
STATUTORY INSTRUMENTS

2016 No. 1219

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

PART 5

PERFORMANCES

Restrictions on the application of Part 2 of the Act in respect of countries that have made declarations under Article 16(1)(a)(i) of the Rome Convention

9.—(1) This article applies to a country [^{F1}, other than Australia, Japan and Viet Nam,] which is a party to the Rome Convention^{M1} and has made a declaration under Article 16(1)(a) of the Rome Convention that it will not apply the provisions of Article 12 (which provides for the payment of a single equitable remuneration).

(2) Where this article applies, to the extent that the declaration referred to in paragraph (1) is in force in the law of the country in relation to British performances^{M2}, the provisions of Part 2 of the Act shall not apply to grant the protection provided for under Article 12 of the Rome Convention unless the recording has been first published in a country which—

- (a) is a party to the Rome Convention; and
- (b) has not made a declaration of the kind referred to in paragraph (1).

F1 Words in art. 9(1) inserted (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), **6(1)**

Marginal Citations

- M1** Cm. 2425; “Rome Convention” is defined in section 206(6) of the Copyright, Designs and Patents Act 1988.
- M2** “British performance” is defined in section 208(3) of the Copyright, Designs and Patents Act 1988.

Changes to legislation:

There are currently no known outstanding effects for the The Copyright and Performances (Application to Other Countries) Order 2016, Section 9.