
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations bring into force section 31 (lending of e-books by public libraries) of the Digital Economy Act 2017 on 30th June 2018 in relation to England and Wales and Scotland only. This provision amends the definition of “lent out” in the Public Lending Right Act 1979 (the “1979 Act”) so that it extends to communication by means of electronic transmission to a place other than library premises. This captures the remote lending of e-books and audio-books and results in the extension of the public lending right under the 1979 Act to such remote lending. This provision also amends the Copyright, Designs and Patents Act 1988, so that copyright in an e-book or e-audio-book (as defined) within the public lending right scheme is not infringed by lending by a public library, provided that the e-book or e-audio-book has been lawfully acquired by the public library and the lending complies with any purchase or licensing terms to which the book is subject.

These Regulations are the sixth commencement regulations for the Digital Economy Act 2017. The Welsh Ministers have, in addition, made commencement regulations in relation to the disclosure of information to or by a water or sewerage undertaker for an area which is wholly or mainly in Wales, and in relation to the disclosure of information by the Welsh Revenue Authority ([S.I. 2018/342 \(W. 62\) \(C.29\)](#)).

The Explanatory Notes for the Digital Economy Act 2017 provide an explanation of the provisions in the Act and are available online (http://www.legislation.gov.uk/ukpga/2017/30/pdfs/ukpgaen_20170030_en.pdf) and in hard copy from TSO, PO Box 29, Norwich, NR3 1GN (telephone orders/general enquiries: 0333 202 5070).