

**EXPLANATORY MEMORANDUM TO  
THE PUBLIC LENDING RIGHT SCHEME 1982 (COMMENCEMENT OF  
VARIATION AND AMENDMENT) ORDER 2014**

**2014 No. 1945**

1. This explanatory memorandum has been prepared by the Department for Culture, Media and Sport and is laid before Parliament by Command of Her Majesty.
- 2. Purpose of the Instrument**
  - 2.1 The Public Lending Right (PLR) is the right of authors to receive compensatory payment for the loans of their printed books from public libraries in the UK. Its rules of operation are set out in the PLR Scheme.
  - 2.2 The Public Lending Right Scheme 1982 (Commencement of Variations) Order 2014 (S.I. 2014/1457) (“the Order”) extended the PLR Scheme so that it covers e-books downloaded on the premises of a public library, and audio-books borrowed from a public library and their producers and narrators.
  - 2.3 The Order also sets out certain requirements in relation to such books so that writers, editors and translators and where relevant, producers and narrators (collectively referred to as ‘authors’) can demonstrate that they are eligible for payments under the Scheme. It establishes the shares of such payments to each category of author.
  - 2.4 This instrument corrects errors in the Order.
- 3. Matters of special interest to the Joint Committee on Statutory Instruments**
  - 3.1 This instrument has been made in consequence of errors in the Order and will be issued free of charge to all known recipients of the Order. It removes an extraneous interpretation provision and amends the PLR 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.
  - 3.2 The Department regrets that these errors occurred and were not noticed before the Order was made and laid.
- 4. Legislative Context**
  - 4.1 This instrument, like the Order, is being made by the Department in exercise of the powers under section 3(7) of the Public Lending Right Act 1979.
- 5. Territorial Extent and Application**
  - 5.1 This instrument extends to the whole of the United Kingdom.

## **6. European Convention on Human Rights**

- 6.1 As the instrument is subject to the negative resolution procedure and does not amend primary legislation, no statement is required.

## **7. Policy background**

- 7.1 A full description of the policy background of the PLR Scheme and the Order is set out in the Explanatory Memorandum to the Order available at <http://www.legislation.gov.uk/en/uksi/2014/1457/memorandum/contents>

## **8. Consultation Outcome**

- 8.1 A four week public consultation on the Government's proposals was conducted between 13th February and 13th March 2014. Details of the outcome to that consultation are set out in the Explanatory Memorandum to the Order available at <http://www.legislation.gov.uk/en/uksi/2014/1457/memorandum/contents>.

## **9. Guidance**

- 9.1 No guidance has been prepared

## **10. Impact**

- 10.1 The impact on business, charities or voluntary bodies is foreseen to be negligible
- 10.2 The impact on the public sector will be negligible.
- 10.3 An impact assessment has not been prepared for this instrument.

## **11. Regulating small businesses**

- 11.1 This legislation does not apply to small businesses

## **12. Monitoring and review**

- 12.1 Details of the consultation undertaken by the European Commission on what changes should be made to the copyright rules at EU level and the implications for remote loans of e-books are set out in the Explanatory Memorandum to the Order available at <http://www.legislation.gov.uk/en/uksi/2014/1457/memorandum/contents>.

## **13. Contact**

- 13.1 Claire Robe, Libraries team at the Department for Culture Media and Sport (020 7211 6107 email: [PLRextensionaudio&e@culture.gsi.gov.uk](mailto:PLRextensionaudio&e@culture.gsi.gov.uk)).