

# Literature Fund (etc.) Act No. 91/2007

## SECTION I

### **Purpose and Supervision.**

#### Article 1

The purpose of this Act is to support Icelandic literature and book publishing and to create favourable conditions for the production and use of books in Iceland.

The Minister of Education, Science and Culture shall exercise overall supervision of issues concerning literature under this Act.

## SECTION II

### **The Literature Fund.**

#### Article 2

The role of the Literature Fund is to support Icelandic literature and book publishing. The fund shall discharge its role by:

- a. supporting the publication of original Icelandic works of fiction and quality publications that are likely to promote Icelandic culture,
- b. supporting the publication of quality foreign literature in Icelandic,
- c. supporting the promotion of Icelandic literature in Iceland and abroad, and
- d. carrying out other projects that come under the purview of the committee of the Literature Fund.

The Althingi shall make annual funding allocations to the fund for disposal under this Act.

#### Article 3

The Minister of Education, Science and Culture shall appoint five persons to the committee of the Literature Fund for a term of three years at a time. The Writers' Union of Iceland shall nominate two representatives, the Icelandic Publishers Association shall

appoint one representative, Hagþenkir (the Association of Icelandic Non-fiction Writers) shall appoint one and one shall be appointed without nomination, and shall be the chairman of the committee. Alternates shall be appointed in the same way. The deputy chairman shall be appointed from among the committee members. The same person may not be appointed as a principal member of the committee of the Literature Fund for more than two consecutive periods.

The committee of the Literature Fund shall decide each year on how the funds allocated under the budget to the fund for its disposal are to be divided between the tasks and projects for which it is responsible (*cf.* Article 2), and shall make allocations from the fund. When assessing applications, the committee of the Literature Fund may seek the comments of professionals.

Decisions on allocations from the Literature Fund shall be final.

The committee of the Literature Fund shall submit proposals to the Minister of Education, Science and Culture on the policy and principal emphases in the work of the fund for periods of three years. The committee of the Literature Fund shall comment on matters referred to it by the Ministry of Education, Science and Culture, and may also, on its own initiative, submit suggestions and proposals on literary matters to the ministry.

The Minister of Education, Science and Culture may commission the committee of the Literature Fund to operate a special office, or to contract with a competent party, in order to handle the administration of the fund.

Fees to the committee members, and other expenses arising in connection with the work of the committee, shall be paid from the Literature Fund.

### **SECTION III**

#### **Payments for the use of books in libraries.**

##### **Article 4**

Authors who are citizens of, or are domiciled in, a country within the European Economic Area shall be entitled to payments for the use of their books in libraries that are funded by the Treasury or the local authorities, from the annual allocation by the Althingi for the use of books in libraries. "Use in libraries" here refers both to loans from libraries and the use of books in library reading rooms.

Authors, translators, artists and composers shall be entitled to allocations under this Article, as shall other individuals who have played a part in the writing of the books,

providing that their books have been published in Icelandic, except in the case of translations, revisions, rewordings or adaptations of texts originally in a foreign language, and providing that their contribution is registered by the Consortium of Icelandic Libraries or in another demonstrable manner. Allocations for the use of sound recordings and editions in digital format shall be made in the same manner. Translators and those who re-cast, reword or adapt foreign books in Icelandic shall nevertheless be entitled to allocations under this Article equivalent to two thirds of a full allocation. Other rightholders shall be entitled to a full allocation. Entitlement to allocations under this Article is a personal right which is bound to the persons of the aforementioned rightholders and shall lapse on assignment of copyright, irrespective of whether the assignment is partial or entire.

Entitlement to allocations after the death of the rightholder under the second paragraph of this Article shall pass to the rightholder's surviving spouse or surviving cohabiting partner (providing the cohabitation lasted at least five years) or children under the age of 18 (providing their other parent is deceased or does not qualify for entitlement under this Act). If there is more than one of the relatives or persons named above, the allocation shall be divided equally between them. Rightholders under this paragraph shall only receive half of the payment that would have been due to the rightholder under the second paragraph of this Article.

Payments for book loans shall be based on information from the Consortium of Icelandic Libraries. When payments for the use of books in library reading rooms are allocated, the number of titles and copies of books by each author available for use in library reading rooms may be assessed as the equivalent of a specific number of loans on the basis of a system of awarded points in which the type, content or length of the books is taken into account.

## Article 5

An allocations committee shall be in charge of allocations under Article 4. It shall consist of five persons appointed by the Minister of Education, Science and Culture for a term of three years at a time. Of these, Hagþenkir (the Association of Icelandic Non-fiction Writers), the Writers' Union of Iceland and Myndstef (The Icelandic Visual Art Copyright Association) shall each nominate one representative. Two members of the committee, one of whom shall be the chairman, shall be appointed without nomination. Alternates shall be appointed in the same way. The same persons may not be appointed to the allocations committee for more than two consecutive periods.

The Minister of Education, Science and Culture shall set special rules on applications and allocations under Article 4. Minimum payments from the fund may be specified in these rules, with the result that only authors who qualify for payments above a certain minimum shall be entitled to receive payments from the fund.

Decisions on allocations shall be final. The Minister of Education, Science and Culture may commission the allocations committee under the first paragraph of this Article to contract with a competent party to handle applications and payments to right-holders under the second and third paragraphs of Article 4.

Fees to the allocations committee, and other expenses arising in connection with the work of the committee, shall be paid from the annual funding granted by the Althingi for the use of books in libraries.

## **SECTION IV**

### **Other provisions.**

#### Article 6

The Minister of Education, Science and Culture may issue regulations containing more detailed provisions on the application of this Act.

#### Article 7

This Act shall take effect immediately, and at the same time the Cultural Fund Act, No. 79/1993, the Translation Fund Act, No. 35/1981 and the Authors' Library Fund Act, No. 33/1997, shall stand repealed.

Passed by the Althingi on 17 March 2007.