



Copyright, Designs and Patents Act 1988

1988 CHAPTER 48

PART II

RIGHTS IN PERFORMANCES

Qualification for protection and extent

206 Qualifying countries, individuals and persons

(1) In this Part—

“qualifying country” means—

- (a) the United Kingdom,
- (b) another member State of the European Economic Community, or
- (c) to the extent that an Order under section 208 so provides, a country designated under that section as enjoying reciprocal protection;

“qualifying individual” means a citizen or subject of, or an individual resident in, a qualifying country; and

“qualifying person” means a qualifying individual or a body corporate or other body having legal personality which—

- (a) is formed under the law of a part of the United Kingdom or another qualifying country, and
- (b) has in any qualifying country a place of business at which substantial business activity is carried on.

(2) The reference in the definition of “qualifying individual” to a person’s being a citizen or subject of a qualifying country shall be construed—

- (a) in relation to the United Kingdom, as a reference to his being a British citizen, and
- (b) in relation to a colony of the United Kingdom, as a reference to his being a British Dependent Territories’ citizen by connection with that colony.

(3) In determining for the purpose of the definition of “qualifying person” whether substantial business activity is carried on at a place of business in any country, no

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account shall be taken of dealings in goods which are at all material times outside that country.