



Copyright Act 1956

1956 CHAPTER 74 4 and 5 Eliz 2

PART IV

PERFORMING RIGHT TRIBUNAL

25 Reference of licence schemes to tribunal

- (1) Where, at any time while a licence scheme is in operation, a dispute arises with respect to the scheme between the licensing body operating the scheme and—
 - (a) an organisation claiming to be representative of persons requiring licences in cases of a class to which the scheme applies, or
 - (b) any person claiming that he requires a licence in a case of a class to which the scheme applies,the organisation or person in question may refer the scheme to the tribunal in so far as it relates to cases of that class.
- (2) The parties to a reference under this section shall be—
 - (a) the organisation or person at whose instance the reference is made;
 - (b) the licensing body operating the scheme to which the reference relates; and
 - (c) such other organisations or persons (if any) as apply to the tribunal to be made parties to the reference and, in accordance with the next following subsection, are made parties thereto.
- (3) Where an organisation (whether claiming to be representative of persons requiring licences or not) or a person (whether requiring a licence or not) applies to the tribunal to be made a party to a reference, and the tribunal is satisfied that the organisation or person has a substantial interest in the matter in dispute, the tribunal may, if it thinks fit, make that organisation or person a party to the reference.
- (4) The tribunal shall not entertain a reference under this section by an organisation unless the tribunal is satisfied that the organisation is reasonably representative of the class of persons which it claims to represent.

Status: This is the original version (as it was originally enacted). This item of legislation is currently only available in its original format.

- (5) Subject to the last preceding subsection, the tribunal, on any reference under this section, shall consider the matter in dispute, and, after giving to the parties to the reference an opportunity of presenting their cases respectively, shall make such order, either confirming or varying the scheme, in so far as it relates to cases of the class to which the reference relates, as the tribunal may determine to be reasonable in the circumstances.
- (6) An order of the tribunal under this section may, notwithstanding anything contained in the licence scheme to which it relates, be made so as to be in force either indefinitely or for such period as the tribunal may determine.
- (7) Where a licence scheme has been referred to the tribunal under this section, then, notwithstanding anything contained in the scheme,—
- (a) the scheme shall remain in operation until the tribunal has made an order in pursuance of the reference, and
 - (b) after such an order has been made, the scheme shall remain in operation, in so far as it relates to the class of cases in respect of which the order was made, so long as the order remains in force:

Provided that this subsection shall not apply in relation to a reference as respects any period after the reference has been withdrawn, or has been discharged by virtue of subsection (4) of this section.