



Copyright, Designs and Patents Act 1988

1988 CHAPTER 48

PART II

RIGHTS IN PERFORMANCES

Performers' rights

184 ^{X1} **Infringement of performer's rights by importing, possessing or dealing with illicit recording.**

- (1) A performer's rights are infringed by a person who, without his consent—
 - (a) imports into the United Kingdom otherwise than for his private and domestic use, or
 - (b) in the course of a business possesses, sells or lets for hire, offers or exposes for sale or hire, or distributes,
a recording of a qualifying performance which is, and which that person knows or has reason to believe is, an illicit recording.
- (2) Where in an action for infringement of a performer's rights brought by virtue of this section a defendant shows that the illicit recording was innocently acquired by him or a predecessor in title of his, the only remedy available against him in respect of the infringement is damages not exceeding a reasonable payment in respect of the act complained of.
- (3) In subsection (2) "innocently acquired" means that the person acquiring the recording did not know and had no reason to believe that it was an illicit recording.

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.

Status:

Point in time view as at 25/08/2000. This version of this provision has been superseded.

Changes to legislation:

There are currently no known outstanding effects for the Copyright, Designs and Patents Act 1988, Section 184.