
DRAFT STATUTORY INSTRUMENTS

2014 No.

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

Licence fee for an orphan licence

- 10.**—(1) Subject to paragraph (2), on the grant of an orphan licence the authorising body—
- (a) shall charge the orphan licensee a reasonable licence fee for the period of the licence calculated with regard to relevant factors which shall include the level of licence fees which are achieved under licences for a similar use of similar relevant works which are not orphan works; and
 - (b) may charge a reasonable additional amount in respect of the costs of the authorising body.
- (2) The authorising body shall—
- (a) hold all licence fees paid under this regulation in a designated account;
 - (b) adopt accounting procedures that ring-fence in a separate account for monies received from orphan licences; and
 - (c) retain unclaimed licence fees for a period of not less than eight years from the date of the grant of the relevant orphan licence.
- (3) The authorising body shall maintain and make available information that sets out, in respect of the orphan licences it grants, how the licence fee is calculated.