

Directive 2006/115/EC of the European Parliament and of the Council of 12 December 2006 on rental right and lending right and on certain rights related to copyright in the field of intellectual property (codified version)

CHAPTER I

RENTAL AND LENDING RIGHT

Article 5

Unwaivable right to equitable remuneration

1 Where an author or performer has transferred or assigned his rental right concerning a phonogram or an original or copy of a film to a phonogram or film producer, that author or performer shall retain the right to obtain an equitable remuneration for the rental.

2 The right to obtain an equitable remuneration for rental cannot be waived by authors or performers.

3 The administration of this right to obtain an equitable remuneration may be entrusted to collecting societies representing authors or performers.

4 Member States may regulate whether and to what extent administration by collecting societies of the right to obtain an equitable remuneration may be imposed, as well as the question from whom this remuneration may be claimed or collected.