
DRAFT STATUTORY INSTRUMENTS

2014 No.

**The Copyright and Rights in Performances
(Licensing of Orphan Works) Regulations 2014**

Unclaimed licence fees of orphan works

13.—(1) Where more than 8 years have elapsed since the grant of an orphan licence and no right holder in the orphan work has identified themselves, the authorising body shall apply the licence fee, received by it in respect of that orphan licence, to pay the reasonable costs which the authorising body has incurred in connection with the orphan works scheme, including the setting up and running of the scheme.

(2) To the extent that the licence fees referred to in paragraph (1) constitute a surplus over the reasonable costs of the authorising body, the authorising body may apply the surplus to fund social, cultural and educational activities.

(3) If a right holder in an orphan work identifies themselves to the authorising body more than eight years after the grant of the orphan licence and satisfies the authorising body of their identity and of their ownership of relevant rights in the orphan work, the authorising body may make such payment to the right holder as the body considers reasonable in all the circumstances of the case.