



Committee on Copyright and other Legal Matters (CLM)

Country Report Denmark

Annual report to the IFLA CLM Committee
Seoul, Korea 2006

Copyright

Since the last CLM meeting in Oslo there has been quiet at the Copyright front in Denmark. The latest substantial revision of the Copyright Act came into force July 1st 2005. The library provisions were negotiated with the rights owner's organizations, and the present rules are the result of compromises found on that occasion. Since then the Enforcement Directive has been implemented, but this had no special effects on libraries.

Two issues are coming up:

- EU Digital Library Project
- Technical Protections Measures

EU Digital Library Project

The Danish government supports the EU Digital Library project, and is interested in backing the project by appropriate legislation. A special group will be formed to consider necessary or desirable revisions of the Copyright law, and the library community is invited to participate. Issues to be discussed are Orphan Works and Extended Collective Licensing for remote access to digitized works.

Technical Protections Measures

The Danish Copyright Act has implemented the TPM provisions of the Information Society Directive. Libraries may under certain conditions get permission to circumvent TPMs. There are two problems involved:

- The procedure for getting permission is very complicated – therefore nobody has so far tried to get permission.
- According to the Information Society Directive (and Danish legislation) it is not allowed to manufacture or import devices or programmes that can be used to circumvent TPMs. Therefore libraries cannot legally acquire such programmes even if they have permission to circumvent the TPMs.

The Libraries have drawn the Ministry's attention to this inconsistency and have been invited to meet with the Copyright Office to find solutions to the problems. The TPM-provisions of the Information Society Directive are to be evaluated in 2007, and ideas for revisions may then be presented to the Commission.

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