

Reproduction and public communication rights are exclusive rights: the artist can decide whether or not to permit the use of his/her work, if applicable for payment. This is his/her choice; he/she is perfectly entitled to refuse to give permission when asked.

Collective rights (or royalty rights) cover certain uses of works which, for practical reasons, cannot be individually managed on the basis of an exclusive right: this applies, for example, to the copying of a work by an individual for his/her own use (private copying) or photocopies made by students in the library (reprographics).

Rather than work on the basis of a principle of prior permission which would not be respected in practice, the legislator decided that such uses would not be subject to the beneficiaries' power to grant permission: they are therefore explicitly permitted by law in return for a financial consideration, collected and distributed as part of a collective management system.

Such rights cannot be assigned to a third party, since the law states that these royalties must be paid to the artists.
