



Department
for Culture
Media & Sport

Collated responses to a consultation on the Public Lending Right rate per loan 2015

January 2015

INTRODUCTION

The consultation ran from 12 November to 10 December 2014. A letter was sent to major groups representing the interests of authors, the Devolved Administrations and other key stakeholders in the public library sector in the UK. A copy of the consultation letter was made available on the DCMS website.

Nine responses were received and are reproduced below.

1. **Response from The Writers' Guild of Great Britain:**

Thank you for your letter of today's date [12 November 2014] in which you support the British Library Board's recommendation that the 2015 PLR payments are made at a rate per loan of 6.66 pence, and seek the views of the Writers' Guild on this proposal.

I am happy to tell you that the Writers' Guild of Great Britain fully supports the proposal, and we thank you for consulting us about it.

2. **Response from The Society of Authors:**

Thank you for your letter of 12 November regarding the rate per loan.

We are pleased to note that you propose the increase on the rate per loan next year from 6.2p to 6.66p per loan (although the total PLR fund will continue to decline in accordance with the 15% reduction in funding in real terms over the period 2011/12 – 2014/15 following the 2010 Comprehensive Spending Review). We accept the British Library Board's recommendation that the 2014 payments are made at a rate per loan of 6.66 pence but wish to make the following additional observations:

- *Volunteer Libraries: We are sad to note the decrease in the estimated loans of books registered for PLR, caused, no doubt, by the cuts in library services and the exclusion of some volunteer-run libraries from the scheme. We urge the Government to include such libraries within the PLR scheme so that a true figure for library lending can be recorded.*
- *Library Cuts: We urge the Government to protect the library service which is under serious threat.*
- *PLR on audiobooks and ebooks: We are pleased that PLR is to be extended to audiobooks and ebooks "lent out" from library premises for a limited time but, as we anticipated this is an illusory change only in relation to ebooks since no ebooks are lent out from library premises.*
- *The Sieghart lending review stated "To extend PLR to the remote downloading of digital books will require primary legislation, but is critical to allow libraries to progress with their digital strategies. This review therefore recommends that the government find the necessary legislative space in its programme at the earliest opportunity to allow these changes." and in its response the Government said "Extending the PLR to incorporate remote lending will require primary legislation, and is an amendment we will seek to pursue in future parliamentary sessions, subject to considering whether that*

would be compatible with the Copyright Directive.” However the Government currently has no plans to bring in PLR payments for remote e-lending. Publishers have also been reluctant to ensure that authors receive a fair share of licensing revenues for remote lending. We believe that an author’s receipts from ebook lending should equate to the total earnings the author would have received on a physical copy over the lifetime of the book from the combination of royalties on sale and PLR on every loan. We recommend that if models cannot be agreed which remunerate authors appropriately for remote loans of ebooks then further legislative changes should be made to extend PLR to remote e-loans.

3. Response from a Literary Agency:

Many thanks for this. I support the loan at this level.

4. Response from an Author:

As an author, I support the proposed rate per loan for 2015 as specified in the consultation letter.

5. Response from the Association of Illustrators:

As the representative body for illustrators in the UK we have many members who contribute to books in all forms, and many who create artwork for children’s books and are therefore eligible for PLR.

We support the rate raise per loan to 6.66 pence for the February 2015 PLR payments.

Regarding PLR on audiobooks and ebooks, we support the consultation comments made to you by the Society of Authors emphasising that s43 of the Digital Economy Act 2010 extends PLR to audiobooks and ebooks “lent out” from library premises for a limited time, but that these payments have never been implemented.

We also ask that the PLR extension to audiobooks and ebooks consultation be issued as soon as possible so that the goal of implementing the change in time for the 2014/2015 sampling year can be met, When this extension takes place the Independent Review’s recommendation that “There should be an upward rebasing of the PLR total to take this into account so that writers and other rights holders are equably compensated.” should also be implemented.

In addition we ask that Government protects library services from local council spending reductions, and that regarding the exclusion of some volunteer run libraries, that these are included in the PLR scheme to ensure that an accurate figure of loans are recorded.

6. Response from the Chartered Institute of Library and Information Professionals:

Thank you for your letter regarding the proposed PLR rate per loan for 2015. The Chartered Institute of Library and Information Professionals (CILIP) is pleased that an increase to the PLR rate for 2015 is proposed and supports the proposal. On a related topic we are also pleased that the PLR scheme has been extended to include audio-books and the onsite loans of ebooks from July 2014. We note however a British Library PLR statement that they are not aware of any UK public library able to make onsite loans of ebooks with the result that the scheme cannot function for ebooks (see: <https://www.plr.uk.com/allAboutPlr/news/UpdateAudioEbooks.pdf>). CILIP hopes that the Government will press for the necessary changes to EU copyright law so that remote loans of ebooks by public libraries can be included in the UK PLR scheme. As you will be aware copyright law is currently being reviewed in the EU.

7. Response from CyMAL: Museums Archives and Libraries Wales:

Thank you for your letter dated 12 November regarding the above matter.

As a policy division of the Welsh Government, CyMAL: Museums Archives and Libraries Wales advises the Deputy Minister for Culture, Sport and Tourism on a range of library issues in Wales.

We do not have any comments to make on this matter. The Deputy Minister for Culture, Sport and Tourism has been informed of your letter.

Thank you for consulting with the Welsh Government on this matter.

8. Response from the PLR Advisory Committee:

I am writing in support of the British Library Board's suggestion of the PLR Rate Per Loan of 6.66 pence for February 2015 payments.

Authors, editors and illustrators of course will be pleased with the increase from the 2014 rate of 6.29p. However, it is important to remember that, as the Board mentioned in its letter, the increase is due in large part to the fall in book loans from libraries. At the same time, ebook loans from public libraries are predicted to dramatically increase, which in future will go some way to making up for the decrease in physical loans. That is why it is essential for all parties concerned to pursue the possibility of authors being paid for these loans in more than a symbolic way – as is the case at the moment. This will require a change in European copyright legislation, and I urge the Government to take this into serious consideration.

9. Response from Arts Council England:

Arts Council welcomes the proposed increase in the rate per loan for Public Lending Right eligible loans from libraries. We believe that it is important that those responsible for creating books are properly remunerated for their work.

We also look forward to the point when, in addition to this proposal, the equivalent process is put in place for electronic loans from libraries, in line with the recommendations of the Sieghart Report on e-lending.



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