

**Topical discussion on the copyright of parliamentary debates and documents.
Introduced by Mr. Hayatou (Cameroon)**

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The President reminded the Association that this subject had originally been chosen, at the initiative of Mr. Collet, for a questionnaire and report. The questionnaire had been circulated and some replies received but the rapporteur had been unable to continue with the report. Mr. Hayatou had agreed to take up the subject in the form of a topical discussion.

Mr. Hayatou said he was keen to learn about the experience of other parliaments in the area of copyright. A law in the Cameroon protected other publications but not political speeches. They could be printed in newspapers if the name of the author was given. The speeches of the President of Parliament and the President of the Republic were published at the end of each legislative term by Parliament in the form of a booklet but Parliament had no copyright in these works. The texts themselves could be reprinted in a different way and sold by private organisations. Mr. Hayatou said he would like to know whether other parliaments had any protection for such publications.

Mr. Bucker (Federal Republic of Germany) said the legal situation in the Federal Republic was completely different from that in the Cameroon. German copyright law did not provide for copyright protection of official works. All parliamentary printed papers could therefore be reproduced without prior permission being obtained. In such cases, the contents of the parliamentary printed paper could not however be altered; furthermore the source had to be stated. It was extremely rare in practice for parliamentary printed papers to be reproduced. The number of copies of such papers produced by the Bundestag was evidently sufficient to provide for all those interested in receiving a copy. If someone did make extra copies this was not to the disadvantage of the Bundestag which had an interest in information on its work being disseminated as widely as possible.

Mr. Lussier (Canada) said that the reproduction of parliamentary papers was not only authorised in Canada but also encouraged. He was surprised that Mr. Hayatou could suggest the word "disadvantages".

Mr. Hayatou recalled that he was particularly concerned about the financial exploitation of such documents which had originally been published freely by parliament.

Mr. Lussier observed that many publications were sold by the Canadian Parliament through the appropriate governmental office.

Mr. Johansson (Sweden) said that in Sweden official texts could, with some exceptions, be freely reproduced without payment by virtue of special provision in the law relating to the protection of literary and artistic works. All parliamentary debates and documents were considered as official publications. Consequently, all

parliamentary documents could be reproduced freely. There was no copyright to be protected.

Mr. Boulton (United Kingdom) said that in his country Parliament controlled the publication of its proceedings and Reports, and each House could take action against anyone who published Parliamentary material contrary to its wishes. In practice, the Government printer carried out official publication on behalf of Parliament and claimed copyright for it. Private printers who wished to republish Parliamentary material sought—and were usually granted—permission to do so, if re-publication was for a serious purpose. Private re-publication of Parliamentary papers did not enjoy immunity from libel actions as did official publication.

Mr. Kabulu (Zaire) said that in his country parliamentary documents were published anonymously in that the Legislative Council in its entirety was the author. The national printing office was currently immersed in government work. A Member of Parliament had helped in the past with the printing of parliamentary documents. The Zaire Parliament received income from the sale of different documents.

Mr. Hayatou cited as an example of the documents about which he was talking, educational books in foreign languages for the use of officials and parliamentarians which had been issued originally by the Cameroon Parliament. Years later it could be that the private editor would take up the content of such works and sell them for his own profits.

Mr. Hondequin (Belgium) said that in his country protection of copyright did not cover the publications of deliberative assemblies or official acts by public administration. Nevertheless, parliamentary publications which were not concerned with legislative work (e.g. historical papers) were protected by the copyright law.

The author of these papers has the copyright unless gives the rights to parliament, in which case parliament itself could register the work for its own advantage and benefit for the same protection of 50 years. In fact it was rare for parliament to register such works.

Mr. Johansson thought that the reproduction abroad of parliamentary works had a double advantage. It was a contribution to teaching the language and it increased the world wide interest in the activities of parliament.

Mr. Hayatou observed in conclusion that the discussion had given him a number of ideas which he could put to use. He noted that the Canadian Parliament sold documents itself and that in the United Kingdom a law protected the abuse of reproduction of parliamentary documents.

The *President* and *Mr. Lussier* said that they would send to Mr. Hayatou the relevant statutes on the protection of copyright in their own countries.