



Copyright, Designs and Patents Act 1988

1988 CHAPTER 48

PART I

COPYRIGHT

CHAPTER IX

QUALIFICATION FOR AND EXTENT OF COPYRIGHT PROTECTION

Extent and application of this Part

159 Application of this Part to countries to which it does not extend

- (1) Her Majesty may by Order in Council make provision for applying in relation to a country to which this Part does not extend any of the provisions of this Part specified in the Order, so as to secure that those provisions—
 - (a) apply in relation to persons who are citizens or subjects of that country or are domiciled or resident there, as they apply to persons who are British citizens or are domiciled or resident in the United Kingdom, or
 - (b) apply in relation to bodies incorporated under the law of that country as they apply in relation to bodies incorporated under the law of a part of the United Kingdom, or
 - (c) apply in relation to works first published in that country as they apply in relation to works first published in the United Kingdom, or
 - (d) apply in relation to broadcasts made from or cable programmes sent from that country as they apply in relation to broadcasts made from or cable programmes sent from the United Kingdom.
- (2) An Order may make provision for all or any of the matters mentioned in subsection (1) and may—
 - (a) apply any provisions of this Part subject to such exceptions and modifications as are specified in the Order; and

Status: This is the original version (as it was originally enacted).

- (b) direct that any provisions of this Part apply either generally or in relation to such classes of works, or other classes of case, as are specified in the Order.
- (3) Except in the case of a Convention country or another member State of the European Economic Community, Her Majesty shall not make an Order in Council under this section in relation to a country unless satisfied that provision has been or will be made under the law of that country, in respect of the class of works to which the Order relates, giving adequate protection to the owners of copyright under this Part.
- (4) In subsection (3) “Convention country” means a country which is a party to a Convention relating to copyright to which the United Kingdom is also a party.
- (5) A statutory instrument containing an Order in Council under this section shall be subject to annulment in pursuance of a resolution of either House of Parliament.