



Copyright, Designs and Patents Act 1988

1988 CHAPTER 48

PART II

RIGHTS IN PERFORMANCES

[^{F1}CHAPTER 2

ECONOMIC RIGHTS

^{X1}[^{F1}Performers' rights]

^{X1}[^{F1}] ^{F2}182B **Consent required for issue of copies to public.**

- (1) A performer's rights are infringed by a person who, without his consent, issues to the public copies of a recording of the whole or any substantial part of a qualifying performance.
- (2) References in this Part to the issue to the public of copies of a recording are to—
 - (a) the act of putting into circulation in the [^{F3}UK-EEA area] copies not previously put into circulation in the [^{F3}UK-EEA area] by or with the consent of the performer, or
 - (b) the act of putting into circulation outside the [^{F3}UK-EEA area] copies not previously put into circulation in the [^{F3}UK-EEA area] or elsewhere.
- (3) References in this Part to the issue to the public of copies of a recording do not include—
 - (a) any subsequent distribution, sale, hiring or loan of copies previously put into circulation (but see section 182C: consent required for rental or lending), or
 - (b) any subsequent importation of such copies into the United Kingdom or [^{F4}an]EEA state,

except so far as paragraph (a) of subsection (2) applies to putting into circulation in the [^{F5}UK-EEA area] copies previously put into circulation outside the [^{F5}UK-EEA area].

Changes to legislation: There are currently no known outstanding effects for the Copyright, Designs and Patents Act 1988, Section 182B. (See end of Document for details)

[In this section “UK-EEA area” means the United Kingdom and the EEA, taken ^{F6}(3A) together.]

- (4) References in this Part to the issue of copies of a recording of a performance include the issue of the original recording of the live performance.
- (5) The right of a performer under this section to authorise or prohibit the issue of copies to the public is referred to in [^{F7}this Chapter] as “distribution right”.]

Editorial Information

- X1** The insertion of the new headings "Chapter 1 Introductory", "Chapter 2 Economic Rights", "Chapter 3 Moral Rights" and "Chapter 4 Qualification for Protection, Extent and Interpretation" in Pt. II on 1.2.2006 gives rise to a change in the structure of this legislation on SLD which breaks the continuity of historical versions of the existing provisions which are now brought under those new headings.

Textual Amendments

- F1** Ss. 182-205B become Pt. 2 Ch. 2 (1.2.2006) by virtue of [The Performances \(Moral Rights, etc.\) Regulations 2006 \(S.I. 2006/18\)](#), **reg. 4(4)** (with reg. 8)
- F2** S. 182B inserted (1.12.1996) by S.I. 1996/2967, **reg. 20(2)** (with Pt. III)
- F3** Words in s. 182B(2) substituted (31.1.2020) by [The Intellectual Property \(Exhaustion of Rights\) \(EU Exit\) Regulations 2019 \(S.I. 2019/265\)](#), regs. 1, **4(4)(a)**; 2020 c. 1, Sch. 5 para. 1(1)
- F4** Word in s. 182B(3)(b) substituted (31.1.2020) by [The Intellectual Property \(Exhaustion of Rights\) \(EU Exit\) Regulations 2019 \(S.I. 2019/265\)](#), regs. 1, **4(4)(b)(i)**; 2020 c. 1, Sch. 5 para. 1(1)
- F5** Words in s. 182B(3) substituted (31.1.2020) by [The Intellectual Property \(Exhaustion of Rights\) \(EU Exit\) Regulations 2019 \(S.I. 2019/265\)](#), regs. 1, **4(4)(b)(ii)**; 2020 c. 1, Sch. 5 para. 1(1)
- F6** S. 182B(3A) inserted (31.1.2020) by [The Intellectual Property \(Exhaustion of Rights\) \(EU Exit\) Regulations 2019 \(S.I. 2019/265\)](#), regs. 1, **4(4)(c)**; 2020 c. 1, Sch. 5 para. 1(1)
- F7** Words in s. 182B(5) substituted (1.2.2006) by [The Performances \(Moral Rights, etc.\) Regulations 2006 \(S.I. 2006/18\)](#), reg. 2, **Sch. para. 8** (with reg. 8)

Changes to legislation:

There are currently no known outstanding effects for the Copyright, Designs and Patents Act 1988, Section 182B.