

[Literary Act]⁽¹⁾

2007 No 91, 28 March

⁽¹⁾Act No 137/2012, Article 4.

Entry into force 3 May 2007. Amended by Act No 126/2011 (entry into force 30 September 2011) and Act No 137/2012 (entry into force 1 January 2013).

Any reference in this Act to “the Minister” or “the Ministry” not accompanied by express mention of or reference to a specific field of responsibility shall be understood as being a reference to the **Minister of Education, Science and Culture** or to the **Ministry of Education, Science and Culture** as responsible for the implementation of this Act.

Section I Objective and general administration

■ **Article 1** The objective of this Act is to strengthen Icelandic literature and book publishing and to create a favourable environment for Icelandic literary culture.

□ [The Minister]⁽¹⁾ shall assume responsibility for the general administration of literary matters pursuant to this Act.

⁽¹⁾Act No 126/2011, Article 469.

Section II [The Icelandic Literature Centre and the Literary Fund]⁽¹⁾

⁽¹⁾Act No 137/2012, Article 1.

■ **[Article 2 The Icelandic Literature Centre**

□ The tasks of the Icelandic Literature Centre shall be:

a. to support the publication of Icelandic works of literature, and of literary works translated into Icelandic, through the award of grants from the Literary Fund, as provided for in Article 4;

b. to promote knowledge of Icelandic literature, both within Iceland and abroad, and increase its dissemination; and

c. to strengthen Icelandic literary culture.]⁽¹⁾

⁽¹⁾Act No 137/2012, Article 1.

■ **[Article 3 Board**

□ The Minister shall appoint a board of five members for the Icelandic Literature Centre for a three-year term. Two members shall be nominated by the Writers' Union of Iceland, one by the Icelandic Publishers' Association, one by Hagthenkir – the Association of Non-fiction and Educational Writers, and one member, who shall serve as Chair, shall be appointed without nomination. Alternate members shall be appointed in the same manner. The Vice-chair shall be appointed from among the board's members. The same person may not be appointed as a principal board member of the Centre for more than two consecutive terms.

□ The board of the Icelandic Literature Centre shall each year decide on the division of funds made available in the annual Budget Act between the Centre's tasks, as laid down in Article 2, and award grants from the Literature Fund. It shall submit proposals to the Minister on the policy and main priorities to be followed in the work of the Centre and the Literary

Fund, see Article 4, in each three-year period. It shall also issue opinions on matters referred to it by the Ministry, and may on its own initiative submit comments and proposals on literary issues to the Ministry.

The Minister shall instruct the board of the Icelandic Literature Centre to operate its own offices or sign contracts with competent third parties for the rendering of services on behalf of the Centre.

Board member fees and other costs incurred with regard to the board's work shall be paid from appropriations made for the Icelandic Literary Centre.][⁽¹⁾

⁽¹⁾Act No 137/2012, Article 1.

■ [Article 4 *The Literary Fund*

The Icelandic Literature Centre shall operate a Literary Fund. Its role shall be to strengthen Icelandic literature and book publishing. The Fund shall fulfil this role by supporting:

- a. the publication of original Icelandic works of fiction;
- b. the publication of high-quality texts having the potential to promote Icelandic culture;
- c. the publication of high-quality foreign literature in Icelandic translation.][⁽¹⁾

⁽¹⁾Act No 137/2012, Article 1.

■ [Article 5 *Award rules*

The board of the Icelandic Literature Centre shall decide on the award of grants from the Literary Fund. To aid in the evaluation of applications, the board may seek expert opinions.

Decisions on the award of grants from the Literary Fund are not subject to appeal to a higher authority.

The Minister may issue a Regulation containing more detailed provisions on the operation of the Literary Fund.][⁽¹⁾

⁽¹⁾Act No 137/2012, Article 1.

■ [Article 6 *Costs*

The revenue of the Icelandic Literature Centre and of the Literary Fund shall consist of appropriations made in the annual Budget Act and of their own income. Appropriations made in the annual Budget Act shall be specifically allocated to each of the tasks outlined in Article 2.][⁽¹⁾

⁽¹⁾Act No 137/2012, Article 1.

Section III **Payments for the use of books in libraries**

■ [Article 7]⁽¹⁾ Authors who are citizens or residents of a country within the European Economic Area shall be entitled to payments for the use of their books in libraries operated at the expense of the Treasury or of municipalities, calculated as a share of the Althing's annual appropriations for the use of books in libraries. This applies both to books lent out and to the use of books in library reading rooms.

The right to payments pursuant to this Article shall extend to writers, translators, visual artists and composers, as well as to other individuals having contributed to the writing of a book, provided that the books concerned have been published in Icelandic, except in the case of a translated or rewritten work, a retelling or an adaptation of a foreign-language text, and that their contributions have been registered in the catalogue of the Consortium of Icelandic Libraries or in any other verifiable way. The use of audio recordings and digital publications shall give rise to payments in the same manner. Translators and those who create rewritten, retold or adapted versions of foreign books in Icelandic shall, however, be entitled to payments corresponding to two-thirds of a full payment pursuant to this Article. Other rightholders shall be entitled to the full payment. The right to payments pursuant to this Article is the personal right of the abovementioned rightholders and shall lapse in the case of transfer of copyright, whether complete or partial.

Upon the death of a rightholder, the right to payments pursuant to the second paragraph above shall pass to the rightholder's surviving spouse or partner, provided that the spouses or partners have shared a home for at least five years, or to the rightholder's children under 18 years of age, provided that the other parent is deceased or not entitled to payments under this Act. Where the abovementioned family members are more than one in number, the payments shall be divided equally between them. Rightholders pursuant to this paragraph shall only receive one-half of the payment to which a rightholder pursuant to the second paragraph above would have been entitled.

Payments for the lending of books shall be calculated on the basis of information provided by the Consortium of Icelandic Libraries. When calculating payments for the use of books in library reading rooms, the number of titles and copies of individual books by an author which are available for use in library reading rooms may be evaluated as the equivalent of a certain number of lendings, based on a points system that takes into account the type, subject or length of each book.

⁽¹⁾Act No 137/2012, Article 1.

■ **[Article 8]**⁽¹⁾ Payments pursuant to [Article 7]⁽²⁾ shall be determined by an allocation committee. The committee shall be composed of five members appointed by [the Minister]⁽³⁾ for a three-year term. Hagthenkir – the Association of Non-fiction and Educational Writers, the Writers' Union of Iceland and Myndstef [The Icelandic Visual Art Copyright Association]^(*) shall each nominate one committee member. Two committee members, one of which shall serve as Chair, shall be appointed without nomination. Alternate members shall be appointed in the same manner. The same persons may not be appointed to the allocation committee for more than two consecutive terms.

[The Minister]⁽³⁾ shall issue special rules⁽⁴⁾ pertaining to applications and payments pursuant to [Article 7]⁽²⁾. The rules may stipulate a threshold for payments from the Fund so that only authors having accumulated rights to payments higher than the required minimum are eligible to receive payments.

Decisions on the allocation of payments are not subject to appeal to a higher authority. [The Minister]⁽³⁾ may authorise the allocation committee operating pursuant to the first paragraph above to outsource the handling of applications and payments to rightholders pursuant to the second and third paragraphs of [Article 7]⁽²⁾ to competent third parties.

The fees of allocation committee members and any other costs incurred with regard to the committee's work shall be paid from the Althing's annual appropriations for the use of books in libraries.

⁽¹⁾Act No 137/2012, Article 1. ⁽²⁾Act No 137/2012, Article 2. ⁽³⁾Act No 126/2011, Article 469. ⁽⁴⁾Regulation No 323/2008. ^(*)English name added in the translation.

Section IV Miscellaneous provisions

■ **[Article 9]**⁽¹⁾ [The Minister]⁽²⁾ may issue a Regulation containing more detailed provisions on the implementation of this Act.

⁽¹⁾Act No 137/2012, Article 1. ⁽²⁾Act No 126/2011, Article 469.

■ **[Article 10]**⁽¹⁾ This Act shall enter into force forthwith ...

⁽¹⁾Act No 137/2012, Article 1.

[Transitional provisions

■ The Minister shall appoint a consultative committee of five members. The Icelandic Publishers' Association and the National Centre for Educational Materials shall each nominate one member. Three members, one of which shall serve as Chair, shall be appointed by the Minister without nomination. The consultative committee shall be appointed for a term ending 1 September 2013.

■ The consultative committee shall submit a report to the Minister discussing the future vision and operating environment of publishing activities in Iceland; communication and literary culture; teaching materials and academic resources for schools and businesses; and book publishing in general. The committee shall be entrusted, among other things, with drawing up proposals and formulating a clear policy for the increased use of digital publications in Iceland; public access to copyright material in digitised form; systematic acquisitions by libraries; payments for public access to printed and digitised books; measures in support of the publication of educational materials; and ways to improve students' access to Icelandic textbooks. The Minister may expand the commission's mandate if this is considered necessary.]⁽¹⁾

⁽¹⁾Act No 137/2012, Article 3.

Disclaimer: This is an English translation. The original Icelandic text, as published in the Law Gazette (Stjórnartíðindi) is the authoritative text. Should there be discrepancy between this translation and the authoritative text, the latter prevails.