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STATUTORY INSTRUMENTS

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**1996 No. 2967**

**The Copyright and Related Rights Regulations 1996**

**PART II**

**AMENDMENTS OF THE COPYRIGHT, DESIGNS AND PATENTS ACT 1988**

*Satellite broadcasts and cable re-transmission*

**Safeguards in relation to certain satellite broadcasts**

6.—(1) In section 6 (broadcasts), after subsection (4) insert—

“(4A) Subsections (3) and (4) have effect subject to section 6A (safeguards in case of certain satellite broadcasts).”

(2) After that section insert—

**“Safeguards in case of certain satellite broadcasts.**

**6A.—**(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 broadcasting equivalent to those conferred by section 20 (infringement by broadcasting) on the authors of literary, dramatic, musical and artistic works, films and broadcasts;
- (b) a right in relation to live 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 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.

(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.”.

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**Changes to legislation:** *There are currently no known outstanding effects for the The Copyright and Related Rights Regulations 1996, Section 6. (See end of Document for details)*

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**Commencement Information**

**II** Reg. 6 in force at 1.12.1996, see [reg. 1\(2\)](#)

**Changes to legislation:**

There are currently no known outstanding effects for the The Copyright and Related Rights Regulations 1996, Section 6.