



Copyright, Designs and Patents Act 1988

1988 CHAPTER 48

PART I

COPYRIGHT

CHAPTER VII

COPYRIGHT LICENSING

Licensing schemes and licensing bodies

116 Licensing schemes and licensing bodies.

- (1) In this Part a “licensing scheme” means a scheme setting out—
 - (a) the classes of case in which the operator of the scheme, or the person on whose behalf he acts, is willing to grant copyright licences, and
 - (b) the terms on which licences would be granted in those classes of case;and for this purpose a “scheme” includes anything in the nature of a scheme, whether described as a scheme or as a tariff or by any other name.
- (2) In this Chapter a “licensing body” means
 - [^{F1}(a) a society or other organisation which has as its main object, or one of its main objects, the negotiation or granting, either as owner or prospective owner of copyright or as agent for him, of copyright licences, and whose objects include the granting of licences covering works of more than one author][^{F2}, or,
 - (b) any other organisation which is a collective management organisation as defined by regulation 2 of the Collective Management of Copyright (EU Directive) Regulations 2016].
- (3) In this section “copyright licences” means licences to do, or authorise the doing of, any of the acts restricted by copyright.

Changes to legislation: There are currently no known outstanding effects for the Copyright, Designs and Patents Act 1988, Section 116. (See end of Document for details)

- (4) References in this Chapter to licences or licensing schemes covering works of more than one author do not include licences or schemes covering only—
- (a) a single collective work or collective works of which the authors are the same, or
 - (b) works made by, or by employees of or commissioned by, a single individual, firm, company or group of companies.

For this purpose a group of companies means a holding company and its subsidiaries, within the meaning of [^{F3}section 1159 of the Companies Act 2006].

[^{F4}(5) Schedule A1 confers powers to provide for the regulation of licensing bodies.]

Textual Amendments

- F1** Words in s. 116(2) renumbered as s. 116(2)(a) (10.4.2016) by [The Collective Management of Copyright \(EU Directive\) Regulations 2016 \(S.I. 2016/221\)](#), regs. 1, **44(a)**
- F2** S. 116(2)(b) and word inserted (10.4.2016) by [The Collective Management of Copyright \(EU Directive\) Regulations 2016 \(S.I. 2016/221\)](#), regs. 1, **44(b)**
- F3** Words in s. 116(4) substituted (1.10.2009) by [The Companies Act 2006 \(Consequential Amendments, Transitional Provisions and Savings\) Order 2009 \(S.I. 2009/1941\)](#), art. 2(1), **Sch. 1 para. 98(a)** (with art. 10)
- F4** S. 116(5) inserted (25.4.2013) by [Enterprise and Regulatory Reform Act 2013 \(c. 24\)](#), **ss. 77(2)**, 103(1)

Changes to legislation:

There are currently no known outstanding effects for the Copyright, Designs and Patents Act 1988, Section 116.