
EXPLANATORY NOTE

(This note is not part of the Order)

Under section 35 of the Copyright, Designs and Patents Act 1988 recordings of broadcasts and cable programmes may be made by or on behalf of educational establishments without thereby infringing copyright. The section does not, however, apply if and to the extent that there is a licensing scheme certified for the purposes of that section providing for the grant of licences.

This Order certifies the licensing scheme to be operated by the Educational Recording Agency Limited (effective from 30th May 1990) for the granting of licences to educational establishments for the recording by them of broadcasts and cable programmes, other than television programmes broadcast on behalf of the Open University or the Open College which are the subject of a separate licensing scheme certified under the Copyright (Certification of Licensing Scheme for Educational Recording of Broadcasts) (Guild Sound and Vision Limited) Order 1990 (S.I. [1990/878](#)).