
STATUTORY INSTRUMENTS

1989 No. 1032 (C.27)

**COPYRIGHT
DESIGNS
RIGHTS IN PERFORMANCES**

The Copyright, Designs and Patents Act
1988 (Commencement No. 3) Order 1989

Made - - - - 20th June 1989

The Secretary of State, in exercise of the powers conferred upon him by section 305(3) of the Copyright, Designs and Patents Act 1988(1) (“the Act”), hereby makes the following Order:

1. This Order may be cited as the Copyright, Designs and Patents Act 1988 (Commencement No. 3) Order 1989.

2. The Copyright, Designs and Patents Acts 1988 (Commencement No. 2) Order 1989(2) is amended by substituting for the Schedule thereto the Schedule set out in the Schedule to this Order.

20th June 1989

Eric Forth
Parliamentary Under Secretary of State
Department of Trade and Industry

(1) 1988 c. 48.

(2) See S.I. 1989/955 (c.25).

SCHEDULE

PROVISIONS OF THE ACT COMING INTO FORCE FORTHWITH

| Provision and Authority | Subject matter |
|---|--|
| Regulations by the Secretary of State under sections 37 and 38 to 43 | Copying by librarians and archivists of prescribed libraries and archives. |
| Orders by the Secretary of State under— section 47 | Specification of material to be marked in relation to public inspection and copying of the same, and application of provisions relating to public inspection of material to material or registers maintained by international organisations. |
| section 52 | Articles to be regarded as made by industrial process and excluded articles. |
| section 61 | Recordings of folksongs for archival purposes for designated bodies. |
| section 74 | Provision of subtitled copies of broadcasts and cable programmes by designated bodies. |
| section 75 | Recordings for archives of designated class of broadcasts and cable programmes. |
| sections 100 and 196 | Prescribing the form of notice of seizure when infringing articles or illicit recordings are seized and detained. |
| Regulations by Commissioners of Customs and Excise under section 112 | Prescribing the form of notices required under section 111 in respect of goods to be treated as prohibited goods. |
| Rules by the Lord Chancellor under sections 150, 152 and paragraph 34 of Schedule 1 | Proceedings before the Copyright Tribunal. |
| Order in Council by Her Majesty under— section 159 | Application of Part I of the Act to other countries. |
| section 168 | Vesting of copyright in certain international organisations. |
| Order by Secretary of State under— section 174 | Descriptions of educational establishments for the purposes of Part I of the Act, and application of provisions relating to educational establishments to certain teachers. |
| Order in Council by Her Majesty under section 208 | Designation of Convention countries enjoying reciprocal protection under Part II of the Act (performances). |

| Provision and Authority | Subject matter |
|---|---|
| Rules by Secretary of State under section 250 | Proceedings before Comptroller under Part III of the Act (design right). |
| Order in Council by Her Majesty under section 256 | Designation of countries enjoying reciprocal protection under Part III of the Act (design right). |

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends the Copyright, Designs and Patents Act 1988 (Commencement No. 2) Order 1989 by substituting for the Schedule thereto a new Schedule specifying the provisions of the Act brought into force for the purpose only of enabling subordinate legislation thereunder to be made to come into force on 1st August 1989. The majority of the provisions of the Act (including those mentioned in the Schedule substituted by this Order) come into force on that date by virtue of the Copyright, Designs and Patents Act 1988 (Commencement No. 1) Order 1989 (S.I. [1989/816](#) (c.21)).