
EXPLANATORY NOTE

(This note is not part of the Order)

A licensing scheme operated by The Educational Recording Agency Limited (“ERA”) was certified for the purposes of section 35 of, and paragraph 6 of Schedule 2 to, the Copyright, Designs and Patents Act 1988 ([1988 c. 48](#)) (“the Act”) by the Copyright (Certification of Licensing Scheme for Educational Recording of Broadcasts) (Educational Recording Agency Limited) Order 2005 ([S.I. 2005/222](#)) (the 2005 Order).

A licensing scheme operated by the ERA was also certified for the purposes of section 35 of, and paragraph 6 of Schedule 2 to, the Act by the Copyright (Certification of Licensing Scheme for Educational Recording of Broadcasts) (Educational Recording Agency Limited) Order 2007 ([S.I. 2007/266](#)) (the 2007 Order).

The licensing scheme certified in the 2005 Order will cease to be operated on 1st April 2008.

The ERA wishes to vary paragraph 8 of the licensing scheme certified in the 2007 Order to include new Licensor Members and to reflect recent changes of name by existing Licensor Members.

Section 143 of, and paragraph 16 of Schedule 2A to, the Act provides that an order shall be revoked if the scheme ceases to be operated and also provides that a variation of a licensing scheme is not effective unless a corresponding amendment of the order certifying the scheme is made.

This Order is made under Section 143 of, and paragraph 16 of Schedule 2A to, the Act and revokes the 2005 Order and amends paragraph 8 of the licensing scheme set out in the Schedule to the 2007 Order to correspond with the variation to the scheme which the ERA wishes to make (effective from 1st April 2008).