

### SCHEDULE 3

#### Amendments to secondary legislation

#### **Amendment of the Copyright and Related Rights Regulations 1996**

5. After regulation 17 there shall be inserted—

**“Presumptions relevant to works subject to publication right**

**17A.** In proceedings brought by virtue of Chapter 6 of Part 1 of the Copyright, Designs and Patents Act 1988, as applied to publication right by regulation 17, with respect to a work, where copies of the work as issued to the public bear a statement that a named person was the owner of publication right in the work at the date of issue of the copies, the statement shall be admissible as evidence of the fact stated and shall be presumed to be correct until the contrary is proved.

**Application of presumptions in relation to an order for delivery up in criminal proceedings**

**17B.** Regulation 17A does not apply to proceedings for an offence under section 107 of the Copyright, Designs and Patents Act 1988 as applied and modified by regulation 17 in relation to publication right; but without prejudice to its application in proceedings for an order under section 108 of the Copyright, Designs and Patents Act 1988 as that section applies to publication right by virtue of regulation 17.”