



# Copyright, Designs and Patents Act 1988

## 1988 CHAPTER 48

### PART II

#### RIGHTS IN PERFORMANCES

##### *Performers' rights*

#### [<sup>F1</sup>182C Consent required for rental or lending of copies to public.

- (1) A performer's rights are infringed by a person who, without his consent, rents or lends to the public copies of a recording of the whole or any substantial part of a qualifying performance.
- (2) In this Part, subject to the following provisions of this section—
  - (a) "rental" means making a copy of a recording available for use, on terms that it will or may be returned, for direct or indirect economic or commercial advantage, and
  - (b) "lending" means making a copy of a recording available for use, on terms that it will or may be returned, otherwise than for direct or indirect economic or commercial advantage, through an establishment which is accessible to the public.
- (3) The expressions "rental" and "lending" do not include—
  - (a) making available for the purpose of public performance, playing or showing in public, broadcasting or inclusion in a cable programme service;
  - (b) making available for the purpose of exhibition in public; or
  - (c) making available for on-the-spot reference use.
- (4) The expression "lending" does not include making available between establishments which are accessible to the public.
- (5) Where lending by an establishment accessible to the public gives rise to a payment the amount of which does not go beyond what is necessary to cover the operating costs

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*Status: Point in time view as at 01/12/1996. This version of this provision has been superseded.*

*Changes to legislation: There are currently no known outstanding effects for the Copyright, Designs and Patents Act 1988, Section 182C. (See end of Document for details)*

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of the establishment, there is no direct or indirect economic or commercial advantage for the purposes of this section.

(6) References in this Part to the rental or lending of copies of a recording of a performance include the rental or lending of the original recording of the live performance.

(7) In this Part—

“rental right” means the right of a performer under this section to authorise or prohibit the rental of copies to the public, and

“lending right” means the right of a performer under this section to authorise or prohibit the lending of copies to the public.]

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**Textual Amendments**

**F1** S. 182C inserted (1.12.1996) by S.I. 1996/2967, reg. 20(2) (with Pt. III)

**Status:**

Point in time view as at 01/12/1996. This version of this provision has been superseded.

**Changes to legislation:**

There are currently no known outstanding effects for the Copyright, Designs and Patents Act 1988, Section 182C.