Copyright, Designs and Patents Act 1988

1988 CHAPTER 48

PART II

RIGHTS IN PERFORMANCES

CHAPTER 2

ECONOMIC RIGHTS

Performers’ rights

Consent required for recording, &c. of live performance.

(1) A performer’s rights are infringed by a person who, without his consent—
   (a) makes a recording of the whole or any substantial part of a qualifying performance directly from the live performance,
   (b) broadcasts live, \( F^3 \) the whole or any substantial part of a qualifying performance,
   (c) makes a recording of the whole or any substantial part of a qualifying performance directly from a broadcast of, \( F^4 \) the live performance.

(2) \( F^8 \) ........................................

(3) In an action for infringement of a performer’s rights brought by virtue of this section damages shall not be awarded against a defendant who shows that at the time of the infringement he believed on reasonable grounds that consent had been given.]

Annotations:

Editorial Information

The insertion of the new headings "Chapter 1 Introductory", "Chapter 2 Economic Rights", "Chapter 3 Moral Rights" and "Chapter 4 Qualification for Protection, Extent and Interpretation" in Pt. II on
1.2.2006 gives rise to a change in the structure of this legislation on SLD which breaks the continuity of historical versions of the existing provisions which are now brought under those new headings.

**Amendments (Textual)**

| F1 | Ss. 182-205B become Pt. 2 Ch. 2 (1.2.2006) by virtue of The Performances (Moral Rights, etc.) Regulations 2006 (S.I. 2006/18), reg. 4(4) (with reg. 8) |
| F3 | Words in s. 182(1)(b) repealed (31.10.2003) by The Copyright and Related Rights Regulations 2003 (S.I. 2003/2498), reg. 2(2), Sch. 2 (with regs. 31-40) |
| F4 | Words in s. 182(1)(c) repealed (31.10.2003) by The Copyright and Related Rights Regulations 2003 (S.I. 2003/2498), reg. 2(2), Sch. 2 (with regs. 31-40) |
| F5 | S. 182(2) repealed (31.10.2003) by The Copyright and Related Rights Regulations 2003 (S.I. 2003/2498), reg. 2(2), Sch. 2 (with regs. 31-40) |
Changes to legislation:
Copyright, Designs and Patents Act 1988, Section 182 is up to date with all changes known to be in force on or before 19 June 2019. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:
Whole provisions yet to be inserted into this Act (including any effects on those provisions):

– s. 182B(3A) inserted by S.I. 2019/265 reg. 4(4)(c)
– s. 206(1)(b) omitted by S.I. 2019/605 reg. 22
– s. 249(1A) inserted by 2007 c. 15 s. 143(3)(b) (Amendment not applied: 2007 c. 15, s. 143 was repealed (6.4.2015) by Intellectual Property Act 2014 (c. 18), ss. 10(11), 24(1); S.I. 2015/165, art. 3)