European Union

“EGEDA and Others”

Decision of the European Court of Justice (Fourth Chamber)

9 June 2016 – Case No. C-470/14

Entidad de Gestión de Derechos de los Productores Audiovisuales (EGEDA), Derechos de Autor de Medios Audiovisuales (DAMA), and Visual Entidad de Gestión de Artistas Plásticos (VEGAP) v. Administración del Estado and Asociación Multisectorial de Empresas de la Electrónica, las Tecnologías de la Información y la Comunicación, de las Telecomunicaciones y de los contenidos Digitales (Ametic)

Directive 2001/29/EC, Art. 5(2)(b)

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Keywords Reproduction right · Private copying · Fair compensation · Financing from the General State Budget

1. Article 5(2)(b) of Directive 2001/29/EC of the European Parliament and of the Council of 22 May 2001 on the harmonisation of certain aspects of copyright and related rights in the information society must be interpreted as precluding a scheme for fair compensation for private copying which, like the one at issue in the main proceedings, is financed from the General State Budget in such a way that it is not possible to ensure that the cost of that compensation is borne by the users of private copies.