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1. UK and Irish PLR schemes, calculations and payments

Introduction

Under the Public Lending Right (PLR) scheme in the UK, payment is made from government funds to authors and other contributors whose books are borrowed from public libraries in the UK. Loans of printed books, audio-books and ebook loans made from library premises qualify for PLR (see section 2: Ebooks for further information).

The UK PLR scheme is administered by the British Library from its offices in Stockton-on-Tees (the 'PLR office'). The PLR office also provides a registration service for the Irish PLR scheme on behalf of the Irish Public Lending Remuneration office. But the Irish PLR scheme ONLY covers printed material. Applicants may choose to register either for UK PLR (covering libraries in the UK including Northern Ireland) or Irish PLR (covering all libraries in the Republic of Ireland), or for both schemes using our dual registration service. Further information regarding how you may register for the two schemes is available below in section 3 (Applying for PLR).

How does PLR work?

From the applications received for both systems, the PLR team compile separate computerised registers of contributors and books. For UK PLR, a representative sample of book loans, consisting of all issues from selected public libraries in the UK, is recorded. This is then multiplied in proportion to total library lending to produce for each book an estimate of its total annual loans throughout the country. Under the Irish PLR scheme loans data is collected from all public library authorities in the Republic of Ireland.

Both PLR systems are government funded. After deduction of administrative costs, each PLR fund is divided by the total loans of registered books to arrive at an annual 'rate per loan' figure. This forms the basis for calculating payments.

How do I claim PLR payments?

For both systems in order to receive payments, you must first check that you and your books are eligible (see section 2 below) and then apply to register your published books for PLR (see section 3 below). First applications may not be made by the estate of a deceased author. However, if an author registers during their lifetime the PLR in their books continues for up to 70 years after the date of their death (see section 3: Assignment of PLR).

Can I claim retrospective payment?

For both UK and Irish PLR, payments are made annually on the basis of book loans data collected from public libraries over a twelve month period.

In the UK this twelve month period is 1 July to 30 June. To qualify for loans during this period authors must register their books by the closing date of 30 June.

In the Republic of Ireland loans data is collected over the period 1 January to 31 December. Printed books must be registered by the following 30 June to qualify for payment for loans during this period. Audio and ebooks do not qualify for Irish PLR.

Neither PLR scheme allows for retrospective payments to be made for earlier years.

When are payments made?

For UK PLR you will receive a statement each January. For the Irish PLR scheme, statements are sent out each November. Your statement provides details of loans and payments due for books which you registered in the previous PLR year. For UK PLR, if you have an online account you will be advised that your statement is available to view online. We are unable, at present, to provide statements online for books which are registered for the Irish PLR scheme. Therefore, you will receive a statement in the post to advise if there are any earnings due for books which you have registered through the Irish scheme. Statements for both schemes are only posted if there is a payment due.

UK PLR payments are made each February, and Irish payments are made each December directly into your bank account. The UK PLR scheme prescribes a minimum payment threshold of £1 and a maximum of £6,600. The Irish PLR scheme has no prescribed thresholds but they may be applied at the discretion of the Irish PLR authorities.

How is loans data collected?

The UK PLR scheme collects loans data from a representative sample of library authorities across the UK (including Northern Ireland). The sample is rotated each year to ensure that authors of books of local and regional interest have a periodic chance of receiving payment. A list of authorities participating in the sample is available on our website www.bl.uk/plr under Library Information/Sample Library Lists, or details can be posted on request.

The Irish PLR Scheme collects loans data from all public library authorities in the Republic of Ireland.

2. Eligible contributors and books

Residence requirement

To register for the UK PLR scheme, at the time of application you must have your only home or principal home in the UK or in any of the other countries within the European Economic Area (ie EC Member States plus Iceland, Norway and Liechtenstein). However, please note that under the provisions of the PLR legislation authors resident in the Channel Islands and the Isle of Man are not eligible to apply for PLR registration. This situation is under review by the government. Should the review lead to the extension of PLR eligibility to authors resident in these territories the PLR website will be updated to reflect this.

If you have more than one home, your principal home is the one where you spent most time during the 24 months before your application.

Continuous residence after registration is not a requirement, however if you move outside the European Economic Area after registration you will not be able to register any new titles or editions for PLR. Books which are already on the Register will remain unaltered.

To register for the Irish PLR scheme, you may be a resident or citizen of any of the countries within the EEA. If you are not an EEA resident and are applying for Irish PLR

as a citizen, you must provide a photocopy of your passport to confirm your citizenship within the EEA.

Please note that it is not possible to register for UK PLR as an EEA Citizen. The UK PLR scheme takes no account of nationality but requires applicants to be resident within the EEA to qualify for registration.

Can I claim PLR from other countries?

The PLR Office administers PLR payments only for the UK and Irish PLR schemes. However, UK and Irish authors are eligible for payments from the PLR systems operating in a number of other European countries including Germany, France, the Netherlands, and Austria. These payments are administered by the Authors' Licensing and Collecting Society (ALCS) (tel: +44 (0) 20 7264 5700; w: www.alcs.co.uk).

Eligible illustrators, photographers and visual artists can apply to claim their share of Dutch PLR payments through the Design and Artists Copyright Society (DACS). Further information is available from DACS (tel: + 44 (0) 20 7336 8811; w: www.dacs.org.uk/for-artists/payback/dutch-plr).

Further details on PLR Schemes around the world can be found on our international website (www.plrinternational.com).

What can I register for PLR?

For both UK and Irish PLR you should register each book and each new edition where it has a different ISBN. New editions include paperbacks, large print, audio-books and ebooks (however under current legislation only ebooks downloaded on library premises qualify for payment – see Ebooks below for further information). Audio-books and ebooks DO NOT QUALIFY FOR IRISH PLR. Once an ISBN has been registered you do not need to apply for it again.

A book is eligible for PLR registration provided that:

- if the book is printed material, it is 'bound' ie held together by a fixed cover;
- it has been published (you should wait until the publication date to apply);
- copies of it have been offered for sale;
- the authorship is personal (ie not a company or organisation);
- it has an ISBN (International Standard Book Number) which is a 10 or 13 digit number usually printed on the back of the title page or cover¹.

Books that are wholly or mainly musical scores, newspapers, magazines and journals, and Crown Copyright publications are not eligible for PLR in the UK or Ireland.

Printed books

To qualify for PLR in a printed book you should be named on the title page or be entitled to a royalty payment from the publisher. When two or more contributors are involved they must divide the PLR between them. This is done on the basis of percentage shares (see below for further details).

¹ The Irish PLR Scheme allows books without an ISBN to be registered for PLR. If your book does not have an ISBN, you should write 'No ISBN' on your application form. Please note that it is not possible to register books for the UK PLR Scheme if your book does not have an ISBN.

Only contributors who are named on the title page of a book and have contributed to the text or illustrations inside the book qualify for registration. Writers of a foreword or short introduction do not qualify if this was their only contribution. Publishers and packagers are not eligible for PLR.

Audio-books

An audio-book is defined as a 'recording of a text being read', an 'authored text' and 'a work recorded as a sound recording and consisting mainly of spoken words'. In extending the UK scheme, the Government's intention was to mirror the arrangements for printed books and extend them to audio and ebooks. We can therefore only accept applications to register audio-books which meet these requirements and are the equivalent of a printed book.

In order to be eligible for registration, audio material must:

- be a reading of an existing printed book;

or

- name a narrator/reader, or another contributor who performs the same role of guiding the listener through the performance.

For PLR purposes, audio material is only eligible if it would read like a book should the entire content of the recording be printed.

The following audio materials **do not qualify for registration**:

- Amazon audible downloads (digital downloads issued with ASINs);
- Dramatisations of TV or radio shows or audio material based on TV and radio shows which just contain actors performing their role with no narration in between;
- Recordings of conversations, speeches, interviews and comedy sketches;
- Interactive/Multimedia CD Roms which require additional software or interactive content in order to use the material. Under the terms of the scheme, this type of material is not deemed to be the equivalent of a printed book (eg software providing interactive access to teaching materials).

If you have contributed to an audio-book, you should check that the material is eligible for registration first. Once you have established that the material is eligible, you may qualify to register a share if you are named on the case in which the audio-book is held; OR you are able to refer to a contract with your publisher; OR you are named within the audio-book recording. Refer to 'How do I agree shares for audio-books?' and 'Which types of contributors may register for audio-books?' for further details of the fixed shares which may be applied for.

Ebooks

Please note that only ebooks downloaded to fixed terminals in library premises and then taken away on loan on portable devices to be read elsewhere qualify for PLR payment. Information provided by libraries suggests that the vast majority of ebook and digital audio lending is carried out 'remotely' to home PCs and mobile devices, which means the loan does not qualify for PLR. That's not to say libraries won't make on-site lending available in the future. So, ebooks and audio download editions can be registered for UK PLR, but it is unlikely that loans of this material will generate PLR earnings.

Remote ebook loans are covered by copyright licensing arrangements and a change in copyright legislation would be required for 'remote' loans to be included in the UK PLR

scheme. The government is committed to looking at the feasibility of such a change in copyright law. We will advise if on-site lending is introduced OR legislation is changed to allow PLR to include remote loans.

Kindle editions do not qualify for PLR registration as they are published using ASINs instead of ISBNs. In addition, for Kindle editions to qualify for PLR payment, libraries would need to change their policy to allow ebooks to be downloaded on the premises and taken away on loan.

Copyright

To register printed books, you do not have to own the copyright. Prior to the changes to extend the PLR scheme to include non-print material, audio and ebook lending was covered under copyright law. If you've signed over the licensing rights in your audio/ebook to your publisher, you may still register for UK PLR unless the publisher is already charging the library a licence fee to lend out your audio/ebook. PLR is not aware of such licence fees, but we are required to ask you to confirm that, to the best of your knowledge, a licence fee is not payable.

How do I agree shares for printed books and ebooks?

For both UK and Irish PLR shares should be agreed between all eligible contributors who are named on the title page of the book prior to applying for PLR registration (see below for further details). Each contributor should then submit a separate application to register their share.

Share agreements can be made either verbally or in writing (this includes emails). The percentage split should reflect individual contributions to a book, and the figures should be whole numbers (ie not 33.3%).

If you are unable to contact the other contributors, you may register a share which you feel is appropriate in relation to the contribution which you have made to a book. However, if the other contributor subsequently applies for different shares, we will have to remove your share until an agreement is reached.

You may only apply for a share which reflects your own contribution. If there are other contributors named on the title page who are deceased, live outside the EEA or do not want to register, you should allocate a notional share to reflect their contribution.

Which types of contributors may register printed books and ebooks?

- **WRITERS** may register a share to reflect contribution. If you are the sole author and the only person named on the title page, you may register 100%. Co-writers should agree shares based on contribution. If there are any illustrators/photographers named on the title page they should also be accounted for in the share agreement.
- **ILLUSTRATORS/PHOTOGRAPHERS** – if named on the title page, illustrators/photographers may register a share to reflect their contribution – **even if they are paid by flat fee.**
- **TRANSLATORS** may register a fixed share of 30% if they are named anywhere in a book.
- **ADAPTORS/RETELLERS** may register 80% of the *text* share (after the illustrator's share is allocated) where the original author is named on the title page or 100% of the *text* share where no original author is named.

- **GHOST WRITERS** A ghost writer whose name does not appear on the title page is not eligible for PLR unless they have a royalty agreement with the publisher or an agreement with the author named on the title page. The subject or interviewee may be regarded as a co-author if they had some positive part in producing the book – apart from giving interviews - eg checking manuscripts, making revisions.
- **EDITORS/COMPILERS/ABRIDGERS/REVISERS** may register a share to reflect their contribution. The basic share for editors/compilers is 20%, but share size can be determined by referring to the following guidelines:

Guidelines to determine an editor's shares

- 20%** Where, in addition to normal editorial work, you have written more than 10% of the book or 10 pages of text and you are named on the title page. If you are not named on the title page you may still register 20% if you have a royalty agreement with the publisher, regardless of whether you have contributed 10 pages or 10% of the book.
- 50%** Where you have compiled the book from diverse material involving substantial rearrangement, editing, transcribing, and/or abridgement plus some explanatory writing.
- 80%** In exceptional circumstances, for example, where it has taken many years of research to produce a book from obscure primary material and there is a large amount of original writing by the editor or compiler.
- 100%** Where you have written the entire book (despite the fact that you may only be credited on the title page as editor or compiler).

Note: Joint editors/compilers should choose a share from the above guidelines which reflects the total editorial contribution and divide this equally between co-editors.

How do I agree shares for audio-books?

PLR shares in audio-books are fixed by the UK scheme and may not be varied (see below).

Which types of contributors may register audio-books?

- **WRITERS** may register a fixed 60% share in an audio-book, providing that it has not been abridged or translated. In cases where the writer has made an additional contribution (eg as narrator), he/she may claim both shares (see narrator's share below). Where there is an abridger and/or a translator involved, a share of the writer's PLR goes to each of them and reduces what is available to the writer (see below).
- **NARRATORS** may register a fixed 20% PLR share in an audio-book.
- **PRODUCERS** may register a fixed 20% share in an audio-book.
- **ABRIDGERS** (in cases where the writer's original text has been abridged prior to recording as an audio-book) qualify for 12% (20% of the writer's share).
- **TRANSLATORS** (in cases where the writer's original text has been translated from another language) qualify for 18% (30% of the writer's share).

If there is more than one writer, narrator etc, the appropriate shares should be divided equally.

If more than one contribution has been made, eg writer and narrator, more than one fixed share may be applied for.

Please refer to the examples on the PLR Registration forms for further details regarding how contributors and shares should be listed.

3. PLR registration

Applying for PLR

You may register books for both the UK and Irish PLR schemes via the options below. You may also choose to synchronise your data for the UK and Irish schemes to ensure that the same personal and printed book details are held for both schemes. Refer to 'Synchronising UK & Irish details and dual registration' below for further details.

Before submitting your application, please refer to section 2 of this leaflet to check that you and your books are eligible, that all contributors named on the title page have been accounted and that shares have been agreed which reflect contribution.

New applicants are required to provide two documents to support their application. The documents must be originals (we cannot accept photocopies), and must contain the applicant's name and current address. Details regarding acceptable documents are provided during the application process. Please note that documents must be provided regardless of whether you apply on a paper application form or online. It is not necessary to provide your supporting documents again if you are already registered with either the UK or Irish scheme and would like to register with both schemes and synchronise your details. It is only necessary to complete a *New Application for Registration* form and provide supporting documents if you are not registered for either scheme.

It is not possible to register books via letter or email. You can apply by any of the following options:

- online (details below);
- download a form from our website (under Registration Service/PLR Forms & Leaflets);
- request a form to be posted to you.

Please note that you should not apply to register for PLR until after your books are published. Incomplete applications (where all required information has not been provided) will be removed from our records after six months from the date of receipt.

Online service

If you are a new applicant registering for the UK scheme, or if you are already registered for UK PLR, you can manage your PLR account online. The online service is not yet available if you are only registered for the Irish PLR scheme. However, you may register additional titles for Irish PLR via your UK online account if you have opted to synchronise your registered details.

To apply for an online account you should go to www.bl.uk/plr and follow the instructions to submit your details. Once your account is activated you can:

- apply to register your books and view titles registered;
- view and update your personal details;

- view and print your annual statements (for UK PLR only – Irish PLR statements will be posted if there is a payment due);
- send secure messages.

If you apply via a paper form you will receive a computer printout to confirm registration. If you apply online you will be advised to log into your account to register your books and view confirmation of registration.

Synchronising UK and Irish details and dual registration

If you have registered for either the UK or Irish scheme (or both), you can opt to synchronise your data so that your personal details and printed book registrations are the same for each scheme. If you opt to synchronise your data, we will assume that future printed book applications and amendments to personal details which we receive should be registered for both schemes. Non-print material does not qualify for Irish PLR therefore will not be listed on confirmation prints and statements.

You may choose to synchronise the printed books and personal details which you have registered via your PLR online account (see 'Online service' above for details on applying for an online account).

Alternatively, you can complete an *Application to Synchronise UK and Irish PLR Details* form which is available on request from the office or on our website (under Registration Service/PLR Forms & Leaflets).

If you are a new applicant, or if you are registering additional printed titles, our dual application forms allow you to register books for the UK PLR scheme only, the Irish PLR scheme only, or for both schemes. You can download a *New Application for Registration* form (new applicants only) and *Additional Book Registration* form (if you have previously registered for PLR) on our website (under Registration Service/PLR Forms & Leaflets). Alternatively, we can post forms on request.

If you have audio-books and/or ebooks registered they will not be synchronised and will only be registered for UK PLR.

Queries and updates to personal information

Due to legal requirements to protect confidentiality, we are not permitted to discuss a registered owner's affairs with anyone other than the registered owner identified in our records. This policy applies unless we have received official documentation (such as a Power of Attorney) which allows a nominated individual to act on a registered owner's behalf.

Please notify PLR of changes to personal details as soon as they occur. You can update your **address** and **bank** details in writing. (Authors registered with the UK PLR scheme may also do this via the online service at www.bl.uk/plr.) We can also accept changes of **address** (but not bank) over the telephone, subject to verification being provided. Please note that we are unable to accept changes to either **address** or **bank** details via email.

Income Tax and VAT

For the UK PLR scheme, payments to UK residents will be made without deduction of tax. You should include details of the sums received as income in your tax returns. However, for non-UK residents, the PLR office is obliged to deduct tax before payment is made.

Payments to non-UK residents will be subject to tax at the basic rate, under Section 536 of the *Income and Corporation Taxes Act 1988*. Tax exemption can be applied for by contacting HM Revenue & Customs Centre for Non-Residents Double Taxation Treaty Team (tel: 0300 200 3300 - from UK; +44 135 535 9022 - from overseas). Further information and forms can be found on their website (www.hmrc.gov.uk/international/personal-dta.htm).

For the Irish PLR scheme, payments will be made without deduction of tax regardless of your country of residence. Any queries relating to tax and Irish PLR payments should be addressed to the Office of the Revenue Commissioners (www.revenue.ie).

PLR is outside the scope of VAT in both the UK and Ireland and should not be declared on VAT return forms. This is because PLR is a statutory activity and makes no taxable supplies. PLR payment is not a royalty, but derives from the author receiving a share of a subsidy or grant. In cases of any difficulty in relation to the UK scheme your local VAT offices should be asked to refer to VAT Administration Directorate (VAH2) quoting reference TL1158/82.

Assignment of PLR

Providing you are eligible and you have registered for PLR it is possible under both the UK and Irish PLR schemes to assign the PLR in your books to another individual or company – at which point you permanently relinquish all rights to payment and information about the books. Alternatively, you may retain your right in PLR but specify that payment is to be made to someone else by providing their bank details on your application form.

If you registered for PLR during your lifetime the PLR in your books may be transferred to your beneficiaries and continues for up to 70 years after your death. This applies to both the UK and the Irish PLR schemes. PLR is separate from copyright and you should make clear provision in your Will for the disposition of the PLR in your books. You may wish to consult a solicitor about the appropriate wording. When the PLR office is notified of the death of a registered author, instructions and forms are sent to the executor of the estate.

If you would like your PLR payments to remain in the Fund after your death for the benefit of other authors you can renounce your PLR. Appropriate wording for your Will is available from the PLR office.

4. The PLR service

How soon can I expect to receive a response?

You should normally receive a reply within two weeks. However, during busy periods this may extend to six weeks.

Immediately after the details have been recorded on the PLR computer you will be sent confirmation for your records (if you have an online account you will be advised to log into your account to view titles registered).

How can I find out more about PLR?

PLR's website (www.bl.uk/plr) contains further background information and the latest news on our administration of both the UK and Irish PLR schemes. Further background information on the Irish PLR system can be found on the Irish PLR website at www.plr.ie.

Additionally, if you are registered for UK PLR, a newsletter is enclosed with your annual statement (each January). This includes information regarding the previous year's PLR operation and its costs, and details of any recent or forthcoming rule changes. This information is also available on our website. From 2013-14 the British Library's Annual Report and Accounts will include a report on the PLR scheme and summary PLR accounts information (see www.bl.uk).

An Annual Report on the Irish PLR system is available on the Irish PLR website.

If you provide us with an email address, you will also receive regular e-newsletters which provide useful information for users of both PLR systems such as registration reminders and important dates.

What information is confidential?

In accordance with UK and Irish Data Protection legislation the PLR office confirms that the personal data you provide in registering with this organisation for the purposes of both UK and Irish PLR will only be used for the purposes of administering PLR. If you have provided an email address, we may send you emails occasionally updating you on PLR developments. If you do not wish to receive these emails you may contact us to opt out.

No personal information will be disclosed to a third party. However, details of payments are sent securely to our bank and foreign exchange specialist in order to process PLR payments. The Inland Revenue in the UK and Office of the Revenue Commissioners in Ireland are also entitled to information about PLR payments on request.

What happens if the PLR office makes a mistake?

The PLR office makes every effort to ensure the correct registration of books. If an error is made by the office, it will be rectified and a retrospective payment made where appropriate. However, the PLR office cannot be held responsible for errors in bibliographic or loans information supplied by libraries or other agencies, or for incorrect information supplied by applicants.

What are my responsibilities to PLR?

Under the PLR Act 1979 (Section 7), it is an offence to provide false or misleading information, either knowingly or recklessly and this may incur a fine of up to £1000. Therefore it is extremely important that you provide us with correct details so that you only receive earnings which you are entitled to. If you need any help completing your application or advice regarding your eligibility, please contact the Author Services Team who will be happy to help.

Any changes we make to your personal details and book registrations are confirmed in writing or via your PLR online account. You will also receive a statement each year (if you have an online account – paper statements are only posted if there is a payment due) confirming your personal details, the books and percentage shares that you have registered and the number of loans and earnings on those books. It is your responsibility to check these details carefully and to alert us immediately if you think any details are incorrect.

If I have a complaint or problem what should I do?

If you are unhappy about the standard of service that you have received from the UK Public Lending Right office then we want you to tell us about it so that we can put things right.

Complaints must be made in writing to Janine Armstrong, PLR Business Manager, Public Lending Right, First Floor, Richard House, Sorbonne Close, Stockton-on-Tees TS17 6DA (email: janine.armstrong@bl.uk) or using our online feedback form.

We aim to reply fully to all complaints within 10 working days of receiving them. If it takes longer to resolve, we will explain to you why there is a delay and when you can expect to receive a full response.

If you remain dissatisfied you may write direct to Andy Appleyard, Head of Operations North at the British Library, Boston Spa, Wetherby, West Yorkshire LS23 7BQ to whom the PLR Business Manager is ultimately responsible for the administration of PLR. Whilst we hope that all complaints can be dealt with satisfactorily in this way, you may, if you remain dissatisfied, ask the Parliamentary Ombudsman, via your MP, to investigate your complaint.

Complaints relating to the administration of Irish PLR and views on its provisions should be addressed to the Irish Public Lending Remuneration Office, An Chomhairle Leabharlanna, 53-54 Upper Mount Street, Dublin 2 (email: info@plr.ie).

My views

The PLR office monitors the working of the UK scheme and cooperates with the Registrar of the Irish PLR scheme.

Suggestions for improvements to the UK scheme's eligibility and other rules should be made to the Head of PLR Policy and Engagement (email: julia.eccleshare@bl.uk) who is advised by the British Library's Advisory Committee for Public Lending Right. The Committee can make recommendations to the government for changes to the PLR legislation.