
STATUTORY INSTRUMENTS

1997 No. 1576

LIBRARIES

**The Public Lending Right Scheme 1982
(Commencement of Variations) Order 1997**

<i>Made</i>	- - - -	<i>21st June 1997</i>
<i>Laid before Parliament</i>		<i>24th June 1997</i>
<i>Coming into force</i>	- -	<i>15th July 1997</i>

Whereas the Public Lending Right Scheme 1982(1) (“the Scheme”) was brought into force on 14th June 1982;

Whereas the Scheme has been varied(2);

And whereas the Secretary of State has, after consultation with the representatives of authors and library authorities and of others who appear likely to be affected, further varied the Scheme;

Now therefore, the Secretary of State, in exercise of the powers conferred by section 3(7) of the Public Lending Right Act 1979(3) and now vested in him(4), hereby makes the following Order:—

1. This Order may be cited as the Public Lending Right Scheme 1982 (Commencement of Variations) Order 1997.

2. The variations in the Public Lending Right Scheme 1982 which were made on 21st June 1997 by the Secretary of State and are set out in the Appendix to this Order shall come into force on 15th July 1997.

21st June 1997

Chris Smith
Secretary of State for National Heritage

(1) The Scheme is set out in the Appendix to S.I.1982/719.

(2) The Scheme as varied is set out in Appendix 2 to S.I. 1990/2360 subject to further variations brought into force by S.I. 1991/2618, 1992/3049, 1993/3049, 1996/1338 and 1996/3237.

(3) 1979 c. 10.

(4) S.I. 1979/907, 1981/207, 1983/879, 1984/1814, 1986/600, 1992/1311.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

APPENDIX

VARIATIONS IN THE PUBLIC LENDING RIGHT SCHEME 1982
MADE BY THE SECRETARY OF STATE ON 21st JUNE 1997

1. Article 4(1)(b) of the Scheme shall be varied by deleting “(within the meaning of section 48 of the Copyright Act 1956)”.
2. Article 9(A) of the Scheme shall be varied by substituting for paragraph (4) the following—
 “(4) Each eligible person’s share of Public Lending Right in respect of a book with two or more authors (including any who are not eligible persons but disregarding a translator, editor or compiler) shall not exceed fifty per cent. of that Right unless the Registrar is satisfied that any share exceeding fifty per cent. which is specified in accordance with article 17(1) (c) in the application for first registration of the Right or in accordance with article 17(2) in the application for first registration of an eligible author’s share of the Right is reasonable in relation to that author’s contribution.”
3. Article 20 of the Scheme shall be varied by substituting “seventy” for “fifty”.
4. Article 36 of the Scheme shall be varied by substituting “38(5)” for “38(6)”.
5. Articles 39, 40(1) and 44(1) of the Scheme shall be varied by substituting “38(5)(a)” for “38(6) (a)”.
6. Article 46(3) of the Scheme shall be varied by substituting “£5” for “£1”.
7. Schedule 2 to the Scheme shall be varied by substituting for “GROUP A” to the end the following—

“GROUP A

Those within the areas of the following districts or, as the case may be, counties:—

Bedfordshire	Essex	Northamptonshire
Berkshire	Hertfordshire	Oxfordshire
Brighton and Hove	Kent	Suffolk
Buckinghamshire	Luton	Surrey
Cambridgeshire	Milton Keynes	West Sussex
East Sussex	Norfolk	

GROUP B

Those within the areas of the following districts or, as the case may be, counties:—

Bath and North East Somerset	Dorset	Shropshire
Bournemouth	Gloucestershire	Somerset
City of Bristol	Hampshire	Hereford and Worcester
City of Portsmouth	Staffordshire	South Gloucestershire
City of Southampton	The Isle of Wight	Swindon

City of Stoke-on-Trent	The Isles of Scilly	Warwickshire
Cornwall	North Somerset	Wiltshire
Devon	Poole	

GROUP C

Those within the areas of the following districts or, as the case may be, counties:—

Cheshire	East Riding of Yorkshire	Northumberland
City of Derby	Hartlepool	North Yorkshire
City of Kingston upon Hull	Lancashire	Nottinghamshire
City of Leicester	Leicestershire	Redcar and Cleveland
Cumbria	Lincolnshire	Rutland
Darlington	Middlesbrough	Stockton-on-Tees
Derbyshire	North East Lincolnshire	York
Durham	North Lincolnshire	

GROUP D

Those within the areas of the metropolitan districts of England.

GROUP E

Those within the area of Greater London.

GROUP F

Those in Wales.

GROUP G

Those in Scotland.

GROUP H

Those in Northern Ireland.”.

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EXPLANATORY NOTE

(This note is not part of the Order)

This Order brings into force variations to the Public Lending Right Scheme 1982 made by the Secretary of State on 21st June 1997.

The Appendix sets out the variations. The principal variations are as follows.

Provisions relating to the calculation of an illustrator's or co-author's share of Public Lending Right in respect of a book are modified. Where an illustrator's or co-author's share in Public Lending Right in respect of which there are more than one authors (disregarding a translator, editor or compiler) exceeds 50 per cent. the Registrar will need to be satisfied that it is reasonable in relation to that author's contribution to the book.

The duration of the Public Lending Right in respect of any book and the period during which the right may be transferred is extended to seventy years.

The minimum eligibility for payment due in respect of Public Lending Right for each financial year is increased to £5.

Schedule 2, which groups service points, is amended in consequence of local government re-organisation and set out in consolidated form.