



# Copyright, Designs and Patents Act 1988

## 1988 CHAPTER 48

### PART I

#### COPYRIGHT

#### CHAPTER VIII

#### THE COPYRIGHT TRIBUNAL

##### *The Tribunal*

#### 145 The Copyright Tribunal.

- (1) The Tribunal established under section 23 of the <sup>M1</sup>Copyright Act 1956 is renamed the Copyright Tribunal.
- (2) The Tribunal shall consist of a chairman and two deputy chairmen appointed by the Lord Chancellor, after consultation with the Lord Advocate, and not less than two or more than eight ordinary members appointed by the Secretary of State.
- (3) A person is not eligible for appointment as chairman or deputy chairman [<sup>F1</sup>unless—
  - [<sup>F2</sup>(a) he satisfies the judicial-appointment eligibility condition on a 5-year basis;]
  - (b) he is an advocate or solicitor in Scotland of at least [<sup>F3</sup>5] years' standing;
  - (c) he is a member of the Bar of Northern Ireland or [<sup>F4</sup>solicitor of the Court of Judicature of Northern Ireland] of at least [<sup>F3</sup>5] years' standing; or
  - (d) he has held judicial office.]

#### Textual Amendments

- F1** Words substituted by [Courts and Legal Services Act 1990 \(c. 41, SIF 37\)](#), s. 71(2), [Sch. 10 para. 73](#)
- F2** S. 145(3)(a) substituted (21.7.2008) by [Tribunals, Courts and Enforcement Act 2007 \(c. 15\)](#), ss. 50(6), 148, [Sch. 10 para. 20\(2\)](#); S.I. 2008/1653, [art. 2\(b\)\(d\)](#) (with arts. 3, 4)

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**Changes to legislation:** There are currently no known outstanding effects for the Copyright, Designs and Patents Act 1988, Section 145. (See end of Document for details)

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- F3** Words in s. 145(3)(b)(c) substituted (21.7.2008) by Tribunals, Courts and Enforcement Act 2007 (c.15), ss. 50(6), 148, **Sch. 10 para. 20(3)**; S.I. 2008/1653, **art. 2(b)(d)** (with arts. 3, 4)
- F4** S. 145(3)(c): words wherever they occur in any enactment substituted (1.10.2009) by virtue of Constitutional Reform Act 2005 (c. 4), ss. 59, 148, **Sch. 11 para. 5**; S.I. 2009/1604, **art. 2**

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

- C1** S. 145: functions of the Lord Advocate transferred to the Secretary of State, and all property, rights and liabilities to which the Lord Advocate is entitled or subject in connection with any such function transferred to the Secretary of State for Scotland (19.5.1999) by S.I. 1999/678, arts. 2, 3, **Sch.** (with art. 7)  
S. 145 modified (30.6.1999) by S.I. 1999/1748, art. 3, **Sch. 1 para. 10**
- C2** S. 145(2): transfer of certain functions (1.7.1999) by S.I. 1999/1750, arts. 1, 2, **Sch. 1**(with art. 7); S.I. 1998/3178, **art. 3**

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**Marginal Citations**

- M1** 1956 c. 74.

**Changes to legislation:**

There are currently no known outstanding effects for the Copyright, Designs and Patents Act 1988, Section 145.