



# Copyright, Designs and Patents Act 1988

## 1988 CHAPTER 48

### PART II

#### RIGHTS IN PERFORMANCES

#### [<sup>F1</sup>CHAPTER 2

#### ECONOMIC RIGHTS]

#### <sup>XIF1</sup>*[Jurisdiction of Copyright Tribunal]*

#### <sup>X1</sup>[<sup>F1</sup>205B] **Jurisdiction of Copyright Tribunal.**

- (1) The Copyright Tribunal has jurisdiction under [<sup>F2</sup>this Chapter] to hear and determine proceedings under—
- (a) section 182D (amount of equitable remuneration for exploitation of commercial sound recording);
  - (b) section 190 (application to give consent on behalf of owner of reproduction right);
  - (c) section 191H (amount of equitable remuneration on transfer of rental right);
  - <sup>F3</sup>(cc) .....
  - (d) paragraph 3, 4 or 5 of Schedule 2A (reference of licensing scheme);
  - (e) paragraph 6 or 7 of that Schedule (application with respect to licence under licensing scheme);
  - (f) paragraph 10, 11 or 12 of that Schedule (reference or application with respect to licensing by licensing body);
  - (g) paragraph 15 of that Schedule (application to settle royalty for certain lending);
  - (h) paragraph 17 of that Schedule (application to settle terms of licence available as of right).

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**Changes to legislation:** There are currently no known outstanding effects for the Copyright, Designs and Patents Act 1988, Section 205B. (See end of Document for details)

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- (2) The provisions of Chapter VIII of Part I (general provisions relating to the Copyright Tribunal) apply in relation to the Tribunal when exercising any jurisdiction under [F<sup>2</sup>this Chapter].
- (3) Provision shall be made by rules under section 150 prohibiting the Tribunal from entertaining a reference under paragraph 3, 4 or 5 of Schedule 2A (reference of licensing scheme) by a representative organisation unless the Tribunal is satisfied that the organisation is reasonably representative of the class of persons which it claims to represent.]

#### 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** S. 205B inserted (1.12.1996) by S.I. 1996/2967, **reg. 24** (with Pt. III)
- F2** Words in s. 205B(1)(2) substituted (1.2.2006) by [The Performances \(Moral Rights, etc.\) Regulations 2006](#) (S.I. 2006/18), **reg. 2**, **Sch. para. 8** (with reg. 8)
- F3** S. 205B(1)(cc) repealed (31.7.2017) by [Digital Economy Act 2017](#) (c. 30), **ss. 34(2)(a)(iii)**, 118(6); S.I. 2017/765, **reg. 2(n)**

**Changes to legislation:**

There are currently no known outstanding effects for the Copyright, Designs and Patents Act 1988, Section 205B.