



Department  
for Culture  
Media & Sport

# Collated responses to a consultation on the Public Lending Right rate per loan 2016

January 2016

## INTRODUCTION

The consultation ran from 9 November to 7 December 2015. A letter was sent to major groups representing the interests of authors and a copy of the consultation 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 [GOV.UK](http://GOV.UK) website.

Nine responses were received and are reproduced below.

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

*The Writers' Guild of Great Britain has been consulted by the DCMS regarding the recommended Public Lending Right rate per loan for 2016 of 7.67 pence per loan. Please will you note that WGGB agrees with this recommendation and endorses the proposed rate per loan.*

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

*We are pleased to note that you propose the increase on the rate per loan next year from 6.66 pence to 7.67 pence per loan. We accept the British Library Board's recommendation that the 2016 payments are made at a rate per loan of 7.67 pence but wish to make the following additional observations:*

#### *Increased income*

- We are pleased to note that the PLR scheme has received increased income. PLR continues to be an important source of earnings for authors and we would urge the Government to ring-fence the (already meagre) PLR Fund in any future spending review, particularly in view of the comments we make below in relation to audiobooks and ebooks.*

#### *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 volunteer-run libraries within the PLR scheme so that true figures for library lending can be recorded and remunerated.*

#### *Library Cuts*

- We urge the Government to fulfil its obligation to provide a 'comprehensive and efficient' library service and to protect and maintain the library service which is under serious threat.*

#### *PLR on audiobooks*

**Collated responses to a consultation on the Public Lending Right rate per loan 2016**

- *We are pleased that PLR has been extended to audiobooks 'lent out' from library premises for a limited time. Obviously these claims have not yet been quantified and it will be important to maintain and increase the PLR Fund to pay for them. Increasingly audiobooks are also lent digitally and remotely and this lending should also attract PLR.*

*PLR on onsite lending of ebooks*

- *We note that PLR has been extended to onsite lending of ebooks but, as we anticipated this is an illusory change since no ebooks are lent out from library premises.*

*Remote lending of ebooks*

- *The Sieghart e-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.' We understand that the Government is considering plans to bring in PLR payments for remote e-lending. Libraries now remotely lend a significant number of ebooks and it is only fair that authors should be remunerated for these. Publishers have 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. The same considerations apply to the remote lending of digital audiobooks. We recommend that all interested parties should work together as part of the current library review led by Kathy Settle to agree models for payments via the PLR body which remunerate authors appropriately for remote loans of ebooks. Such a model could be an agreed solution which mirrors PLR but does not create a new exception, or a clear and narrowly-defined statutory solution extending PLR to ebooks while maintaining frictions (which all parties have agreed are essential) and the right of authors to control the licensing of their works.*

*Efficiency savings*

- *We are delighted to note the efficiency savings and increased income for the PLR fund. However, we regret the loss of Jim Parker and his energetic advocacy for PLR over the years, particularly in the area of international PLR. We hope that efficiency savings will not prevent continued work to obtain overseas PLR for UK authors and to encourage more countries to introduce similar schemes.*

*Finally, we welcome Tom Holland as Chair of the Public Lending Right (PLR) Advisory Committee for the next three years from today and thank Tracy Chevalier for her good*

*work over the past three years. Both are past Chairs of the Society of Authors' Management Committee and we appreciate all their work on behalf of authors.*

**3. Response from Booksellers Association:**

*We approve of the recommendation by the British Library Board that the PLR Rate per Loan for 2016 be increased to 7.67 pence. We were very sad, though, to learn that Jim Parker is no longer involved in the running of the scheme. He was greatly respected – and liked - throughout the book world.*

*Please do keep us in touch with any plans DCMS might have to introduce PLR payments for remote e-book lending by public libraries. We think it very important to work out a scheme which does not create a new 'exception'.*

**4. Response from an Author:**

*As an author and editor who struggles to make ends meet, I approve of the proposed increase in the rate per loan.*

**5. Response from the Ki Agency:**

*Of course, an increase is always welcome, and of course I support this.*

*Perhaps, though, since this is partly founded on a decrease in loan pay-outs, it is worth raising my concern about community libraries. While one applauds any community that keeps its library going when the funding has been cut, this is no substitute. A properly funded library, and experienced librarians, are greatly to the benefit of the successful enterprise and culture of a country. A decrease in loans because community libraries are outside the PLR system does not prove that we didn't need the 'proper' library in the first place.*

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

*I respond on behalf of the Chartered Institute of Library and Information Professionals. CILIP is pleased to support the recommendation that the rate per loan is increased to 7.67 pence in 2016 and note that it is a significant increase.*

*We trust that DCMS is continuing to press for the necessary changes to European copyright law to help ensure that remote e-loans (of e-books) are included within the PLR scheme as soon as possible.*

**7. Response from Department of Culture, Arts and Leisure and the Northern Ireland library service:**

*On behalf of the Department of Culture, Arts and Leisure and the Northern Ireland library service I can confirm that we are content with your proposal to increase the rate to 7.67 pence per loan for the February 2016 payments.*

**8. Response from the Chair of the PLR Advisory Committee:**

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*The increase in the proposed rate per loan that follows will come as a great relief to all those authors and illustrators who benefit from it. Nevertheless, there remain considerable challenges ahead. Book loans continue to decline, and this, for all of us who value the role of libraries at the heart of our society, is bound to be a cause for concern.*

*A parallel problem is occasioned by the simultaneous rise in remote ebook lending, since this – although good news on one level – only renders more pressing the need to ensure that authors are properly remunerated for such loans. The possibility that solving this problem may require a change to European copyright legislation cannot be excluded.*

**9. Response from Arts Council England:**

*Thank you for your message, and your request for views regarding the proposed increase in the 'rate per loan' under the Public Lending Right Scheme. I have conferred with senior colleagues in the Arts Council and we are happy to indicate our support for the proposal by the British Library Board.*



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