Status: Point in time view as at 31/10/2003.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: Free public showing or playing of broadcast.... (See end of Document for details)

SCHEDULES

SCHEDULE 2

RIGHTS IN PERFORMANCES: PERMITTED ACTS

Modifications etc. (not altering text)

C1 Sch. 2 continued (31.10.2003) by virtue of The Copyright and Related Rights Regulations 2003 (S.I. 2003/2498), reg. 33 (with regs. 31-40)

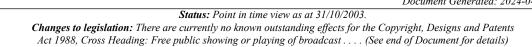
Free public showing or playing of broadcast^{*F1*}...

Textual Amendments

- F1 Words in heading preceding Sch.2 para. 18 repealed (31.10.2003) by The Copyright and Related Rights Regulations 2003 (S.I. 2003/2498), reg. 2(2), Sch. 2 (with regs. 31-40)
- 18 (1) The showing or playing in public of a broadcast ^{F2}... to an audience who have not paid for admission to the place where the broadcast ^{F2}... is to be seen or heard does not infringe any right conferred by Part II in relation to a performance or recording included in—
 - (a) the broadcast F2 ..., or
 - (b) any sound recording [^{F3}(except so far as it is an excepted sound recording)] or film which is played or shown in public by reception of the broadcast ^{F2}....
 - [^{F4}(1A) The showing or playing in public of a broadcast to an audience who have not paid for admission to the place where the broadcast is to be seen or heard does not infringe any right conferred by Part 2 in relation to a performance or recording included in any excepted sound recording which is played in public by reception of the broadcast, if the playing or showing of that broadcast in public—
 - (a) forms part of the activities of an organisation that is not established or conducted for profit; or
 - (b) is necessary for the purposes of—
 - (i) repairing equipment for the reception of broadcasts;
 - (ii) demonstrating that a repair to such equipment has been carried out; or
 - (iii) demonstrating such equipment which is being sold or let for hire or offered or exposed for sale or hire.]

(2) The audience shall be treated as having paid for admission to a place—

(a) if they have paid for admission to a place of which that place forms part; or



- (b) if goods or services are supplied at that place (or a place of which it forms part)—
 - (i) at prices which are substantially attributable to the facilities afforded for seeing or hearing the broadcast ^{F5}..., or
 - (ii) at prices exceeding those usually charged there and which are partly attributable to those facilities.
- (3) The following shall not be regarded as having paid for admission to a place—
 - (a) persons admitted as residents or inmates of the place;
 - (b) persons admitted as members of a club or society where the payment is only for membership of the club or society and the provision of facilities for seeing or hearing broadcasts ^{F5}... is only incidental to the main purposes of the club or society.
- (4) Where the making of the broadcast ^{F5}... was an infringement of the rights conferred by Part II in relation to a performance or recording, the fact that it was heard or seen in public by the reception of the broadcast ^{F5}... shall be taken into account in assessing the damages for that infringement.
- (5) Expressions used in this paragraph have the same meaning as in section 72.

Textual Amendments

- F2 Words in Sch. 2 para. 18(1) repealed (31.10.2003) by The Copyright and Related Rights Regulations 2003 (S.I. 2003/2498), reg. 2(2), Sch. 2 (with regs. 31-40)
- **F3** Words in Sch. 2 para. 18(1)(b) inserted (31.10.2003) by The Copyright and Related Rights Regulations 2003 (S.I. 2003/2498), reg. 21(2)(a) (with regs. 31-40)
- F4 Sch. 2 para. 18(1A) inserted (31.10.2003) by The Copyright and Related Rights Regulations 2003 (S.I. 2003/2498), reg. 21(2)(b) (with regs. 31-40)
- F5 Words in Sch. 2 para. 18(2)(b)(i)(3)(4) repealed (31.10.2003) by The Copyright and Related Rights Regulations 2003 (S.I. 2003/2498), reg. 2(2), Sch. 2 (with regs. 31-40)

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: Free public showing or playing of broadcast