

Summary

Mariusz Brunka's doctoral dissertation written under the supervision of Professor Tadeusz Maciejewski Ph.D.: *Library's mandatory copy in Poland :a comparative background. The concept, history and analysis of law.*

The aim of the study is to analyze the provision of mandatory copies in the context of the conflict between publishers and libraries authorized in this respect over the scope of the obligation and criticism of the provisions of the Act of November 7, 1996 due to their ineffectiveness and costs.

Methodologically, it is based on three methods: dogmatic, legal and historical-comparative, supplemented with an analysis of the cost of providing copies and an axiological reflection concerning the ethical admissibility of the state's demand for non-returnable benefits from one industry of entrepreneurs. Historical and contemporary legal material covering about 100 normative acts from over a dozen countries was analyzed and the current state of research was discussed.

The five substantive chapters of the dissertation describe:

- 1) historical, socio-political and economic aspect of library and publishing services. The form of the mandatory copy was examined through the diplomatic dismemberment of the Montpellier Order (1537) and its interpretation in the countries with the establishment of public libraries and library service. The importance of the library policy and the relationship between the mandatory copy and the control of printed matter was emphasized. The economic aspect of the publishing project was also taken into account in terms of the cost of providing copies;
- 2) the systems for obtaining mandatory copies in the Republic of Poland and other currently in force countries (including France, Great Britain, the USA, Germany and Russia) with a description of the process of pursuing a specific model of library supply and its impact on Polish legislation;
- 3) a detailed dogmatic analysis of the provisions of the Act of 1996, which were then confronted with the relevant provisions in force in several other countries. The extent of convergence and discrepancy between the models for obtaining the mandatory copies as well many difficulties noted in the application of the current legislation were established;
- 4) obligatory and public-legal nature of the provision of mandatory copies, which allowed to define its parts: highlighting the subjective and objective side of this relationship and outlining its content. The publisher's position and publication status are also outlined.
- 5) location of a library copy as a benefit in kind for the state, trying to define it in the doctrinal sense of the word.

On the basis of the findings, **conclusions** were drawn on the historical and contemporary role of the mandatory copy, as well as on the theoretical and practical application of this institution. Several regulatory modification proposals aimed at reducing the quantitative obligation and increasing the legal guarantees for publishers were also made.