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## EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order brings into force on 22nd December 1988 variations to the Public Lending Right Scheme 1982.

Appendix 1 to the Order sets out the variations. Apart from consequential changes to the Arrangement of Scheme (paragraph 1) the principal changes are as follows.

Provision is made for Public Lending Right to be registered by the personal representatives of a deceased author if the author would have been eligible to register the Right had he made an application on the date of his death and if certain requirements as to the eligibility of the book are met (paragraphs 2, 4, 5, 6, 8, 9 and 11).

Translators are to be treated as eligible authors if they are named on the cover or title page verso of the book if the translated text amounts to at least half the books contents (paragraph 3).

Amendments are made to the way in which the Public Lending Right is to be apportioned between authors where a book has two or more authors, principally where one of the authors is dead or cannot be traced (paragraph 7).

The requirement for authors to make a joint application with the translator for registration of Public Lending Right in respect of a translated book is removed (paragraphs 10 and 16).

The way in which the number of loans of a book is ascertained are changed. In particular, certain mobile libraries may be designated as sampling points for this purpose; the number of groups from which sampling points are selected and the overall number of sampling points is increased; and the way in which loans which are to be disregarded in calculating the notional loans of each book in respect of which Public Lending Right is payable is altered (paragraphs 2, 12, 13, 14, and 17).

The sum attributable to each qualifying loan for the purpose of calculating the amount payable in respect of loans of a particular book is increased from 1.12p to 1.45p; the maximum amount payable to any person is increased from £5,000 to £6,000; and the entitlement of the owner of a registered interest to a payment is altered so that entitlement only arises if the aggregate of the payments in respect of all his registered interests exceeds £1 (paragraph 15).

Appendix 2 to the Order sets out the Public Lending Right Scheme 1982 as it has effect on and after the date on which these variations are brought into force.