

*Status: Point in time view as at 25/07/2006.*

*Changes to legislation: Government of Wales Act 2006, Cross Heading: Copyright, Designs and Patents Act 1988 (c. 48) is up to date with all changes known to be in force on or before 10 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

## SCHEDULES

### SCHEDULE 10 **U.K.**

#### MINOR AND CONSEQUENTIAL AMENDMENTS

##### *Copyright, Designs and Patents Act 1988 (c. 48)*

22 The Copyright, Designs and Patents Act 1988 is amended as follows.

#### Commencement Information

**I1** This provision in force immediately after "the 2007 election" by s. 161(1) (subject to s. 161(4)(5))

23 In section 12(9) (duration of copyright in literary, dramatic, musical or artistic works), for "166B" substitute " 166D ".

#### Commencement Information

**I2** This provision in force immediately after "the 2007 election" by s. 161(1) (subject to s. 161(4)(5))

24 In section 49 (public records), for "the Government of Wales Act 1998" substitute " the Government of Wales Act 2006 ".

#### Commencement Information

**I3** This provision in force immediately after "the 2007 election" by s. 161(1) (subject to s. 161(4)(5))

25 In section 153(2) (qualification for copyright protection), for "166B" substitute " 166D ".

#### Commencement Information

**I4** This provision in force immediately after "the 2007 election" by s. 161(1) (subject to s. 161(4)(5))

26 (1) Section 163 (Crown copyright) is amended as follows.

(2) Omit subsection (1A).

(3) In subsection (6), for "166B" substitute " 166D ".

#### Commencement Information

**I5** This provision in force immediately after "the 2007 election" by s. 161(1) (subject to s. 161(4)(5))

27 (1) Section 164 (copyright in Acts and Measures) is amended as follows.

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- (2) In subsection (1), after “Scottish Parliament,” insert “ Measure of the National Assembly for Wales, Act of the National Assembly for Wales, ”.
- (3) In subsection (2), for the words after “subsists” substitute—
- “(a) in the case of an Act or a Measure of the General Synod of the Church of England, until the end of the period of 50 years from the end of the calendar year in which Royal Assent was given, and
  - (b) in the case of a Measure of the National Assembly for Wales, until the end of the period of 50 years from the end of the calendar year in which the Measure was approved by Her Majesty in Council.”

**Commencement Information**

**I6** This provision in force immediately after "the 2007 election" by s. 161(1) (subject to s. 161(4)(5))

28 After section 166B insert—

**“166C Copyright in proposed Measures of the National Assembly for Wales**

- (1) Copyright in every proposed Assembly Measure introduced into the National Assembly for Wales belongs to the National Assembly for Wales Commission.
- (2) Copyright under this section subsists from the time when the text of the proposed Assembly Measure is handed in to the Assembly for introduction—
  - (a) until the proposed Assembly Measure is approved by Her Majesty in Council, or
  - (b) if the proposed Assembly Measure is not approved by Her Majesty in Council, until it is withdrawn or rejected or no further proceedings of the Assembly may be taken in respect of it.
- (3) References in this Part to Parliamentary copyright (except in section 165) include copyright under this section; and, except as mentioned above, the provisions of this Part apply in relation to copyright under this section as to other Parliamentary copyright.
- (4) No other copyright, or right in the nature of copyright, subsists in a proposed Assembly Measure after copyright has once subsisted under this section; but without prejudice to the subsequent operation of this section in relation to a proposed Assembly Measure which, not having been approved by Her Majesty in Council, is later reintroduced into the Assembly.

**166D Copyright in Bills of the National Assembly for Wales**

- (1) Copyright in every Bill introduced into the National Assembly for Wales belongs to the National Assembly for Wales Commission.
- (2) Copyright under this section subsists from the time when the text of the Bill is handed in to the Assembly for introduction—
  - (a) until the Bill receives Royal Assent, or

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- (b) if the Bill does not receive Royal Assent, until it is withdrawn or rejected or no further proceedings of the Assembly may be taken in respect of it.
- (3) References in this Part to Parliamentary copyright (except in section 165) include copyright under this section; and, except as mentioned above, the provisions of this Part apply in relation to copyright under this section as to other Parliamentary copyright.
- (4) No other copyright, or right in the nature of copyright, subsists in a Bill after copyright has once subsisted under this section; but without prejudice to the subsequent operation of this section in relation to a Bill which, not having received Royal Assent, is later reintroduced into the Assembly.”

**Commencement Information**

**17** This provision in force immediately after "the 2007 election" by s. 161(1) (subject to s. 161(4)(5))

- 29 (1) Section 178 (minor definitions) is amended as follows.
  - (2) In the definition of “the Crown”, after “the Scottish Administration” insert “, of the Welsh Assembly Government”.
  - (3) In the definition of “parliamentary proceedings”, after “European Parliament” insert “ and Assembly proceedings within the meaning of section 1(5) of the Government of Wales Act 2006 ”.

**Commencement Information**

**18** This provision in force immediately after "the 2007 election" by s. 161(1) (subject to s. 161(4)(5))

- 30 In section 179 (index of defined expressions), in column 2 of the entry for “Parliamentary copyright”, for “and 166B(3)” substitute “ 166B(3) 166C(3) and 166D(3) ”.

**Commencement Information**

**19** This provision in force immediately after "the 2007 election" by s. 161(1) (subject to s. 161(4)(5))

- 31 (1) Section 263(1) (Part 3: minor definitions) is amended as follows.
  - (2) In the definition of “the Crown”, insert at the end “ and the Crown in right of the Welsh Assembly Government ”.
  - (3) In the definition of “government department”, insert at the end “ and any part of the Welsh Assembly Government ”.

**Commencement Information**

**110** This provision in force immediately after "the 2007 election" by s. 161(1) (subject to s. 161(4)(5))

- 32 In paragraph 10(1) of Schedule 2 (public records), for “the Government of Wales Act 1998” substitute “ the Government of Wales Act 2006 ”.

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**Commencement Information**

**III** This provision in force immediately after "the 2007 election" by s. 161(1) (subject to s. 161(4)(5))

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