

Changes to legislation: There are currently no known outstanding effects for the Copyright, Designs and Patents Act 1988, Cross Heading: Incidental recording for purposes of broadcast (See end of Document for details)

SCHEDULES

SCHEDULE 2

RIGHTS IN PERFORMANCES: PERMITTED ACTS

Modifications etc. (not altering text)

- C1** Sch. 2 continued (31.10.2003) by virtue of [The Copyright and Related Rights Regulations 2003 \(S.I. 2003/2498\)](#) , [reg. 33](#) (with [regs. 31-40](#))

Incidental recording for purposes of broadcast^{F1} . . .

Textual Amendments

- F1** Words in heading preceding Sch. 2 para. 16 repealed (31.10.2003) by [The Copyright and Related Rights Regulations 2003 \(S.I. 2003/2498\)](#) , [reg. 2\(2\)](#) , [Sch. 2](#) (with [regs. 31-40](#))

- 16 (1) A person who proposes to broadcast a recording of a performance^{F2} . . . in circumstances not infringing the rights conferred by [^{F3}this Chapter] shall be treated as having consent for the purposes of [^{F4}this Chapter] for the making of a further recording for the purposes of the broadcast^{F2}
- (2) That consent is subject to the condition that the further recording—
- (a) shall not be used for any other purpose, and
 - (b) shall be destroyed within 28 days of being first used for broadcasting the performance^{F2}
- (3) A recording made in accordance with this paragraph shall be treated as an illicit recording—
- (a) for the purposes of any use in breach of the condition mentioned in subparagraph (2)(a), and
 - (b) for all purposes after that condition or the condition mentioned in subparagraph (2)(b) is broken.
- (4) Expressions used in this paragraph have the same meaning as in section 68.

Textual Amendments

- F2** Words in Sch. 2 para. 16(1)(2)(b) repealed (31.10.2003) by [The Copyright and Related Rights Regulations 2003 \(S.I. 2003/2498\)](#) , [reg. 2\(2\)](#) , [Sch. 2](#) (with [regs. 31-40](#))
- F3** Words in Sch. 2 para. 16(1) substituted (1.2.2006) by [The Performances \(Moral Rights, etc.\) Regulations 2006 \(S.I. 2006/18\)](#) , [reg. 2](#) , [Sch. para. 9](#) (with [reg. 8](#))
- F4** Words in Sch. 2 para. 16(1) substituted (1.2.2006) by [The Performances \(Moral Rights, etc.\) Regulations 2006 \(S.I. 2006/18\)](#) , [reg. 2](#) , [Sch. para. 10](#) (with [reg. 8](#))

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