



Copyright, Designs and Patents Act 1988

1988 CHAPTER 48

PART II

RIGHTS IN PERFORMANCES

^{XI} Introductory

Editorial Information

- X1** The insertion of the new headings "Chapter 1 Introductory", "Chapter 2 Economic Rights", "Chapter 3 Moral Rights" and "Chapter 4 Qualification for Protection, Extent and Interpretation" in Pt. II on 1.2.2006 gives rise to a change in the structure of this legislation on SLD which breaks the continuity of historical versions of the existing provisions which are now brought under those new headings.

180 Rights conferred on performers and persons having recording rights.

- (1) This Part confers rights—
- (a) on a performer, by requiring his consent to the exploitation of his performances (see sections 181 to 184), and
 - (b) on a person having recording rights in relation to a performance, in relation to recordings made without his consent or that of the performer (see sections 185 to 188),
- and creates offences in relation to dealing with or using illicit recordings and certain other related acts (see sections 198 and 201).
- (2) In this Part — “performance” means —
- (a) a dramatic performance (which includes dance and mime),
 - (b) a musical performance,
 - (c) a reading or recitation of a literary work, or
 - (d) a performance of a variety act or any similar presentation,

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

which is, or so far as it is, a live performance given by one or more individuals; and “recording”, in relation to a performance, means a film or sound recording—

- (a) made directly from the live performance,
 - (b) made from a broadcast of, or cable programme including, the performance, or
 - (c) made, directly or indirectly, from another recording of the performance.
- (3) The rights conferred by this Part apply in relation to performances taking place before the commencement of this Part; but no act done before commencement, or in pursuance of arrangements made before commencement, shall be regarded as infringing those rights.
- (4) The rights conferred by this Part are independent of—
- (a) any copyright in, or moral rights relating to, any work performed or any film or sound recording of, or broadcast or cable programme including, the performance, and
 - (b) any other right or obligation arising otherwise than under this Part.

Status:

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