



Copyright, Designs and Patents Act 1988

1988 CHAPTER 48

PART II

RIGHTS IN PERFORMANCES

[^{F1}CHAPTER 3

MORAL RIGHTS

Right to be identified as performer

[^{F1}205C Right to be identified as performer

- (1) Whenever a person—
 - (a) produces or puts on a qualifying performance that is given in public,
 - (b) broadcasts live a qualifying performance,
 - (c) communicates to the public a sound recording of a qualifying performance, or
 - (d) issues to the public copies of such a recording,the performer has the right to be identified as such.
- (2) The right of the performer under this section is—
 - (a) in the case of a performance that is given in public, to be identified in any programme accompanying the performance or in some other manner likely to bring his identity to the notice of a person seeing or hearing the performance,
 - (b) in the case of a performance that is broadcast, to be identified in a manner likely to bring his identity to the notice of a person seeing or hearing the broadcast,
 - (c) in the case of a sound recording that is communicated to the public, to be identified in a manner likely to bring his identity to the notice of a person hearing the communication,

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

- (d) in the case of a sound recording that is issued to the public, to be identified in or on each copy or, if that is not appropriate, in some other manner likely to bring his identity to the notice of a person acquiring a copy,
- or (in any of the above cases) to be identified in such other manner as may be agreed between the performer and the person mentioned in subsection (1).
- (3) The right conferred by this section in relation to a performance given by a group (or so much of a performance as is given by a group) is not infringed—
- (a) in a case falling within paragraph (a), (b) or (c) of subsection (2), or
- (b) in a case falling within paragraph (d) of that subsection in which it is not reasonably practicable for each member of the group to be identified, if the group itself is identified as specified in subsection (2).
- (4) In this section “group” means two or more performers who have a particular name by which they may be identified collectively.
- (5) If the assertion under section 205D specifies a pseudonym, initials or some other particular form of identification, that form shall be used; otherwise any reasonable form of identification may be used.
- (6) This section has effect subject to section 205E (exceptions to right).]

Textual Amendments

- F1** Ss. 205C-205N and cross-headings inserted (1.2.2006) by [The Performances \(Moral Rights, etc.\) Regulations 2006 \(S.I. 2006/18\)](#), [art. 6](#) (with [reg. 8](#)) (which inserted provisions accordingly become Pt. 2 Ch. 3 (1.2.2006) by virtue of [S.I. 2006/18](#), [art. 4\(6\)](#) (with [reg. 8](#)))

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