



Copyright Act 1956

1956 CHAPTER 74 4 and 5 Eliz 2

PART IV

PERFORMING RIGHT TRIBUNAL

26 Further reference of scheme to tribunal

- (1) Where the tribunal has made an order under the last preceding section with respect to a licence scheme, then, subject to the next following subsection, at any time while the order remains in force,—
 - (a) the licensing body operating the scheme, or
 - (b) any organisation claiming to be representative of persons requiring licences in cases of the class to which the order applies, or
 - (c) any person claiming that he requires a licence in a case of that class,may refer the scheme again to the tribunal, in so far as it relates to cases of that class.
- (2) A licence scheme shall not, except with the special leave of the tribunal, be referred again to the tribunal under the preceding subsection at a time earlier than—
 - (a) the end of the period of twelve months beginning with the date on which the order in question was made, in the case of an order made so as to be in force indefinitely or for a period exceeding fifteen months, or
 - (b) the beginning of the period of three months ending with the date of expiry of the order, in the case of an order made so as to be in force for fifteen months or less.
- (3) The parties to a reference under this section shall be—
 - (a) the licensing body, organisation or person at whose instance the reference is made;
 - (b) the licensing body operating the scheme to which the reference relates, if the reference is not made at their instance; and
 - (c) such other organisations or persons (if any) as apply to the tribunal to be made parties to the reference and, in accordance with the provisions applicable in that behalf by virtue of subsection (5) of this section, are made parties thereto.

Status: This is the original version (as it was originally enacted). This item of legislation is currently only available in its original format.

- (4) Subject to the next following subsection, the tribunal, on any reference under this section, shall consider the matter in dispute, and, after giving to the parties to the reference an opportunity of presenting their cases respectively, shall make such order in relation to the scheme as previously confirmed or varied, in so far as it relates to cases of the class in question, either by way of confirming, varying or further varying the scheme, as the tribunal may determine to be reasonable in the circumstances.
- (5) Subsections (3), (4), (6) and (7) of the last preceding section shall apply for the purposes of this section.
- (6) The preceding provisions of this section shall have effect in relation to orders made under this section as they have effect in relation to orders made under the last preceding section.
- (7) Nothing in this section shall be construed as preventing a licence scheme, in respect of which an order has been made under the last preceding section, from being again referred to the tribunal under that section, either—
 - (a) at any time, in so far as the scheme relates to cases of a class to which the order does not apply, or
 - (b) after the expiration of the order, in so far as the scheme relates to cases of the class to which the order applied while it was in force.