



# Copyright, Designs and Patents Act 1988

## 1988 CHAPTER 48

### PART II

#### RIGHTS IN PERFORMANCES

##### *Rights of person having recording rights*

#### **187 Infringement of recording rights by use of recording made without consent**

- (1) A person infringes the rights of a person having recording rights in relation to a performance who, without his consent or, in the case of a qualifying performance, that of the performer—
- (a) shows or plays in public the whole or any substantial part of the performance, or
  - (b) broadcasts or includes in a cable programme service the whole or any substantial part of the performance,
- by means of a recording which was, and which that person knows or has reason to believe was, made without the appropriate consent.
- (2) The reference in subsection (1) to “the appropriate consent” is to the consent of—
- (a) the performer, or
  - (b) the person who at the time the consent was given had recording rights in relation to the performance (or, if there was more than one such person, of all of them).