



Copyright, Designs and Patents Act 1988

1988 CHAPTER 48

PART II

RIGHTS IN PERFORMANCES

[^{F1}Non-property rights]

VALID FROM 01/12/1996

[^{F1}192A ^{X1}Performers' non-property rights.

- (1) the rights conferred on a performer by -
 - section 182 (consent required for recording, &c. of live performance),
 - section 183 (infringement of performer's rights by use of recording made without consent), and
 - section 184 (infringement of performer's rights importing, possessing or dealing with illicit recording),are not assignable or transmissible, except to the following extent.

They are referred to in this Part as "a performer's non-property rights".
- (2) On the death of a person entitled to any such right—
 - (a) the right passes to such person as he may by testamentary disposition specifically direct, and
 - (b) if or to the extent that there is no such direction, the right is exercisable by his personal representatives.
- (3) References in this Part to the performer, in the context of the person having any such right, shall be construed as references to the person for the time being entitled to exercise those rights.

Status: Point in time view as at 01/01/1993. This version of this provision is not valid for this point in time.

Changes to legislation: There are currently no known outstanding effects for the Copyright, Designs and Patents Act 1988, Section 192A. (See end of Document for details)

- (4) Where by virtue of subsection (2)(a) a right becomes exercisable by more than one person, it is exercisable by each of them independently of the other or others.
- (5) Any damages recovered by personal representatives by virtue of this section in respect of an infringement after a person's death shall devolve as part of his estate as if the right of action had subsisted and been vested in him immediately before his death.]

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.

Textual Amendments

- F1** Ss. 192A, 192B and crossheading substituted for s. 192 (1.12.1996) by S.I. 1996/2967, **reg. 21(2)** (with Pt. III)

Status:

Point in time view as at 01/01/1993. This version of this provision is not valid for this point in time.

Changes to legislation:

There are currently no known outstanding effects for the Copyright, Designs and Patents Act 1988, Section 192A.