

*Status: Point in time view as at 25/04/2013.*

*Changes to legislation: There are currently no known outstanding effects for the Copyright, Designs and Patents Act 1988, Cross Heading: Licensing schemes and licensing bodies. (See end of Document for details)*

## SCHEDULES

### <sup>F1</sup>[SCHEDULE 2A

#### LICENSING OF PERFORMERS’ <sup>F1</sup> ... RIGHTS

##### Textual Amendments

- F1** Sch. 2A inserted (1.12.1996) by [S.I. 1996/2967, reg. 22\(2\)](#) (with Pt. III)
- F1** Word in Sch. 2A heading omitted (25.4.2013) by virtue of [Enterprise and Regulatory Reform Act 2013 \(c. 24\), s. 103\(1\), Sch. 22 para. 3](#)

##### *Licensing schemes and licensing bodies*

- 1 (1) In [<sup>F1</sup>this Chapter] a “licensing scheme” means a scheme setting out—
- (a) the classes of case in which the operator of the scheme, or the person on whose behalf he acts, is willing to grant performers’ property right licences, and
  - (b) the terms on which licences would be granted in those classes of case;
- and for this purpose a “scheme” includes anything in the nature of a scheme, whether described as a scheme or as a tariff or by any other name.
- (2) In [<sup>F1</sup>this Chapter] a “licensing body” means a society or other organisation which has as its main object, or one of its main objects, the negotiating or granting, whether as owner or prospective owner of a performer’s property rights or as agent for him, of performers’ property right licences, and whose objects include the granting of licences covering the performances of more than one performer.
- (3) In this paragraph “performers’ property right licences” means licences to do, or authorise the doing of, any of the things for which consent is required under section 182A, [<sup>F2</sup>182B, 182C or 182CA] .
- (4) References in [<sup>F3</sup>this Chapter] to licences or licensing schemes covering the performances of more than one performer do not include licences or schemes covering only—
- (a) performances recorded in a single recording,
  - (b) performances recorded in more than one recording where—
    - (i) the performers giving the performances are the same, or
    - (ii) the recordings are made by, or by employees of or commissioned by, a single individual, firm, company or group of companies. For purpose a group of companies means a holding company and its subsidiaries within the meaning of [<sup>F4</sup>section 1159 of the Companies Act 2006].

[ Schedule A1 confers powers to provide for the regulation of licensing bodies.]]

<sup>F5</sup>(5)

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#### Textual Amendments

- F1** Words in Sch. 2A para. 1(1)(2) substituted (1.2.2006) by [The Performances \(Moral Rights, etc.\) Regulations 2006 \(S.I. 2006/18\)](#), reg. 2, **Sch. para. 9** (with reg. 8)
- F2** Words in Sch. 2A para. 1(3) substituted (31.10.2003) by [The Copyright and Related Rights Regulations 2003 \(S.I. 2003/2498\)](#), **reg. 7(4)(a)** (with reg. 31-40)
- F3** Words in Sch. 2A para. 1(4) substituted (1.2.2006) by [The Performances \(Moral Rights, etc.\) Regulations 2006 \(S.I. 2006/18\)](#), reg. 2, **Sch. para. 8** (with reg. 8)
- F4** Words in Sch. 2A para. 1(4) substituted (1.10.2009) by [The Companies Act 2006 \(Consequential Amendments, Transitional Provisions and Savings\) Order 2009 \(S.I. 2009/1941\)](#), art. 2(1), **Sch. 1 para. 98(b)** (with art. 10)
- F5** Sch. 2A para. 1(5) inserted (25.4.2013) by [Enterprise and Regulatory Reform Act 2013 \(c. 24\)](#), s. 103(1), **Sch. 22 para. 4**

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