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STATUTORY INSTRUMENTS

2014 No. 1945

LIBRARIES

The Public Lending Right Scheme 1982 (Commencement of Variation and Amendment) Order 2014

<i>Made</i> - - - -	<i>22nd July 2014</i>
<i>Laid before Parliament</i>	<i>23rd July 2014</i>
<i>Coming into force</i> - -	<i>13th August 2014</i>

The Public Lending Right Scheme 1982(a) (“the Scheme”) was brought into force on 14th June 1982;

The Scheme has been varied(b);

The Secretary of State, after consultation with the representatives of authors and library authorities and with others who appear likely to be affected, has further varied the Scheme;

Now the Secretary of State, in exercise of the powers conferred by section 3(7) of the Public Lending Right Act 1979(c), makes the following Order:

Citation and interpretation

1. This Order may be cited as the Public Lending Right Scheme 1982 (Commencement of Variation and Amendment) Order 2014 and shall come into force on 13th August 2014.

Amendment of the Public Lending Right Scheme 1982 (Commencement of Variations) Order 2014

2. In the Public Lending Right Scheme 1982 (Commencement of Variations) Order 2014(d), omit article 1(3).

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- (a) The Scheme is set out in the Appendix to S.I. 1982/719.
(b) By virtue of article 2 of S.I. 1990/2360, on and after 27th December 1990 the Scheme has effect as set out in Appendix 2 to that Order. Subsequent relevant variations to the Scheme were set out in S.I. 1991/2618, 1996/1338, 1997/1576, 1999/420, 2013/2352 and S.I. 2014/1457.
(c) 1979 c.10; the functions under the Act were transferred to the Secretary of State by virtue of article 3(1) of, and Schedule 1 to, the Transfer of Functions (National Heritage) Order 1992 (S.I. 1992/1311). The Act is amended by the Digital Economy Act 2010 (c.24), section 43.
(d) S.I. 2014/1457.

Commencement of variation

3. The variation to the Public Lending Right Scheme which is set out in the Appendix to this Order shall come into force on 13th August 2014.

22nd July 2014

Ed Vaizey
Minister of State
Department for Culture, Media and Sport
Department for Business, Innovation and Skills

Appendix

Article 3

Variations in the Public Lending Right Scheme 1982

1. For article 9B substitute—

“Shares in Public Lending Right in respect of audio-books

9B.—(1) In respect of an audio-book for which there is a writer, narrator and producer, but no editor or translator—

- (a) the writer’s share shall be sixty per cent of the Public Lending Right,
- (b) the narrator’s share shall be twenty per cent of that Right, and
- (c) the producer’s share shall be twenty per cent of that Right.

(2) In respect of an audio-book for which there is both an editor and a translator—

- (a) the writer’s share shall be thirty per cent of the Public Lending Right,
- (b) the narrator’s share shall be twenty per cent of that Right,
- (c) the producer’s share shall be twenty per cent of that Right,
- (d) the editor’s share shall be twelve per cent of that Right, and
- (e) the translator’s share shall be eighteen per cent of that Right.

(3) In respect of an audio-book for which there is an editor, but no translator—

- (a) the writer’s share shall be forty-eight per cent of the Public Lending Right,
- (b) the narrator’s share shall be twenty per cent of that Right,
- (c) the producer’s share shall be twenty per cent of that Right, and
- (d) the editor’s share shall be twelve per cent of that Right.

(4) In respect of an audio-book for which there is a translator, but no editor—

- (a) the writer’s share shall be forty-two per cent of the Public Lending Right,
- (b) the narrator’s share shall be twenty per cent of that Right,
- (c) the producer’s share shall be twenty per cent of that Right, and
- (d) the translator’s share shall be eighteen per cent of that Right.

(5) In the case of an audio-book for which the number of writers, narrators, producers, editors or translators is greater than one (including any who are not eligible persons) the respective shares of the Public Lending Right referred to in paragraph (1) to (4) shall be divided equally.”

EXPLANATORY NOTE

(This note is not part of the Order)

This Order corrects errors in the Public Lending Right Scheme 1982 (Commencement of Variations) Order 2014 (S.I. 2014/1457). It removes an extraneous interpretation provision and amends the Public Lending Right Scheme by inserting a new article 9B in place of the previous version which contained errors. Article 9B specifies the shares in the payments made under the Scheme to the various contributors of an audio-book.

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