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Copyright Against Culture: Do Restrictions on e-Book Availability and Use Undermine Library Laws?

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The question of the terms under which libraries are able to acquire or access and then lend e-Books is arguably illustrative of the situation facing these institutions more broadly in the digital world.

For well over a decade, libraries have sought to develop their offer of e-Books, driven both by demand from users and the understanding that they represent an opportunity to offer books in new ways and to new populations.

In the university sector, the shift has been dramatic, with digital materials (both journals and monographs) coming to dominate. While the change has not been so far-reaching in the public library sector, e-Books have come to represent an important part of many libraries' offer to users.

This is not to say that this process has been easy or painless. The copyright laws that enable libraries to lend in the physical world (either through explicit provision for this, or by allowing lending to take place under the exhaustion doctrine) have not kept up with the shift to digital.

The Court of Justice of the European Union in VOB vs Stichting Leenrecht offered an incomplete solution. While it established equivalence in the treatment of physical and digital works for the purpose of public lending, it failed to allow for the circumvention of technological protection measures or the disapplication of contract terms, for example those preventing lending or inter-library document supply, as well as the taking of preservation copies or other standard library activities.

The result is that the ability of libraries to acquire (or access) and lend e-Books is largely dependent on the willingness of rightholders (typically publishers) to let them. Over and above questions about the terms imposed on libraries, there is the more fundamental question of whether e-Books are available at all to libraries.

There is already an argument under copyright law that there is an implicit right of access. This is derived from the logic that other activities foreseen under law (such as preservation, education and research uses, and lending) can only happen if there is access in the first place. And of course, there is also precedent for addressing contract override, not least through Article 7 of the Directive on Copyright in the Digital Single Market, even if this does not apply to e-Lending (yet).

However, we do not only need to look in copyright law for arguments in favour of access. This article looks rather at 36 library laws across 20 different countries in Europe in order to explore what they say about how libraries can build collections. It then assesses how these provisions fit with copyright regimes that leave choices around collection-building to rightholders.

The article is organised around the different ways in which library laws talk about collection building. This echoes the call in documents such as the International Federation of Library Associations' (IFLA) 1999 Statement on Intellectual Freedom that:

> "*Libraries shall ensure that the selection and availability of library materials and services is governed by professional considerations and not by political, moral and religious views*."

A full list of the laws consulted, with relevant excerpts and links, is included in the annex.

Common Themes Relating to Collections Policies Across Laws Analysed

Library collections have a special role in delivering on the right of access to information

A number of laws, in particular those at the regional level in Germany, place the work of libraries in the context of the wider right of access to information that German citizens enjoy in line with the Federal Constitution. This provides a very strong legal grounding for the work of libraries, in being able to acquire and give access to works. In this vein, the law in Nordrhein-Westfalen therefore notes that:

> "*[Libraries] contribute in a special way to the realisation of the fundamental right under Article 5 paragraph 1 sentence 1 of the Basic Law to be able to obtain information from generally accessible sources without hindrance.*"

There are similar provisions in Thüringen and Rheinland-Pfalz. Meanwhile, the Estonian law sets out that:

> "*The purpose of public libraries is to ensure free and unrestricted access to information, knowledge, achievements of human thought and culture for inhabitants.*"

The Spanish law states:

> "*Public libraries are the means by which the public authorities make possible the effective exercise of the right of all citizens of Access to Information, Education and culture in the context of the Information and Knowledge Society.*"

A number of Italian laws also connect the work of libraries to the right of access to information.

Library collections should be responsive to the needs of the public

A common theme across countries is that a central driver of collections policies for public libraries is the need to respond to the needs of local communities. There is a duty on libraries to ensure the relevance of their offer. This is the case for Belgium (both Flanders and Wallonia), England, Estonia, Greece, Moldova, Northern Ireland, and Norway. Slovenia and Denmark simply talk about an appropriate range of material.

As an example, Wallonia states that collections should be:

> *"Quantitatively and qualitatively meaningful for the population served, and representative of contemporary socio-cultural needs inherent to the public character of the institution."*

The Greek regulation on the operation of public libraries sets out:

> *"The identification, analysis, and evaluation of the audience's informational needs form the foundation of the Library's collection development policy. This identification is based on public research methods (such as questionnaires, usage statistics of materials, etc.). It is essential to note that the fundamental principle of this process is that "all user groups, regardless of age, gender, race, religion, nationality, language, or educational background, must be able to find material relevant to their needs and interests."*

In the case of Puglia, the adaptation of laws to needs is underlined as being key to realising the potential of libraries as drivers of social inclusion. This becomes possible when it is ensured that all members of a community can find books relevant for them, and so all are able to benefit from taxpayer-funded services such as libraries:

> *"Inter alia […], the region promotes actions and agreements directed towards social and multicultural integration and the development of library and documentary collections and of library services focused on the needs of disadvantaged user groups."*

In Saxony-Anhalt, the specific role of libraries in building collections that meet the needs of employment seekers is highlighted.

The ability of libraries to build a relevant collection or not can also have financial implications. For example, Wallonia underlines that libraries can only receive support for engagement in reading promotion activities in line with the quality and relevance of their collections. The level of support depends, inter alia:

> *"On the offer of documentary and cultural resources, in terms of the […] adaptation [of the collection] to the population and the five-year development plan."*

A connected point is that around the need for regular renewal of collections in order to keep them up to date. This is highlighted in the laws of Wallonia, Czecha, Finland, and Norway.

Libraries should be independent in building their collections

Some laws, echoing the IFLA Statement, stress that libraries need to be independent in their decision-making. In practical terms, this means that they should be able to deploy collections budgets in line with professional principles.

The laws in Flanders all underline the need for independence, including from commercial interests, as do those in France, Schleswig-Holstein, Hesse, Nordrhein-Westfalen, and Rheinland-Pfalz.

For example, the law in Rheinland-Pfalz includes a section on the independence of media selection:

> "*2. Independence in Media Selection: Libraries intended for public use are independent in the selection of their media content.*"

In France, the library law underlines that:

> "*[Libraries] must be exempt from all forms of ideological, political or religious* censorship*, or commercial pressures.*"

Latvia's law sets out:

> "*Printed materials, electronic publications, manuscripts and other documents in library collections, regardless of the political, ideological, religious or other orientation of their authors or the information therein, shall be accessible to any person in accordance with the procedures established by the libraries.*"

Meanwhile, in Croatia, the law simply underlines that collections and holdings should be built up in line with generally accepted professional criteria.

Libraries should promote pluralism, diversity and quality in their collection building

While this is a goal most often associated with national or major university libraries, some laws also expect public libraries – individually or collectively – to aim for a universal collection, providing information on all possible topics. This is the case in Czechia, Estonia, and Spain. In France, for example, the law sets out:

> "*The collections of public libraries and their networks are pluralistic and diversified. They represent, at their level or in their area of specialisation, the multiplicity of knowledge, currents of thought and opinion, and editorial production.*"

Linked to this, the law in Rheinland-Pfalz suggests even that libraries, through their work, should contribute to the knowledge commons:

> "*Libraries are service providers in the modern knowledge society, which understands knowledge as a common good in which every member of society can participate and contribute.*"

Elsewhere, the goal is simply to build the widest possible collection (as in Trento), or to have one that is versatile (as in Sweden). Sweden's law also puts a strong emphasis on 'quality' as a goal, with the explanation of the law underlining that:

> "*it is, for example, not possible for a municipality to decide that the libraries in the municipality should have a distinctly limited or lopsided range of media.*"

Libraries should collect diverse media

While many laws simply do not specify any particular type of media, some explicitly make clear that libraries should be collecting materials in different forms. Flanders calls for a 'pluriform' collection, while Bremen, Greece, Trento, Venezia-Giulia, and Moldova talk broadly about a variety of media.

Croatia, France, Nordrhein-Westfalen, Moldova and Slovenia indeed specifically talk about the need to collect and give access to digital materials. The Netherlands does the same, although it gives the National Library a specific role in building collections.

The importance of lending

The role of lending in libraries' ability to fulfil their missions is also set out in a number of laws. Flanders' law underlines that a duty of libraries is both to offer consultation of a wide offer of books, and:

> "*The lending of materials and files with the* lowest *possible barriers, in particular for hard-to-reach groups and people with limited incomes.*"

Estonia's law sets out:

> "*Loan for in-house use and home lending of items and granting access to public information through the public data communication network are the basic services of public libraries.*"

Similarly, the English, Finnish, Irish, Spanish and Swedish laws also highlight the fundamental nature of lending.

Libraries are also expected to share works between each other, in order to meet needs. The importance of inter-library loan is set out in the roles given to libraries in Czechia, Finland, Poland, and Slovenia.

An interesting specific angle is the call in the laws of Moldova and Spain to enable the digitisation of physical materials and then access to these. This makes no reference to being limited only to public domain works.

Building and preserving collections

Another role of libraries – already hinted at earlier – is to build permanent collections and preserve these for the future. The Danish law, for example, calls for libraries to collect 'an appropriate proportion of published Danish works', while the Northern Irish law also makes a connection with safeguarding local heritage.

The Estonian law also underlines that collection-building is part of the definition of a regional and coordinating library. The same goes for Lazio, Basilicato, Emilia Romagna, Piedmont and Poland.

While this is again a role more typically associated with national, research, or more specialised libraries, some laws stress the place of public libraries in preserving content, especially as concerns materials about the local area. France's law, similarly, sets out the role of public libraries in preserving works, and so supporting research, as do those of Poland and Lazio amongst others.

The Incompatibility of Restrictions on e-Book Access and Lending With Library Laws

Copyright law has not kept up with the practices of libraries in a digital world. What could have been a major turning point – the decision of the Court of Justice of the European Union in VOB vs Stichting Leenrecht – has been undermined by its lack of reference to the possibility of disapplying contract terms or circumventing technological protection measures, as well as the slowness of governments in implementing this aspect of EU law. None have done so fully, with the Netherlands drawing on the judgment to come to a solution which still allows publishers to refuse licenses (a similar situation to that in the United Kingdom).

Crucially, there is also nothing to prevent rightholders themselves from making the most of the powers they have, and simply refusing to licence e-books to libraries. While Geiger and Jütte make a strong case for an access right, it remains the case that libraries either struggle to gain access to works in the first place, or can see this access withdrawn from one day to the next with little if any notice. In short, European copyright law as it stands today very much leaves access to e-books up to the discretion of rightholders.

Yet, across the examples of laws provided above, this discretionary power is not cited as a relevant factor for libraries when determining (digital) collections policies. Indeed, these purely commercial decisions may indeed contrast with the call for libraries to be free of commercial pressures in some laws. While of course libraries need to work within the limits of their budgets, further restrictions based on the discretion of rightholders seem incompatible with true library independence.

In addition it is clear that when a more or less significant share of e-Books are unavailable to libraries, it is far harder to meet the conditions set out. Building universal, balanced, responsive, up-to-date collections is far harder when working from a more limited catalogue of works.

With the act of lending itself set out as a core function of libraries too, contract terms and technological protection measures that make it impossible to lend – both to individual users, and between libraries – are also problematic, confounding the goals established by legislators.

Finally, the model of e-Book lending most commonly on offer, with e-Books held on publishers' or other platforms' servers rather than acquired by libraries, also stands in contrast with those library laws that urge libraries to build collections, as well as to practise preservation. Enough laws are clear that e-Books have as much of a place in library collections as physical ones.

In sum, it would appear that an ongoing failure to protect the ability of libraries to acquire, lend and preserve e-Books runs directly against the will expressed by legislators when passing library legislation.

Conclusions

This article has set out to explore how library laws from 33 jurisdictions in 17 countries across Europe discuss the building of library collections. It looks in particular to identify common trends between them, notably regarding their integral importance for access to information, and the need to respond to local needs while also offering as wide a range of perspectives as possible. Other shared features include an openness to a variety of media types – with digital explicitly named in some – and then the possibilities to lend and preserve collections.

The article then underlines how restrictions on libraries' access to e-Books, and possibilities subsequently to lend or preserve these, serve to undermine the achievements of these goals, set out by governments and legislators as part of their broader cultural policies.

The impact of this, in addition to the frustration of cultural policy goals, is also wider. Library laws – and in particular provisions on collection building – frequently are designed as part of wider efforts to promote reading, literacy and education (France, Schleswig-Holstein, Rheinland-Pfalz, the Netherlands, Sweden). Some go further, noting how this work supports social inclusion (Puglia), democracy (Nordrhein-Westfalen) and development in general (Estonia, Finland, Rheinland-Pfalz). Insofar as collection-building and lending is hindered, so too is work towards these goals.

In short, the ongoing lack of steps to ensure that libraries can access and lend e-Books on similar terms to physical ones represents a continuing drag on the achievement of cultural laws and wider public policy goals.

ANNEX: Excerpts From Library Laws Consulted

Belgium	[Flanders] **Decree of 6 July 2012 on Local Cultural Policy** 2. 4° [...] The public library is active in the field of literacy, cultural dissemination and cultural participation. The library works in a spirit of objectivity and free from philosophical, political and commercial influences; 9. 2° to provide an independent and multiform range of information, broadly and carefully composed, adapted to the needs of the target audience and in a non-commercial environment; 4° to make the consultation of all information carriers in the library and the lending of materials and files as accessible as possible, in particular for target groups that are difficult to reach and for people with a limited income;	Source
	[Wallonia] **Decree of 30 April 2009 (updated on 13 October 2022) on the promotion of public reading** Article 12 Within the limits of available budgetary appropriations, the Government may recognize operators who request it and meet the conditions set out below. To be recognized and maintain recognition, operators of the Public Reading Network must meet the following general conditions: […] 6° Have collections in various tangible or intangible formats intended for borrowing, consultation, or any other use, kept up to date through regular additions and curation. In addition, these collections must be: • quantitatively and qualitatively significant with respect to the population to be served; • representative of the contemporary sociocultural needs inherent to the public nature of the institution; Article 18 § 3. To determine the amount of fixed operating and activity subsidies, the Government divides operators into categories in accordance with the principles defined in this paragraph: […]	Source

	b) the provision of documentary and cultural resources in terms of: • quality, variety, quantity, and renewal of collections; • adaptation to the population and the five-year development plan;	

Croatia	**Law on Libraries and Library Activities of 13 February 2019** Article 3 For the purposes of this Law, certain terms have the following meanings: [...] 7. library materials are any linguistic, visual and audio document in analogue or digital form of informational, artistic, educational, scientific or professional content, produced in multiple copies and intended for the public, as well as manuscripts or all other materials that the library possesses in its collection and makes available to users. 8. library collection is a collection of library materials that a certain type of library possesses 9. A library collection is a part of a library holdings compiled according to generally accepted professional principles and criteria. Article 6 (1) Library activities include: • acquisition of library materials and construction of library collections • professional processing of library materials according to professional standards, which includes the creation of information aids in printed and/or electronic form • storage, preservation and protection of library materials and implementation of measures to protect library materials that are cultural assets • provision of information services, lending and lending of library materials, including interlibrary loan • digitization of library materials	Source

Czech Republic	**Czech Republic Library Act 2001** Article 2 2c) „library collection" is the organised, consistently developed (completed), processed, protected and preserved set of library documents; Article 4 4) Public library and information services (1) Public library and information services involve: a) making available library documents from the library collection of the library or, through inter-library services, from the library collection of another library; Article 9 9. (1) The National Library is a library with a universal library collection complemented by specialised collections. Article 12 12 (1) A Basic Library is a library with a universal library collection or with a specialised library collection.	Source
Denmark	**Executive Order on Library Activities of 23 January 2020** 1. Public libraries shall each year, taking into account the nature of their area of activity, acquire an appropriate proportion of published Danish works	Source
Estonia	**Public Libraries Act of 12 November 1998, last amended 20 February 2019** § 2. Public library (1) The purpose of public libraries is to ensure free and unrestricted access to information, knowledge, achievements of human thought and culture for inhabitants, to promote lifelong learning and individual development. (2) For the purposes of this Act, a public library is a municipal library which collects, stores and makes available for readers the publications, audiovisual items and other items (hereinafter items) and public databases which they need. § 5. County library and central library of rural municipality or city (5) The functions of a county library and a central library upon coordinating of library service are the following: 1) acquisition and processing of collections;	Source

	§ 13. Collections (1) The collections of public libraries are universal in their composition, containing items in different languages, of different types and of different kinds which correspond to the basic needs of the inhabitants of the service area. (2) Public libraries may transfer without charge or sell the items which are unnecessary for it pursuant to the procedure established by the rural municipality council or city council. § 15. Readers and Services (2) Loan for in-house use and home lending of items and granting access to public information through the public data communication network are the basic services of public libraries. Basic services of public libraries are free of charge.	

Finland	**Public Libraries Act (1492/2016)** Section 6 Duties of public libraries (1) Public libraries are tasked with: 1) providing access to materials, information and cultural contents; 2) maintaining versatile and up-to-date collections; 3) promoting reading and literature; Section 12 Services provided free of charge and library charges (1) Using, borrowing and reserving public libraries' own materials as well as guidance and advice provided by the libraries are free of charge. Furthermore, interlibrary loans issued by public libraries with a national or regional development responsibility to other public libraries are free of charge.	Source

France	**Law no. 2021-1717 of 21 December 2021 concerning Libraries and the Development of Public Reading** "Art. L. 310-1 A. - The missions of local government libraries or their groups are to ensure equal access for all to culture, information, education, research, knowledge, and leisure activities, as well as to promote the development of reading. As such, they: "1° Build, preserve, and communicate collections of documents and objects, as defined in Article L. 310-3, in physical or digital form; [...]	Source

	"Libraries also transmit to future generations the heritage they preserve. As such, they contribute to the advancement of knowledge and research, as well as to their dissemination. "These missions are carried out in compliance with the principles of pluralism of ideas and opinions, equal access to public service, and the mutability and neutrality of public service." "Art. L. 310-3.- The collections of the libraries of local authorities or their groups consist of books and other documents and objects necessary for the fulfillment of their missions, such as audio and audiovisual documents. "Art. L. 310-4.- The collections of the libraries of local authorities or their groups are pluralistic and diverse. They represent, each at its own level or in its own specialty, the multiplicity of knowledge, currents of ideas and opinions, and editorial productions. They must be free from all forms of ideological, political, or religious censorship or commercial pressure. They are made accessible to all members of the public, on site or remotely." "Art. L. 310-5.- The collections of the libraries of local authorities or their groups that fall within the private movable property of the public entity owner are regularly renewed and updated."	

Germany	[Bremen] **Bremen Library Law of 28 March 2023** § 4 Public Libraries (2) Public libraries maintain their media holdings up-to-date and offer their users access to a variety of media. They are not, in principle, required to preserve their holdings.	Source
	[Hesse] **Hesse Library Law of 20 September 2020** § 3 Library and Society (1) Libraries facilitate democratic participation in political decision-making by ensuring access to general information sources through a politically, ideologically, and religiously balanced collection. Through their digital information and publication offerings, libraries contribute to free access to knowledge and education, as well as to freedom of opinion and information in society and science. They are independent in the selection of their media and information resources.	Source

	[Nordrhein-Westfalen] **Culture Code of 1 December 2021** § 47 Tasks of Libraries 47(1) Libraries are collections of books and other media and information resources, including digital ones, intended for use and accessible for public use. They contribute in a special way to the realisation of the fundamental right under Article 5 paragraph 1 sentence 1 of the Basic Law to be able to obtain information from generally accessible sources without hindrance. § 47 Public Libraries 48(4) (4) Public libraries make an important contribution to safeguarding freedom of information by providing professionally curated information. Therefore, they are independent in the selection of their media and are not bound by instructions. (5) Public libraries shall be freely accessible, subject to the house rules and within the framework of the user regulations of their operating companies. They provide users with low-threshold and unhindered access to information and thus contribute significantly to the provision of general, intercultural, and civic education. Furthermore, they enable and support democratic decision-making, equal participation, and social integration. The state supports public libraries in extending their opening hours in a user-friendly manner.	Source
	[Rheinland-Pfalz] **State law enacting a library law and amending and repealing other library-related regulations of 3 December 2014** §1 Libraries in Rheinland-Pfalz 1.1. Libraries contribute to the realization of the fundamental right enshrined in Article 5 of the Basic Law and Article 10, Paragraph 1 of the Constitution of Rhineland-Palatinate to obtain information from generally accessible sources without hindrance, and actively participate in the further development of society. 1. 2. Libraries are service providers in the modern knowledge society, which understands knowledge as a common good in which every member of society can participate and contribute. They strengthen the reading, media, and information literacy of their users through appropriate measures as well as through cooperation with other educational institutions and among themselves.	Source

	§ 2 Independence in Media Selection Libraries intended for public use are independent in the selection of their media content.	
	[Saxony-Anhalt] **Library law of 16 July 2010** § 7 Public libraries and professional education Public libraries collaborate with local educational institutions, especially adult education centers, in the context of vocational training. They provide appropriate information, within the scope of their capabilities, for job seekers, career starters, and for continuing education and training.	Source
	[Schleswig-Holstein] **Library Law of 30 August 2016** Chapter 2 – Libraries in Schleswig-Holstein § 3 Public libraries They are independent in their selection of media and are not bound by instructions. They are intended to serve in a special way to promote reading and learning among children and young people, and to promote school, vocational, and cultural education, particularly in cooperation with cultural, scientific, and educational institutions. They impart media and information literacy.	Source
	[Thüringen] **Library Law of 16 July 2008** Article 1 § 1 Freedom of Information The organized and indexed collections of books and other media works in physical and intangible form (libraries) of the Free State of Thuringia and of the legal entities under the legal supervision of the state are accessible to everyone in accordance with their terms of use and with regard to their specific purpose. They thus guarantee, in a special way, the fundamental right to obtain information from publicly accessible sources without hindrance. The same applies to libraries maintained by municipalities and districts within the scope of their voluntary performance of their own duties.	Source

Greece	**Ministerial Decision 83064/IZ/2003 on the Regulation of Public Libraries' Operation** 2.1 Collection Development The library's material collections must meet the informational, educational, and cultural needs of its audience at the appropriate time. The development of the Library's Collections follows specific processes that determine their growth, while their progressive expansion defines the rate of development. These two processes work in conjunction with the identification of specific thematic categories that each library selects to focus its Collection on. The ultimate goal is the continuous improvement of the Library's informational services. The collection development policy includes a cycle of procedures that encompass the following activities: ● Analysis of the community's informational needs ● Material selection policy ● Acquisition of materials ● Material processing ● Inventory ● Withdrawal of materials 2.1.1 Analysis of the Audience's Informational Needs The identification, analysis, and evaluation of the audience's informational needs form the foundation of the Library's collection development policy. This identification is based on public research methods (such as questionnaires, usage statistics of materials, etc.). It is essential to note that the fundamental principle of this process is that "all user groups, regardless of age, gender, race, religion, nationality, language, or educational background, must be able to find material relevant to their needs and interests." 2.1.2 Material Selection The selection of materials is based on: ● The purpose and objectives of the Library as outlined above ● The general thematic direction of the Collection's development ● The needs of the audience, as identified through the evaluation process ● The types and quality of materials ● The population ● Usage statistics of materials The materials within the Collections and the services offered must reflect current trends and societal developments, as well as the memory of human effort and imagination. They must not	Source

	be subject to any ideological, political, or religious bias or commercial pressures. At the same time, all forms of material intended for religious proselytism, political propaganda, incitement of hatred, offense toward specific population groups, or commercial exploitation must be avoided by all means. Collections should include all types of appropriate media and modern technology alongside traditional materials. Finally, the quality and relevance of materials and services to local needs and conditions constitute an essential parameter.	

Ireland	**Local Government Act, 2001** Section 78 - Functions of Library Authorities (2) A library authority may, in particular, arrange for the provision of the following services: (a) premises and facilities (including mobile facilities) for the borrowing of and reference to books and other printed matter, tapes and discs (being audio, video or both), slides, and such other material, including material available by means of the use of computers and information technologies, as it considers appropriate;	Source

Italy	[Basilicato] **Regulation of Public Reading Services and Continuing Education Interventions of 21 May 1980, last amended 11 August 2015** Article 2 2. In particular, they provide for: a) the retrieval, acquisition, safeguarding, cataloguing and progressive increase of bibliographic, manuscript, printed and audiovisual material and documents of any kind which are relevant to the cultural heritage of the Region; b) to ensure the public use of said material; Article 3 – Local Authority Libraries 1. In order to achieve the purposes of this law, local authority libraries must, in accordance with the procedures established in their respective regulations: […] f) ensure the collection, conservation and valorisation of publications produced by the various local associations.	Source

	[Emilia Romagna] **Regional Law n18 of 24 March 2000: Norms concerning libraries, historic archives, museums and cultural goods** Article 3 – Functions of the Region 1. The Region exercises, in compliance with the principle of autonomy of local authorities, the functions of direction and planning in matters of cultural assets and institutions of local authorities or entrusted to them. The Region also: […] m) supports the increase of public collections by acquiring or contributing to the acquisition of assets, funds, collections and collections of artistic, historical and documentary value to be allocated to the increase of the cultural heritage of regional library, archive and museum organisations;	Source
	[Lazio] **Provisions on Regional Cultural Services and Cultural Enhancements of 15 November 2019** Article 15 - Libraries 1. Libraries, pursuant to Article 101, paragraph 2, letter b), of Legislative Decree 42/2004, are permanent structures that collect, catalogue and conserve an organised set of books, materials and information, however edited or published on any medium, and ensure their consultation in order to promote reading and study, contributing to the development of knowledge and research.	Source
	[Liguria] **Regional Law on Culture of 31 October 2006** Article 24 – Library Organization 1. Libraries are cultural institutions that contribute, according to their specific historical and institutional characterization and their prevalent typology, to the implementation of the citizens' right to information and education, to the development of research and knowledge through the collection, organization, conservation, making available to the public of documents and the provision of information services.	Source

	[Lombardia] **Regional Policy on Cultural Matters of 31 October 2006** Article 14 – Libraries and Library Systems 2. The Region in particular: [...] c) promotes access to documents, information, catalogues and national and international information and documentary networks, including through the use of innovative technologies;	Source
	[Piedmont] **Coordinated Provisions on Culture of 1 August 2018** Article 21 – Libraries 2. Public libraries of local authorities or of local interest are institutions operating in the regional community at the service of citizens, whose primary task, in harmony with the guidelines of the IFLA-UNESCO Manifesto on public libraries of 1994, is to offer resources and services with a variety of means of communication to meet individual and collective needs for education, information, personal development and entertainment. They operate, within the limits of the competence of the Region, to: a) ensure that all citizens have widespread access to information and knowledge; b) ensure free access to basic consultation, lending and internet browsing services; c) contribute to the cultural development, education and democratic, intellectual and civil training of citizens; d) stimulate and organize ongoing training activities and promote the implementation of the right to study; e) promote reading in collaboration with the various subjects in the book supply chain; f) provide for the acquisition, cataloguing, management, conservation and valorisation of the documentary heritage on any medium, ensuring its consultation and free lending; g) promote knowledge and use of digital technologies in the library environment; h) to guarantee the protection and public enjoyment of the bibliographic material, documents and objects of historical and cultural value forming part of its heritage and to increase this heritage through the finding and acquisition of manuscript or printed works, as well as documents of local interest;	Source

	[Puglia] **Culture Law of 25 June 2013** Article 4 – Competences of the Region for Promotion and Valorisation 2. The Region, inter alia: c) promotes actions and agreements aimed at social and multicultural integration and the development of bibliographic and documentary collections and library services aimed at disadvantaged groups of users; Article 16 – Rights of Users 3. Consultation of archive and library documents, as well as the loan of library assets, are free and cannot be limited except for the reasons provided for by law, for protection and conservation needs and for motivated organizational needs.	Source
	[Trento] **Provincial Law on Cultural Activities of 3 October 2007** Article 17 – Trentino Library System 3. The Trentino library system, taking into account the characteristics of the various libraries forming part of the system, pursues in particular: a) the widest and most widespread offer to users of bibliographic, documentary and information resources, also through the use of new technologies;	Source
	[Venezia-Giulia] **Regional Law on Cultural Heritage of 25 September 2015** Article 28 - Tasks and services of the local public library 1. The local public library preserves and enhances book and documentary assets in spaces appropriately set up and organised for the different types of users and carries out the following tasks in particular: b) collection, inventory, cataloguing, disposal, making available for public consultation of books, information, documents and materials however edited or published on any medium, organised materially and conceptually;	Source

Latvia	**Law on Libraries of 21 May 1998, last updated 3 May 2022** Article 5. General principles governing the operation of libraries (1) Printed materials, electronic publications, manuscripts and other documents in library collections, regardless of the political, ideological, religious or other orientation of their authors or the information therein, shall be accessible to any person in accordance with the procedures established by the libraries. (2) Libraries are independent when it comes to building their collections. They must not be constrained by political, ideological or religious considerations. Restrictions on library collections can only be imposed by law.	Source

Moldova	**Law 160 of 20 July 2017 on libraries, as amended on 5 October 2023** Chapter V: Library Heritage Article 30. Development of Library Collections (1) Library collections are constituted in accordance with the type of library, the cultural and linguistic identity of the community, the interests and needs of library users, and include various categories of documents in paper format, digital format, or any other medium. Article 33. Digital Libraries (1) Public libraries can create digital libraries and collections by digitizing the documents they possess in accordance with the legislation, by creating, and by acquiring documents in digital format.	Source

Nether lands	**Act of 19 November 2014 to adopt an updated system of public library facilities** Article 5 - Library functions A public library facility that is accessible to everyone always provides the following functions, which contribute to the personal development and improvement of the social opportunities of the general public: a. to make available knowledge and information; b. to offer opportunities for development and education; c. to promote reading and exploring literature; Article 10 - Collection plan 1. The Royal Library adopts a joint collection plan for the participants of the network referred to in Article 7 every four years.	Source

	2. The collection plan aims to achieve cohesion between the physical and the digital collections of the public library facilities. It offers a framework for the compilation and management of a collection by a facility. 3. The Royal Library adopts the joint collection plan in accordance with the representatives of the Local Libraries and the Provincial Support Organisations.	

Norway	**Act Relating to Public Libraries of 20 December 1985, last updated on 1 January 2014** Chapter I. The objective and activities of public libraries Section 1 Purpose The task of public libraries is to promote the spread of information, education and other cultural activities through active dissemination and by making books and other media available for the free use of all the inhabitants of Norway. Public libraries are to be an independent meeting place and arena for public discussions and debates. The individual library shall place emphasis on quality, versatility and topical relevance in its services for children and adults.	Source

Poland	**Library Law of 27 June 1997** Article 3 3. 1. Libraries and their collections are a national asset and serve to preserve the national heritage. Libraries organise and provide access to the resources of Polish and world science and culture. Article 4 4. 1. The core tasks of libraries include: 1) collection, development, storage and preservation of library materials; 2) user services, in particular making collections accessible and providing information, in particular providing information on the collections of its own and other libraries, museums and scientific information centres, and cooperating with archives in this regard. 4.2. The tasks of libraries may further include bibliographic, documentary, scientific and research, publishing, educational, popularisation and instructional and methodological activities.	Source

	Article 20 1. The tasks of the provincial public library include: 1) The collection, processing and making available of library materials which serve the needs of information, education and self-education, in particular with regard to knowledge of one's own region and the documentation of its cultural, scientific and economic achievements; 2) The library functions as a library and bibliographic information centre, organises inter-library loans, prepares and publishes regional bibliographies and other regional information materials; 3) to examine the state and extent to which users' needs are being met, to analyse the condition, organisation and layout of libraries and to formulate and submit proposals for change to the organisers;	
Slovenia	**Librarianship Act 87/01 of 8 November 2001** Article 2 – Library Activities Library activities within the remit of library public services include: • collecting, processing, storing and supplying library material, • providing access to library material and electronic publications, • producing library catalogues, databases and other sources of information. Article 3 – Library Materials Library materials are published printed, audial, pictorial, electronic records or records technically processed in any other way, which libraries collect and provide to the public and which are intended for the needs of culture, education, research and information. Article 6 – Purpose of Libraries Libraries shall organise collections of library materials and sources of information in accordance with professional principles, for the purpose of providing individuals and groups accessibility and use: • its own material and information connected with it, • inter-library loans, • externally available information sources	Source

	Article 36 – Conditions Libraries providing library public services shall have: • an appropriate range and selection of professionally arranged library material	

Spain	**Law 10/2007 of 22 June 2007 on Reading, Books and Libraries** Article 13 – Public Libraries 1. Public libraries are the means by which public authorities enable the effective exercise of all citizens' right to access information, education, and culture in the context of the Information and Knowledge Society. 2. Public libraries are considered to be those libraries supported by public or private organizations that are open to all citizens, without discrimination based on personal or social circumstances, through a collection of published or disseminated documents of a general nature. The Autonomous Communities shall regulate the manner in which privately owned public libraries are to be recognized as such. 4. The following are considered basic services of every public library: [...] b) Individual and group lending. [...] d) Access to digital information through the Internet or similar networks that may be developed, as well as training for its effective use. Article 14 – The Spanish Library System […] 4. The Ministry of Culture, without prejudice to the powers of the autonomous communities, and in accordance with the guidelines and recommendations of the European Union and international organizations on the matter, will promote the creation of digital libraries in accordance with the following criteria: b) The digitization of analog collections to expand their use in the information society	Source

Sweden	**Swedish Library Act (2013:801)** 6§ Every municipality shall have a public library. Public libraries shall be accessible to everyone and adapted to the needs of their users. The selection of media and services in public libraries shall be characterised by versatility and quality. 7§ Public libraries shall in particular promote reading and access to literature. Public libraries shall act to increase knowledge about how information technology can be used for the attainment of knowledge, learning, and participation in cultural life. 8§ Public libraries shall devote particular attention to children and young adults in order to promote their linguistic development and encourage them to read, including by offering literature on the basis of their needs and prerequisites. 9§ In public libraries the general public shall be able to borrow or in other ways be given access to literature free of charge, for a certain time, irrespective of its form of publication. Explanatory brochure (link) The range of media and services in public libraries shall be characterised by quality and versatility According to the Library Act, the selection of media and services in public libraries shall be characterised by versatility and quality. According to the government bill, the idea that the range of media and services in the public libraries should be versatile means, among other things, that it must not be governed by ideological or religious pressures. In particular, the Government emphasises the importance of providing scope for various opinions in the media provided by public libraries. This is because users should be given the opportunity to form their own informed opinions about controversial issues. The idea that quality should be a guiding principle means, among other things, that public libraries should make an active selection based on quality criteria when they plan their purchases, procure services, or weed their collections. The government emphasises that public libraries can promote an interest in literature and reading, for example by offering a wide and varied selection of literature in various technical formats consisting of both fiction and non-fiction literature, newspapers, and periodicals. In the bill the government underlines that the provision regarding versatility and quality will affect the decisions a municipality can make regarding its public library activities, and that this to a certain extent restricts municipal autonomy.	Source

	According to the government, it is, for example, not possible for a municipality to decide that the libraries in the municipality should have a distinctly limited or lopsided range of media. Loans free of charge at public libraries One of the central provisions of the Library Act is the one about the absence of fees. In the Act it is provided that the general public in public libraries shall be allowed to borrow or in other ways have access to literature free of charge, regardless of its form of publication, that is, irrespective of it being provided in physical form or digitally in the form of, for instance, an e-book. The reason why fees may not be charged is that they prevent the free access of users to library resources.'	

United Kingdom	[England] **Public Libraries and Museums Act 1963, last updated 31 March 2015** Section 7 – General Duty of Library Authorities (1) It shall be the duty of every library authority to provide a comprehensive and efficient library service for all persons desiring to make use thereof, . . . Provided that although a library authority shall have power to make facilities for the borrowing of books and other materials available to any persons it shall not by virtue of this subsection be under a duty to make such facilities available to persons other than those whose residence or place of work is within the library area of the authority or who are undergoing full-time education within that area. (2) In fulfilling its duty under the preceding subsection, a library authority shall in particular have regard to the desirability—(a)of securing, by the keeping of adequate stocks, by arrangements with other library authorities, and by any other appropriate means, that facilities are available for the borrowing of, or reference to, books and other printed matter, and pictures, gramophone records, films and other materials, sufficient in number, range and quality to meet the general requirements and any special requirements both of adults and children;	Source

	[Northern Ireland] **Libraries Act (Northern Ireland) (2008)** Duty of Authority to provide library service Section 2 (1) It shall be the duty of the Authority to provide a comprehensive and efficient public library service for persons living, working or studying in Northern Ireland. (2) In carrying out its duty under subsection (1), the Authority shall_ (a) secure that facilities are available for the borrowing of, or reference to, library materials sufficient in number, range and quality to meet the general requirements of adults and children (whether by keeping adequate stocks, by arrangements with other bodies concerned with library services or by any other appropriate means); [...] […] (iv) maintaining a collection of library materials relevant to the cultural heritage of Northern Ireland;	Source