[ES] Compensatory Payment for Private Copies

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In May and June 1995, about 6 months after law 43/1994 was passed, incorporating into Spanish legislation EEC directive 92/100/CEE of 19 November 1992 on rental and lending rights and certain rights related to copyright, the Spanish rental sector issued a string of protests over the situation whereby Cultural Centres could rent videos without paying rental fees, while the Spanish Performing Rights Association (the SGAE) was appointed to collect royalties from the video rental companies. Spanish law defines compensatory payment for copies for private use as a single, fair payment made to compensate the intellectual property rights that had not been paid because of the copying. Authors and performing artists cannot give up this right. The law defines the debtors and the creditors of the legal obligation. An agreement will be drawn up each year to work out the exact individual and overall details of the compensatory payment.

Ley 43/1994, de 30 Diciembre, de incorporación al Derecho español de la Directiva 92/100/CEE, de 19 de noviembre de 1992, sobre derechos de alquiler y préstamo y otros derechos afines a los derechos de autor en el ámbito de la propiedad intelectual.

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