

STATUTORY INSTRUMENTS

**2016 No. 1219**

**The Copyright and Performances  
(Application to Other Countries) Order 2016**

**PART 4**

**BROADCASTS**

**Application of Part 1 of the Act under section 159(4) – WTO members**

7.—(1) This article applies to a relevant country that is a member of the WTO but not a party to the Rome Convention.

(2) Where this article applies to a relevant country, Part 1 of the Act applies to a wireless broadcast in relation to that country in the manner set out in paragraph (4) subject to paragraph (3).

(3) The application of Part 1 of the Act by virtue of paragraph (2) is subject to the following modifications—

- (a) section 18A (infringement by rental of work to the public) does not apply;
- (b) section 19 (infringement by showing or playing the work in public) only applies in relation to television broadcasts;
- (c) section 20 (infringement by communication to the public) only applies in relation to broadcasting by wireless telegraphy;
- (d) section 26 (secondary infringement: provision of apparatus for infringing performance, &c) [<sup>F1</sup>only applies in relation] to television broadcasts;
- (e) section 107(2A) (criminal liability for communicating to the public) only applies in relation to broadcasting by wireless telegraphy; <sup>F2</sup>...

<sup>F2</sup>(f) .....

(4) Part 1 of the Act applies in relation to—

- (a) a person who is a citizen or subject of a relevant country or a person domiciled or resident there as it applies in relation to a person who is a British citizen or is domiciled or resident in the United Kingdom;
- (b) a body incorporated under the law of a relevant country as it applies in relation to a body incorporated under the law of a part of the United Kingdom; and
- (c) a wireless broadcast made from that country as it applies in relation to a wireless broadcast made from the United Kingdom.

**Textual Amendments**

- F1** Words in art. 7(3)(d) substituted (coming into force in accordance with art. 1(2) of the amending S.I.) by [The Copyright and Performances \(Application to Other Countries\) \(Amendment\) Order 2024 \(S.I. 2024/193\)](#), arts. 1(2), **5(2)(a)**

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**Changes to legislation:** There are currently no known outstanding effects for the The Copyright and Performances (Application to Other Countries) Order 2016, Section 7. (See end of Document for details)

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**F2** Art. 7(3)(f) and word omitted (coming into force in accordance with art. 1(2) of the amending S.I.) by virtue of The Copyright and Performances (Application to Other Countries) (Amendment) Order 2024 (S.I. 2024/193), arts. 1(2), **5(2)(b)**

**Changes to legislation:**

There are currently no known outstanding effects for the The Copyright and Performances (Application to Other Countries) Order 2016, Section 7.