



Public Lending Right Scheme (Electronic Books and Audiobooks) Modification 2023

I, Tony Burke, Minister for the Arts, make the following instrument.

Dated 7 March 2023

Tony Burke
MINISTER FOR THE ARTS

Contents

1 Name.....	1
2 Commencement	1
3 Authority.....	1
4 Schedules	1
Schedule 1—Modifications	2
<i>Public Lending Right Scheme 2016</i>	2

1 Name

This instrument is the *Public Lending Right Scheme (Electronic Books and Audiobooks) Modification 2023*.

2 Commencement

The whole of this instrument commences on the day after it is registered.

3 Authority

This instrument is made under paragraph 5(1)(b) of the *Public Lending Right Act 1985*.

4 Schedules

The *Public Lending Right Scheme 2016* is modified as set out in Schedule 1 to this instrument.

Schedule 1—Modifications

Public Lending Right Scheme 2016

1 Section 3 (definition of *book*)

Repeal the definition, substitute:

book means a work that has been published, and includes:

- (a) printed books;
- (b) electronic books; and
- (c) audiobook versions of the kinds of works referred to in paragraphs (a) or (b),

but excludes:

- (d) magazines and other serial publications;
- (e) books designed for a single use (for example sticker books and workbooks); and
- (f) any other material determined by the Committee to be excluded from the Scheme.

Note: A determination under paragraph (f) is a legislative instrument within the definition of the *Legislation Act 2003*.

2 Subsection 6(5)

Omit “reprinting”, substitute “re-releasing”.

3 Paragraph 8(1)(e)

Before “who”, insert “in the case of a printed book,”.

4 Paragraph 8(2)(e)

Before “who”, insert “in the case of a printed book,”.

5 Paragraph 10(1)(d)

After paragraph 10(1)(d), insert “and”.

6 Paragraph 10(1)(e)

After paragraph 10(1)(e), omit “; and”.

7 Paragraph 10(1)(f)

Repeal the paragraph.

8 Subsection 10(1) (second note)

Repeal the note.

9 Subsection 10(3)

Omit “reprint”, substitute “re-release”.

10 Subsection 11(4)

Omit “reprinted”, substitute “re-released”.

11 Section 12 (heading)

Repeal the heading, substitute:

12 Revised or re-released editions

12 Subsection 12(1)

Omit “re-issued”, substitute “re-released”.

13 Subsection 12(2)

Omit “re-issued”, substitute “re-released”.

14 Subsection 14(2)

Repeal the subsection, substitute:

- (2) The creators’ public lending right rate of payment is provided by the following table:

Estimated number of copies of a book	Rate of payment
50 copies or more	\$2.19 per copy
Table item not currently in use	Table item not currently in use

15 Subsection 15(2)

Repeal the subsection, substitute:

- (2) The publishers’ public lending right rate of payment is provided by the following table:

Estimated number of copies of a book	Rate of payment
50 copies or more	54.75 cents per copy
Table item not currently in use	Table item not currently in use