost of e-lending increased to €1.03.

![Average Amount of Compensation (Per Title)](image)

Altogether, revenues for publishers and authors generated from e-lending have steadily increased. While the total amount was €4.042.752,19 in 2019, it raised to €7.018.230,72 in 2020 and to €4.757.801,73 in the first six months of 2021. The last two figures, however, may be exceptional since they are related to the boom of digital transactions during the pandemic. Interestingly enough, in full transparency along the value chain, Netherlands is the only country in Europe which is able to report about royalties allocated to authors. More than half of the revenue (50% of €4.042.752,19) goes to publishers and 30% to authors and creators. The percentage of this amount provided to image-makers and foreign authors living abroad is minimal, as the following Table shows.
Since its inception in 2014, the awareness and number of users of the online Library has increased significantly. Of all consumers, 45% are familiar with the online Library; 13% also actively use it.

This is a significant increase: in 2017, 25% of consumers were familiar with the online Library, of which 5% used the offer. A third of digital library users consult this service at least once a month; 12% even do so weekly. Young people under 35, over-65s and middle and highly educated people are more likely to be familiar with the services of the online Library than consumers in the 50-64 age group and those with low education (Source Nagelhout & Richards, 2020).

The online Library has experienced significant growth. At the beginning, over 80 thousand new accounts were created via Bibliotheek.nl. By the end of 2016, 346 thousand library members had an account; by the end of 2019, there were almost 428 thousand. By 2021 - after the transition to a new account system in 2020 - this
number will have further increased to over 435 thousand accounts. In recent years, more library members have been actively using the online Library. Of all valid accounts, more than eight in ten (84%) can be classified as active, with at least one loan in the past 12 months. Most of these accounts are used by residents of the European Netherlands (99.9%). In the Caribbean part of the Kingdom of the Netherlands (Bonaire, St Eustatius, Saba, Curaçao, Aruba, St Maarten), around 400 residents use the online Library (Sources: Van de Burgt & Klaren, 2022; CBS, 2022). Seven in ten e-book borrowers use the online Library’s app for this purpose, 19% usually read via e-reader and 13% read via the website on a PC, phone or tablet (Source: De Bruijn, 2021).

Library users seem to be happy about e-lending services and give them a score of about 7,5 (out of 10). Quite obviously, they would like to see more bestsellers in the collection and translated titles are difficult to negotiate.
**INTRODUCTION**

In Norway, public libraries are owned and operated by the municipalities. The Public Library Act of 1985 stipulates that all municipalities must operate a public library with an offer addressing all people and age groups, covering all subject areas. Their purpose is to work for enlightenment, education and other cultural activities.

Therefore, acquisitions and other operating expenditure are born by public libraries. The state contributes indirectly to the daily operations of public libraries, through purchasing schemes for literature managed by the Norwegian Arts Council. The Arts Council was established in 1965 to administer the Norwegian Cultural Fund. Today, it is in charge of a broad spectrum of administrative tasks and functions within the cultural field, including artists’ grants, the Audio and Visual Fund and several other funding schemes.

These schemes ensure that all Norwegian public libraries receive one copy of published quality fiction for children and adults, a selection of translated literature and non-fiction titles for children and adults. Norwegian public libraries also received a number of quality music recordings (CDs), but this arrangement was ended in 2012, with no digital replacement.

In total, there are 647 public libraries (main and branch library units) in Norway (2020), manned by 1843 full year equivalent staff. Many of the libraries in smaller municipalities employ typically 1-2 staff. (Source: Antall avdelinger og årsverk ved norske folkebibliotek - Medienorge - fakta om norske massemedier - statistikkmeny (uib.no).

In addition to municipal libraries, another layer is the County library – at regional level. County libraries provide guidance and assistance to public and school libraries within the county and advise local authorities and library owners about library orientations and directions.

There have been several pilot projects on lending e-books in Norwegian public libraries since 2011. At the start, the offer of e-books was minimal and the titles were chosen partly on procurement schemes established as cultural policy instrument by the Norwegian Arts Council, and partly based on the libraries’ own market-driven procurement.

Pilot projects involved libraries, publishers and distributors. In 2016, the National Library proposed a model with a recommended scheme for purchasing and lending e-books in public libraries, consisting of a combination of license and pay-per loan models. This hybrid model came together with a similar scheme regarding the lending of digital audio books (e-audio-books).

As part of the work on development of the lending models for e-books and e-audio-books, the National Library of Norway asked a private consultant, Rambøll Management Consulting, to evaluate current e-media purchasing models. The evaluation involved county libraries, public libraries and the two largest content providers and concerned the recommended lending models currently used - agreements between suppliers and the county library / public libraries which are aggregated in consortia and deal with the selection of e-media and price negotiations. A consortium in this context is a voluntary association of public libraries that have chosen to collaborate instead of standing alone in their negotiations with the publishers.
The evaluation run by Rambøll Management Consulting was limited to the content, and not the technical platforms/apps. It consisted of two digital questionnaires, one for libraries/consortia and one to the public libraries, as well as in-depth interviews with the two largest content suppliers (Biblioteksentralen and Bokbasen). All 12 county libraries/consortia responded to the evaluation and 211 out of a total of 356 public libraries (60 %) responded in whole or in part the questionnaire. Both complete and incomplete responses were included in the database. Data collection took place in the timeframe 17 November-10 December 2021.

The main findings of the evaluation were:

- the models are too complex in that they have two components: license part and pay-per-loan option;
- the selection is too small, with a demand that is much higher than supply;
- it is too expensive for libraries and considered to provide little value for money;
- negotiations between libraries and suppliers have so far taken place at county level. The county libraries prefer they are raised at national level. On the side of public libraries, 50% want to shift to the national level, while 50% are satisfied with the current county level;
- libraries want lower prices, more loans per license and a longer duration of what is procured.

General data and the legal framework (Statistikk for folkebibliotek - Statistikk (bibliotekutvikling.no))

<table>
<thead>
<tr>
<th>Year</th>
<th>Ebook Loans</th>
<th>Digital audiobook Loans</th>
<th>Libraries overall media expenditure</th>
</tr>
</thead>
<tbody>
<tr>
<td>2017</td>
<td>642 355</td>
<td>21 901</td>
<td>137 547 527 nok (€13 897 367)</td>
</tr>
<tr>
<td>2018</td>
<td>610 960</td>
<td>75 844</td>
<td>133 731 372 nok (€13 511 795)</td>
</tr>
<tr>
<td>2019</td>
<td>603 535</td>
<td>166 393</td>
<td>136 232 933 nok (€13 764 545)</td>
</tr>
<tr>
<td>2020</td>
<td>960 246</td>
<td>460 499</td>
<td>140 867 830 nok (€14 232 840)</td>
</tr>
<tr>
<td>2021</td>
<td>1 008 674</td>
<td>637 061</td>
<td>147 731 545 nok (€14 926 328)</td>
</tr>
</tbody>
</table>

Source: https://bibliotekutvikling.no/statistikk/forside/statistikk-for-folkebibliotek/
### Loan / E-loan Statistics (2019)

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<tbody>
<tr>
<td>Norway total</td>
<td>5328</td>
<td>2.80</td>
<td>2.29</td>
<td>0.11</td>
<td>3.9 %</td>
</tr>
<tr>
<td>&gt;300 000 inhab.</td>
<td>681</td>
<td>2.25</td>
<td>1.6</td>
<td>0.12</td>
<td>5.3 %</td>
</tr>
<tr>
<td>50-300 000 inhab.</td>
<td>1551</td>
<td>2.88</td>
<td>1.86</td>
<td>0.13</td>
<td>4.5</td>
</tr>
<tr>
<td>30-50 000 inhab.</td>
<td>633</td>
<td>2.65</td>
<td>1.54</td>
<td>0.11</td>
<td>4.2</td>
</tr>
<tr>
<td>5-10 000 inhab</td>
<td>623</td>
<td>3.03</td>
<td>1.89</td>
<td>0.09</td>
<td>3.0</td>
</tr>
</tbody>
</table>

The number of loans in public libraries has decreased in Norway, in total and per capita:

<table>
<thead>
<tr>
<th>Year</th>
<th>Physical book loans and renewals / Only First loans</th>
<th>Physical audiobook loans and renewals / Only First loans</th>
</tr>
</thead>
<tbody>
<tr>
<td>2017</td>
<td>16 503 568 (11 867 797)</td>
<td>1 473 628 (1 058 862)</td>
</tr>
<tr>
<td>2018</td>
<td>16 679 145 (11 907 882)</td>
<td>1 248 104 (881 970)</td>
</tr>
<tr>
<td>2019</td>
<td>17 431 409 (12 204 952)</td>
<td>1 021 945 (712 095)</td>
</tr>
<tr>
<td>2020</td>
<td>14 157 399 (9 722 547)</td>
<td>571 176 (380 102)</td>
</tr>
<tr>
<td>2021</td>
<td>16 614 852 (11 193 758)</td>
<td>437 646 (279 284)</td>
</tr>
</tbody>
</table>

2015:

- 4.4 loans / inhabitant, 3.25 book loans / inhabitant;
- 2005: 5.41 loans / inhabitant, 3.89 book loans / inhabitant.
Downloading of e-books sorted on adult and children’s e-books in Public libraries 2015 - 2020:

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</thead>
<tbody>
<tr>
<td>E-books for children</td>
<td>73 012</td>
<td>94 107</td>
<td>111 311</td>
<td>n.a.</td>
<td>76 203</td>
<td>217 817</td>
</tr>
<tr>
<td>E-books for adults</td>
<td>389 487</td>
<td>473 870</td>
<td>531 044</td>
<td>n.a.</td>
<td>527 332</td>
<td>742 429</td>
</tr>
<tr>
<td>E-books (Total)</td>
<td>462 499</td>
<td>567 977</td>
<td>642 355</td>
<td>n.a.</td>
<td>603 535</td>
<td>960 246</td>
</tr>
</tbody>
</table>

Sales of books also fell in parallel.

Number of copies sold (in 1000):

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<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>non-fiction for adults</td>
<td>4319</td>
<td>4120</td>
<td>3572</td>
<td>3175</td>
<td>2902</td>
<td>2721</td>
<td>2478</td>
</tr>
<tr>
<td>non-fiction for children</td>
<td>1102</td>
<td>858</td>
<td>716</td>
<td>755</td>
<td>599</td>
<td>770</td>
<td>742</td>
</tr>
<tr>
<td>fiction for adults</td>
<td>2271</td>
<td>2538</td>
<td>2381</td>
<td>2137</td>
<td>1944</td>
<td>1854</td>
<td>1658</td>
</tr>
</tbody>
</table>

The increase may be due to extra funds for public libraries as corona support in 2020. Compared with public libraries in Sweden and Denmark, public libraries in Norway have significantly poorer finances and frameworks for media purchasing. Book loans are clearly falling in Norway. E-book lending is increasing, but is only about 8,5 % of the total book lending. This share increased sharply from 2019 to 2020, up from 3.9 % to 8.5 %.

In public libraries, an average of 8,5% of the total lending is e-lending. For comparison 9% of the total media budget is spent on e-lending. This is a fairly good correlation between lending share and bidding share, which allows that libraries do not use disproportionately much money on e-media compared to other media.

**INTERACTION BETWEEN AUTHORS/PUBLISHERS/LIBRARIES**

Norwegian public libraries get access to ebook- and audiobook-licences on two broad models, from respectively the Norwegian Arts Council and aggregators Bokbasen and Biblioteksentralen based on recommended models developed by the National Library.

The Norwegian Arts Council runs eight purchasing schemes funded by the state under the Norwegian Cultural Fund for literature with the aim to support the Norwegian literary sector.
These are:

- The automatic purchasing scheme for new Norwegian fiction for adults, 773 copies of books (623 p-books and 150 e-book licences)
- The automatic purchasing schemes for new Norwegian fiction for children and young people, 1720 or 1750 copies of books for children and young people (respectively 1650 p-books for children and young people up to 4th grade and 1680 p-books for children and young people from 5th grade and up, as well as 70 e-book licences)
- The selective purchasing scheme for new Norwegian fiction for children and young people, 1720 or 1750 copies of books for children and young people (respectively 1650 p-books for children and young people up to 4th grade and 1680 p-books for children and young people from 5th grade and up, as well as 70 e-book licences)
- Translated literature, 542 copies (502 p-books and 40 e-book licences)
- New Norwegian non-fiction, 773 copies (623 p-books and 150 e-book licences (for titles registered and purchased before round 1-2022, 703 p-books and 70 e-book licences had to be delivered)).
- New Norwegian non-fiction for children and young adults, 1720 or 1750 copies (respectively 1650 p-books for children and young people up to 4th grade and 1680 p-books for children and young people from 5th grade and up, and 70 e-book licences)
- Cartoons (1680 copies of books for children and young people and 703 copies of books for adults).  

The ebooks purchased by the Arts Council are lent free of charge by the libraries and administered by consortia at county level. The consortia receive their proportion of licences by population. The ebooks are made available to libraries by digital licenses, which allow one simultaneous loan per license in a “one copy/one user” model. The licenses last for five years. In practice this covers the four calendar years following the year selected ebooks were submitted to the purchasing scheme. The approach seems to aim to achieve a degree of equivalence with the terms for the physical books in the purchasing scheme. Physical books purchased under schemes must be kept available in public libraries for at least five years. The physical books are purchased and public lending right remuneration is paid to authors for their lending. The five year period is therefore not a strict limit for the lending of the physical books as it is for the ebooks purchased on license, but rather a duty placed on the public libraries.

E-lending is furthermore implemented through two national aggregators – Bokbasen and Biblioteksentralet. Bokbasen was established in 2007 and is owned by the largest Norwegian publishers and the two largest bookstore chains. Biblioteksentralet is owned by the municipalities and has provided books, expertise and services to all the country’s public libraries since 1952. Biblioteksentralet is a non-profit cooperative, where all profits go back to the development of services. Other suppliers are also present, when the offer of the two agencies is not satisfactory.

A role is also played by the National Library of Norway, which has developed two non-binding recommendations for audiobooks and ebooks that combine the two e-lending models– licenses + pay per loan – with the aim to ensure supply e-books and audiobooks to public libraries. The model for ebook licences was published in 2016. The model for audiobook licences was published in 2019.

The model for ebooks recommends two distinct licences.

The first is a “one copy/one user” model limited to ten loans on a two-year license. The copy should only be available to one user at a time. Loans not used in the two-year period can be used later. A loan is considered completed when 10 % of a book has been read. It is recommended that the licenses as a principle are priced as a paper book.

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9 https://www.kulturradet.no/innkjopsordningene
The second is a pay-per loan model, also known as the “click model”, with no limitation to loans per license. The “one copy/one user” model is the default, but libraries can choose to implement the “click model” for the titles of their choice after a set time. The model presupposes that all books should be available for the click model from two years after publication. If the book has previously been published in physical format, the book should be available from one year after the publication of the ebook. It is recommended that price per click should not be more than 10 % of the recommended retail price.  

The model for audiobooks recommends that libraries can purchase licences for the lending of audiobooks to their users in the form of a single recommended license to individual titles. The model recommends that the licenses are limited to six loans per license. The lending model is “one copy/one user” for a non-returnable period of 14 days. A loan is considered completed when 10 % of the total playing time has been listened to. It is recommended that the price per license should be the same as the retail price of digital audiobooks on the market.  

The recommendations presuppose the establishment of good technical platforms for security, loans and control, coordinated by publishers and aggregators. In practice libraries acquire ebooks and audiobooks in the license models through consortia at regional level through the two dedicated aggregators Bokbasen and Biblioteksentralen. The aggregators offer access to ebooks as tenders offered to public procurement competitions from consortia at county-level. The contract will normally state that if the aggregator cannot supply a license to a particular title, libraries are allowed to purchase these from other suppliers. Both aggregators also offer platforms for the technical and practical side of the lending process. These are however independent and can be cross-applied (purchasing licences from one aggregator and offering them through the platform of the other). Public libraries normally pay their share for access to elending licences through the regional consortia. This normally amounts to a flat rate per inhabitant. Some public libraries buy additional licences for their own users.

Bokbasen is the main supplier of e-media for e-lending, although the preferred supplier for county libraries is Biblioteksentralen. Two out of three county libraries also buy e-media outside the main suppliers, since they wish to have access to a wider offer and choice of e-books.

Over half of the county libraries have changed main supplier during the period the model has been in use. The reason why they changed content supplier may be technical – a better platform was available - or because libraries wanted to experience competition between the two suppliers.

County libraries indicate that they use the model recommended [by the National Library] for e-media. For suppliers, the critical point is not whether libraries use the model or not, but to what extent they follow or deviate from the model.

The licence models are only recommendations proposed by the National Library in conversation with publishers. In practice libraries and aggregators might reach different terms. While the counties report that the recommendations as a rule are followed, from reports from public libraries and the aggregators it seems in practice the approach might vary somewhat. Specification and deviation from the recommendations is possible both in the public procurement competitions offered at county level and by terms offered by the individual publishers. The aggregators note that while the majority of publishers follow the recommended models, publishers are the also the party that will normally deviate. Typical deviations concern modalities of the two

12 One exception from this is Bergen, which runs procurement at municipal level.
approaches (e.g. only offer pay-per-loan from day one; not to offer pay-per-loan at any point, offer licenses and pay-per-loan concurrently), as well as prices different than recommended.

Publishers can also choose to offer their titles for a chosen number of concurrent loans in the license packs, as well as the default recommended option of only sequential loans. An offer of concurrent loans is reported to be the general rule, in part as a response to the wishes of public libraries. Interestingly it is reported that the offer of concurrent or sequential loan might vary from county to county, with only some counties applying the “one copy/one user” model for the ten loan and six loan license packs for respectively ebooks and audiobooks as recommended by the National Library. Others grant access to library users concurrently in part to avoid waiting lists. Specifically, Bibliotekssentralen report that they allow libraries to revert publishers offers of concurrent loans back to the default of sequential loans. This modality is not of now present in the system offered by Bokbasen. The aggregators also note many minor specifications and deviations from the different consortia in the Rambøll-report. The report further notes that the recommended models are considered complicated or difficult to comprehend for users by aggregators and libraries respectively, with the specifications and deviations seen to further complicate the models in practice by the aggregators.

So far, the mainstream model is the combination license + pay-per-loan proposed by the National Library, with minor changes introduced by libraries and publishers as noted above.

Norway has a one copy one user approach in the recommendation by the National Library, that is to say in the license models. It also has it for the ebooks offered by the Arts Council. In the first case it covers respectively ten and six loan license packs. In the second a five year license. In the first case however there is evidence libraries and publishers have partially abandoned the “one copy/one user” model, in order to give access to people in part to prevent waiting lists. At the same time it is interesting that some libraries seems to have actively abandoned the “one copy/one loan” model under the recommended models by the NB when given the choice, despite the statement from the county libraries to follow the recommendations in the Rambøll-report. The most prominent discussion about the license models recommended by the National Library currently therefore seems to revolve around this issue of “one copy/one user”, yes or no.

Both the recommendation of the National Library and the purchases of the Arts Council apply the “one copy/one user” approach, but limited respectively to ten and six loan license-packs and a five year license period. The latter in the form of the Arts Council procurements is the closest the Norwegian system comes to a pure “one copy/one user” model.

**THE ROLE OF LIBRARIES AND OF PUBLIC POWERS**

Normally, small municipalities spend a small share of the media budget on e-media, while larger municipalities spend more. Moreover, there is no correlation between overall satisfaction with the models and the libraries' share of e-lending (over lending transactions) and the budget for e-media. In other words, libraries which practice e-lending in a higher proportion are not more satisfied than the others.

92% of county libraries are dissatisfied with both models since they consider they get little value for money, and less value for e-audio-books (72%) than for e-books (46%). The variation is wider when public libraries are asked to comment on licenses concerning constraints on acquisition and the selection of e-media. In general, the level of satisfaction is higher for e-books than for e-audio-books.

Cooperation between library consortia and suppliers works well. The vast majority of county libraries are satisfied with the cooperation with consortia.
Suppliers, too, are satisfied with cooperation with consortia, since consortia have a good understanding of the situation and the challenges of public libraries. They note, however, that the requirements of the tender competitions – which are numerous and quite detailed - make it challenging for them to develop good solutions efficiently. They report that the consortia see themselves as uniform and similar, but that in the reality both needs, organisational structures and the ways they communicate differ; this requires great flexibility and a high level of adaptation, which raises the cost of developments.

All county libraries (working at regional level) prefer a national level of negotiation for the acquisition of media. Among public libraries at municipal level, about half prefer a national level, while approximately as many prefer the county level, as is the case now. The bigger the municipality, the greater the preference for negotiations at national level. In general, county libraries believe to a greater extent than municipal libraries that both license and pay-per loan models work satisfactorily with fictional e-books.

Municipal and county libraries on the one hand, and suppliers on the other, agree that today's models for the purchase of e-media have great potential for improvement. Both public libraries and county libraries think the model for e-audio-books works less well than the model for e-books. In general, libraries in smaller municipalities think that the current models work well, whereas libraries in larger municipalities would like to see different models.

There are three main factors that explain why many people dislike the current models:

1. Complexity – the practice of having two models (license and pay-per-loan) creates unpredictability for libraries with the result that librarians' time is often consumed to understand which model works better and how they have to implement it;
2. Selection/diversity - for both media (e-books and e-audio-books), the demand is much greater than the supply, with the result that libraries are frustrated as they cannot offer more titles and more copies;
3. Price - For both media, but especially for e-audio-books, libraries clearly point out that it is too expensive and offers little value for money.

In conclusion, almost all county libraries (regional level) believe that the e-library purchasing model offers little value for money, and three out of four think the same for e-books. In public libraries at municipal level there is more diversity, but the conclusion is the same; three out of four think the model for e-audio-books offers little value for money, while for e-books the proportion is 50%. Public libraries in the larger municipalities are more satisfied than libraries in smaller municipalities, but the latter are also more represented in acquisition committees.

**USERS’ PRACTICES**

The investigation reports about dissatisfaction with the current models and proposals for change have been put forward both by libraries and suppliers.

**1. Criticalities from the perspective of libraries**

What follows is what libraries consider criticalities in e-lending in Norway.
The ideal would be an offer of several models: models for more long term use of e-books, and models for quick use, including different business models, so that e-media having a long life-cycle may be more expensive than those having a shorter life-cycle.

Choosing between different models would give libraries the opportunity to build a collection that best fits the needs of the public and is also more predictable;

Library audiences can tolerate waiting lists, but there should be predictability in the selection, so that the user has clear messages in relation to the availability of titles.

Other proposals include:

- A delivery obligation - everything that is published digitally should be made available digitally, with the possibility of schemes making the ownership of titles possible for libraries, instead of renting titles;
- Offers that allow for one-year loans + the possibility of pay-per-loan model, as an alternative to the annual license or the 10-loan licence (a licence allowing 10 loans as a maximum);
- Better management of the economics behind the e-lending business so that borrowers experience a wider choice, as well as versatility of, and accessibility to, the e-collection;
- An alternative would be to increase the number of loans allowed per package to 50 loans (instead of 10);
- increase the number of e-books financed by KF (The Funds of the Arts Council, Norway) and keep the rule allowing reading of at least 10% of the total number of pages before invoicing;
- A lending model similar to that of Libby/Overdrive, where you buy a license on a work that you then own, and can lend it to one user at a time, as many times as you wish; this would provide a stable offer for the borrowers, and on the acquisition side, buyers would get titles once and for ever, and not at any time they wish to loan, as it is the case today;
- Increase the number of possible loans per library with not so many varying prices, and an equal price for new titles;
- The e-lending model should reflect the current book trade to a greater extent, so that the same regulations for physical and digital media would make it easier to manage and build up collections ("When we buy a paper book, it lasts until it is torn into pieces and then it is discarded – as an average, 20-40 times; e-books cost as much as a paper book but "lasts" for only 10 loans, it doesn't work");
- The model does not stimulate publishers to make e-books available for lending in libraries;
- It should be possible to buy copies for a few years at a time (copy model for lending);
- for financial reasons, the pay-per-loan option has been removed on parts of the collection;
- publishers use different models, some publishers offer the entire selection on pay-per-loan, while the selection of others is offered in packages. The price of e-books does not reflect the fact that publishers do not have to bear the costs for production, storage and distribution;
- it is difficult to build up a predictable offer to the public when licences with a limited number of loans are used so quickly.

In relation to e-audio-books libraries experience many criticalities: the following proposals were made:

- The introduction of the rule of 10% has been a great improvement. This rule states that at least 10 % of the e-audio-book is listened to before it is considered a loan for which it is to be paid. A further improvement to the e-audio-book acquisition would be to implement rules normally applied for the e-book model, where the 10% rule is combined with package purchases, and any products older than 2 years is available on a pay-per-loan scheme;
• The price per loan must go down. New e-audio books are no longer available in libraries. The digital services will in the near future be the only place where patrons can access audio books for free. This is important for children/young people and the elderly. Keywords are: better access, predictability in the offer and more loans per purchased title;
• e-audio-books should be included in the list of purchased works financed by the K-Fund (Art Council);
• Several public libraries want a "one copy/one user" model, so that it buys a copy that lasts “forever”, but is not lent to more than one user per time. This may well be more expensive than physical copies which would have a natural wear and tear lifespan;
• Some public libraries want to return to the way things were. At that time, licenses that were purchased lasted for a longer period;
• Mechanisms that ensure greater predictability for libraries and borrowers, even if it means longer waiting lists for borrowers. Borrowers understand waiting lists. Borrowers all over the country should have the same offer on e-media. There is no reason that the offer should be different from library to library when the products are digital.

2. Criticalities from the perspective of suppliers

On the side of suppliers, there are positive and negative aspects in the current e-lending system in Norway.

What is positive is that it allows for local ownership and local involvement in libraries. It also allows for competition in the market and puts pressure on suppliers, which is positive for development in the long term.

Many of the consortia have set requirements to adapt to local needs, but this is expensive to develop and raises the entry barrier for newcomers while lowering the number of potential suppliers, in spite of theoretical competition.

Suppliers, too, see complexity in current e-lending systems in Norway as the main criticality. E-lending models are difficult to understand both for libraries and patrons, and libraries spend a lot of resources and time in learning, interacting, and navigating into platforms.

There is a widespread perception that publishers have a disproportionate fear of cannibalisation between the library market and the commercial market. In addition, there is a perception that publishers have a lack of understanding that library and municipalities have poor finances.

These are the proposals for enhancement made by suppliers:
- A common model for the two e-media (books and audiobooks), and in addition, an integrated system rather than a two-option system (license + pay-per-loan); this would contribute to predictability which helps suppliers to save money on development and on customisation;
- Mechanisms that ensure a greater degree of predictability, both for suppliers and libraries;
- Lower prices for e-books.
GENERAL DATA AND THE LEGAL FRAMEWORK

No national e-lending policy has been established, publishers have only started producing e-books in the past few years, mainly for sale. In Romania, public libraries do not offer e-lending services. There are e-book access services through cloud library systems, but lending and access policies are not set by libraries.

Since e-lending is not practiced, there is neither general data available nor a regulated framework for e-lending. No entity is collecting any form of royalty so far. E-lending regulation is not on the public agenda, and the e-books market is underdeveloped. Publishers offering digital products have their own DRM systems, which they manage (Adobe DRM is generally used). There are DRM policies in public libraries, through the Integrated Library Systems used by them in terms of access to digital objects managed through online catalogues.

Law 291/2021 reduces the VAT rate to 5% for “the delivery of textbooks, books, newspapers and magazines, on physical and / or electronic means, except for those that have, in whole or in part, video content or audio and music content exclusively or primarily for advertising purposes.”

INTERACTION BETWEEN AUTHORS/PUBLISHERS/LIBRARIES

Applying a unique filter that establishes access to only one type of work, those in the public domain, would certainly improve the situation not only in public libraries but in the progress of digitisation in Romania.

The real problem for publishers and authors in becoming digital is related to the language in which books are put into circulation - in Romanian. Although there is a market for e-books in Romanian offered by publishers, it is not as diverse as that of printed products.

Romanian libraries do not purchase e-books. There are several public libraries that offer access to book clouds, but that doesn’t mean they can effectively cover the real information and documentation needs of the community. Moreover, it is difficult to associate in consortia, according to Romanian legislation.

In public libraries we cannot talk about e-lending due to the lack of regulation of this service. In the case of university libraries there are consortia for access to electronic resources for the use of students and teachers (Anelis Plus). In order to establish common principles, standardise practices, university libraries through the Anelis Plus service can negotiate electronic publication packages with a real financial advantage. Its implementation in public libraries can be a beneficial experience for both parties, in the sense that libraries would also provide information about the genres / titles / authors searched by users.

Publishing policies can be influenced by the need for profit, and this can lead to the restriction of the diversity of publishing products. The costs of developing digital products could be prohibitive for small, niche publishers - they can disappear from the market.
Through public libraries, users consult traditional books and digital books in the public domain. The need for financing specifically for the purchase of electronic documents and electronic equipment / software required for the provision of electronic lending services.
INTRODUCTION

Spain has a system of 3,697 public libraries distributed in different public administrations, with different coordination agencies. First, the Ministry of Culture and the 53 state-owned libraries (normally one for each administrative province). Then, the 17 regions (autonomous communities, in Spanish terminology) may have their own library coordination systems. Finally, the municipalities are the main managers for the majority of the 3,697 public libraries (2019), including small, middle and large libraries. Spanish laws makes public libraries mandatory for cities with populations over 5,000 citizens (3,000 in Catalonia), and public library services (as mobile libraries) for the rest of the country. In practice, there are important differences in the territorial implementation of public libraries for historical and political reasons (10,20€ average investment for inhabitant in 2018; with a wide range, from 16,42€ in Catalonia to 5,78€ in Canary Islands).

Information was provided by Ms. Alicia Sellés (FESABID, Spanish Federation of Associations of Librarians and Archivists), Ms. Clara Ortega (Ministry of Culture and Sports. Directorate-General of Books and Promotion of Reading. SDG Librarian Cooperation), Ms. Asunción Cuadrado (Ministry of Culture and Sports. Directorate-General of Books and Promotion of Reading. SDG Librarian Cooperation), Ms. Elena Sánchez Muñoz (Galician Ministry of Culture, Education and Universities. Service of Librarian System), Mr. Ciro Llueca (EGIL, Expert Group on Information Law).

GENERAL DATA AND THE LEGAL FRAMEWORK

Country: Spain (2020)
Number transactions: 3,746,853 (only public libraries)
Turnover: 1,5 M€
Coverage: 33,265 items (31,326 ebooks + 1,628 audiobooks + 83 journals + 52 newspapers + 176 other)
Users: 257,315 (loans for 1,000 citizen: 82,83)

<table>
<thead>
<tr>
<th></th>
<th>2018</th>
<th>2019</th>
<th>2020</th>
<th>2021</th>
</tr>
</thead>
<tbody>
<tr>
<td>Public libraries</td>
<td>1,029,232</td>
<td>1,711,330</td>
<td>3,746,853</td>
<td>2.078.978 (loans in Catalonia –ca 1M were not provided)</td>
</tr>
<tr>
<td>E-lending in PLs (percentage)</td>
<td>3,8%</td>
<td>Growing</td>
<td>Growing</td>
<td>Growing (statistics not available)</td>
</tr>
</tbody>
</table>
### E-loans in public libraries (except Basque region):

<table>
<thead>
<tr>
<th>Region</th>
<th>2020</th>
<th>2021</th>
</tr>
</thead>
<tbody>
<tr>
<td>Andalucía</td>
<td>296.802</td>
<td>180.561</td>
</tr>
<tr>
<td>Aragón</td>
<td>74.893</td>
<td>54.549</td>
</tr>
<tr>
<td>Canarias</td>
<td>105.310</td>
<td>92.128</td>
</tr>
<tr>
<td>Cantabria</td>
<td>51.327</td>
<td>69.088</td>
</tr>
<tr>
<td>Castilla y León</td>
<td>247.851</td>
<td>265.439</td>
</tr>
<tr>
<td>Castilla-La Mancha</td>
<td>111.209</td>
<td>62.521</td>
</tr>
<tr>
<td>Cataluña</td>
<td>947.438</td>
<td>Not provided</td>
</tr>
<tr>
<td>Ceuta</td>
<td>1.205</td>
<td>775</td>
</tr>
<tr>
<td>C de Madrid</td>
<td>1.115.102</td>
<td>782.730</td>
</tr>
<tr>
<td>CF Navarra</td>
<td>47.856</td>
<td>20.506</td>
</tr>
<tr>
<td>C Valenciana</td>
<td>142.828</td>
<td>85.593</td>
</tr>
<tr>
<td>Extremadura</td>
<td>105.203</td>
<td>77.473</td>
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<tr>
<td>Galicia</td>
<td>151.851</td>
<td>118.415</td>
</tr>
<tr>
<td>Illes Balears</td>
<td>47.056</td>
<td>28.118</td>
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<tr>
<td>La Rioja</td>
<td>88.929</td>
<td>80.578</td>
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<tr>
<td>Melilla</td>
<td>403</td>
<td>284</td>
</tr>
<tr>
<td>Principado de Asturias</td>
<td>45.602</td>
<td>29.553</td>
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<tr>
<td>Región de Murcia</td>
<td>192.661</td>
<td>147.469</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>3.746.853</strong></td>
<td><strong>2.078.978</strong></td>
</tr>
</tbody>
</table>

Suppliers of digital lending are not sharing this data, because technical limits and also, perhaps, commercial strategy.

**Some other reports:**

There are two possible forms of e-lending: digital lending of native e-books and digital lending of books
digitalized in librarian holdings. The legal framework is therefore different. The first is mainly regulated by
contractual agreements, while the second is regulated by the Spanish Copyright law and its limitations and

There are no intermediate actors negotiating the e-lending of digital publications, but arrangements are made
with regional agencies and the national public administrations. The largest project in Spain is eBiblio (national
public administration + all regions, except Catalonia and Basque country). Regional projects are present in
Catalonia (eBiblioCat), the Basque Country (Liburutegia), and “Galicia Lee” (Galicia, only for books in Galician).
Other minor experiences are also enacted, thanks to the support provided by public administrations. No data is
provided by university and academic libraries or school libraries.

The entity collecting royalties on the basis of e-lending is CEDRO (Centro Español de Derechos Reprográficos
(CEDRO), a non-profit organisation collecting royalties for authors and publishers, whatever its format. Libraries
exert very little influence on the policy of CEDRO.

A better legal framework is needed for the lending of non-native e-books (i.e. books digitised by libraries (CDL,
Controlled Digital Lending) that are digitised from librarian holdings (also within the framework of the law case
174-15 of the Court of Justice of the European Union C174/15 Vereniging Openbare Bibliotheken vs Stichting
Leenrecht). Controlled Digital lending is hard to implement in Spanish libraries, for instance in relation to the

The decision taken by the Court of Justice, however, does not concern published e-books or e-books stored on
platforms, for which libraries must sign agreements with providers. A better framework should be needed since
negotiations with publishers undertaken by consortia and national / regional administrations are not easy. For
native e-books, there is mistrust between publishers and libraries, even when supported by public
administration and mechanisms are not easy to implement. The CMO system is not responding to the library
demand and Spanish libraries do not often have budget to pay for royalties. At the same time, the private sector
is setting in place platforms providing e-lending together with licences to use e-publications and, through
agreements and license package, they are improving the system.

INTERACTION BETWEEN AUTHORS/PUBLISHERS/LIBRARIES

Libraries and e-publishers interact mainly through individual agreements and licenses. Direct acquisitions are
also possible where a publisher makes an agreement with a local library for school publications or with an
academic library for technical text books and publications. These agreements often provide for windowing
practices in time where access to digital collections is restricted.

In addition, epub/mobi/pdf have different prices whether they are accessed by individual buyers or by a library
and/or an institutional buyer. Normally, the latter pay a higher price. Purchases to public administrations entail
DRM system which are normally controlled by private vendors within a licensing framework. Exchange of
content between reading/access platforms is limited since they have different DRM systems and this is a form
to control and decrease piracy practices.

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Libraries acquire e-books on an individual basis or through platforms. Access to e-publications is restricted both in time and in terms of usage (downloads are not permitted, publications are not printable and can be accessed only though the private DRM system).

ON the other hand, public libraries have been so far unable to set up consortia to negotiate with publishers; consortia are in existence only in university/academic libraries, which have a more advanced level of management of e-lending transactions. The main difference lies in the audiences reached by the digital offer of publications: a close and well identified community of students, lecturers and staff in in academic libraries; open to all citizens in public libraries.

Consortia are only present within the university library system and this does not facilitate the development of e-lending. Exchange of information and negotiations based on economies of scale are could certainly facilitate the development of e-lending practices in libraries, the modernisation of the library system and a wider diffusion of e-reading. Even more so, that the central administration invests a large amount of money in the acquisition of e-books, not only through libraries, but also through marketing campaigns at national, regional and local level. For instance, a national website supported by the Spanish Ministry of Culture provides access to e-lending in the public library system of the 17 comunidades autónomas (the Spanish regional administrations).

https://www.culturaydeporte.gob.es/cultura/areas/bibliotecas/mc/eBiblio/inicio.html