



Copyright, Designs and Patents Act 1988

1988 CHAPTER 48

PART II

RIGHTS IN PERFORMANCES

[^{F1}CHAPTER 4

QUALIFICATION FOR PROTECTION, EXTENT AND INTERPRETATION

^{x1} *Interpretation*

^{x1}[^{F1}212 Index of defined expressions.

The following Table shows provisions defining or otherwise explaining expressions used in this Part (other than provisions defining or explaining an expression used only in the same section)—

[^{F2} accessible copy (in paragraphs 3A to 3E of Schedule 2)	paragraph 3E(4) of Schedule 2]
[^{F3} assignment (in Scotland)	section 211(1) (and section 177);]
broadcast (and related expressions)	section 211 (and section 6)
business	section 211(1) (and section 178)
^{F4}	
[^{F5} communication to the public	section 211(1) (and section 20)]
[^{F6} consent of performer (in relation to performer's property rights)]	[^{F7} section 191A(2)]
country	section 211(1) (and section 178)

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defendant (in Scotland)	section 211(1) (and section 177)
delivery up (in Scotland)	section 211(1) (and section 177)
[^{F2} disabled person (in paragraphs 3A to 3E of Schedule 2)]	paragraph 3E(2) and (3) of Schedule 2]
[^{F8} distribution right]	[^{F9} section 182B(5)]
[^{F10} the EEA and EEA state]	[^{F11} section 211(1) (and section 172A)]
exclusive recording contract	section 185(1)
film	section 211(1) (and [^{F12} section 5B])
[^{F13} group	section 205C(4);]
illicit recording	section 197
[^{F14} injunction (in Scotland)]	section 211(1) (and section 177)]
[^{F15} issue to the public	section 182B;]
literary work	section 211(1) (and section 3(1))
[^{F16} lending right]	[^{F17} section 182C(7)]
[^{F18} making available right	section 182CA]
performance	section 180(2)
[^{F19} performer's non-property rights]	[^{F20} section 192A(1)]
[^{F21} performer's property rights]	[^{F22} section 191A(1)]
published	section 211(1) (and section 175)
qualifying country	section 206(1)
qualifying individual	section 206(1) and (2)
qualifying performance	section 181
qualifying person	section 206(1) and (3)
recording (of a performance)	section 180(2)
recording rights (person having)	section 185(2) and (3)
[^{F23} rental right]	[^{F24} section 182C(7)]
[^{F25} reproduction right]	[^{F26} section 182A(3)]
[^{F27} rights owner (in relation to performer's property rights)]	[^{F28} section 191A(3) and (4).]
[^{F29} signed	section 211(1) (and section 176);]
sound recording	section 211(1) (and [^{F30} section 5A]).
[^{F31} wireless broadcast	section 211(1) (and section 178).]

Editorial Information

- X1** 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

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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.

Textual Amendments

- F1** Ss. 206-212 become Pt. 2 Ch. 4 (1.2.2006) by virtue of *The Performances (Moral Rights, etc.) Regulations 2006* (S.I. 2006/18), **reg. 4(7)** (with reg. 8)
- F2** Words in s. 212 inserted (1.6.2014) by *The Copyright and Rights in Performances (Disability) Regulations 2014* (S.I. 2014/1384), **reg. 1(1)**, **Sch. para. 5**
- F3** S. 212: entry inserted (1.2.2006) by *The Performances (Moral Rights, etc.) Regulations 2006* (S.I. 2006/18), **reg. 2**, **Sch. para. 7** (with reg. 8)
- F4** S. 212: entry 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. 212: entry inserted (31.10.2003) by *The Copyright and Related Rights Regulations 2003* (S.I. 2003/2498), **reg. 2(1)**, **Sch. 1 para. 15(6)** (with regs. 31-40)
- F6** Words in s. 212 inserted (1.12.1996) by S.I. 1996/2967, **reg. 21(6)** (with Pt. III)
- F7** Words in s. 212 inserted (1.12.1996) by S.I. 1996/2967, **reg. 21(6)** (with Pt. III)
- F8** Words in s. 212 inserted (1.12.1996) by S.I. 1996/2967, **reg. 20(4)** (with Pt. III)
- F9** Words in s. 212 inserted (1.12.1996) by S.I. 1996/2967, **reg. 20(4)** (with Pt. III)
- F10** S. 212: words in entry substituted (29.4.2006) by *The Intellectual Property (Enforcement, etc.) Regulations 2006* (S.I. 2006/1028), **reg. 2(2)**, **Sch. 2 para. 13**
- F11** Words in s. 212 inserted (1.1.1996) by S.I. 1995/3297, **reg. 11(4)** (with Pt. III)
- F12** Words in s. 212 substituted (1.1.1996) by S.I. 1995/3297, **reg. 9(6)(a)** (with Pt. III)
- F13** S. 212: entry inserted (1.2.2006) by *The Performances (Moral Rights, etc.) Regulations 2006* (S.I. 2006/18), **reg. 2**, **Sch. para. 7** (with reg. 8)
- F14** S. 212: entry inserted (31.10.2003) by *The Copyright and Related Rights Regulations 2003* (S.I. 2003/2498), **reg. 2(1)**, **Sch. 1 para. 15(6)** (with regs. 31-40)
- F15** S. 212: entry inserted (1.2.2006) by *The Performances (Moral Rights, etc.) Regulations 2006* (S.I. 2006/18), **reg. 2**, **Sch. para. 7** (with reg. 8)
- F16** Words in s. 212 inserted (1.12.1996) by S.I. 1996/2967, **reg. 20(4)** (with Pt. III)
- F17** Words in s. 212 inserted (1.12.1996) by S.I. 1996/2967, **reg. 20(4)** (with Pt. III)
- F18** S. 212: entry inserted (31.10.2003) by *The Copyright and Related Rights Regulations 2003* (S.I. 2003/2498), **reg. 2(1)**, **Sch. 1 para. 15(6)** (with regs. 31-40)
- F19** Words in s. 212 inserted (1.12.1996) by S.I. 1996/2967, **reg. 21(6)** (with Pt. III)
- F20** Words in s. 212 inserted (1.12.1996) by S.I. 1996/2967, **reg. 21(6)** (with Pt. III)
- F21** Words in s. 212 inserted (1.12.1996) by S.I. 1996/2967, **reg. 21(6)** (with Pt. III)
- F22** Words in s. 212 inserted (1.12.1996) by S.I. 1996/2967, **reg. 21(6)** (with Pt. III)
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- F25** Words in s. 212 inserted (1.12.1996) by S.I. 1996/2967, **reg. 20(4)** (with Pt. III)
- F26** Words in s. 212 inserted (1.12.1996) by S.I. 1996/2967, **reg. 20(4)** (with Pt. III)
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- F28** Words in s. 212 inserted (1.12.1996) by S.I. 1996/2967, **reg. 21(6)** (with Pt. III)
- F29** S. 212: entry inserted (1.2.2006) by *The Performances (Moral Rights, etc.) Regulations 2006* (S.I. 2006/18), **reg. 2**, **Sch. para. 7** (with reg. 8)
- F30** Words in s. 212 substituted (1.1.1996) by S.I. 1995/3297, **reg. 9(6)(b)** (with Pt. III)
- F31** S. 212: entry inserted (1.2.2006) by *The Performances (Moral Rights, etc.) Regulations 2006* (S.I. 2006/18), **reg. 2**, **Sch. para. 7** (with reg. 8)

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