

2004 No. 1258

LIBRARIES

Public Lending Right Scheme 1982 (Commencement of Variations) Order 2004

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| <i>Made - - - - -</i> | <i>30th April 2004</i> |
| <i>Laid before Parliament</i> | <i>4th May 2004</i> |
| <i>Coming into force - - -</i> | <i>1st June 2004</i> |

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

Whereas the Scheme has been varied(b);

And whereas the Secretary of State, after consultation with the representatives of authors and library authorities and with others who appear likely to be affected by the Scheme, has 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(c) and now vested in her(d) makes the following Order:

1. This Order may be cited as the Public Lending Right Scheme 1982 (Commencement of Variations) Order 2004.
2. The variations to the Scheme set out in the Appendix to this Order shall come into force on 1st June 2004.

APPENDIX

Variations to the Public Lending Right Scheme 1982

The variations to the Public Lending Right Scheme 1982 made by the Secretary of State on 30th April 2004 are as follows:

- (a) In article 2(1) (general definitions) after the definition of “author”, the following definition shall be inserted:

““EEA State” means a member State, Norway, Iceland and Lichtenstein;”.

(a) The Scheme was initially set out in the Appendix to S.I. 1982/719 and is now set out in Appendix 2 to S.I. 1990/2360.
(b) Further variations to the Scheme have been set out in S.I. 1991/2618; S.I. 1996/1338; S.I. 1997/1576; S.I. 1998/1218; S.I. 1999/420; S.I. 1999/1042; S.I. 2000/933; S.I. 2002/3123 and S.I. 2003/3045.
(c) 1979 c. 10.
(d) The functions under the Public Lending Right Act 1979 were transferred to the Secretary of State by virtue of article 3(1) of, and Schedule 1 to, the Transfer of Functions (National Heritage) Order 1992 (S.I. 1992/1311).

- (b) In article 5(1) for the words “in one of the countries specified in Schedule 5, or, if he has no home, has been present in one of those countries” there shall be substituted the words “in an EEA State or, if he has no home, has been present in an EEA State”.
- (c) Schedule 5 shall be revoked.

30th April 2004

Andrew McIntosh
Parliamentary Under Secretary of State
Department for Culture, Media and Sport

EXPLANATORY NOTE

(This note is not part of the Order)

This Order brings into force the variations to the Public Lending Right Scheme 1982 made on 30th April 2004. These variations extend the countries from which authors can register under the Scheme to include those countries that will be part of the European Economic Area from 1st May 2004. Rather than listing all EEA States separately, the Order includes a definition that describes an EEA State as meaning a member State of the European Union together with Norway, Iceland and Lichtenstein.

A Regulatory Impact Assessment has not been prepared for this Order.