



# Copyright, Designs and Patents Act 1988

## 1988 CHAPTER 48

### PART II

#### RIGHTS IN PERFORMANCES

#### [<sup>F1</sup>CHAPTER 2

#### ECONOMIC RIGHTS]

#### <sup>x1</sup> *Offences*

#### <sup>x1</sup>[<sup>F1</sup>198A ~~Enforcement by local weights and measures authority.~~

(1) It is the duty of every local weights and measures authority to enforce within their area the provisions of section 198.

<sup>F2</sup>(2) .....

(3) Subsection (1) above does not apply in relation to the enforcement of section 198 in Northern Ireland, but it is the duty of the Department of Economic Development to enforce that section in Northern Ireland.

<sup>F3</sup> ...

[ For the investigatory powers available to a local weights and measures authority or the <sup>F4</sup>(3A) Department of Enterprise, Trade and Investment in Northern Ireland for the purposes of the duties in this section, see Schedule 5 to the Consumer Rights Act 2015.]

(4) Any enactment which authorises the disclosure of information for the purpose of facilitating the enforcement of the Trade Descriptions Act 1968 shall apply as if section 198 were contained in that Act and as if the functions of any person in relation to the enforcement of that section were functions under that Act.

(5) Nothing in this section shall be construed as authorising a local weights and measures authority to bring proceedings in Scotland for an offence.]

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*Status: Point in time view as at 01/10/2015.*

*Changes to legislation: There are currently no known outstanding effects for the Copyright, Designs and Patents Act 1988, Section 198A. (See end of Document for details)*

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### 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** S. 198A inserted (6.4.2007) by 1994 c. 33, **ss. 165(3)**, 172(2); S.I. 2007/621, **art. 2**
- F2** S. 198A(2) omitted (1.10.2015) by virtue of Consumer Rights Act 2015 (c. 15), s. 100(5), **Sch. 6 para. 50(2)**; S.I. 2015/1630, art. 3(i) (with art. 8)
- F3** Words in s. 198A(3) omitted (1.10.2015) by virtue of Consumer Rights Act 2015 (c. 15), s. 100(5), **Sch. 6 para. 50(3)**; S.I. 2015/1630, art. 3(i) (with art. 8)
- F4** S. 198A(3A) inserted (1.10.2015) by Consumer Rights Act 2015 (c. 15), s. 100(5), **Sch. 6 para. 50(4)**; S.I. 2015/1630, art. 3(i)

**Status:**

Point in time view as at 01/10/2015.

**Changes to legislation:**

There are currently no known outstanding effects for the Copyright, Designs and Patents Act 1988, Section 198A.