



# Copyright, Designs and Patents Act 1988

## 1988 CHAPTER 48

### PART I

#### COPYRIGHT

#### CHAPTER VII

#### COPYRIGHT LICENSING

*Factors to be taken into account in certain classes of case*

**134 Licences in respect of works included in re-transmissions.**

- (1) <sup>F1</sup>... this section applies to references or applications under this Chapter relating to licences to include in a broadcast <sup>F2</sup>... —
- (a) literary, dramatic, musical or artistic works, or,
  - (b) sound recordings or films,
- where one broadcast <sup>F2</sup>... (“the first transmission”) is, by reception and immediate re-transmission, to be further broadcast <sup>F2</sup>... (“the further transmission”).
- (2) So far as the further transmission is to the same area as the first transmission, the Copyright Tribunal shall, in considering what charges (if any) should be paid for licences for either transmission, have regard to the extent to which the copyright owner has already received, or is entitled to receive, payment for the other transmission which adequately remunerates him in respect of transmissions to that area.
- (3) So far as the further transmission is to an area outside that to which the first transmission was made, the Tribunal shall <sup>F2</sup>... leave the further transmission out of account in considering what charges (if any) should be paid for licences for the first transmission.

<sup>F3</sup>(3A) .....

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**Status:** Point in time view as at 31/07/2017.

**Changes to legislation:** There are currently no known outstanding effects for the Copyright, Designs and Patents Act 1988, Section 134. (See end of Document for details)

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<sup>F4</sup>(4) .....

#### Textual Amendments

- F1** Words in s. 134(1) repealed (31.7.2017) by Digital Economy Act 2017 (c. 30), **ss. 34(2)(a)(i)**, 118(6); S.I. 2017/765, reg. 2(n)
- F2** Words in s. 134(1)(3) repealed (31.10.2003) by The Copyright and Related Rights Regulations 2003 (S.I. 2003/2498), reg. 2(2), **Sch. 2** (with regs. 31-40)
- F3** S. 134(3A) repealed (31.7.2017) by Digital Economy Act 2017 (c. 30), **ss. 34(2)(a)(i)**, 118(6); S.I. 2017/765, reg. 2(n)
- F4** S. 134(4) repealed by Broadcasting Act 1990 (c. 42, SIF 96), s. 203(3), **Sch. 21**

**Status:**

Point in time view as at 31/07/2017.

**Changes to legislation:**

There are currently no known outstanding effects for the Copyright, Designs and Patents Act 1988, Section 134.