

## **BPI Response to the Consultation on the UK's new extended collective licensing scheme**

1. BPI does not believe the Secretary of State should have an unlimited power to decide the areas where extended collective licensing is applied. The areas where it might apply should be defined in the Act to constrain the powers of the Secretary of State under the regulations.
2. It is not clear in the draft that non-members are guaranteed individual payments in all circumstances, in particular where the collective management organisation has decided against individual distribution and instead paid monies to funds or other common purposes. This should be clarified in the regulations