
STATUTORY INSTRUMENTS

1982 No. 719

LIBRARIES

**The Public Lending Right Scheme
1982 (Commencement) Order 1982**

Made - - - - - *17th May 1982*
Laid before Parliament *1st June 1982*
Coming into Operation *14th June 1982*

In exercise of the powers conferred on me by section 3 (2) of the Public Lending Right Act 1979, I hereby make the following Order:—

1. This Order may be cited as the Public Lending Right Scheme 1982 (Commencement) Order 1982 and shall come into operation on 14th June 1982.

2.—(1) The Scheme set out in the Appendix hereto, which has been approved by a resolution of each House of Parliament, shall come into force in the manner hereinafter provided.

(2) The provisions of the Scheme specified in column 1 of the table set out below shall come into force on the dates specified in relation thereto in column 2 of that table:

<i>(1)</i> <i>Provisions of the Scheme</i>	<i>(2)</i> <i>Date on which provisions come into force</i>
Parts I, II and IV, Schedule 2 and Schedule 3	
Part I	14th June 1982
Part III and Schedule 1	1st September 1982
Part V, Schedule 3 Part II and Schedule 4	1st July 1983

17th May 1982

Keith Joseph
Secretary of State for Education and Science

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SCHEDULE 1

Article 14

INFORMATION TO BE PROVIDED IN CONNECTION WITH APPLICATIONS

PART I

APPLICATION FOR FIRST REGISTRATION

Each application shall provide the Registrar, in such form as he may from time to time require, with the following—

1. The title of the book to which the application relates.
2. The name of every person named on the title page as author (within the meaning of Article 4).
3. The true identity (if different from 2 above) of each such person, and his address.
4. The International Standard Book Number (if any) of the book.
5. A statutory declaration or a declaration made before a Notary Public (in respect of each applicant if more than one) deposing to the fact that (in each case) the conditions as to eligibility specified in Part II of the Scheme are satisfied at the date of application.
6. In the case of a work by more than one author, a joint declaration by all the authors as to their respective shares of the Public Lending Right.
7. In the case of an author not of full age, a declaration by the applicant that he is the parent or guardian, as the case may be, of the author, and a copy of the author's birth certificate.

PART II

APPLICATION FOR TRANSFER OF REGISTERED INTEREST

Each application shall provide the Registrar, in such form as he may from time to time require, with the following—

1. The title of the book.
2. The International Standard Book Number (if any) of the book.
3. The name and address of the transferor.
4. The name and address of the transferee.
5. An undertaking by the transferee to furnish to the Registrar, whenever so required, proof that the author is still alive.

PART III

APPLICATION FOR RENUNCIATION OF REGISTERED INTEREST

Each application shall provide the Registrar, in such form as he may from time to time require, with the following—

1. The name and address of the person renouncing.
2. The title of the book to which the renunciation relates.
3. The International Standard Book Number (if any) of the book.

4. The extent of the Right being renounced.
5. The period in respect of which the Right is renounced.

SCHEDULE 2

Articles 36-38

GROUPING OF SERVICE POINTS

Service points shall be grouped according to local library authority areas as follows—

GROUP A

Those within the areas of the following non-metropolitan counties—

Cheshire
Cleveland
Cumbria
Derbyshire
Durham
Humberside
Lancashire
Leicestershire
Lincolnshire
Northumberland
North Yorkshire
Nottinghamshire
Shropshire
Staffordshire

GROUP B

Those within the areas of the following non-metropolitan counties—

Avon
Bedfordshire
Berkshire
Buckinghamshire
Cambridgeshire
Cornwall
Devon
Dorset
East Sussex
Essex
Gloucestershire
Hampshire
Hereford and Worcester
Hertfordshire

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The Isle of Wight
The Isles of Scilly
Kent
Norfolk
Northamptonshire
Oxfordshire
Somerset
Suffolk
Surrey
Warwickshire
West Sussex
Wiltshire

GROUP C

Those within the areas of the metropolitan districts of England.

GROUP D

Those within the area of Greater London.

GROUP E

Those in Wales.

GROUP F

Those in Scotland.

GROUP G

Those in Northern Ireland.

SCHEDULE 3

Articles 45 and 52

TRANSITORY PROVISIONS

PART I

ESTABLISHMENT OF INITIAL SAMPLE

1. For the purpose of establishing the initial sampling points, Article 38 shall have effect subject to the following modifications.
2. Paragraph (1) shall have effect as if there were substituted the following provision:—
 - “(1) The Registrar shall, not later than three months after the coming into operation of Part IV, designate in accordance with paragraph (6) those service points which are to serve as the initial sampling points”.
3. If notices given under Article 38(6)(a) specify periods beginning after the first day of the first sampling year—
 - (a) paragraph (2)(c) shall have effect as if the reference to the beginning of each sampling year were a reference to the beginning of the third and each subsequent sampling year, and

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- (b) for the purposes of paragraph (2)(d) the period before the beginning of the second sampling year shall be disregarded.

PART II

INITIAL PAYMENT TO AUTHORS

1. If notices given under Article 38(6)(a) specify periods beginning after the first day of the first sampling year then, for the purpose of ascertaining, in the financial year in which the first sampling year ends, sums due by way of Public Lending Right, Articles 42 and 46 shall have effect subject to the following modifications.

2. Articles 42(2) and 46(4) shall have effect as if any reference to the sampling year were a reference to so much thereof as falls on and after the day from which loans are required to be recorded.

SCHEDULE 4

Article 49

PAYMENT MANDATE

EXPLANATORY NOTE

This Order brings into force the Public Lending Right Scheme 1982, under which authors are enabled to receive annual payments in respect of loans of their books from public libraries.

Parts I, II and IV, which are brought into force on 14th June 1982, define the scope of the Scheme and provide for the recording of loans at a number of designated libraries.

Part III, brought into force on 1st September 1982, sets out the arrangements for authors to register books which are eligible under the Scheme, and to transfer or renounce an interest in any particular book.

Part V, brought into force on 1st July 1983, provides for authors to receive payments under the Scheme, at a rate of 0.5p for each loan.