



Copyright, Designs and Patents Act 1988

1988 CHAPTER 48

PART I

COPYRIGHT

CHAPTER I

SUBSISTENCE, OWNERSHIP AND DURATION OF COPYRIGHT

Descriptions of work and related provisions

[^{F1}6A Safeguards in case of certain satellite broadcasts.

- (1) This section applies where the place from which a broadcast by way of satellite transmission is made is located in a country other than an EEA State and the law of that country fails to provide at least the following level of protection—
 - (a) exclusive rights in relation to [^{F2}wireless] broadcasting equivalent to those conferred by section 20 ([^{F3}infringement by communication to the public]) on the authors of literary, dramatic, musical and artistic works, films and broadcasts;
 - (b) a right in relation to live [^{F4}wireless] broadcasting equivalent to that conferred on a performer by section 182(1)(b) (consent required for live broadcast of performance); and
 - (c) a right for authors of sound recordings and performers to share in a single equitable remuneration in respect of the [^{F4}wireless] broadcasting of sound recordings.
- (2) Where the place from which the programme-carrying signals are transmitted to the satellite (“the uplink station”) is located in an EEA State—
 - (a) that place shall be treated as the place from which the broadcast is made, and
 - (b) the person operating the uplink station shall be treated as the person making the broadcast.

Status: Point in time view as at 31/10/2003. This version of this provision has been superseded.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 6A. (See end of Document for details)

- (3) Where the uplink station is not located in an EEA State but a person who is established in an EEA State has commissioned the making of the broadcast—
- (a) that person shall be treated as the person making the broadcast, and
 - (b) the place in which he has his principal establishment in the European Economic Area shall be treated as the place from which the broadcast is made.]

Textual Amendments

- F1** S. 6A inserted (1.12.1996 with effect as mentioned in reg. 28 of the amending S.I.) by [S.I. 1996/2967](#), [reg. 6\(2\)](#)
- F2** Words in s. 6A(1)(a) inserted (31.10.2003) by [The Copyright and Related Rights Regulations 2003 \(S.I. 2003/2498\)](#), [reg. 5\(3\)\(a\)\(i\)](#) (with regs. 31-40)
- F3** Words in s. 6A(1)(a) substituted (31.10.2003) by [The Copyright and Related Rights Regulations 2003 \(S.I. 2003/2498\)](#), [reg. 5\(3\)\(a\)\(ii\)](#) (with regs. 31-40)
- F4** Word in s. 6A(1)(b)(c) inserted (31.10.2003.) by [The Copyright and Related Rights Regulations 2003 \(S.I. 2003/2498\)](#), [reg. 5\(3\)\(b\)](#) (with regs. 31-40)

Status:

Point in time view as at 31/10/2003. 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 6A.