
STATUTORY INSTRUMENTS

1996 No. 191

COPYRIGHT

The Copyright (Certification of Licensing Scheme for Educational Recording of Broadcasts and Cable Programmes) (Educational Recording Agency Limited) (Amendment) Order 1996

Made - - - - *31st January 1996*

Coming into force - - *1st April 1996*

Whereas by virtue of the Copyright (Certification of Licensing Scheme for Educational Recording of Broadcasts and Cable Programmes) (Educational Recording Agency Limited) Order 1990⁽¹⁾ (“the Principal Order”) the Secretary of State certified for the purposes of section 35 of the Copyright, Designs and Patents Act 1988⁽²⁾ (“the Act”) the licensing scheme set out in the Schedule to the Principal Order, being a scheme operated by the Educational Recording Agency Limited;

And whereas the Principal Order was amended by the Copyright (Certification of Licensing Scheme for Educational Recording of Broadcasts and Cable Programmes) (Educational Recording Agency Limited) (Amendment) Order 1992⁽³⁾, the Copyright (Certification of Licensing Scheme for Educational Recording of Broadcasts and Cable Programmes) (Educational Recording Agency Limited) (Amendment) Order 1993⁽⁴⁾ and the Copyright (Certification of Licensing Scheme for Educational Recording of Broadcasts and Cable Programmes) (Educational Recording Agency Limited) (Amendment) Order 1994⁽⁵⁾;

And whereas the Educational Recording Agency Limited has applied to the Secretary of State for the Principal Order (as amended) to be further amended in accordance with article 2 of this Order;

Now, therefore, the Secretary of State, in exercise of the powers conferred upon him by section 143 of the Act, hereby makes the following Order:—

1. This Order may be cited as the Copyright (Certification of Licensing Scheme for Educational Recording of Broadcasts and Cable Programmes) (Educational Recording Agency Limited) (Amendment) Order 1996 and shall come into force on 1st April 1996.

(1) S.I.1990/879.
(2) 1988 c. 48
(3) S.I. 1992/211.
(4) S.I. 1993/193.
(5) S.I. 1994/247.

2. The licensing scheme set out in the Schedule to the Principal Order shall be amended as follows:

- (a) in paragraph 4, by substituting for the words “BBC ENTERPRISES LIMITED” the words “BBC WORLDWIDE LIMITED”;
- (b) in paragraph 10 there shall be substituted for all the words which appear immediately before the words “NOTE 1”, the following—

“(a) For licences taking effect on or after 1 April 1996 but on or before 31 March 1997, the annual tariff when calculated on a full time and full time equivalents per capita basis by category of student in an Educational Establishment shall be:—

- (i) Students in Primary Educational Establishments (including Educational Establishments known as preparatory schools)—20p per capita.
- (ii) Students in Secondary Educational Establishments—40p per capita.
- (iii) Students in Educational Establishments of Further Education (including Educational Establishments formerly known as sixth form colleges)—69p per capita.
- (iv) Students in Educational Establishments of Higher Education (including Higher Education Colleges and Universities)—£1.25 per capita.
- (v) Students in Educational Establishment other than Primary (including Educational Establishments known as preparatory schools), Secondary, Further and Higher Education, designated from time to time by the Secretary of State—a fee related to the above by type.

(b) For licences taking effect on or after 1 April 1997, the annual tariff when calculated on a full time and full time equivalents per capita basis by category of student in an Educational Establishments shall be:—

- (i) Students in Primary Educational Establishment (including Educational Establishments known as preparatory schools)—20p per capita.
- (ii) Students in Secondary Educational Establishments—40p per capita.
- (iii) Students in Educational Establishments of Further Education (including Educational Establishments formerly known as sixth form colleges)—75p per capita.
- (iv) Students in Educational Establishments of Higher Education (including Higher Education Colleges and Universities)—£1.25 per capita.
- (v) Students in Educational Establishments other than Primary (including Educational Establishments known as preparatory schools), Secondary, Further and Higher Education, designated from time to time by the Secretary of State—a fee related to the above by type.”.

- (b) in paragraph 10 by deleting NOTE 2 in its entirety.

Department of Trade and Industry
31st January 1996

Ian Taylor,
Parliamentary Under Secretary of State for
Science and Technology,

EXPLANATORY NOTE

(This note is not part of the Order)

The licensing scheme operated by the Educational Recording Agency Limited was certified for the purposes of section 35 of the Copyright, Designs and Patents Act 1988, by the Copyright (Certification of Licensing Scheme for Educational Recording of Broadcasts and Cable Programmes) (Educational Recording Agency Limited) Order 1990 (as amended by the Copyright (Certification of Licensing Scheme for Educational Recording of Broadcasts and Cable Programmes) (Educational Recording Agency Limited) (Amendment) Orders of 1992, 1993 and 1994) made under section 143 of that Act.

A variation of the licensing scheme is not effective unless a corresponding amendment of the Order certifying the scheme is made.

This Order, made under section 143 of the Act, further amends the licensing scheme as scheduled to the 1990 Order to provide for—

- (a) changes in the basis on which tariffs are calculated from a rate per student to a rate per capita based on type of education and certain increases in annual tariffs for 1996 and 1997;
- (b) removal of the zero tariff licensing arrangement for Educational Establishments not covered by a blanket discount arrangement and which record only that part of the Educational Recording Agency Repertoire designated as educational;
- (c) change in name of the BBC Enterprises Limited to BBC Worldwide Limited.