



# Copyright, Designs and Patents Act 1988

## 1988 CHAPTER 48

### PART I

#### COPYRIGHT

### CHAPTER VII

#### COPYRIGHT LICENSING

*[<sup>F1</sup>Compulsory collective administration of certain rights]*

#### Textual Amendments

**F1** S. 144A and crossheading inserted (1.12.1996) by [S.I. 1996/2967, reg. 7](#) (with [Pt. III](#))

#### **[<sup>F2</sup>144A Collective exercise of certain rights in relation to cable re-transmission.**

- (1) This section applies to the right of the owner of copyright in a literary, dramatic, musical or artistic work, sound recording or film to grant or refuse authorisation for cable re-transmission of a [<sup>F3</sup>wireless] broadcast from [<sup>F4</sup>an]EEA<sup>F5</sup> . . . state in which the work is included. That right is referred to below as “cable re-transmission right”.
- (2) Cable re-transmission right may be exercised against a cable operator only through a licensing body.
- (3) Where a copyright owner has not transferred management of his cable re-transmission right to a licensing body, the licensing body which manages rights of the same category shall be deemed to be mandated to manage his right. Where more than one licensing body manages rights of that category, he may choose which of them is deemed to be mandated to manage his right.
- (4) A copyright owner to whom subsection (3) applies has the same rights and obligations resulting from any relevant agreement between the cable operator and the licensing

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*Changes to legislation: There are currently no known outstanding effects for the Copyright, Designs and Patents Act 1988, Cross Heading: Compulsory collective administration of certain rights. (See end of Document for details)*

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body as have copyright owners who have transferred management of their cable re-transmission right to that licensing body.

- (5) Any rights to which a copyright owner may be entitled by virtue of subsection (4) must be claimed within the period of three years beginning with the date of the cable re-transmission concerned.
- (6) This section does not affect any rights exercisable by the maker of the broadcast, whether in relation to the broadcast or a work included in it.

[<sup>F6</sup>(7) In this section—

“ cable operator ” means a person responsible for cable re-transmission of a wireless broadcast; and

“ cable re-transmission ” means the reception and immediate re-transmission by cable, including the transmission of microwave energy between terrestrial fixed points, of a wireless broadcast. ]]

#### Textual Amendments

- F2** S. 144A inserted (1.12.1996) by [S.I. 1996/2967](#), **reg. 7** (with Pt. III)
- F3** Word in s. 144A(1) inserted (31.10.2003) by [The Copyright and Related Rights Regulations 2003 \(S.I. 2003/2498\)](#), **reg. 5(6)** (with [regs. 31-40](#))
- F4** Word in s. 144A(1) substituted (31.12.2020) by [The Intellectual Property \(Copyright and Related Rights\) \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/605\)](#), [regs. 1\(2\)](#), **13** (with [reg. 38](#)) (as amended by [S.I. 2020/1050](#), [regs. 1\(2\)](#), [4](#)); [2020 c. 1](#), [Sch. 5 para. 1\(1\)](#))
- F5** Word in s. 144A(1) repealed (29.4.2006) by [The Intellectual Property \(Enforcement, etc.\) Regulations 2006 \(S.I. 2006/1028\)](#), [reg. 2\(4\)](#), **Sch. 4**
- F6** S. 144A(7) substituted (31.10.2003) by [The Copyright and Related Rights Regulations 2003 \(S.I. 2003/2498\)](#), [reg. 2\(1\)](#), **Sch. 1 para. 15(2)** (with [regs. 31-40](#))

**Changes to legislation:**

There are currently no known outstanding effects for the Copyright, Designs and Patents Act 1988, Cross Heading: Compulsory collective administration of certain rights.