



# Copyright, Designs and Patents Act 1988

## 1988 CHAPTER 48

### PART II

#### RIGHTS IN PERFORMANCES

#### [<sup>F1</sup>CHAPTER 4

#### QUALIFICATION FOR PROTECTION, EXTENT AND INTERPRETATION

<sup>x1</sup> *Qualification for protection and extent*

#### [<sup>F1X1</sup>208 Countries enjoying reciprocal protection.

- (1) Her Majesty may by Order in Council designate as enjoying reciprocal protection under this Part—
  - (a) a Convention country, or
  - (b) a country as to which Her Majesty is satisfied that provision has been or will be made under its law giving adequate protection for British performances.
- (2) A “Convention country” means a country which is a party to a Convention relating to performers’ rights to which the United Kingdom is also a party.
- (3) A “British performance” means a performance—
  - (a) given by an individual who is a British citizen or resident in the United Kingdom, or
  - (b) taking place in the United Kingdom.
- (4) If the law of that country provides adequate protection only for certain descriptions of performance, an Order under subsection (1)(b) designating that country shall contain provision limiting to a corresponding extent the protection afforded by this Part in relation to performances connected with that country.

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*Status: Point in time view as at 01/02/2006. This version of this provision has been superseded.*

*Changes to legislation: There are currently no known outstanding effects for the Copyright, Designs and Patents Act 1988, Section 208. (See end of Document for details)*

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- (5) The power conferred by subsection (1)(b) is exercisable in relation to any of the Channel Islands, the Isle of Man or any colony of the United Kingdom, as in relation to a foreign country.
- (6) A statutory instrument containing an Order in Council under this section shall be subject to annulment in pursuance of a resolution of either House of Parliament.]

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#### **Editorial Information**

- X1** The insertion of the new headings "Chapter 1 Introductory", "Chapter 2 Economic Rights", "Chapter 3 Moral Rights" and "Chapter 4 Qualification for Protection, Extent and Interpretation" in Pt. II on 1.2.2006 gives rise to a change in the structure of this legislation on SLD which breaks the continuity of historical versions of the existing provisions which are now brought under those new headings.

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#### **Textual Amendments**

- F1** Ss. 206-212 become Pt. 2 Ch. 4 (1.2.2006) by virtue of [The Performances \(Moral Rights, etc.\) Regulations 2006 \(S.I. 2006/18\)](#), [reg. 4\(7\)](#) (with reg. 8)

**Status:**

Point in time view as at 01/02/2006. This version of this provision has been superseded.

**Changes to legislation:**

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