

*Changes to legislation: There are currently no known outstanding effects for the Copyright, Designs and Patents Act 1988, Paragraph 16. (See end of Document for details)*

## SCHEDULES

### <sup>F1</sup>[SCHEDULE 2A

#### LICENSING OF PERFORMERS’ <sup>F1</sup> ... RIGHTS

##### Textual Amendments

- F1** Sch. 2A inserted (1.12.1996) by [S.I. 1996/2967](#), [reg. 22\(2\)](#) (with Pt. III)
- F1** Word in Sch. 2A heading omitted (25.4.2013) by virtue of [Enterprise and Regulatory Reform Act 2013](#) (c. 24), s. 103(1), [Sch. 22 para. 3](#)

##### *Certification of licensing schemes*

- 16 (1) A person operating or proposing to operate a licensing scheme may apply to the Secretary of State to certify the scheme for the purposes of [<sup>F1</sup> paragraph <sup>F2</sup> ... 14A <sup>F3</sup> ... of Schedule 2 ( <sup>F2</sup> ... lending of certain recordings <sup>F3</sup> ... ) ] .
- (2) The Secretary of State shall by order made by statutory instrument certify the scheme if he is satisfied that it—
- (a) enables the works to which it relates to be identified with sufficient certainty by persons likely to require licences, and
  - (b) sets out clearly the charges (if any) payable and the other terms on which licences will be granted.
- (3) The scheme shall be scheduled to the order and the certification shall come into operation for the purposes of [<sup>F4</sup>the relevant paragraph] of Schedule 2—
- (a) on such date, not less than eight weeks after the order is made, as may be specified in the order, or
  - (b) if the scheme is the subject of a reference under paragraph 3 (reference of proposed scheme), any later date on which the order of the Copyright Tribunal under that paragraph comes into force or the reference is withdrawn.
- (4) A variation of the scheme is not effective unless a corresponding amendment of the order is made; and the Secretary of State shall make such an amendment in the case of a variation ordered by the Copyright Tribunal on a reference under paragraph 3, 4 or 5, and may do so in any other case if he thinks fit.
- (5) The order shall be revoked if the scheme ceases to be operated and may be revoked if it appears to the Secretary of State that it is no longer being operated according to its terms.]

##### Textual Amendments

- F1** Words in Sch. 2A para. 16(1) substituted (31.10.2003) by [The Copyright and Related Rights Regulations 2003](#) (S.I. 2003/2498), [reg. 2\(1\)](#), [Sch. 1 para. 17\(a\)](#) (with regs. 31-40)

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- F2** Words in Sch. 2A para. 16(1) omitted (1.6.2014) by virtue of [The Copyright and Rights in Performances \(Research, Education, Libraries and Archives\) Regulations 2014 \(S.I. 2014/1372\)](#), reg. 1, **Sch. para. 9**
- F3** Words in Sch. 2A para. 16(1) omitted (1.6.2014) by virtue of [The Copyright and Rights in Performances \(Disability\) Regulations 2014 \(S.I. 2014/1384\)](#), reg. 1(1), **Sch. para. 6**
- F4** Words in Sch. 2A para. 16(3) substituted (31.10.2003) by [The Copyright and Related Rights Regulations 2003 \(S.I. 2003/2498\)](#), reg. 2(1), **Sch. 1 para. 17(b)** (with regs. 31-40)

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