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STATUTORY INSTRUMENTS

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**2016 No. 1219**

**The Copyright and Performances  
(Application to Other Countries) Order 2016**

**PART 3**

**SOUND RECORDINGS**

**Restricted application of section 159(3) in relation to certain sound recordings**

**3.—**(1) The application of Part 1 of the Act by virtue of section 159(3) (countries that are parties to the WPPT) is subject to the restrictions set out in paragraph (2).

(2) Where a country is a party to the WPPT but not the Rome Convention <sup>M1</sup>, Part 1 of the Act applies except that—

- (a) section 18A (infringement by rental or lending of work to the public) <sup>M2</sup> does not apply in so far as it relates to lending;
- (b) section 20 (infringement by communication to the public) <sup>M3</sup> does not apply to the broadcasting of a sound recording; and
- (c) section 107(2A) (criminal liability for communicating to the public) <sup>M4</sup> does not apply in relation to the broadcasting of a sound recording.

**Marginal Citations**

- M1** Cm.2425; “Rome Convention” is defined in section 159(9) of the Copyright, Designs and Patents Act 1988.
- M2** [Section 18A](#) was inserted by regulation 10(2) of the [Copyright and Related Rights Regulations 1996 \(S.I. 1996/2967\)](#) and subsequently amended by paragraph 6(2) of Schedule 1 to the [Copyright and Related Rights Regulations 2003 \(S.I. 2003/2498\)](#).
- M3** [Section 20](#) was substituted by regulation 6(1) of the Copyright and Related Rights Regulations 2003.
- M4** [Section 107\(2A\)](#) was inserted by regulation 26(1)(a) of the Copyright and Related Rights Regulations 2003.

**Status:**

Point in time view as at 06/04/2017. This version of this provision has been superseded.

**Changes to legislation:**

There are currently no known outstanding effects for the The Copyright and Performances (Application to Other Countries) Order 2016, Section 3.