



Copyright, Designs and Patents Act 1988

1988 CHAPTER 48

PART II

RIGHTS IN PERFORMANCES

[^{F1}Jurisdiction of Copyright Tribunal]

[^{F1}205B ^{X1} Jurisdiction of Copyright Tribunal.

- (1) The Copyright Tribunal has jurisdiction under this Part to hear and determine proceedings under—
 - (a) section 182D (amount of equitable remuneration for exploitation of commercial sound recording);
 - (b) section 190 (application to give consent on behalf of owner of reproduction right);
 - (c) section 191H (amount of equitable remuneration on transfer of rental right);
 - [paragraph 19 of Schedule 2 (determination of royalty or other remuneration to be paid with respect to re-transmission of broadcast including performance or recording);]
 - (cc) ^{F2} paragraph 3, 4 or 5 of Schedule 2A (reference of licensing scheme);
 - (e) paragraph 6 or 7 of that Schedule (application with respect to licence under licensing scheme);
 - (f) paragraph 10, 11 or 12 of that Schedule (reference or application with respect to licensing by licensing body);
 - (g) paragraph 15 of that Schedule (application to settle royalty for certain lending);
 - (h) paragraph 17 of that Schedule (application to settle terms of licence available as of right).
- (2) The provisions of Chapter VIII of Part I (general provisions relating to the Copyright Tribunal) apply in relation to the Tribunal when exercising any jurisdiction under this Part.

Status: Point in time view as at 01/12/1996. This version of this provision has been superseded.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 205B. (See end of Document for details)

- (3) Provision shall be made by rules under section 150 prohibiting the Tribunal from entertaining a reference under paragraph 3, 4 or 5 of Schedule 2A (reference of licensing scheme) by a representative organisation unless the Tribunal is satisfied that the organisation is reasonably representative of the class of persons which it claims to represent.]

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. 205B inserted (1.12.1996) by S.I. 1996/2967, **reg. 24** (with Pt. III)
- F2** S. 205B(cc) inserted (1.10.1996) by 1996 c. 55, s. 138, **Sch. 9 para. 4** (with s. 43(6)); S.I. 1996/2120, art. 4(1), **Sch. 1**

Status:

Point in time view as at 01/12/1996. 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 205B.