

## SCHEDULES

### SCHEDULE 2

#### RIGHTS IN PERFORMANCES: PERMITTED ACTS

##### *Recordings of folksongs*

- 14 (1) A recording of a performance of a song may be made for the purpose of including it in an archive maintained by a designated body without infringing any of the rights conferred by Part II, provided the conditions in sub-paragraph (2) below are met.
- (2) The conditions are that—
- (a) the words are unpublished and of unknown authorship at the time the recording is made,
  - (b) the making of the recording does not infringe any copyright, and
  - (c) its making is not prohibited by any performer.
- (3) Copies of a recording made in reliance on sub-paragraph (1) and included in an archive maintained by a designated body may, if the prescribed conditions are met, be made and supplied by the archivist without infringing any of the rights conferred by Part II.
- (4) In this paragraph—
- “designated body” means a body designated for the purposes of section 61, and
  - “the prescribed conditions” means the conditions prescribed for the purposes of subsection (3) of that section;
- and other expressions used in this paragraph have the same meaning as in that section.