



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

[^{F1}6A Safeguards in case of certain satellite broadcasts.

- (1) This section applies where the place from which a broadcast by way of satellite transmission is made is located in a country other than [^{F2}the United Kingdom] and the law of that country fails to provide at least the following level of protection—
 - (a) exclusive rights in relation to [^{F3}wireless] broadcasting equivalent to those conferred by section 20 ([^{F4}infringement by communication to the public]) on the authors of literary, dramatic, musical and artistic works, films and broadcasts;
 - (b) a right in relation to live [^{F5}wireless] broadcasting equivalent to that conferred on a performer by section 182(1)(b) (consent required for live broadcast of performance); and
 - (c) a right for authors of sound recordings and performers to share in a single equitable remuneration in respect of the [^{F5}wireless] broadcasting of sound recordings.
- (2) Where the place from which the programme-carrying signals are transmitted to the satellite (“the uplink station”) is located in [^{F2}the United Kingdom] —
 - (a) [^{F6}the United Kingdom] shall be treated as the place from which the broadcast is made, and

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- (b) the person operating the uplink station shall be treated as the person making the broadcast.
- (3) Where the uplink station is not located in [^{F2}the United Kingdom] but a person who is established in [^{F2}the United Kingdom] has commissioned the making of the broadcast—
- (a) that person shall be treated as the person making the broadcast, and
- (b) [^{F7}the United Kingdom] shall be treated as the place from which the broadcast is made.]

Textual Amendments

- F1** S. 6A inserted (1.12.1996 with effect as mentioned in reg. 28 of the amending S.I.) by [S.I. 1996/2967](#), [reg. 6\(2\)](#)
- F2** Words in s. 6A substituted (31.12.2020) by [The Intellectual Property \(Copyright and Related Rights\) \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/605\)](#), [regs. 1\(2\), 3\(a\)](#) (with [reg. 38](#)) (as amended by [S.I. 2020/1050](#), [regs. 1\(2\), 4](#)); [2020 c. 1](#), [Sch. 5 para. 1\(1\)](#)
- F3** Words in s. 6A(1)(a) inserted (31.10.2003) by [The Copyright and Related Rights Regulations 2003 \(S.I. 2003/2498\)](#), [reg. 5\(3\)\(a\)\(i\)](#) (with [regs. 31-40](#))
- F4** Words in s. 6A(1)(a) substituted (31.10.2003) by [The Copyright and Related Rights Regulations 2003 \(S.I. 2003/2498\)](#), [reg. 5\(3\)\(a\)\(ii\)](#) (with [regs. 31-40](#))
- F5** Word in s. 6A(1)(b)(c) inserted (31.10.2003.) by [The Copyright and Related Rights Regulations 2003 \(S.I. 2003/2498\)](#), [reg. 5\(3\)\(b\)](#) (with [regs. 31-40](#))
- F6** Words in s. 6A(2)(a) substituted (31.12.2020) by [The Intellectual Property \(Copyright and Related Rights\) \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/605\)](#), [regs. 1\(2\), 3\(b\)](#) (with [reg. 38](#)) (as amended by [S.I. 2020/1050](#), [regs. 1\(2\), 4](#)); [2020 c. 1](#), [Sch. 5 para. 1\(1\)](#)
- F7** Words in s. 6A(3)(b) substituted (31.12.2020) by [The Intellectual Property \(Copyright and Related Rights\) \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/605\)](#), [regs. 1\(2\), 3\(c\)](#) (with [reg. 38](#)) (as amended by [S.I. 2020/1050](#), [regs. 1\(2\), 4](#)); [2020 c. 1](#), [Sch. 5 para. 1\(1\)](#)

Changes to legislation:

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