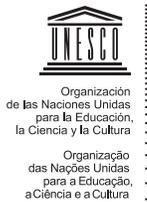


ACT MODEL FOR THE PROMOTION OF READING, BOOK AND LIBRARIES



ACT MODEL FOR THE PROMOTION OF READING, BOOK AND LIBRARIES

CENTRO REGIONAL PARA EL FOMENTO DEL LIBRO EN AMÉRICA
LATINA Y EL CARIBE - CERLALC



Act model for the promotion of Reading, book and libraries

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In memoriam

The construction of this act model, was to a large extent, the result of Richard Uribe Schroeder dedication to make it true. Richard was a man who devoted his best life years to the book cause and worked until the last moment on his dream to make of Latin America a region of books and readers.

Presentation

The Executive Committee of CERLALC, within the technical program approved for the period 2010-2011, entrusted us the mandate to “offering the countries an effective tool helping in the definition process of new laws applied to reading, book and libraries dealing with the sector components in a balanced way and allowing the progress in the construction of reading societies”. We undertook this task with enthusiasm; with the certainty that, given the huge transformations the world of book is experiencing, the region is demanding a deep consideration on those issues. In this sense, CERLALC has the responsibility to be the locomotive driving this project toward new developing scenarios allowing the region differences to be lesser regarding both the rest of the world and among the countries involved therein.

We have worked on the different stages required for the eventual construction of this act model, i.e. we have already prepared a preliminary version of the document, generated internal spaces of analysis and discussions, taken advice from Ibero-American specialists, and we invited an intergovernmental committee for the proposal to be analyzed as well. Today we are submitting the result of the work done in the last few months: an approaching to the set of concepts and tools required to build, according to the local needs and interests, an instrument embracing the whole sector for it to be projected to the future.

The work to be done is the truly strategic labor: to spread this proposal, make each country within the region to generate a fructiferous dialogue among all the involved agents; motivate these agents; train multipliers and eventually find, the set of tools deemed necessary and efficient for each country to face the new realities of the sector. All the foregoing will constitute an effective achievement of the goals setting we all want to come true.

The legislative, pragmatic, democratic and participative construction socially legitimizes the lawmaker purposes. *The act model for the promotion of reading, book and libraries*, in addition of being both a potential element for the economic, social and cultural development of our nations and of generating a competitive environment in the book field, has a particular virtue: it calls upon all of the actors in a pair dialogue. The act model, we do not stop saying it, is just it, a model. But the essence

and transcendence thereof will be obvious with the processes undertaken by each country in order to make it true.

Fernando Zapata López

Director of CERLALC

Introduction

Why an act model?

The world of book, at global level, has suffered large transformations in the last few years. Digital revolution in the last two decades has been placed in the center thereof, because of the appearance of Internet, electronic book and exponential multiplication of the available contents for the readers all around the world. Latin America and the Caribbean are not the exception to this phenomenon. Although the levels of relative development of our countries determine obvious gaps compared with the developed world, there is no doubt that those changes are here and now, so it is absolutely necessary to tackle the challenges they represent. The information and knowledge society has shifted the fundamental axes of the development, from the domain of material goods to the domain of the information and knowledge. Within this context, the State should guarantee, in a priority way, an effective appropriation of the information in order to turn it into knowledge. But the foregoing is not possible if there is lack of an effective development of the reading and writing competences in the society. The social exercise of reading is an essential condition to get access to the basic contents which facilitate to reach the knowledge.

When Centro Regional para el Fomento del Libro en América Latina y el Caribe, CERLALC, was born in early 70s, the concerns of the public policy around the book were to promote the book access (particularly to the school textbooks) for the population who massively entered the educational system. Therefore, the most important aids were the promotion of publishing, the promotion of free release and the strengthening of legislation regarding copyrights. And the job, to some extent, was done. Today we can talk of a region where book is freely released and the local publishing companies have branched out its business. Notwithstanding, lot of the ambitions of the 70s have been limited in our countries because of structural factors: income levels and its unequal distribution; quality of education; gaps between the rural and urban conditions; political and economic instability, etc. Important subjects regarding the diagnosis of the publishing matters have not been faced yet, particularly those related to distribution and the generation of a broader market for the domestic publishing industry.

If the challenges from the new global context are added to these subjects which still have to be worked out, it is not easy for we who are in the business the future job we have to face. Our ability to understand the changes around the industry has

to become more acute; the rate we will respond with must be accelerated, and the synergies generation to respond to those changes has to be enhanced. Within this context, in CERLALC we have learned that the public policies regarding the reading, book and libraries have to be renovated in a way the sector counts on solid instruments to be able to navigate in the near future. Closing gaps, undertaking large-scope projects, entering the new global world of book and reading, supposes “to shuffle and deal again”, especially when it comes to implement the legal instruments addressing and promoting our job. We have assumed the job to think over the book domestic policies, and with the contribution of many, in many countries, to propose to the CERLALC member states a set of rules for the sector: *The act model for the promotion of reading, book and libraries*.

A long history

The promotion legislation around the activities in connection with the book, the reading and the libraries has a long tradition in the world. The first rules on *copyright* so bear witness: in England, in 1710, when for the first time the author’s intellectual property on its works and its right on the reproduction and spreading thereof is recognized; rights which were then ratified in the constitutional text of the United States, which authorizes the lawmaker to act for the promotion of the scientific and artistic progress by the protection of copyright. The adoption of a standardized price system makes part of this very tradition, in Europe, in the 19th Century; the laws issued in Spain, in the first half of 20th Century (the price regulations of the publishing paper, the creation of Instituto Nacional del Libro Español, INLE, the Book Act as of 1946), until the recent legal set of rules in many countries of the region.

Which has been the driving force of these initiatives? In its early times, the book legislation did look for constructing a set of rules in order to protect the reproduction right and also to promote the marketing of the publishing products. In the first half of 20th Century, the legislations were mainly focused on the promotion field of book exports. In Spain, for example, the creation of INLE in 1935 and the Book Act as of 1946 were intended to open a space for the Spanish book in the Spanish-speaking America, a market which was, by then, fully covered by French and English publishing houses. In France, the creation of the Book National Center, in addition of boosting the publishing market, it also was looking for the francomania strengthening.

After the Second World War, the United Nations system boosted some strategies to harden the educational, scientific and technological development.

UNESCO's incorporation by-laws states that the entity:

(...) shall promote the mutual knowledge and understanding of the nations (...) for this purpose, shall recommend any international agreements deemed convenient in order to facilitate the free release of ideas through both the word and image.

Within this framework, the Florencia Agreement (1950) arises, that for the first time, in an international instrument, establishes the double nature of the cultural goods and promotes the free circulation thereof (by eliminating the trade barriers). In the economic logics, by promoting the free circulation of some goods, asymmetries are generated regarding the domestic production which enables to tackle some measures promoting the development of the domestic industries. The same Florencia Agreement applies to this phenomenon and adopts the free circulation of the used goods in the production of cultural goods (capital goods, raw materials and inputs). In that first legal tradition the developments on the subject of many countries are signed on (Argentina, Colombia, Spain, Mexico), which search for the promotion of the cultural goods industries development, particularly the book industry.

The massive access to both the educational system and the demand of scientific and technological development, set the basic imperatives for the public policies in regard to guaranteeing a proper supply of cultural goods. The incipient globalization brings under discussion subjects such as the protection and promotion of both the national and regional entities. Within this context, it is placed the creation of centers for the book promotion in several different regions of the world (Africa, Asia and Latin America). Therein the CERLALC is born, with the flag of free circulation of book and the promotion of the intellectual and publishing creation in the region. Out of this period, it must be mentioned subjects such as the Agreement of the Partial Scope from Asociacion Latinoamericana de Integración, ALADI; the attempts to promote a Latin American Common Market of the Book, and the Type Act of Guayaquil.

The current challenges

The top subjects discussed in the last decades have been the globalization, the information society and the cultural diversity. The free circulation of the publishing goods, in terms of tariff barriers, was a reality to a large extent in the world, par-

ticularly in the region. The priorities in the field of the development of the publishing business set other emphasis. Promoting the cultural diversity, assuming both the globalization and the information society challenges implied to transcend the laws of the industrial promotion in order to generate more inclusive legal set of rules in the world of the book, the reading and the libraries. This is just the spirit and the mandate of the UNESCO Convention for the Protection and Promotion of the Diversity of the Cultural Expressions, established in 2005 and ratified by 115 countries, the European Union and the Ibero-American Cultural Letter (2006).

The focus remains today in the readers, in the challenges of the digital environment and in the access, without ignoring the promotion of the economic activities linked to the book and reading. That is why the act model seeks to enact the right to reading as a fundamental cultural right.

The spirit above mentioned is the raw material for this act model intended for the promotion of Reading, Book and Libraries that CERLALC makes available to both the region governments and the book community in general, in order to start actions allowing the generation of public policies addressed to face the challenges of the 21st Century book.

The exercise resulted in a act model with seventy five (75) articles, three times more than the Type Act of Guayaquil; our previous exercise in 1990s. The reason is simple: the proposal we submit before the CERLALC member states seeks to generate specific actions for each one of the links of the book and reading chain (authors, publishers, booksellers, distributors, literary agents and libraries) with a conducting thread: more readers and more reading.

The constitutional bases and the governmental organization ways are different in the region. The act model is a guide for the lawmakers, on their understanding and wisdom, to have a full map of the world of book and reading as well as a set of legal tools which have proven its benefits in many places. That is why, each article has its own explanatory notes looking for a broader understanding of the set of articles, and especially, to show some alternatives regarding some specific cases of the stated rules. Those comments, by way of display of motives, have the same or even more value than the proposed set of articles.

Notes of the Publisher

As it has been mentioned in the introduction, in order to provide a more comprehensive reading of all text of the act model, the notes of those articles and numbers which deserve a gloss have been included. Such glosses have been specially thought to offer a larger scope to the set of articles: on the one hand, they contextualize the content of each article with other international laws; on the other hand, they are referred to other articles in the Model, by either supporting its main postulates or providing them with other dimension.

In order to facilitate the reading of these texts, whose relevance is virtually equivalent, we have confronted the articles (in odd pages) with its correspondent notes (in even pages). Likewise, a unified nomenclature has been applied for the notes to the numbers resorting to a two-digit number indicating the article and the number it refers to. For example, nomenclature 2.3 makes reference to article 2, number 3. Finally, one text has been graphically differentiated from other by using colors: black for the set of articles text, blue for the notes text.

Act model for the promotion of reading, book and libraries

Notes to articles 1 and 2

- 1 The scope of law is ample and it involves the actors of the reading chain and the book. Its main purpose is it to be a rule including all of the agents. Whenever talking about the book –along the text- reference is made to any way which adopts its production and/or spreading.
- 2 This article emphasizes the society reading and writing function, by underscoring its cultural (population education, creativity, contribution to cultural diversity), political (information for democracy) and recreational function. Likewise, it underscores the mutual relation between reading and writing: although reading is always active since any reading is a personal interpretation, the ability to communicate personal, social and cultural messages offer the individuals a possibility of creativity in various levels. The State obligation to assure all citizens to acquire the ability to read and write lies in the fact that for the people to enjoy the full citizenship in a modern society, it is indispensable the proper command of the written culture in its various ways.
The libraries are the main tool for the State to assure the access to the book and information, and so to the culture in equity conditions: the foregoing makes possible that the social groups with lesser income to enjoy the culture benefits. Especially to children and youths, since the early access to book and reading makes easy the development of the skills and abilities allowing them the access to higher levels of education.
- 2.3. In addition, the hereditary libraries, under the guideline of Biblioteca Nacional, play an strategic role on the recovery, conservation and spreading of the bibliographic and documental heritage of the country.

(End of notes to articles 1 and 2)

Title I

General provisions

Chapter I

Scope of law application

Article 1. This law is applicable to the promotion of the reading, the writing and the libraries; as well as to the book production and circulation in any support, and to the entities, processes and resources relative thereof.

Chapter II

Guiding principles

Article 2. This law is supported on the following principles:

1. Reading is an essential cultural right to improve the population's educational, technical and scientific levels, support the knowledge creation and conveyance, the nation's cultural development and the information circulation within the framework of a democratic, diverse, equitable and prosperous society. It is fundamental for the artistic and literary creation and for the formation and diversity of cultures, as well as for the recreation, and it has a direct influence over both the society productivity and economic development. Therefore, the State shall guarantee the learning of reading and writing, the permanent development of the reading and writing competences required by the knowledge society, facilitate the access of all the members of the community to information and cultural production, and shall promote the creative use of the reading and writing, in a sustainable way, by the members thereof.
2. The book, in its different supports and formats, is a central element of culture, bearer of the cultural and linguistic diversity and an indispensable tool for the conservation and conveyance of the nation cultural heritage, as well as for the interchange among cultures. The State should stimulate the publishing activity since, in addition to the economic benefits it generates, also creates indispensable goods and values for the culture, the freedom of speech and democracy.
3. Libraries main function is to guarantee the population access, without any economic restriction or discrimination whatever, to the book and the multiple ways of reading. Likewise, they are responsible for the conservation, protection and spreading of the bibliographic heritage of the nation. The State should guarantee the practicing of right

- 3 The law seeks to develop those objectives through concrete policies. However, it does not claim to include the whole public policies that make possible its achievement. Many of these objectives are based on other legal rules such as the copyright, the legal deposit, the laws on education and culture or those encouraging the domestic industry. Other correspond to the promotion concrete policies a government is able to adopt and which should not be included in its law-case study in a general rule, which must operate as a framework law being useful for the development of other policies.
- 3.2. Creation is promoted and encouraged through the general policies of culture, especially those supporting creativity, within the school system and out of it, in specific groups of population (children, youths, indigenous peoples, Afro-American groups) and by the laws protecting the creators and authors, such as the copyrights rules. This law attempts to get such objective through the conservation and spreading policies of the bibliographic and cultural heritage (article 33), the direct action to promote the creation (Title III) and the tax treatment in favor of the authors income (article 43).
- 3.3. It requires to establish an effective system of both public libraries and school libraries assuring the population access to both the country and all around the world bibliographic production; support the spreading mechanisms of the book and other reading materials (article 58) at domestic and international level; promote the publication of works of the national culture (articles 38 and 69.5) and of translations of written works into other languages (articles 44 and 69.6); promote the development of a broad content supply, including the contents for the virtual edition (article 8); and promote the edition of materials for disabled people (article 48).

to information, through the support to the public libraries system with the assistance of the private libraries.

4. Intellectual creation expressed in other literary, artistic and scientific works, is critical for the culture, science and communications development, by materializing the freedom of speech and creativity. Therefore, the State should protect creators by establishing minimum standards of protection, keeping the equilibrium between its rights and the access to culture.
5. Below listed are the constitutional rights supporting the right to reading and which must be guaranteed by the State and respected by society:
 - a) The right to culture, which comes true with the various ways of creation and in the equitable opportunities of access to the cultural goods, especially those intended to reading.
 - b) The right to education, which requires the development of reading and writing abilities.
 - c) The right to freedom of speech, as a guarantee subject matter of the legal right to protection for the sake of research promotion and creation of literary and artistic works.
 - d) The right to information, which allows the free access to information for life and especially for the practice of the democratic participation.
 - e) The copyright, assuring the creators the possibility to enjoy the benefits from the use of its works by the society.

Chapter III

Fundamental objectives

Article 3. This law has the following objectives:

1. Supporting the formation of readers and writers and promoting the population reading and writing practices.
2. Encouraging the cultural, literary and scientific creation.
3. Making possible the population democratic access to reading and book.

Notes to article 3 (continuation)

- 3.4. The pertinent policies include the adoption of tax, credit and promotion policies; the promotion of editions making easy the access to book for all of the population groups (articles 44 and 49); the strengthening of the distribution systems, particularly, nationwide bookstores coverage. It also incorporates the drive to exports and the international book circulation by reducing costs and taxes; the support to fairs and effective information and distribution mechanisms; the incentive to digital edition, by promoting the creation of appropriate mechanisms, defining the frameworks to protect the publisher and author's rights in that field; and the support to the industry modernization, especially by using information and communication technologies, and also the policies to promote the biodiversity and independent edition.
- 3.5. This training includes the formal programs (technical, technological and professional) and the professional training programs oriented to work; as well as other ways of updating and training offered by educational institutions, professional associations, companies, cooperation agencies (articles 21.7, 28, 41, 50, 60, 64.7).
- 3.7. The Convention of the United Nations Educational, Scientific and Cultural Organization, UNESCO, over the Protection and Promotion of Diversity of the Cultural Expressions, established in 2005 and ratified up to date by 117 countries and one regional agency of integration, is a multilateral instrument which recognizes the transcendence of the cultural goods and services and recommends policies for the promotion of the creation, production and circulation: "Being aware that the activities, the cultural goods and services are of cultural and economic nature, and therefore it should not be treated as though it just had a commercial value".

(End of notes to article 3)

4. To support the book production and circulation
5. To support the training of human resources of the activities regulated by this law.
6. To promote and support the diversity of the linguistic and cultural expressions.
7. To promote the involvement of the citizens for the promotion of reading, writing, book and libraries.

Notes to article 4

- 4 It is necessary to provide the law with definitions which bring the interpreter and the legal operator closer to the spirit thereof. Such definitions correspond to the subjects of specific benefits proposed in the law. Although specialists are able to discuss definitions dealing with “culture”, “reading” etc., in a productive way, it was deemed inconvenient and unnecessary for its application, that law defines phenomena as alive, changing and complex as the former ones. Similarly, it was deemed unnecessary to include non-controversial definitions of agents and functions such as “librarian”, “bookseller”, “cultural sponsor”, “cultural mediator”, “reading motivator”, “cultural disseminator”, and the like, to the extent that its definition has no implications in the law application.
- 4.2. The definition adopts the current legal criterion set forth on the contemporary rules which recognize authorship only upon the natural persons in either an individual or collective basis.
- 4.5. As mentioned above, the “public” libraries can be State entities, attached to either the National Government or the territorial bodies, otherwise they can be a property of private entities (guilds, non-profit organizations, banks) or of neighbors associations and community organizations.
- 4.7. With the definition of publishing house as “body corporate”, it is excluded the “author-publisher” (when it is not incorporated as body corporate) from the benefits granted to the publishing houses.
- 4.8. These entities are mainly the towns or municipalities and the departments of the unitary republics and the States of the federal republics. They may include, in some particular case, the provinces, provided that they have a management autonomy justifying them, and the indigenous communities, whenever law grants upon them its own administrative functions irrespective of the municipalities. The exact enumeration shall be done according to the constitutional framework of each particular country.

Chapter IV

Definitions

Article 4. For the purposes of this law, the following definitions are adopted:

1. *Literary Agent*: natural person or body corporate which represents the author in those legal and contractual issues as well as in the promotion of its work.
2. *Author*: physical person who makes the intellectual creation whether it be by its own or derivative, such as writer, illustrator, photographer, compiler or translator.
3. *Library*: cultural institution whose essential function is to provide the population with a broad access and without discrimination to books, publications and documents released or spread in any means. It can be school, public, university and specialized libraries.
4. *School library*: a service of the school education which makes use of the bibliographic and audiovisual collections, with a proper room, a person in charge and a working plan so as to guarantee the educational community free access, especially students and teachers, and it is permanently incorporated to the teaching practice.
5. *Public library*: a place for the community to get together, site to access information and a center for the culture and reading promotion whose primary function is to offer the readers a broad access and without discrimination to the bibliographic, audiovisual, and multimedia collections, or in any other means, being permanently updated. Public libraries may be private, community or state libraries.
6. *Distributor*: body corporate whose main function is the wholesale book marketing. It is the link between the publisher and the retailer.
7. *Publishing house*: body corporate legally and economically responsible, that is, it is responsible for the funding and coordination of the edition process of the works, its printing or electronic reproduction, and spreading business by any means.
8. *Territorial entities*: political and administrative divisions being defined by the Constitution or by Law, with its own authority and capacity for the budgetary management.

Notes to article 4 (continuation)

- 4.9. In some countries the proper term is “mercantile establishment” and includes virtual libraries. In order to distinguish between the distributor and the bookseller, it has been decided to take into account if its fundamental business is wholesale or retail. The legal term is different in some countries, so for each particular case the local use must be adopted. In Chile, for example, the Mercantile Code uses the term “al menudeo” which is also frequently used in Mexico. It does not appear to be viable to use as a differentiating criterion, the sale to the “final consumer” because of those distributors who do not have premises with public access, but they sell almost all of its imports to the final consumer (professional organizations, school institutions). On the other hand, the definition has been drawn up in a way that it does not exclude the small business, such as stands and the like, provided that they are commercial establishments whose main activity is to sell books to the public.
- 4.10. This definition is applicable to audiobooks, since it includes the works made up of “verbal” material, without being printed, as well as the books in electronic formats, to the extent that it includes the works in any support. That is the reason why it is deemed unnecessary to include an “audiobook”, “electronic book” definition and any other kind of book differentiated by the format. Among these are: the traditional formats in paper, hard cover, paperback, and electronic formats such as HTML, PDF, or the latest such as ePub, Mobipocket, Kindle (AZW), Flip Book, etc.

((End of notes to article 4))

9. *Bookstore*: commerce establishment of free access to public, whose main business is the retail sale of books. It also may sell other sonorous or audiovisual goods of the cultural industry, as well as reading or writing complementary materials.
10. *Book*: it is any unitary work, published in one or more volumes, fascicles, made up of verbal or graphic material, with a headline, released in any means that can be read. For the customs and tax purposes, a book is considered any complementary material, in any means, which makes part thereof and not permitted to be independently marketed.

- 5 It is important to make emphasis in a “right to reading”. Since it is not expressly recognized in any constitutional regulation, ground is given to it under the constitutional rights mentioned in article 2.5. In this way, the enjoyment and exercise of the right to reading, depends on the fact that the constitutional rights mentioned herein this article are respected.
- 6 This article mentions the “Ministry of Education” and the “Ministry of Culture”. The term should be fit -herein and in the other relevant articles- to the typical structure of each particular country and to the names given to these institutions as well: Secretariat of Public Education, Ministry of Education and Culture, Ministry of Education and Cultures, Ministry of Education and Youth, Ministry of Education, Culture and Sports, etc. In some countries, the cultural functions area attached to a National Council, or a Ministry of Culture does not exist, therefore, the ascriptions given should be assigned to the Ministry of Education or to the Secretariat of Education, etc.
- 7 Those programs addressed to young children for them to become acquainted with book and enter into the written world are considered of great importance, because of its impact on social equity. The differences around the development of the reading skills are arisen in large part in the very first years of life, because of the impact of the cultural endowment of the family over the child, and they have a very negative effect on equity, since the access to higher education is closely related to the young people’s reading ability. These programs should assure the inclusion of all boys and girls into the written culture, and the introductory preparation therefor, since the time of birth. Equally important are the reading promotion non-formal programs scheduled out of the school facilities, in libraries, in home and in different public spaces, social organizations, entertainment or care sites, such as hospitals, daycares, etc.
- 8 This article must be developed and applied to promote the book production in any format, including digital contents, which may be pretty desirable within the educational processes. Furthermore, it makes possible the countries to design policies to promote the domestic authors’ works, the books of heritage interest, those books reflecting the country’s cultural diversity and other books which lack of enough care by the publishing industry.

(End of notes to articles 5, 6, 7 and 8)

Title II

Of the promotion of reading, writing and libraries

Chapter I

The reading

Article 5. All people have the right to reading so the public powers shall assure the exercise of this right in freedom and social equity conditions.

Article 6. The National Government shall define and start up the National Plan of Reading, and the ministries of Education and Culture will be involved in the making, performance, evaluation and updating thereof. A constant and enough budget shall be allotted to this plan.

Article 7. The Ministry of Education, in conjunction with the territorial authorities and the educational institutions, and assisted by the Ministry of Culture, shall watch over the education for it to develop the reading and writing skills, promote the readers and writers training for the recreation, information and individual formation, and encourage the critical and complex reading ability in all its levels, modalities and scopes. It also shall promote the development of programs dealing with written culture since the early childhood.

Article 8. The State, in conjunction with the territorial authorities, the publishing houses and other concerned parties, will boost the creation and production of works to enrich the book available supply and so satisfy the reader's needs and concerns, as well as the distribution all around the national territory to assure its access to all potential readers.

Notes to articles 9, 12 and 13

- 9 In many countries of the region, the book availability in the school is limited, or it is focused in the textbook. It is important that in addition to the textbook, both students and teachers look for support in other books and various other materials in order to develop their information search abilities and their reading skills. The school library must turn into the core for the development of any policy to promote the reading. The establishment of school library must be guaranteed by that set forth under articles 5 and 6 hereunder.
- 12 Although this law does not apply in a mandatory way to university libraries, making part of the institutions which benefit from autonomy in many countries, the government could consider the implementation of university libraries as a central element to claim the quality of universities, intending that they are not just suitable for the professional training or specialized research, but also to contribute with the student cultural development.
- 13 Public libraries meet together a miscellaneous set of institutions which can develop its job in a better way if incorporated to a coordinated working system and with common principles of operation. The economies of scale arising when there are cooperative cataloging systems, rendering of services and implementation of collections, are very large, and demand the urgency for all libraries to form an integrated system which must meet rules and technical standardized procedures, being defined by a technical committee where all the concerned sectors get involved.

(End of notes to articles 9, 12 and 13)

Article 9. The State shall assure the permanent presence of book in the school and classroom through the school library.

Article 10. The State shall assure the existence of public libraries, as a place of access to book and information for all population, such as supporting entities for the formation of readers and as a community and cultural meeting places.

Article 11. The State shall promote both the establishment of community libraries and the use of book in all areas, including home.

Article 12. The government, by defining the mechanisms of quality accreditation of the university institutions, shall verify that they have proper libraries, both to support the professional training and to permit the access to the country's cultural production.

Chapter II

Public libraries

Article 13. Under the coordination of the Ministry or Secretariat of Culture, be created the National System of Public Libraries, oriented by a National Technical Committee, made up by representatives of the libraries, civil society, expert agents and culture promoters.

Article 14. At least one public library which will make part of the National System of Public Libraries should exist in any territorial municipal unit or its equivalent.

Article 15. Public library shall guarantee the wide and free access to reading, in all its forms and technologies, as well as in the various nationwide languages, to all population; particularly the population making part of groups which, for cultural, economic, social or disability reasons, have been through any way of exclusion or discrimination. Likewise, it must serve as a place of meeting of the community, space for the promotion of culture in all its forms, and of promoting entity of conservation and spreading of the local cultural heritage.

Article 16. The libraries under the National System of Public Libraries, shall permanently update its collections, in order to properly respond to the user needs, the cultural and social traits of the communities and to the development of the knowledge and sciences.

Notes to articles 17, 18, 19 and 20

- 17 The borrowing of books from the public libraries is so limited because of the fear of the persons in charge thereof to severe administrative responsibilities due to the loss of any material by the users. Just like a teacher is not responsible for a classroom broken glass, the librarian should not be responsible for a damage caused to a book by a third party. This regulation is repeated under article 30 regarding the school libraries.
- 18 Donations to public libraries must be Value Added Tax exempt or import tax exempt. This measure avoids these institutions to waive important donations, for lack of budgetary resources to pay taxes, which usually are not included in donations to public entities or external foundations.
This regulation is repeated in article 31 with respect to school libraries. Although the adopted public libraries definition (articles 4 and 5) are based on the opening to the public in general, it is up to each government to determine if it restricts such exemption to the state libraries or extend it to all libraries which render a service to the public.
- 19 As a way to spur donations from the private sector, the lawmaker could establish discounts over the income tax (taxable), in an amount higher than 100% of the donation value, for it to represent a tax advantage for the donor, in comparison to a normal expense in its business. The Law proposes to establish such benefits to the donations made to those non-profit organizations devoted to reading and for the donation of public and school libraries. In order to avoid donations of useless bibliographic collections, it was determined that the National Technical Committee of Public Libraries poses the regulation for the acceptance of such donations, (article 21.6). Likewise, the government should regulate it since the point of view of the tax law, so as to set, in case it is not money, the way to value donations and so to avoid it to be used by some as a mechanism of tax evasion.
It is repeated in article 32 to be applied to school libraries regarding endowment or construction. It is worth mentioning that symbol [XX%] indicates the percentage of the donation worth which can be discounted. It should be defined by each country so that is why the exact value is not suggested.
In Brazil, Chile, Colombia, Ecuador, Guatemala, Mexico, Peru and Venezuela the usual term is “income”. In Argentina it is called “tax on profits” and it imposes a tax on the “people and company’s income”. Everywhere the term “exemption” is used, except in Peru, where they use the term “exoneration”. The term “deduction” for the values discounted from the gross income is universal. The concept “gross income” is also generalized. The term “taxable income” is less universal, and it is equivalent to the term “dutiabile income”.
- 20 This article creates the committee already mentioned in article 13. Such committee must be attached to the Ministry of Culture, if any, otherwise to the body of similar executive power.

(End of notes to articles 17, 18, 19 and 20)

Article 17. For any accounting, budgetary and financial purposes, books will be classified under both the inventories and the State accounting as a consumption goods or fungible goods, save for those received as legal deposit otherwise make part of the national or local heritage collections. Therefore, those responsible for the libraries making up the National System of Public Libraries will not be responsible from the criminal, disciplinary or heritage point of view for the books deterioration as a consequence of its use; or the loss thereof as a consequence of acts of God or third parties acts, in the development of the library lending or book consultation services.

Article 18. Any import of goods, equipment and endowments donated on behalf of libraries making up the Network of Public Libraries, will be sale tax or Value Added Tax exempted, and free from any customs duties.

Article 19. The [XX%] of the donation value made to any non-profit organizations devoted to the culture promotion, or for the endowment to public libraries shall be discounted from the donors taxable gross income. Such donations should be previously approved as any particular government so establishes it, in accordance with the regulation proposal from the National Technical Committee of Public Libraries, both in its amount and its purposes as well as in its procedures for the acceptance thereof.

Chapter III

National Technical Committee of Public Libraries

Article 20. Be created the National Technical Committee of Public Libraries, as a consultant and advisory body under the Executive Power, without a body corporate and being dependant from the Ministry of Culture or the like, for the creation and execution of any policies relevant to the National System of Public Libraries, which will be governed by both this law and the regulations delivered by the Executive Power.

Notes to article 21

- 21.1. The availability of an Integrating National Catalogue, being created in accordance with the international technical guidelines, saves cataloguing costs, allows the cooperative use of the existing collections and reduces any gap regarding the library service quality between large cities and small towns. Such catalogue is different from the National Bibliographic Catalogue mentioned under article 33, which refers to the catalogue of the heritage materials, i.e. of national production or relative to the country, which is under the responsibility of the National Library.
- 21.4. In general terms, this law defines as a State obligation, debited to a special budget, the endowment of public libraries. However, according to the typical structures of each country, this budget can be centralized or decentralized, or can include any contribution from the different levels of the government. For all such cases, it is important the existence of quality guidelines and criteria adopted in a coordinated way and to be applied to all the public libraries in the country.
- 21.5. The great technological transformation now being developed should be at hand of all the public libraries through a strategy of endowment and access to the leading-edge technology, particularly to that which makes possible the operation of the library networks, the standardized and regular updating of the catalogs and the handling of new formats of book, as well as the audiovisual materials and multimedia.
- 21.7. The instability of the persons in charge of school and public libraries is one of the most serious bottlenecks regarding the rendering of this service. The training of the librarians at technical, technological and professional level, and the permanent updating of such training is critical to improve the libraries and the service to the public, and it must be accompanied by some procedures assuring the trained and efficient librarians to stay in their positions.
- 21.8. The collection of the basic statistics of libraries (seats of reading in libraries, users, enrolled or members, consultations, lending, staff, its training and continuity, technological endowment, etc.) and its regional or national aggregation is very poor in most of the countries. Therefore, it is essential that the information and registry system include not just the whole inventory of libraries but also the statistical information required to define the pertinent policies and for the decision making as well.

(End of notes to article 21)

Article 21. The National Technical Committee of Public Libraries will be responsible for:

1. Promoting the creation of an integrated national catalogue of the public libraries and supporting the definition of the regulations and cataloging standards for any kind of materials, both analogical and digital.
2. Offering advice for the definition of service policies of public libraries, in a way that it responds to the readers needs and promotes its training and growing skills for the use of book in its different formats and technological support.
3. Supporting the creation of networks of public libraries in order to improve the rendering of its services and to establish cooperation mechanisms for its actions.
4. Proposing the policies for the development of collections and submitting to the National Board of Reading, Book and Libraries the policies and mechanisms proposed for the procurement of books debited to the budget of the National Government.
5. Submitting strategies for the technological development of libraries.
6. Submitting before the Ministry of Culture or its counterpart, the policies and mechanisms proposed for the acceptance of bibliographic donations in order to assure it meets the needs for the development of libraries and the latter to have the technical capacity to process and put them into service.
7. Promoting a policy of continuous training for all the people in charge of the public libraries, bearing in mind the objectives set forth hereunder, and supporting the mechanisms to assure the continuance of trained staff.
8. Supporting the implementation of an information and record system for the National System of Public Libraries.

Notes to articles 22, 23 and 24

- 22.1. Where a directorate of the network of public libraries or its counterpart does not exist, it is convenient to create it, as a branch office under the Ministry of Culture, enjoying enough autonomy and management capacity.
- 22.2. The permanent inclusion of a representative from the Ministry of Education (which can be the person in charge of the network of school libraries) is recommended, in order to guarantee the cooperation and coordination among the school and public libraries. Also convenient could be the inclusion of a representative from the National Library, because of its role in the establishment of policies relative to cataloging and documental conservation.
- 22.8. The representatives of both the civil institutions for promoting reading and of the library-friend associations, are pertinent in those countries where these entities have been established.
- 23 This article, which gathers up the general mandate that every private or public school owns a school library, emphasizes on the need of a library's responsible person for it not to be only a collection of books. In addition, it is important that the governments implement a proper classroom-library program, in order to promote reading, particularly that other than textbooks, and to make the book available to students. These libraries may make part of the school library with a different management, according to what each country so considers it. This law does not define a minimum size of school library, which must be pointed out in the law to be drawn up, according to each country's experience and conditions, looking for the gradual achievement of the appropriate magnitude.
- 24 With the new technological conditions, the school library also plays an essential role for both the development of the digital literacy and the student ability to be oriented regarding the digital web available information. For this to be successful, the library should count on a good internet access, proper equipment, and the assistance of a person able to give advice to students, teachers and parents looking for information, as well as to the assessment of its pertinence and quality which is of particular importance given the technological conditions produced by the avalanche of information in the web.

(End of notes to articles 22, 23 and 24)

Article 22. The National Technical Committee of Public Libraries shall be made up as follows:

1. The Director of the Network of Public Libraries, who will coordinate it.
2. One representative of the Ministry of Education.
3. One representative of the departmental, regional or local libraries.
4. Two representatives of the municipal or local libraries.
5. One representative of the library science faculties.
6. One representative of the library associations.
7. One representative of the civil foundations and associations for the promotion of reading, if any.
8. Representatives of the public-library-friend associations, if any. Within the regulation body of this law, the mechanisms to appoint the representatives and the term of their offices will be established.

Chapter IV

School libraries

Article 23. For all the educational institutions to meet its objective shall have a school library, which will have a person in charge of its operation, in order to assure an effective and permanent service during all the school cycle.

Article 24. School libraries' primordial function is to make sure the school community to have a permanent access to book and the various reading and writing practices; so students, teachers and family parents will have the lending services for consultation and encouragement to reading, and the right to access on-line information, and also will be supported on teaching in all disciplines and offered access to the communication technologies for students and teachers.

Notes to articles 25, 26, 27, 28 and 32

- 25 and 26** As is the case with the public libraries, cooperation among school libraries and its integration into a national program and into a collaborative network, create economies of scale, make easy the assessment and choice of the material which will make part of the collections and information linking the collections with the teaching activities allowing the material circulation and lending among institutions.
- 27** In the last few decades, the cultural policy in the region has made more and more emphasis on the need to respect and appreciate the differences among the various cultures, regions or ethnical groups. School libraries should recognize this issue in its collections. On the other hand, law makes emphasis on the need of a continuous updating of collections, since its pertinence and attractiveness quickly decline, should the new cultural and scientific production are not incorporated.
- 28** One of the most frequent weaknesses of the school library systems is the lack of an appropriate trained staff. This leads to appoint administrative or teaching staff in the libraries managing positions without a proper education or vocation, and as a result thereof a continuous staff turnover. Law seeks to promote both a training policy for the school librarians and its labor stability to the extent they have gotten such training.
- 32** Since it deals with an encouragement consisting of the possibility to deduce or discount the donated value from the taxable gross income, such encouragement exists only if it is possible to deduce or discount a value higher than 100% from the donation, that is, whenever any tax advantage exists by making the donation in comparison to the normal expense in the operation of the entity. The symbol [XX%] indicates the percentage of the donation value which can be discounted. It must be determined by each particular country, and that is why the exact value is not indicated.

(End of notes to articles 25, 26, 27, 28 and 32)

Article 25. Under the guideline of the Ministry of Education and in coordination with all educational territorial authorities, the National Program of School Libraries will be created, which will set the objectives for the gradual development of libraries, its technological acting and its adaptation to the education objectives.

Article 26. School libraries will make part of local networks to offer training opportunities among peers, empower the actions of each library, share technical resources and offer services one another.

Article 27. Both the established school libraries and the classroom libraries must have updating collections which assure the linguistic and cultural diversity and meet the needs of students and teachers. The Ministry of Education shall point out the basic criteria and the minimum, open and public procedures, for the selection of such collections and the participation of students, teachers and school authorities.

Article 28. The State shall promote the creation of school libraries and issue the regulations assuring the labor stability of the qualified staff.

Article 29. Each center shall approve its reading plan as well as the library services and the management thereof will be under the responsibility of the person in charge of the school library, who will account for the results at the end of each academic course. In the configuration of the reading plan shall participate, under the coordination of the person in charge of the library, the people representing the teacher body and students.

Article 30. Books shall be classified under both the inventories and the State accounting as a consumption goods or fungible goods, that is, those which either disappear or become deteriorated due to its use. Consequently, the people in charge of the school libraries and the managing staff of the institution will not be responsible since the criminal, disciplinary or equity point of view for the books deterioration as a consequence of its use, or for its loss whenever it deals with acts of God or third-party acts, in the development of the librarian services whether by consultation or lending.

Article 31. The goods and equipment imports and any donated endowments on behalf of the school libraries shall be sales tax or Value Added Tax exempt or any other customs duty exempt.

Article 32. The [XX%] of the donations worth used for the endowment or building of school libraries shall be discounted from donors taxable gross income. These donations shall be previously approved according to that pointed out by the National Council of Reading, Book and Libraries, both in its amounts and purposes.

- 33.1. Within its duty to safeguard the national heritage, it is important that the National Library keeps a national bibliographic catalogue based on the legal deposit, its collections and the database in place, for example, the International Standardized Book Number, ISBN. Equally important is that the National Library retrospectively completes it, with the support of the existing systematized catalogues and the catalogues of other libraries with heritage collections, such as the university libraries or the private old libraries, in the country and abroad. Such catalogue, in addition to help checking the compliance of the legal deposit regulations, must serve as an effort for the recovery of the national bibliographic heritage, so as to include the works which for any reason are not found in the National Library or in the relevant heritage libraries. Special attention must be paid to the recovery of the regional or local bibliographic heritage as well as to that of the country's diverse cultural tongues.
- 33.2. It is the responsibility of each country to determine what it deems appropriate to keep in terms of heritage. For administrative reasons, it may be the responsibility of the National Library to keep the sonorous and audiovisual material, the radio recordings or the films and television programs; otherwise it may be kept by separate agencies. Anyway, it is important the existence of clear rules and policies thereof and the producers to know where to deposit their product copies and in what formats.
- 33.3. This is a relevant task, given the growing production of digital material, which includes electronic books, cultural pages, opinion blogs, scientific and cultural magazines exclusively released by internet, as well as versions of the newspapers and periodical publications of the country. Many of this material disappear leaving no record thereof.
- 34 The delivery of various copies to comply with the legal deposit responds to the need of the national libraries to preserve, at least, one of the titles published and to make available another for its consultation in the rooms open to the public or for the departmental or regional libraries. The number of copies which must be delivered to the various national libraries varies from country to country. In the annexes to this act model included are the current provisions regarding the legal deposit in the various countries of the region.

(End of notes to articles 33 and 34)

Chapter v

National Library

Article 33. The National Library is responsible for recovering, safeguarding, conserving and disseminating the national bibliographic heritage. For such a purpose it shall:

1. Prepare and disseminate the National Bibliographic Catalogue and define the cataloguing rules and standards for the different kind of materials used to make it.
2. Establish the materials subject matter of conservation in the National Library and in other heritage regional or local libraries; define the conservation policies of the bibliographic material and otherwise, such maps, pictures, manuscripts, drawings and designs, sonorous recordings, digital files and others it deems pertinent, and establish the corresponding policies of access.
3. Define the rules for the conservation of the digital cultural production, pointed out the appropriate procedures and appoint the persons in charge thereof.
4. Promote the digitalization of the material used by the public whose frequent consultation may damage its conservation, or whose dissemination is important since the cultural point of view, to make up the national virtual library, such digitalization to be coordinated with other virtual regional or world libraries.
5. Encourage research and make easy the access to public researchers in general, through the digitalization of those materials with higher risk of deterioration.
6. Boost the dissemination of the nation's bibliographic material.

Article 34. Publishers shall be forced to deliver to National Library, for legal deposit, at least three copies of each printed book published in the country. The government shall regulate the obligation of the legal deposit for the electronic production, by defining the procedures and mechanisms required.

- 35, 36, 37 and 38 The aforementioned incentives to creation do not limit the beneficial policies that can be implemented by each particular country. Here are not included those implemented in the educational field, in particular those programs helping to develop the literary skills and to prepare scientific and informational quality texts (bachelors degree and professional careers, workshops and university literary residences, courses on cultural journalism, etc.). These incentives may exist at national and regional level and include the access, through contest, to integral funding or to co-funding/co-investment mechanisms.
- 39 The creation of habits recognizing the authors work, the respect to the integrity of its works and the legitimate use thereof, are issues which must be promoted as part of the school culture. Such culture reinforces the social appreciation of creation and complements the copyright regulations.
- 41 These programs should provide the authors with the capacity of improving the conditions they negotiate with, in order to look for an equilibrium among them and the cultural industries, which in times becomes unbalanced due to ignorance of the authors, regarding the complexities created by the new technologies due to both the operational international conditions of the cultural industries and the possibilities to use the works in different formats. Also convenient is to improve its training in publishing issues and subjects related to the works dissemination and distribution, the digital publishing, the use of new technologies and social networks for the spreading of its works, etc.
- 43 This regulation is currently in force in several countries. In Spain, exemption is limited to literary awards, when they are not accompanied by its commercial exploitation. In some cases copyrights are taxed, but only as from a determined threshold or with a rate lower than the labor income. For most of the authors, income is not significant for the tax authority, but generates high costs to process the transactions. Each country must find the best incentives given its economic and social model and its tax and budgetary procedures as well.

(End of notes to articles 35, 36, 37, 38, 39, 41 and 43)

Title III

Of the promotion to intellectual creation

Unique chapter

Article 35. The government shall establish as a way to promote the literary creation, awards and contests to highlight the different ways of literary expression.

Article 36. The government shall promote the establishment of scholarships to stimulate the author's creation.

Article 37. The government shall support the setting up of shops, encounters, and literary congresses.

Article 38. The government shall encourage the new author's works publishing and dissemination, as well as those works belonging to minority linguistic or social communities.

Article 39. The government shall promote a culture of respect for the intellectual creations and its authors. For such a purpose, it shall support the spreading of the national creation in the country and abroad and promote, in the school and social scope the knowledge of the literary and artistic works and its authors, the appreciation of the integrity of cultural works and the respect to the copyright as well.

Article 40. The government shall support the educational and research entities devoted to the study of the literary forms of the different linguistic communities in the country.

Article 41. The government, through the competent entities, shall promote programs of specialized education for authors, especially those dealing with the negotiation and hiring of its rights.

Article 42. The government shall promote the establishment of copyright collective management partnerships and the affiliation of the creators thereto.

Article 43. The income of the national authors or of those residing in the country on account of copyrights; literary, cultural and scientific awards shall be income tax or its equivalent exempt.

- 44 The existence of a national publishing industry is very important, especially because it supports the national culture formation, the creativity of the country's authors and the dialogue between the proper tradition and the universal culture. The publishing market cannot depend just on imports (although these are important, because of the cultural diversity). The support to the national publishing industries is critical for the dissemination of the typical contents of each nation. Some countries, with a long tradition of policies and national laws of book, have successfully tackled this challenge, however, in other countries; the development of the domestic publishing industry still is emerging. Three main options are suggested for this promotion: the support through tax policies; purchases for libraries (which benefits simultaneously the industry and the reading); and the promotion funds (allotted in a clear and open way) for special projects of publishing. The translation into other languages of the national culture most significant works is costly and difficult due to the size of the edition, so the stimulus to translation may produce very remarkable results, as is the case with both the Mexican experience and the recent policies established by Argentina and Brazil.
- 45 The customs duty exemptions to raw materials and inputs for the manufacturing of books have a long history -dating back the Florencia Agreement and the Nairobi Protocol- as a way to facilitate the national production. In addition, if the final product is benefitted with tax rebate, such exemption has a typical economic function: generate no negative customs duty protections for the national products. In some of the book laws currently in force, this exemption is set forth and it has played an important role when it comes to reduction of the production costs. The typical exemptions are focused around the printing and writing papers. Regarding other inputs (inks, printing plates, films), the economic opening processes have significantly reduced the customs duties, which makes the exemption not to be as significant as that of the paper, taking into account the relatively low weight of these inputs on the book production.

(End of notes to articles 44 and 45)

Title IV

Of the promotion to production and book circulation

Chapter I

Producción

Article 44. The National Government shall promote the book edition and production, in all supports, and its translation into other languages, through tax incentives, public purchases, funds allotted by contest and through its own publishing production.

Article 45. Any imports of raw materials and inputs used in either the book printing or edition, shall be tax and customs duty exempt.

Notes to articles 46, 47 and 48

- 46 Exemptions on income tax have proved to be an effective stimulus for the development of the publishing industry, particularly to promote entrepreneurial and maturity actions. Usually it is applied to determined periods in order to facilitate the companies start up and so to attract investment into the sector. In some countries (Colombia, for example), exemption has been kept for long, but because it configures a way of allowance to production, it can be objected in the field of the international trade, so if established as such it may be presented as an exception in the commercial negotiations arguing reasons of cultural exception. Some countries (Peru, for example) have established other ways of tax stimulus, such as the tax credit for profits reinvestment.
- 47 The sale tax exemption is one of the most generalized measures to promote book and reading. Because it is a tax directly burden over the consumers' available income, the elimination thereof becomes a stimulus to the purchase. In Latin America, almost all countries (save for Bolivia, Chile and Guatemala) apply the sales tax exemption on books. In Europe, it is typical the existence of a differential Value Added Tax, VAT, on books. It is also important to determine if VAT exemption covers the digital book format. So it is necessary to point out that it, even if considered as a service, is VAT exempt as is the case for the education and medic care services in almost all the countries.
- 48 One of the reasons accounting for the relatively low circulation of books from Latin American countries to Spain or to the neighbor countries is the lack of unified, general and specialized catalogues, which force importers, booksellers and librarians to review a great deal of catalogs, many of them printed in paper, without enough information on the works content. The recent technological advances make possible the creation of mechanisms consolidating the national and even the regional supply, supported on the ISBN databases, but adding relevant information for the international promotion and circulation.

(End of notes to articles 46, 47 and 48)

Article 46. Publishing houses shall be income tax exempt. The National Government shall regulate the conditions, percentages and the exemption time.

Article 47. The book sale shall be tax sale and Value Added Tax (VAT) exempt.

Article 48. The State shall support the national institutions which take part in international catalogues to sell books or to advertise general and specialized bibliographic production to improve the circulation and knowledge of national book. The Ministry of Culture or its counterpart, shall build databases containing the record of the publishing houses, bookstores and sale stands, libraries and reading rooms in the country.

Notes to articles 49, 50, 51 and 52

- 49 Since the user's point of view, it is necessary to publish appropriate material for the blind people, in Braille, sound or other technologies.
- 50 Law, in all areas, stresses the need to improve the professionals and technicians training which support each sentence and each sector (teaching, reading promotion, libraries, creation, publishing industry). The small and middle publishing houses, which contribute very much to the diversity of the bibliographic supply, can improve a lot the quality of its assistance to training, by using new technological resources for the administration, the dissemination of its catalogues, the domestic and international circulation, and for the edition and distribution of new formats.
- 51 One of the most visible subjects in the diagnosis of the regional publishing industry is the low international penetration of the local publishing productions. In spite of having a huge potential market in Spanish and Portuguese languages, the intra regional trade is low, particularly the one of the books of national authors. The low presence of these works in the distribution and bookstore circuit has to do with the costly management of the international market. The funding to participate in book fairs, with authors and works, the strengthening of the distribution networks, the support for the making of appropriate commercial catalogs, the use of new technological tools of digital printing, and the reduction of the sending and transportation costs are effective tools to make advances in this field and improve the production visibility in each country, both private and public, at international level.
- 52 The book circulation without customs duties or other administrative barriers, is one of the great achievements of the sector. Even in those countries which have flat tariffs (same tariff for all imported products), book is an exception. This is a principle established all around the world, since the Florencia Agreement, and it is one of the engines assuring the free circulation of the ideas and the consolidation of the cultural diversity.

(End of notes to articles 49, 50, 51 and 52)

Article 49. The Ministries of Culture –or its counterpart- and Education shall promote and support the edition of bibliographic material in appropriate formats to be consulted by the disabled people.

Article 50. The National Government, through the competent entities, shall start up and support the programs development of professional qualification being specialized in all areas of the publishing sector; especially those which contribute to the administrative and technological modernization of the publishing houses.

Chapter II

Circulation

Article 51. The National Government shall support the spreading, distribution and national and international marketing of the publishing production.

Article 52. Book import or export shall have no any taxes, rate or tax burden.

Notes to articles 53, 54 y 55

- 53 One of the basic elements to promote and facilitate book diffusion indeed will be the information. ISBN (International Standard Book Number) is an international standard the purpose of which is to establish the specifications of an international identification unique system for every format or edition of any monographic publication, released by any specific editor or its individual sections or chapters, when they are separately available. Metadata of Titles work as a database allowing for abridging the most relevant information about editorial supply. It is essential for the several different agents intervening in diffusion of book, especially book sellers, distributors and libraries, to have access to the most updated information about editorial production. This standard contributes to speed up book distribution process and to make the books more efficacious and less expensive. Any book diffused for commercial purposes, shall bear title and ISBN identifier. In several countries of the region, ISBN is mandatory in nature, (see regulations in Annexes).
- 54 Book international transport cost in the region is usually too high, much more than that charged to the export of other products. The removal or the actual unenforceability of some systems formerly giving especial treatment to the book (lower postal rates, mainly due to the transfer of postal services to private sector) implies for transport to be a significant barrier for book regional diffusion. In some countries, gremial entities of industry have obtained preferred rates of export (by volume), an example to be followed by many other similar instances.
In the same way, preferred treatment given to book sector, such as the removal or reduction of commerce and industry tax or real property tax, might become an incentive for local investment in this area, particularly in the locations where private investment is absent in this sector.
- 55 Bookstores, mainly small- and medium-sized ones, contribute in an especial manner to the diversification of bibliographic supply which is impacted due to the scarce space available for sale points which make part of the most general commercial deals. On the other hand, bookstores are located mainly in the major cities of the country, while most municipalities lack from bookstores. Additionally, the bookstores may discharge a quite significant cultural function in some locations, as sites to exhibit books, and to organize readers clubs and other similar mechanisms. In many locations where private investment lack from incentives to invest in bookstores, it would be feasible to use as libraries public infrastructure (libraries, cultural houses, etc.) In some countries, the model of creation of bookstores and sale points by government's initiative has been successful, for example, Mexico and Venezuela experiences.

(End of notes to articles 53, 54 y 55)

Article 53. Governments shall adopt ISO 2108 International Standard and its subsequent amendments to identify the books and related-products available to general public. ISBN – International Standard Book Number – shall be compulsorily incorporated in the books and diffusion catalogues of the available supply from the national editorial production and in the listing of domestic and international public bids.

Paragraph 1. The Ministry of Culture or its successor and the national entities responsible for ISBN technical standards shall follow up the identification systems and the standardized regulations potentially resulting in the digital environment in connection with editorial activity.

Paragraph 2. The Ministry of Culture, or its successor, shall promote the access of booksellers and distributors to ISBN database.

Article 54. The government, through the Ministry of Culture and jointly with local authorities, shall promote the creation and development of bookstores associations for book distribution.

Article 55. The Ministry of Culture shall promote mechanisms to develop bookstores including the assignment of public space, support reading and book diffusion activities and other stimuli and the regulation of public purchase in order to facilitate the participation of bookstores.

Article 56. The government, through the Ministry of Culture or its successor shall promote agreements to obtain preferred regional or local postal rates and freights for books, and shall promote the exemption of regional and local tax for bookstores and book distributors.

Note to article 57

57 The determination of a fixed or unique price for book makes part of long-standing commercial tradition in Europe, since XIX century which has been endangered with the Community Law. In Latin America there exist regulations prevailing related to the topic in Spain, Mexico, Argentina, and Portugal. In Spain, the fixed price is prevailing since 1975; the prevailing regulation is included in Chapter 4, Act 10/2007. This Act establishes the book legal regime that need to bear ISBN and provides the obligation to set out a price for public sale to be accomplished by all commercial establishments. Old books and off-shelf books, artistic books, and used books, and school textbooks are excluded from this regulation. The Act provides that the book seller or detailer may apply lower sale price offered to public for those books edited or imported, after two years from the last edition, provided that they had been offered by them during a time period no less than six months. The offer and exhibition of those books shall be made clearly indicated and separately from the books subject to fixed price. The exception provided in Act allows for fixing maximum 10% discount in the Day of Book or fairs of book. During the shows of books, as long as authorized by organizing entities, when they belong to editing or marketing sector, may offer 10% discount. When final users are libraries, archives, school centers or university students, up to 15% discount on the fixed price may be given. In Portugal, the Decree-Law 176/1996 is an Act exclusively governing fixed price.

Detailers may establish sale prices lower than 90%, after 18-month has elapsed from the date of edition or import. The acquisitions made by libraries, school entities, public utility institutions, and all those promoting activities the diffusion of book and Portuguese authors can benefit from 20% maximum discount. Are exempt from the obligation of sale at fixed price: a) manuals and elementary and secondary education teaching auxiliary textbooks; c) off-shelf books ; d) off-catalogue books; e) subscriptions in the pre-publication phase.

2. (For the purposes of this Act) the book which is not included in the catalogue of editor or the importer, or otherwise, when such condition has been in writing communicated to the detailing network, provided that 18-months have elapsed since the edition or import date, are considered as off-the-catalogue books.

In Argentina law regulations governing fixed price is the Act 25.542 of Defense of Book Activity or Uniform Sale Price in its first 11 articles.

Discounts of public price sale (PPS) might be the following: a) from up to ten percent (10%) of PPS for the sales made during fairs, days and weeks devoted to the book declared of public interest, by the competent authority within geographic range where the activity takes place, or when the sale is made to non-profit libraries and/or documentation centers or to non-profit cultural or public well entities. b) From up to fifty percent (50%) when purchasers are the Ministry of Education, the National Commission of People Libraries (CONABIP), and other public bodies purchasing books to be free-charge distributed to educational, cultural and scientific institutions, or to poor people. In such any event, the books will bear the notice that its sale is prohibited.

Article 57. The publishing houses or importers of books to be sold in the domestic marketplace are under the obligation to establish a fixed public sale price. The publisher, or the importer shall freely determine public sale price, and such price will prevail as fixed price for a given time period, in all detail trade operations in the national territory. The National Government shall regulate the operation of fixed price, the time period the fixed price will be in force, and will indicate as well the exceptions of its application.

Article 58. International, regional or municipal book fairs shall be supported by national, departmental and municipal authorities and may be declared temporally free trade zones.

Paragraph: The Government shall promote the participation of all editors, book sellers, literary agents and authors in the book fairs, as well as the attendance of foreign purchasers to book national fairs.

Note to article 57 (continued)

The following items are exempt from PPS: a) The books edited in a limited number for a selected public, correlatively numbered and of standard quality; b) artistic books, considering as such those ones totally or partially edited by using artisan or artistic methods; c) old and collection books; d) second-hand books; e) books which remain off-the-catalogue due to a decision of editor; f) books imported as balance price, provided that they have been previously as balance in its country of origin by the editor, according to legal provisions prevailing in the country of origin; g) prior sales made to pay the edition of a given book. To set off any title the editor, importer or representative must take it out from its catalogue and rescue the units existing by the clients or in default thereof to wait 180 days as from the withdrawal from the catalogue to sell off them. At the time of taking them off the catalogue, each editor needs to communicate the event to the clients. Importer representative may not set off the books from the editorial fund it represents, before 18-month the books were placed in the market. Book sellers and detailers may set off unsold books upon the completion of eighteen months of purchase even though the editor has them in the catalogue, without setting them off, but they cannot make publicity of such liquidation outside the establishment.

In Mexico, legal provisions providing and regulating fixed price are given in Act of Reading and Book Promotion, of July 2008. The denomination of fixed price in Mexico is Unique Price for Public Sale and is regulated in Chapter 6, in the Rules of Act and in the Guidelines.

The term provided in Act is eighteen months as from the date of edition or import of book. For the purposes of the above, the date appearing in the colophon of the book will be considered as the date of edition and as the date of import that appearing in the application for the respective import. The retailers of books may sell the books at a price other than the unique public sale price when dealing with editions or imports made more than eighteen months before the sale, or else, when dealing with old books, second-hand books, and off-catalogue books, balanced or artisan books. For the purposes of above, it shall be understood as I. Sold out, that book its editor or importer has no longer in inventory; II. Old Book, that book produced before 1900; III. Artisan Book, the unique book or from an edition printed no more than three hundred units, which production is made, totally or partially, without the intervention of an industrial process. IV. Off-catalogue book, book removed from the editor or importer's printing catalogues, and V. Used book, the book in the commerce after acquired by a first user.

It is suggested the adoption of a fixed price policy, in order to support the continuance of bookstores as a means to maintain diverse and extended bibliographic production. The mechanism is for the editor or importer to fix the price and maintenance during a time period no less than eighteen (18) months. In the adoption of this policy, governments need to define such topics as the highest amount of discount, treatment of public purchase addressed to school libraries; policy about school textbooks, and other exceptions to the application (uncommon and old books, discount in fairs, etc.). In those countries where imports represent a significant proportion of books sold, it is necessary to establish an

Note to article 57 (continued)

appropriate legislation in order to prevent from distortion of markets, especially when books are imported exclusively to supply libraries or educational entities.

(End of note to article 57)

Notes to articles 59, 60, 61 and 62

- 59 Access to credit is one of the most important variables to develop entrepreneurial sector. Given that bookstores usually are small and medium-sized commercial business, access to credit is somewhat difficult, mainly due to the requirement of real guarantees by international financing entities. Ensuring preferred access conditions to official funds to back up the credits is an appropriate means to promote book activity growth..
- 60 This Article is in line with articles 21.7, 28.41, 50 and 64.7
- 61 The weakest link of book business chain is that of bookstores, an important cultural intermediary. Encouraging investment for these sectors must be one of the major purposes of public policy. In this connection, the exemption of income tax during a given period to the new business efforts will be a significant stimulus for the sector.
- 62 The task of literary agent is typically inexistent in the region, save for recognized authors with representation in recognized firms acting in the international market. One tool to encourage national, local and international book circulation is the literary agent. To that end, extension of income tax exemption for a given period to those legal persons entering to this activity, will be a great measure for legal purposes.

(End of notes to articles 59, 60, 61 and 62)

Article 59. National Government shall promote preferred conditions to book sellers and distributors access to the fund to back up the credits.

Article 60. National Government shall, through the competent entities, develop specialized training programs addressed to literary agents, book sellers and distributors, mainly addressed to promote the application of new technologies.

Article 61. Bookstores and book distributors, constituted as legal persons, will be exempted from income tax. The National Government shall regulate the conditions, percentage, and term of such exemptions.

Article 62. Literary agencies incorporated as legal persons, shall be exempted from income tax. The National Government shall regulate the conditions, percentages and duration of such exemptions.

- 63 Reading public policy includes two fundamental mainstays: the training of readers and the social access to reading and book. Training of reader is made, in the first place, under the sphere of the Ministry of Education, although many policies of the Ministry of Culture or the successor thereof, and those of the Ministry responsible for communications and information technologies will contribute to that purposes. The ample and democratic access to reading has as fundamental tool public libraries system which usually is under the Ministry of Culture and increasingly, the existence of an appropriate communications infrastructure corresponding the a Ministry of Communications or Ministry of Technology. This is the reason why the reading policy must be implemented in a coordinate manner by the Ministries of Culture and Education, in the first instance, and with the support of the Ministry of Communications and Technology and other relevant government bodies.
- 64 The National Council of Reading, Book and Libraries shall be created in order to open a space for the National Government to gather several different public institutions connected with the different matters related to reading, book, and libraries, as well as the organized civil society, so that, all such entities, jointly may suggest essential elements for the definition and following up public policies in compliance with this Act. This Act, in the first instance, ascribes advisory functions, and in some instances, such functions are mandatory in nature, for example, it must define the National Plan for Reading, Book and Libraries promotion, and propose the Plan to the national government, which for it to decide the appropriate issues, and the government may not establish any plan without previous discussion with the Council. Such advisory duties and the faculty to propose policies in the legal area, has no any limitation concerning the topics to be addressed.

(End of noted to articles 63 and 64)

Title v

About the Authorities

Chapter I

Ministries of Education and Culture or their Successors in Every Country

Article 63. The Ministries of Education and Culture or their successors are responsible for the implementation of National Policy for Reading, Book, and Libraries furtherance. And for such purposes, these ministries will act jointly with the other national, regional and local instances responsible for the educational, scientific, industrial and fiscal policies influencing the sector.

Chapter II

National Council of Reading, Book and Libraries

Article 64. The National Council of Reading, Book and Libraries is hereby created as a Government Consultancy Body in the application of the National Policy for Reading, Book, and Libraries furtherance. The Council shall be under the Ministry of Culture and shall discharge the duties below:

1. Advising Government in the implementation and regulation of this Act
2. Setting up and coordinating Government, private sector and community actions to reach the objectives of this Act.
3. Taking part in the definition of reading furtherance national plan and propose, on a regular basis, to the National Government, National Plan for Reading, Book, and Libraries Furtherance.
4. Suggesting criteria and rules for the actions aimed at promoting editorial activity and libraries, and for the approval of contributions to furtherance activities.
5. Proposing policies and procedures to develop libraries' collections and the acquisition of works using the national resources and coordination with regional authorities the policies and standards to acquire the works using their budgetary resources.
6. To assist the competent authorities in the definition and development of policies allowing for the compliance with the goals of this Act.

- 65 In composition of the National Council for Reading, Book, and Libraries, in addition to the participation of the national official entities, it is suggested to include two representatives of the sector at the regional and local levels, as this is a means for the regions to take part in the decisions of the Council and for the proposal of policies.
- Concerning the representation of private sector, it is advisable to seek for participation of all of the sectors involved, in such a way that both the big companies of the sector and the small and medium-sized editors and book sellers could be represented in the Council. The means to obtain representation could be diverse and, in many instances, the number of members will be increased. The recommendation is for the members to be appointed by the associations or guilds. At local level, topics such as the absence of associations or the existence of a plural number of associations shall be solved. A method to ensure the due representation could be managed by determining the period of representation of private sector.

(End of the note to article 65)

7. Propose to competent educational authorities the action to train the professionals of book, the teachers and librarians, as well as the actions of technical training of personnel connected with editorial and libraries activity.
8. Follow up and evaluation, as well as encourage external evaluation of development of the National Library for Reading, Book and Library Furtherance and submit periodical reports about the progress.
9. Promote the agreements to obtain preferred postal rates and transport freight.
10. Promoting regional and local commerce and industry tax exemption to editors, booksellers, and libraries in the respective territorial scope.
11. Encouraging the identification of good practices and its diffusion.

Article 65. The National Council of Reading, Book and Libraries shall be made up by the following members:

1. Minister of Culture or its proxy.
2. The Minister of Education or its proxy.
3. The Minister of Commerce and Industry or its proxy.
4. One representative of the Ministry of Communications And Technology.
5. The Director of National Library.
6. The Director of Book of the Ministry of Culture or of National Institute of Book.
7. One representative of associations of authors and creators of literary or artistic works.
8. Two representative of editors, appointed by the guild.
9. One representative of booksellers, appoint by the guild.
10. One representative of distributors appointed by the guild.
11. The responsible for public libraries.

- 66 The Act suggests the creation of a unique national fund, following, applying for such purposes the appropriate legal procedures prevailing in relevant country. The regulation of Fund, its business name, competences and resources shall be carefully adapted to the national budgetary and administrative structures.
- 67 The Fund needs an annual budgetary contribution to finance its major activities and also can receive grants and legacies. In the event of projects involving any collection of income, it is determined for such income to be transferred to the Fund to be used for program development. This, however, is not possible for all countries, and therefore, this article shall be adapted to national regulations relative to public funds management. Concerning grants and legacies, the case may occur that income-generating asset is included and this way this income may be a portion assignable for project promotion.
- 69 It is important for all supports given to the Fund to be publicly disclosed, from the summons to the approval in order to maintain transparency and credibility.

(End of notes to articles 66, 67 and 69)

12. One representative of school libraries network.
13. One representative of the University Editorials.
14. One representative of the Non-Government Organizations engaged in the promotion of reading and libraries.
15. The Director of Copyright Office.
16. Two representatives of education and culture at regional level.

Paragraph: The National Government shall regulate the election of representatives to the Council and indicate the official entity to preside over the Council who will assume the position as Secretary, specifying the criteria, mechanisms, and periodicity of election of representatives from the several different sectors.

Title VI

About the National Fund for Reading, Book and Libraries Furtherance

Chapter Unique

Article 66. To support furtherance policies set forth in this Act, the National Fund for Reading, Book and Libraries Furtherance is hereby created, which will be managed by the Ministry of Culture or its successor, according to regulations issued by government for such purposes.

Article 67. The National Fund for Reading, Book and Libraries Furtherance, will be financed with annual contributions of National General Budget, grants, and legacies, and with the returns and income from its operations, if any.

Article 68. The National Government shall, following the concept issued by the National Council for Reading, Book, and Libraries, define the policies of the Fund.

Article 69. The resources of the Fund may be allocated by open and public contest in order to totally or partially finance promotion activities, such as:

1. Research about reading practices, production and circulation of book and libraries, as well as about the impact of reading and book on culture and economy, and on the effect of book promotion policy.
2. Reading and writing furtherance projects.
3. Participation of Editors in national and international jointly editions.
4. Organization of congresses, forums, workshops, and other events aimed at promoting reading, libraries, and production and circulation of book.
5. Creation of works of national authors for publication in any format.
6. Translation of works from national authors to other foreign languages.
7. Publication of works involving national or regional interest.
8. Programs and activities to support bookstores and its cultural function.

TÍTULO VII

About the Institutional Competences

Chapter I

Ministry of Culture or its successor in each country

Article 70. For the purposes of this Act, the competences of Ministry of Culture are the following:

1. Implementing the National Plan for Reading, Book and Libraries Furtherance in the appropriate issues, and coordinating and ensuring its implementation concerning the other public and private entities as well as territorial entities.
2. Defining and implementing government policy connected with Public Libraries Network
3. Leading and coordinating Public Libraries Network.

Notes to articles 70 and 71

- 70.5. One competences of the Ministry of Culture is the organization of a continued program to endow public libraries allowing for the collection to be updated on a permanent basis. It is quite important for public endowment to meet the need and specific requirements of each region or municipality of the country.
- 71 The major competence of the Ministry of Education shall be to obtain the reading and writing teaching to be of high quality thus allowing for the students to gain the learning of basic competences in these areas, and reinforce and develop the skills and capabilities of complex and critical reading, and overcome the existing functional analphabetism. This requires for the book and reading (in its different formats) to have a central role in all and any educational levels. For such purposes, school libraries are essential, in order to maintain collections of different formats, and hence, promote the development of different important reading methods: Intensive and attentive reading favored by the book, agile and quick consultation promoted by materials of the network, etc. Even though it is important for the school to promote the use of public libraries by the students, and for the students to be frequent and permanent users of libraries, this task shall not be planned as a substitute of the development of good libraries in all schools.

(End of noted to articles 70 and 71)

4. Guide the plans and programs about creation, promotion, and reinforcement of public libraries and services supplied by libraries.
5. Develop the program for bibliographic endowment of Public Libraries Network in a continued and permanent manner, allocating sufficient resources and without prejudice of minimal acquisitions that, in keeping with other laws prevailing, the government is to make for Public Libraries Network.
6. Promote the retrieval, conservation and diffusion of national bibliographic heritage.

Chapter II

Ministry of Education

Artículo 71. For the purposes of this Act, the competences of the Ministry of Education are the following:

1. Guiding the reading and writing learning process, promoting the development of these competences throughout all educational levels and encouraging the use of school and public libraries by student community.
2. Guiding official policy of school libraries and promoting the coordination with public libraries policy.
3. Guiding plans and programs about the creation, promotion and support of school libraries.
4. Develop and finance the permanent bibliographic endowment programs of school and classroom libraries.
5. Promote the creation of contents appropriate to the use in the school system, in the several different sport activities.
6. Implement training programs addressed to those responsible for school libraries.
7. Develop training programs addressed to teachers of reading and writing areas
8. Promote the use of public libraries by educational community of the country.

Note to article 72

72 As pointed out in several sections, the national policy may not efficiently develop itself without a proper coordination with the policies of territorial entities, which rely on diverse degrees of autonomy to define its own policies. In this article, the minimum functions to be accomplished by those entities are summarized, for the policy of reading, book, and libraries to encompass all levels of the nation. A proper management by territorial entities will facilitate the compliance with the objectives of this Framework Act: the access to book even in the furthest sites of each country.

(End of the note of article 72)

Chapter III

Territorial Entities

Article 72. For the purposes of this Act, territorial entities shall discharge the functions below:

1. Promote in their jurisdiction and according to their competences, the implementation of National Plans for Reading, Book, and Libraries Furtherance and the Library National System and establish the agreements with national entities to conduct jointly actions.
2. Administrate and manage public and school libraries under their responsibility, following the guidelines and principles hereunder, and promoting the coordination between them.
3. Allocate budgetary resources for the proper operation of public and school libraries network under their jurisdiction, as well as the endowment of libraries, when applicable.
4. Promote, within their jurisdiction, the adoption of tax incentives and economic support contributing to the strengthening of production and diffusion of book and the maintenance of infrastructure of libraries making part of Public Library National System.

Chapter IV

About the Ministry of Communications and Technology

Article 73. Concerning this Act, it is the competence of the Ministry of Communications and Technology to promote the access of readers and libraries to internet and support the programs allowing for schools and their libraries, as well as all public libraries to have adequate links to the network.

Notes to Article 74

- 74 Reproduction of works under copyright protection for private use, has been increasingly easier due to the dynamics of technology, making reproduction a general practice negatively impacting editor's and author's copyrights who observe their works massively reproduced for personal use, with no any compensations for such practice. This situation, if not remedied, would become more serious in the digital environment, resulting in economic damage to industries protected by copyright. In order to alleviate these negative effects, some legislations in the world, have established a compensation for private copies of works protected.

(End of the note to article 74)

Título VIII

Final provisions

Article 74. Equitable compensation for private copy

1. The reproduction made exclusively for private use, by means of devices or technical non-typographic instruments, of works disclosed in book format or publications, or those ones assimilated, will originate an equitable and unique compensation in favor of holders of rights on the mentioned works; authors, editors, and other holders. Such compensation will be used as a retribution for the benefits lost by reason of this reproduction modality.
2. Equitable compensation this item 1 refers to will be determined according to the equipment, appliances, supports and appropriate materials to make both analogic and digital reproduction, made in the national territory or otherwise, acquired abroad for commercial distribution within the nation territory. The manufacturers in the national territory, as well as the purchasers outside the territory for commercial distribution or use in the territory, of the equipment, appliances and material supports determined for such purposes in the rules. National government shall regulate as well the collection and distribution of compensation for the analog and digital reproductions for private use, as well as the rates to be charged.
3. The collection of compensation will be effective through the society for collective management of copyright of the works mentioned in item 1 above, operating or organized in the country for such purposes.

Article 75. This Act will be regulated by the National Government, following the concept issued by the National Council of Reading, Book and Libraries.

Annex I

Materials subject to legal deposit, provisions and laws

Argentina

Act 11.723 Intellectual Property en articles 30 and 64 establishes the legal deposit. The Act is regulated by decrees 41.233/34 and 3.079/57. Publications subject to legal deposit arriving to National Library include: “Books, music scores, recorded music, postcards, laminas, and some periodical publications. For paintings, architecture, sculpture, etc., the deposit will be a sketch or photograph of the original work, with the supplementary indications allowing for the identification. For motion pictures, the legal deposit will consist of a count of the story, dialogues, photographs, and scenarios of the principal scenes. National Library plays de role as National Registry, In National Registry of Intellectual Property the editor is to deposit the works listed in article 1, three complete copies of the total work released, within the three months following its appearance. If it is a deluxe edition, or does not exceed 10 copies, the deposit of one copy will suffice. The same term and conditions will apply for works printed in a foreign country having editor in the Republic and will be counted since the day when the work was available for sale in Argentinean territory”.

Bolivia (Plurinational State of)

Supreme Decree 28598 of January 19, 2006, provides the legal deposit. Materials subject to legal deposit in Bolivia are divided into four major groups: a) Verbatim Documents are those ones transmitting information by means of writing text in any type of support, submitted in loose folios, making up a quinternion or books. According to writing manual or mechanic procedure, they will be hand writing, typed, printed, and digital. Verbatim or textual documents are: bulletins, dailies, leaflets, cinema scripts, literary scripts, loose sheets, books, grey literature, microforms, scores, reviews, and other. b) Graphic Documents: are those ones where information is represented by figures, signs, and lines. They usually make up neither books nor quinternion, but rather loose sheets. They are divided into the following groups: Group N° 1: Posters, diagrams, slides, technical drawings, photographs, stereographs, laminas, postcards, and other. Group N° 2: Bolivia Geographic Atlas (text of CD-ROM), thematic cartography, thematic maps, and plans, aerophotogrametric material, cartographic material, cadastral material, didactic material based on cartography geodesic material, topographic material, ortophotomaps, cartographic products based on satellite images, topographic works with cartographic purposes, and others. c) Sounding documents, Audiovisuals and Electronic works: Are those ones transmitting information by means of sound, combining image and sound, and those the reading of which needs reader machine. This classification includes: cassettes, CD-Audio, CD-ROM,

DVD, VCD; SVCD, diskettes, microchips, microfilms, videos mixed publications and others. d) Moving Documents and Images: Are those ones recording motion images accompanied or not by a sounding band, irrespective of the support, and the system used to fixing the images or sound. In Bolivia, the printers or authors, that without making use of printing companies, publish textual and graphic documents will deliver five copies from each document. The printers of cartographic documents shall deposit with the Military Geographic Institute two copies from each document. The producers of sounding, audiovisual and electronic documents shall deliver five copies of each document. The Executive producers shall deposit one copy of each document of motion images and shall have six-month term to make their respective deposit as from the date when the number of legal deposit has been issued in the Fundación Cinemateca Boliviana”.

Brazil

Act N° 10994 of December 14, 2004, provides that materials subject to Legal Deposit are: “publications produced by any means or procedure, for free-charge distribution or sale. Books, newspapers and other periodical publications, reprints, minutes and maps, music scores, shows of programs, exhibition of books, posters, cards, literature, phonograms, and storing media, microforms, and other forms. The requirement provided by law is to make the deposit in specific institutions, of one or more copies from all publications produced by any means or procedures, for free-charge distribution or for sale”.

Chile

The Act of legal deposit was enacted on October 1925 and currently this directive is included within Act 19.733 about freedom of opinion and information and practice of journalism, released in the Official Gazette on June 6, 2001. Articles 13 and 14 determine the legal deposit. Materials subject to legal deposit are: “printed material, sounding recording or audiovisual or electronic production made in the country to be marketed. For printed materials 15 copies shall be submitted; as for sounding recordings, audiovisual or electronic productions, 2 copies of each material shall be submitted. For periodical publications, covenants may be entered to establish the modality of legal deposit, substituting some copies for microfilms and/or electronic supports. From the printed works published in regions, four copies shall be deposited with the public library of the region”.

Colombia

Article 28 in Act 1379, 2010, whereby the nation network of public libraries is organized and other provisions provided, determines that: “The legal deposit is a procedure allowing for the acquisition, registry, preservation, and availability of bibliographic and documentary heritage, and the purpose of which is to preserve cultural memory and increase and ensure the access to Nation Cultural Heritage. The legal deposit is of public interest as it makes possible for any individual may access this registry”. Article 7 of the same Act additionally provides that the works received as legal deposit will be not classified as fungible goods. In the same way, in Article 27, “Bibliographic and Documentary Heritage of the Nation is defined as any work or set of works or documents, in any support, including the collections received in legal deposit, and any work considered as heritage and memory, or contributing to the construction to the national identity in its diversity. It includes books, booklets, and manuscripts, microforms, graphic, cartographic, serials, sounding, music, audiovisual materials, electronic resources, inter alia”.

Article 7 in Act 44, 1993, about copyright establishes the subjects under the obligation to comply with the legal deposit: “The editor, the producer of audiovisual works, phonographic producer, and videorecorder, residents in the country, of any printed work, audiovisual work, phonogram or videogram, or the importer of books, phonograms or videograms, circulating in Colombia, are to comply, within 60 business days following the publication, public transmission, reproduction or import, with the legal deposit of the same, with the entities and in the quantity defined in the rules issued by the National Government for such purposes”. Such regulation was actually issued by enacting the Decree 460/1995.

Decree 460/1995, concordant with the Act 44, 1993, provides, in article 23, what shall be understood as printed works, phonograms, audiovisual works, software and databases for the purposes to define the material subject to legal deposit; in Article 25, the Decree indicates the way to do the legal deposit: “a. In dealing with printed works monographic in nature, serial publications, cartographic material or graphic material, microforms, logic support (software), music or file of data readable by machine, among others, the editor shall deliver two (2) copies to the National Library of Colombia, one (1) copy to the Library of the Congress, and one (1) copy to the Library of the National University of Colombia. Should the work has been edited in a location different from the Department of Cundinamarca, other copy shall be delivered to the Departmental Library where editor has its head office; b. If the monographic printed work is an edition of high commercial value, such as art books, the editor will be exempt from the legal deposit in editions less than 100 copies. For editions of more than 500 copies and up, two (2) copies to Colombia National Library; c. in dealing with imported printed works, the importer is under the obligation to deposit a copy in Colombia National Library; d. For audiovisual works, the producer, videorecorder or importer, as applicable, shall deliver a copy to the Colombia National Library; e. In dea-

ling with phonograms, the phonographic producer or importer, as applicable, shall deliver a copy to Colombia National Library”.

Concerning the competence of Director of National Library, Article 30 provides that “it may establish, under substantiated resolution, especial requisites for some categories of works or productions subject to Legal Deposit, or otherwise, reduce or extend the number of copies to be delivered, as well as contract with other people or entities when deemed necessary due to preservations and conservation reasons, provided that the depositor is not charged with financial conditions or practices difficult to be accomplished”. In connection with the responsibility of the Chamber of Book about the legal deposit, Article 31 provides that, in addition to be “responsible for the inclusion of the International Standardized Book Number or ISBN in Colombia, it is under the obligation to deliver to the National Library of Colombia on a quarterly basis a listing of the works registered during such time span period”, Finally, for the sake to “obtain the best conservation of works and productions deposited updated according to technologies prevailing”, Article 32 provides that “the National Library of Colombia may make a reproduction of the copies delivered”.

Costa Rica

Act 6683 about copyright and related-rights, of December 14, 1982 (article 106), Act 32 of Press, 1902, as amendment, article 6. Article 106: “Any natural or legal person, either public or private responsible for the reproduction of any work by printing, magnetic, electronic, electromagnetic or any other means, shall deposit, during the eight days following the publication, a copy of such production in the libraries of the Distance State University , University of Costa Rica, National University, Legislative Assembly, National Library of the Ministry of Justice and Mercy, the Directorate of National Archive, the Technological Institute of Costa Rica, and the National Registry or Copyright and Connected Rights”.

Cuba

Decree 265 of May 20, 1999, about legal deposit in Jose Marti National Library, appoints Jose Marti Library (La Habana) and Elvira Cape Library (Santiago de Cuba) as bibliographic depositary centers of the country. Materials subject to legal deposit are: “Books, booklet, loose sheets (fliers, calendars, exhibitions catalogues, programs, reprints, telephone guides. Serial publications: (magazines, newspapers, yearbooks, numbered monographs, bulletins), cartographic materials: diagrams, globes, images of remote control, maps, models in relief, profiles, planes, sections of maps, touristy guides, booklets). Printed music works (music scores, parts, pages of music, topics of music), sounding recordings: (discs, compact disk, cassettes), graphic material: (posters, slides of arts ex libris, historical and

cultural photographs, postcards), original microforms: (microchips, microforms), editions facsimiles, Braille editions, publications in digital support: (diskettes, optical disks, CD-ROM) and educational, cultural, historical, artistic and informative videos”. Article 4 – provides that: “Any natural or legal person editing or responsible for the edition of any work published in the national territory, irrespective of the holders of edition rights and the language the work is published, is under the obligation to forward, free of charge and free of remittal, three copies to Jose Marti National Library, two copies to Elvira Cape Library, two copies to provincial public library where editorial is seated, department of edition, printing press or entity where the work is produced, such libraries assuming the responsibility of conservation, compilation and publication of bibliography. Such shipment shall be made within a time period no longer than 30 days following the date of completion”

Ecuador

The Act of Book, 2006, released in the Official Registry N° 277 of May 24, 2006 provides that editor is under the obligation to deliver three copies of each printed book, to public institutions as determined in the rules.

El Salvador

Decree 808, Act of Book, in article 15 provides that: “For the purposes of legal deposit, of every edition five copies shall be submitted to National Library, El Salvador University, and to the Legislative Assembly”.

Spain

At present, the legal deposit is made in compliance with Act 23/2011, of July 29/2011, in line with articles 149.2 and 149.1.31a of the National Constitution. Article 4 of this Act provides that are subject to legal deposit: “1. (...) any type of publications, made or edited in Spain, by any procedure of production, edition, or diffusion, and distributed or communicated in any support or by any tangible or intangible means. 2. In any case, and without prejudice of the provisions in the paragraph above, the editions, re-editions, versions, parallel editions and updating of publication of signs, signals, writing, sounding or messages of any nature whatsoever, included sounding, audiovisual productions and multimedia and electronic resources are subject to legal deposit. 3. The legal deposit shall include the following types of publications and resources or the combination thereof, making a single unit: a) books and booklets in paper, whichever the printing form and whether or not

destined for sale, b) sheets printed for diffusion purposes involving no commercial advertising, c) continued resources such as serial publications, reviews, yearbooks, memories, dailies, and integrating resources, such as upgradeable loose sheets, d) scores, e) original illustrations made using any technique, f) photographs edited, g) illustrations, chromos, playing cards, postcards, and congratulation cards, h) advertising posters, i) maps, plans, atlas, marine, aeronautic, and weather charts,, j) Kindergarten, Elementary, Secondary Education textbooks, and High-school and Professional training textbooks, k) sounding documents, l) audiovisual documents, m) microforms, n) electronic documents in any support means, allowed by the state-of-art at any time and which are not freely accessible via Internet, ñ) fixable or recordable web sites which contents may be changed over the time and susceptible of copy at any time, o) new copy of fiction or documental made by a producer domiciled, resident or permanently located in Spanish territory and a copy of the appropriate ad material.

Concerning conservation, article 10, item 4, points out that “Spain National Library is the conservation center of at least: a) two copies of the first editions, re-editions of books, booklets, and multimedia resources, where at least one support is paper, b) a copy of each binding, if there exist diverse bindings of one single edition, c) two copies of scores, reviews, dailies, and any type of continued resources, as well as maps, plans, atlas, or the like, d) a copy of the official bulletins which are not available in the network, e) a copy of textbooks of kindergarten, Elementary, Secondary Education, High-school and Professional Training textbooks, f) a copy of bibliophile books, understanding as such the books edited in a limited number for a limited number of readers, correlatively numbered and formal high-quality, g) a copy of the artistic books, understanding as such those ones totally or partially edited by using artisan methods to reproduce artistic works, including original religious cards (illustrations made in a direct or manual manner), or those ones using artisan binding, h) a copy of photographs edited, i) a copy of electronic publications. j) a copy of sounding recordings, k) a copy of audiovisual documents, l) a copy of electronic publications. In the event of video supports, if an edition for sale and other for rent are made, the legal deposit of copy for sale will be made, m) a copy of the appropriate files of electronic document without physical tangible support susceptible to be unloaded in self-sufficient environments, n) a copy of microforms, and ñ) a copy of postcards of landscapes and cities”.

Guatemala

Decree N° 9 by Constituent Assembly, Act of emission of thought dated April 26, 1966. Any publication made by Guatemalan citizens, in the country or abroad, and/or by foreigners writing about Guatemala. Article 6 provides that: “the owners of typographic and lithographic establishments, or the legal representatives thereof, are under the obligation

to submit a copy of each of the works edited, to the following units: Ministry of Government, General Archive of Government, Library of the Congress of the Republic, National Library, Directorate of Statistics, Universidad de San Carlos de Guatemala, and Archive of the National Typography”.

Honduras

In Decree N° 6, in Act of emission of thought 1958, in article 19 – “it is provided the obligation to submit three copies of the titles printed to the National Library. The National Library, in Honduran collection, keeps the national bibliographic wealth in respect of books. Such documents as gazettes, reviews, newspapers, etc., are maintained in the National Archive”.

Mexico

Decree of July 23, 1991, whereby the editors and producers of bibliographic and documentary materials are under the obligation to submit copies of their works to the National Library and to the Library of the Congress. The material subject to legal deposit in Mexico is: “Copies of books, booklets, reviews, newspapers, maps, music scores, posters, and other printed material of cultural, scientific, and technical contents, microfilms, slides, disks, diskettes, audio and video cassettes, and other audiovisual and electronic material containing information of the characteristics indicated in the subsection above. All editors and producers of bibliographic and documentary material, are under the obligation to contribute to the integration of national cultural heritage . Such obligation is accomplished by delivering copies of each of the works produced or edited, to the National Library and the Library of Congress”.

Nicaragua

The Act 394 of July 18, 2001, was declared unconstitutional in its entirety. At present, there is an ongoing reform and in the meanwhile prevails the Act of thought. “Bibliographic, graphic and cartographic materials, sounding recordings, audiovisual material, informatics support. From those materials, three copies shall be submitted to Rubén Darío National Library, and two copies submitted to Javier Avilés of the National Assembly. These five copies shall be delivered to the Registry of legal deposit for the appropriate distribution to the entities above named”.

Panama

Article 92 in Act 47/1946, Education Organic Act, as amended by Act 34, 1995, in article 151 – provides that: “Any printer shop in the Republic is under the obligation to submit to National Library and to public libraries operating in the location where such printer shop is located, two copies of each booklet, book, newspaper or loose sheets published, within three (3) days following the publication”.

Paraguay

Act 1180/1985 provides the delivery of private or public national works and of the national institutions, free of charge, to National Library; Act 1328 about copyright, 1998, and Actj24/1991, about promotion of book, provides the sanction for the default of this obligation. Article 1 – Act 1180 provides that: “National publishers, either public or private, and State institutions shall deliver, free of charge, to the National Library under the Ministry of Education and Cult, five copies of each work edited, either books, reviews, booklets or newspapers, which shall be under custody and for use of the general public.”

Peru

Act N° 26095, act of legal deposit in Act of legal deposit in BNP of December 20, 1997, as amended by Act N° 28377 of November 10, 2004. The Supreme Decree 017-98 ED approves the regulation of legal deposit in BNP. “Books, booklets, or the like; periodical publications; especial material (CD, magnetic tapes, DVD, cassettes, etc.); radio and TV broadcasting informative and of opinion in nature of with cultural, scientific, civic, patriotic, geographic, or educational contents. The number of copies of bibliographic and especial materials to be deposited in every instance, is the following: a) 3 (three) copies of each books, booklets, encyclopedias, dictionaries, guides and other similar documents, b) 1 (one) copy when dealing with de luxe editions or those ones which edition is less than 1000 copies. For such purposes, it shall be considered that “de Luxe Edition” condition corresponds to the physical characteristics of the work based on paper quality (superior or bond paper 75 g), the quality of illustrations, the rigid binding and the contents of which is especial, c) 2 (two) copies of each periodical publication, d) 1 (one) copy of each item of the especial material indicated in article 5 of this rule”.

Portugal

Decree-Law 74/82, March 3, Decree-Law 362/86, October 28. The legal deposit is required for works printed or published in any location of the country, whichever the nature and reproduction system, or printings abroad by any publisher domiciled in Portugal, including the theses of master and PhD of work-summary, studies, thesis and other works related to the career of university and polytechnic studies. From each publication 11 copies shall be deposited, excepting editions up to 100 copies, de luxe editions and re-printings and works published less than one year, of which only one or more copies are required.

Dominican Republic

Act about Copyright N° 65-00, August 21, 2000. Materials subject to legal deposit are: “Writing, graphic, printed whether or not journalist and in any format, sounding, electronic, audiovisual publications, maps, sketches, plans, computer programs, photographs, broadcasting from the country for commercial purposes”. Article 82 provides that: “The characteristics of the copies to be deposited according to the work type or nature, shall be as follows: 1. In the works printed, three copies of the edition. 2. For the works unpublished, but fixed in a graphic way, one copy reproduced by any means or procedure allowing for its visual access. 3. In music works, with/o writing text, a copy of the score or of the expression means used, and as applicable, the text of the words. 4. For audiovisual works, as many photographs as major scenes has the reproduction, jointly with a summary of the story. 5. In the plastic art works and in the applied art, as any photographs necessary for its identification. 6. For photographs, a reproduction of the work. 7. In dramatic works, dramatic-music works and other of the similar nature, a set of photographs of the main movements or scenes, if publicly performed, or as applicable, and at the applicant’s discretion, a sounding or audiovisual support containing the fixation. 8. In architectural, engineering, maps, sketches works, and other ones of similar nature, a copy of the drawings or a set of photographs allowing for identifying its essential elements. 9. In collections and compilations, a copy containing the selection of compiled works. 10. In electronic databases, a description of contents, especially of the works, facts or data compiled, as well as any other feature allowing for discriminating from other works of the same nature. 11. In the computing programs, a description of its functions, as well as any other feature allowing for differencing from other works of the same nature. The National Office of Copyright may require for the authors or holders of rights, the information necessary to access the sequence of instructions of program, contained in a magnetic support, in the event of arbitration submitted to the Office or by a judicial order. 12. In the fixed artistic performance,

a reproduction of phonogram. 13. In the phonographic productions, a reproduction of phonogram. 14. In the broadcasting fixed, a reproduction of the sounding or audiovisual fixation.

Uruguay

Act N° 13.835 (articles 191-193) 1971, complemented by Regulatory Decree N° 694 / 1971. Books, booklets, periodical publications, memories, bulletins, codes, compilations and registry of Acts, catalogues, maps, atlas, guides, edicts, laminas, music scores, albums, and by and large any printing in multiple copies. Article 191, provides the following: “it is hereby provided, for the purposes of Act N° 2.239, July 14, 1983, that owners or lessees of graphic workshops, mimeographs and the like, as well as Government printing houses, will be subject to legal deposit mandatory and free from copies of the printed materials made, according to the following conditions: A) 3 (three) of each one of the following printed items, one of which shall be delivered to the Library of the Legislative Branch: Books, booklets, reviews, newspapers, memories, bulletins, codes, compilations and registry of laws, catalogues of exhibitions, and bibliographic material, maps, atlas and geographic charts, guides of any nature whatsoever and art notebooks. B) 1 (one) copy of the other printed material, such as: Manifests, proclamations, edicts, posters, photographs, music scores, laminas, congratulations cards, albums for collections, and its figurines, programs of shows, voting lists, statutes, merchandise catalogues, list of prices, play cards, fliers, statistics, and in general, any printing produced in multiple units, whichever the method used. The legal deposit will not apply to social printings, such as visit cards, invitations and participations to private social events, and the office printings”.

Venezuela (Bolivarian Republic of)

The Act about legal deposit of September 3, 1993 derogates the precedent law dated July 27, 1979. Similarly, there exist the Rules of Act of legal deposit in the autonomous institute national library, 1997 providing: “Article 3rd. Any work, product of scientific, literary, artistic, technical, commercial and industrial production will be subject to legal deposit, as the following, but no limited to: A. Bibliographic productions: books, booklets, gray literature, reviews, newspapers (daily, press), bulletins, printings and any periodical publication. B) Non-Bibliographic productions printed on paper or other similar material; loose sheets of paper, fliers of public interest, music production (scores), maps, plans, drawings, graphic, technical, industrial and commercial designs, laminas, cards, monograms and logos, cards, postal cards, posters, views and photographs destined to be sold or to be distributed to the public general, and others. C. Non-bibliographic productions stamped

in audiovisual material and in phonograms, compact disks, gramophonic tapes, CD ROM, photographs, slides, audiovisual works fixed in videograms, cinematographic works, electromagnetic imagery recorded and radio and TV broadcasting fixed in sounding or audiovisual supports, and in general the printing and recording obtained by mechanical, chemical, electromagnetic procedures or systems and other now or in the future used”.

Annex II

ISBN Standard

Argentina

Act N° 22.399, February 11, 1981, “Article 1 – Any book edited in the Republic of Argentina shall bear printed the number of International Standard Book Number –ISBN) For the purposes of this Act, the definition in article 21, subsection a) in Act N° 20-380 shall be understood as book.

Bolivia (Plurinational State of)

There is no legal regulation of ISBN usage.

Brazil

Act N° 10.753, October 30, 2003. “Article 6. In the edition of books, it is required to adopt the number of the international standard and the form of cataloguing the publication. Paragraph Unique: The number this article refers to appears in the back cover of the book printed”.

Chile

The Act N° 19.227, July 10, 1993, in the Title II: About the Furtherance of Book and Reading, Article 8. Provides that: Without prejudice of the provisions in articles 3 and 4, Act N° 16.643 and 55 of Act N° 17-336, in any book printed in the country the International Standard Book Number (ISBN) will be included, appearing in the public registry made by the public or private entity representing the International Standard Book Number.

Colombia

The Act N° 98/1993, whereby regulations about democratization and promotion of Colombian book are given in Chapter III: About the supply of raw materials and production in article 11. The Act provides that: “any book edited and printed in the country shall

bear the International Standard Book Number (ISBN), assigned by Colombian Chamber of Book, as a sine qua condition to apply for the benefits of this Act”.

Costa Rica

The Decree 14377 c, March 16, 1983, in article 3, provides that “as from the publication of this decree, any book shall include in the back cover ISBN number or number of book, assigned by the Directorate of Libraries and the National Library and comply with the formalities set forth in this connection”.

Cuba

The Ministerial Resolution N° 27/2000: Rules of the ISBN National Registry within the general provision provides that: “Article 1. The aim of these Rules is regulate the organization, operation, and actions allowing for the full compliance with the purposes of ISBN National Registry, hereinafter the Registry, given the obligations of all editorial bodies related to the registry with registration in the National Registry according to provisions in Resolution 4 of January 18, 1996, as amended by Resolution 45 of July 14, 1997, both two resolutions issued by the Ministry of Culture”. And article 8: “All editorial bodies making publications in the country are under the obligation to be enrolled in the National Registry”.

Ecuador

The Act of Book, 2006, released in the Official Registry N° 277, of May 24, 2006, in Chapter VIII: General Provisions, provides the following: “First – In all and any book published in Ecuador the editor’s name and surname, date and place of printing, number of edition, editor’s and printer’s name and domicile, barcode with the International Standard Book Number ISBN, the original title, year and registry of copyright shall be included”.

El Salvador

The Act for the assignment of International Standard Book Number, of December 11, 2002 in the Chapter I, General Provisions, article 1, provides that: “by means of ISBN all literary works and productions indicated in this Act shall be uniformly cataloged; to promote book marketing at national and international level, and additionally, an efficient control of national bibliographic production will be established”. And in article 10 the Act provides that “before beginning the publication of any work or production indicated in the precedent

article, the author or editor shall appear before ISBN National Agency for ISBN number to be assigned. The authors and editors failing to use ISBN system, will not enjoy the benefits of this Act”.

Spain

Act 10/2007 of June 22, about reading, book and libraries. Chapter IV establishes Book Legal Regimen, article 8. International Standard Books and serial publications, that: “1. International Standard Book Number, ISBN, is the number created at international level in order to assign to each book an identity numerical code allowing for the coordination and standardization of any book to be properly located and to facilitate circulation in the marketplace, promoting suppliers’ and users’ cooperation with bibliographic data which is the essential purpose. 2. In order to apply the international recommendations and guides approved by ISBN International Agency, the Ministry of Culture is the official body responsible for ISBN system application in Spain, in accordance with the regulatory requisites set forth, and without prejudice of the competences assumed by autonomous communities”.

Guatemala

Has no any legal regulation of the use of ISBN.

Honduras

Has no any legal regulation of the use of ISBN.

Mexico

The Federal Act about Copyright released in the Federal Official Gazette on December 24, 1996, subsequently amended in 2003, in Chapter II: About the Edition of Literary Work, article 53, provides that: “The editors shall include in a conspicuous site of the works published, the following data: I. Editor’s name, business name and domicile; II. Year of edition or reprinting; III. Ordinal number corresponding to the edition or reprinting, if possible, and IV. International Standard Book Number (ISBN)”.

Nicaragua

The Administrative Order N° 01-2006, Paragraph III, set out ISBN obligation: “That for Nicaraguan Editorial Promotion and Production in the domestic and international market, it is necessary the identity of works edited and printed in the Republic of Nicaragua, with a coded numbering in line with the provisions set forth by ISBN (International Standard Book Number) system”.

Panama

Decree N° 26 of February 5, 1997, whereby the use of International Standard Book Number is established, released in the Official Gazette N° 23,225 of February 15, 1997, in article 3 provides that: “All and any work or production subject to this Decree, shall bear ISBN (International Standard Book Number) for identity of books, consisting of ten (10) digits divided into four parts”.

Paraguay

There is no any legal regulation about ISBN use.

Perú

The Act of Book, Furtherance of Scientific and Literary Creativity and the Habit of Reading, in Chapter III: Identification of Book, article 9.- Mandatory Indications in the Publications, provide that: “Any book or editorial product, produced in the country and recognized by this Act, shall mandatorily exhibit the following indications: Item 8: ISBN or ISSN Registry, as applicable.”

Portugal

There is no any legal regulation about ISBN use.

Dominican Republic

Act 502-08 of Book and Libraries. Chapter VIII / General Provisions, article 53: Mandatory Data in each Book and Related-Editorial Products, provide that: “on any book and

editorial product printed or edited in the Dominican Republic, at least the mandatorily data shall be included, as provided in Article 111 of Act 65-00 of August 21, 2000, and the International Standard Book Number (ISBN), as applicable”.

Uruguay

There is no any legal regulation about ISBN use.

Venezuela (Bolivarian Republic of)

The Decree N° 2256 released in the Official Gazette N° 37688 of May 13, 2003, whereby in article 1, the use of International Standard Book Number (ISBN) is decreed of public use.

Annex III

Acts about Libraries prevailing in 2010

Country	Acts	Year
Argentina	Act N° 419 Act Sarmiento. National Legislation for People Libraries	1870
	Resolution 1112: Popular Libraries Ruling Legislation	2003
Bolivia (Plurinational State of Bolivia)	There is no act of Book	
Brazil	Act N° 12.44 “Whereby the libraries are extended organized in all Educational institutions of the country”	2010
Chile	Decree 5.200: About the creation of DIBAM	1989
Colombia	Act N° 1379 “Whereby Public Library National Network is organized and other provision are given”	2010
Costa Rica	Bill 16.921: Act of the Library National System	2008
Cuba	Decree-Law 271/10 “About the Libraries in the Republic of Cuba”	2010
Ecuador	There is no Act of Book	
El Salvador	There is no Act of Book	
Spain	Royal Decree 582: Rules of State Public Libraries and library Spanish system	1989
Guatemala	There is no Act of Book	
Honduras	There is no Act of Book	
Mexico	Library General Act	1988
	Decree released in the official gazette on June 23, whereby several provisions Of the Library General Act are amended	2009
Nicaragua	There is no Act of Book	
Panama	There is no Act of Book	
Paraguay	There is no Act of Book	
Peru	There is no Act of Book	
Portugal	There is no Act of Book	
Dominican Republic	Act N° 502. About the Book and Libraries	2008
Uruguay	There is no Act of Book	
Venezuela (Bolivarian Rep. of)	Act by National Library Autonomous Institute	1977

Annex IV

Acts about Libraries prevailing in 2010

Country	Acts	Year
Argentina	National Act 25.446 about book and reading furtherance	2001
	Act N° 25-542. Act for book activity defense	2002
Bolivia (Plurinational State of Bolivia)	There is no act of book	
Brazil	Act 10.753: Act of Book	2003
	Act 10.925: Alteration of tax regime of book market	2004
Chile	Act N° 19.227: Creates the National Fund for Book and Reading Furtherance	1993
Colombia	Act 98: Democratization and furtherance of Colombia Book	1993
Costa Rica	Act N° 7874: Tax and control exemption of literary, educational, scientific, technological, artistic, sporting, and cultural productions	1999
	Decree N° 32662-C: The National Council of Book and Reading is integrated	2005
Cuba	There is no Act of Book	
Ecuador	Act of Book. Official Registry 277	2006
El Salvador	Legislative Decree N° 808: Act of Book	1994
Spain	Act 10: About Reading, Book, and Libraries	2007
Guatemala	Act 71: Act of Book Furtherance	1989
Honduras	There is not Act of Book	
Mexico	Act for reading and Book Furtherance (Official Journal 24-07-08)	2008
Nicaragua	There is no Library Act	
Panama	There is no Library Act	
Paraguay	Act 24: Act for Book Furtherance	1991
Peru	Act 28086. Act of Book Democratization and Promotion of Reading	2003
	Act N° 29.165 of 2007, that modifies Act N° 28086	2007
Portugal	Decree-Law 216: Act of Book (Fixed Price)	2000
Dominican Republic	Act 502: About the Book and Libraries	2008
Uruguay	Act 15.913: Act of Book	1987
Venezuela (Bolivarian Rep. of)	Act of Book. Official Gazette N° 36.189	1997

Annex v

Attendants to I Intergovernmental Committee that analyzed the Model of Act for Reading, Book and Library Furtherance

Delegates of Countries – Countries Member – Linking Bodies

Country	Entity	Officer/Delegate	Title/Area
Argentina	Secretariat of Culture of the Nation	Juan Arcaute	Advisor of Cabinet
Bolivia (Plurinational State of)	Ministry of Culture	Mónica Villarroel	Unit of Cultural Industries Responsible for cultural and literature area
Brazil	Ministry of Culture	Fabiano Dos Santos	Director of Book, Reading and Literature
	Embassy of Brazil in Colombia	Daniel Costa Figueredo	Cultural Attaché
Chile	Ministry of Culture/National Council of Culture and Arts	Carlos Zárate	Internal Management Coordination National Fund of Book and Reading
Colombia	Ministry of National Education	Mónica López	Specialized Professional Director of Quality
	Ministry of Culture	Ángela María Correa	General Director of Library National System
Costa Rica	Ministry of Culture and Youth	Olga Rodríguez	Library National System Director
Cuba	Cuban Institute of Book	María del Carmen Remigio	International Vice President
Ecuador	Ministry of Education	María Paulina Briones	Executive Director – Library National System
El Salvador	Secretariat of Culture	Carlos Serpas	National Director of Publications Printings
Spain	Ministry of Culture	Rogelio Blanco	General Director of Book, Archives and Libraries
Guatemala	Ministry of Culture & Sports	Maximiliano Araujo	Consultant of the Office
Honduras	Secretariat of Culture, Arts & Sports	Manuel Antonio Sierra	Vice Minister
Mexico	National Council of Culture and Arts - CONACULTA	Fernando Álvarez	Library General Director
Panama	National Institute of Culture - INAC	Raúl Castro	Secretary General
	Ministry of Education	Jorge Constantino	Counselor Minister
Paraguay	Ministry of Education & Culture	Ana Margarita Mello Martínez	Director of Creations & Diversity
Peru	National Library of Peru	Nancy Herrera	Technical Director
Dominican Republic	Secretariat of State of Culture	Eleanor Grimaldi	General Director of Book and Reading
Uruguay	Ministry of Educational & Culture	Andrés Michelini Germino	Advisor of Copyright
Venezuela (Bolivarian Rep. of)	Institute National Center of the Book	Christhian Helena Valles Caraballo	Acting President

inter-governmental Bodies

Body	Officer	Title / Area
Unites Nations for Education, Science and Culture Organization - UNESCO	Mauro Rosi	Section of Diversity & Cultural Expressions Directorate of Cultural Expressions & Creative Indust.
World Intellectual Properti Organization - (OIP)	Carlos Mazal	Principal Councilor
Ibero American General Secretariat IAGS	Leonor Esguerra	Director of Culture
Organization of American States - OAS	Stella Villagrán	Colombus Memorial Library
Latin America States Organization LSO	Jorge Delkader	Institutional Relations Director
Banco Interamericano de Desarrollo - BID	Norma Stella Palomino	Library Services Head

Non-Government International Bodies

Body	Officer	Title / Area
National Federation of Reproduction Rights Organizations -NFRO	Ana María Cabanellas	Latin America and Caribbean Committee President
Inter-Ameriacan Editors Group – IAEG – National Chamber of Mexican Editorial Industry - CANIEM	Gonzalo Joaquín Araico Montes de Oca	President of Latin America & Caribbean Committee
IInter.-American Institute of Copyright - IIDA	David Felipe Álvarez	Consultant of Intellectual Property
International Alliance of Freelance Editors	Guido Indij	General Coordinator of Spanish language-Speakers Netowor
University Editorials Association of Latin America - EULAC	Diego Esteban Romero Varón	Representative

Non-Government National Bodies

Body	Officer	Title / Area
Federation of Spanish Editor Guilds – FGEE	Pedro de Andrés	President
	Antonio María Ávila	Executive Director
Foundation for Reading Furtherance - FUNDALECTURA (Colombia)	Carmen Barvo	Executive Director
Bolivian Chamber of Book	Ernesto Martínez	President
National Association of Bookstores - ANL (Brazil)	Arcângelo Zorzi Neto	Director
Colombian Chamber of Book	Enrique González	President
	Manuel José Sarmiento	Secretary General
	Jorge Valencia Jaramillo	Member of the Board
El Salvador Chamber of Book	Ana Dolores Molina de Fauvet	Chairwoman
Guatemala Editorial Guild	Gabriel Piloña	President
Panama Chamber of Book	Bliseida Bloise	Chairwoman
Paraguay Chamber of Editors, Booksellers & Assoc.	Carlos Federico Morínigo Fresco	Delegate of the Board of Directors
Venezuelan Chamber of Book	Iván Diéguez	President

Technical Secretariat - CERLALC

Fernando Zapata López	Director
María Elvira Charria Villegas	Assistant Director of Reading, Writing & Libraries
Richard Uribe Schroeder	Assistant Director of Book & Development
Mónica Torres Cadena	Assistant Director of Copyright
Luis Fernando Sarmiento Barragán	Technical Secretary
Jorge Orlando Melo	CERLALC CONSULTANT
Bernardo Jaramillo Hoyos	CERLALC CONSULTANT
Lina Aristizabal Durán	Coordinator SRI
Juliana Camacho Espinosa	Cabinet Head
Juan Pablo Mojica Gómez	Assistant Director of Book & Development
Sandra Villamizar	Assistant Director of Book & Development
Paola Roa Urrego	Assistant Director of Reading Writing & Libraries
Fredy Forero	Assistant Director of Copyright
Wilmer Rosiasco	Systems
Diana Castellanos Pérez	Assistant Director of Book and Development
Rafael Ochoa Ortiz	Administrative



CERLALC 40 AÑOS
AÑOS

*trabajando por el libro, la lectura y el derecho de autor
trabalhando em prol do livro, da leitura e do direito autoral*