

## E-book lending in public libraries

The following position has been agreed to by members of the PA's Trade Publishers Council. It is a set of requirements that trade publishers feel are currently necessary as a base line that they can all buy into, in order to expand the catalogue of ebooks for lending from public libraries. Some publishers will go beyond these requirements however this should be considered as a minimum base to allow the maximum catalogue of ebooks for lending. Recent activities by some library authorities have shown how potentially damaging ebook lending can be if allowed to operate without controls, ie some were lending for remote downloads, without geographical restrictions. This was in breach of contracts between the library and aggregator, and aggregator and publisher and was advertised to the general public as "free ebooks, wherever you are, whenever you want". Under this model, who would ever buy an ebook ever again? Or any book for that matter?

## PA position

Publishers are keen to ensure that public libraries can engage in the loaning of e-books and would like to see public libraries offer access to e-books on the same terms as apply to printed books. In a fast paced and changing technological environment, publishers recognise that they will need to adapt, and libraries will require flexibility. As such an underlying condition that allows flexibility is to have limited period licenses between publishers/aggregators and libraries.

At this stage, publishers feel that strong controls on e-book lending are needed. Current unlimited access to free e-book downloads could seriously damage commercial interests of publishers, booksellers, and most importantly those of our authors.

Conditions and controls which are necessary to avoid damage to the commercial interests of authors, booksellers and publishers under one main model are:

1. The fee paid by a library for a licence covers the right to loan one copy, of one book, to one individual, for a fixed short term period at any given time – various licensing models exist to support this condition.
2. Robust and secure geographical-based membership must be in place for all library services, with permanent members required to demonstrate their residence within the locality and with provisions to cater for temporary membership for visitors.
3. The system works on a download model, and would usually see library users come on to the library's physical premises and download an e-book at a computer terminal onto a mobile device, such as e-reader, laptop or mobile phone.
4. A downloaded e-book will expire after a predetermined length of time (e.g. two weeks), after which it will cease to be available to read on the library user's mobile device.

Publishers continue to consider exceptions for various forms of disability and are engaged in an active dialogue with the relevant stakeholder groups to ensure accessibility.

Publishers are against the notion of charging for e-books in order to protect the commercial interests of publishers, booksellers and authors. We feel that any fee applied to a short-term loan would be rather small and may not provide much of a restriction. It would also contribute to the devaluing of content and dilute the principle of our support for universal free access. Publishers will be supporting libraries but in a manner that should give no greater anxiety to **any of us** than the loaning of physical books.

# THE PUBLISHERS ASSOCIATION

## **An alternative emerging model for e-book lending is by subscription as follows;**

- This may be provided directly by the publisher to the library through their own platform, or via an aggregator which delivers many publishers' content.
- We do not imagine that public libraries will have the resources to establish their own library platforms, but this is something which may develop in the future.
- Payment for the service is made on the basis of the population which the library serves and is on a sliding scale depending on the number of potential users (note: this is not the number of people who hold library cards, but the number of people who live within the area and are therefore eligible to hold library cards).
- Publishers will decide what size of catalogue to make available, which books to include and whether to release books through the system at the same time as its original publication or to introduce a delay.
- The service operates through a remote viewing platform, where content is held securely on an online cloud and is viewed (but not downloaded) by the user.
- Users from the geographical area which the library serves can log on to the remote viewing platform, direct from their mobile device, home computer, library terminal or anything else which has an internet connection – this enables remote viewing of content without the need to go to the physical premises of a library.
- Publishers are able to help libraries manage their limited budgets by offering them either the purchase of a number of unique accesses to a book, or the purchase of an annual right to a number of simultaneous accesses.
- It is possible to remove all time limits on viewing content (as users could simply log in repeatedly to access the same or different content) or to retain a limit on how long an individual user can have access to one title. This would be agreed contractually as part of the licensing terms.