



# Copyright, Designs and Patents Act 1988

## 1988 CHAPTER 48

### PART I

#### COPYRIGHT

#### CHAPTER I

##### SUBSISTENCE, OWNERSHIP AND DURATION OF COPYRIGHT

##### *Descriptions of work and related provisions*

#### **6 Broadcasts.**

- (1) In this Part a “broadcast” means a transmission by wireless telegraphy of visual images, sounds or other information which—
  - (a) is capable of being lawfully received by members of the public, or
  - (b) is transmitted for presentation to members of the public;and references to broadcasting shall be construed accordingly.
- (2) An encrypted transmission shall be regarded as capable of being lawfully received by members of the public only if decoding equipment has been made available to members of the public by or with the authority of the person making the transmission or the person providing the contents of the transmission.
- (3) References in this Part to the person making a broadcast, broadcasting a work, or including a work in a broadcast are—
  - (a) to the person transmitting the programme, if he has responsibility to any extent for its contents, and
  - (b) to any person providing the programme who makes with the person transmitting it the arrangements necessary for its transmission;and references in this Part to a programme, in the context of broadcasting, are to any item included in a broadcast.

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*Status: Point in time view as at 01/12/1996. This version of this provision has been superseded.*

*Changes to legislation: There are currently no known outstanding effects for the Copyright, Designs and Patents Act 1988, Section 6. (See end of Document for details)*

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[<sup>F1</sup>(4) For the purposes of this Part, the place from which a broadcast is made is the place where, under the control and responsibility of the person making the broadcast, the programme-carrying signals are introduced into an uninterrupted chain of communication (including, in the case of a satellite transmission, the chain leading to the satellite and down towards the earth).]

[<sup>F2</sup>(4A) Subsections (3) and (4) have effect subject to section 6A (safeguards in case of certain satellite broadcasts).]

(5) References in this Part to the reception of a broadcast include reception of a broadcast relayed by means of a telecommunications system.

(6) Copyright does not subsist in a broadcast which infringes, or to the extent that it infringes, the copyright in another broadcast or in a cable programme.

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#### **Textual Amendments**

**F1** S. 6(4) substituted (1.12.1996 with effect as mentioned in reg. 28 of the amending S.I.) by [S.I. 1996/2967, reg. 5](#)

**F2** S. 6(4A) inserted (1.12.1996 with effect as mentioned in reg. 28 of the amending S.I.) by [S.I. 1996/2967, reg. 6\(1\)](#)

**Status:**

Point in time view as at 01/12/1996. This version of this provision has been superseded.

**Changes to legislation:**

There are currently no known outstanding effects for the Copyright, Designs and Patents Act 1988, Section 6.