



Copyright, Designs and Patents Act 1988

1988 CHAPTER 48

PART I

COPYRIGHT

CHAPTER V

DEALINGS WITH RIGHTS IN COPYRIGHT WORKS

[^{F1}Right to equitable remuneration where rental right transferred

[^{F1}93C Equitable remuneration: reference of amount to Copyright Tribunal.

- (1) In default of agreement as to the amount payable by way of equitable remuneration under section 93B, the person by or to whom it is payable may apply to the Copyright Tribunal to determine the amount payable.
- (2) A person to or by whom equitable remuneration is payable under that section may also apply to the Copyright Tribunal—
 - (a) to vary any agreement as to the amount payable, or
 - (b) to vary any previous determination of the Tribunal as to that matter; but except with the special leave of the Tribunal no such application may be made within twelve months from the date of a previous determination.

An order made on an application under this subsection has effect from the date on which it is made or such later date as may be specified by the Tribunal.

- (3) On an application under this section the Tribunal shall consider the matter and make such order as to the method of calculating and paying equitable remuneration as it may determine to be reasonable in the circumstances, taking into account the importance of the contribution of the author to the film or sound recording.
- (4) Remuneration shall not be considered inequitable merely because it was paid by way of a single payment or at the time of the transfer of the rental right.

Status: Point in time view as at 01/12/1996.

Changes to legislation: There are currently no known outstanding effects for the Copyright, Designs and Patents Act 1988, Section 93C. (See end of Document for details)

- (5) An agreement is of no effect in so far as it purports to prevent a person questioning the amount of equitable remuneration or to restrict the powers of the Copyright Tribunal under this section.]

Textual Amendments

F1 S. 93C inserted (1.12.1996) by [S.I. 1996/2967](#), [reg. 14\(1\)](#) (with [Pt. III](#))

Status:

Point in time view as at 01/12/1996.

Changes to legislation:

There are currently no known outstanding effects for the Copyright, Designs and Patents Act 1988, Section 93C.