



# Copyright, Designs and Patents Act 1988

## 1988 CHAPTER 48

### PART VII

#### MISCELLANEOUS AND GENERAL

##### *General*

#### **303 Consequential amendments and repeals.**

- (1) The enactments specified in Schedule 7 are amended in accordance with that Schedule, the amendments being consequential on the provisions of this Act.
- (2) The enactments specified in Schedule 8 are repealed to the extent specified.

#### **304 Extent.**

- (1) Provision as to the extent of Part I (copyright), Part II (rights in performances) and Part III (design right) is to be found in sections 157, 207 and 255 respectively; the extent of the other provisions of this Act is as follows.
- (2) Parts IV to VII extend to England and Wales, Scotland and Northern Ireland, except that—
  - (a) sections 287 to 292 (patents county courts) extend to England and Wales only,
  - (b) the proper law of the trust created by Schedule 6 (provisions for the benefit of the Hospital for Sick Children) is the law of England and Wales, and
  - (c) the amendments and repeals in Schedules 7 and 8 have the same extent as the enactments amended or repealed.
- (3) The following provisions extend to the Isle of Man subject to any modifications contained in an Order made by Her Majesty in Council—
  - (a) sections 293 and 294 (patents: licences of right), and
  - (b) paragraphs 24 and 29 of Schedule 5 (patents: effect of filing international application for patent and power to extend time limits).

*Status: Point in time view as at 31/10/2003.*

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

- (4) Her Majesty may by Order in Council direct that the following provisions extend to the Isle of Man, with such exceptions and modifications as may be specified in the Order—
- (a) Part IV (registered designs),
  - (b) Part V (patent agents),
  - (c) the provisions of Schedule 5 (patents: miscellaneous amendments) not mentioned in subsection (3) above,
  - (d) sections 297 to 299 (fraudulent reception of transmissions), and
  - (e) section 300 (fraudulent application or use of trade mark).
- (5) Her Majesty may by Order in Council direct that sections 297 to 299 (fraudulent reception of transmissions) extend to any of the Channel Islands, with such exceptions and modifications as may be specified in the Order.
- (6) Any power conferred by this Act to make provision by Order in Council for or in connection with the extent of provisions of this Act to a country outside the United Kingdom includes power to extend to that country, subject to any modifications specified in the Order, any provision of this Act which amends or repeals an enactment extending to that country.

### 305 Commencement.

- (1) The following provisions of this Act come into force on Royal Assent—
- paragraphs 24 and 29 of Schedule 5 (patents: effect of filing international application for patent and power to extend time limits);
  - section 301 and Schedule 6 (provisions for the benefit of the Hospital for Sick Children).
- (2) Sections 293 and 294 (licences of right) come into force at the end of the period of two months beginning with the passing of this Act.
- (3) The other provisions of this Act come into force on such day as the Secretary of State may appoint by order made by statutory instrument, and different days may be appointed for different provisions and different purposes.

#### Modifications etc. (not altering text)

- C1** Power of appointment conferred by s. 305(3) partly exercised: [S.I. 1989/816](#), 955, 1032, 1303, 1990/1400, 2168

### 306 Short title.

This Act may be cited as the Copyright, Designs and Patents Act 1988.

**Status:**

Point in time view as at 31/10/2003.

**Changes to legislation:**

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