

1989 No. 1006

**COPYRIGHT
RIGHTS IN PERFORMANCES**

**The Copyright and Rights in Performances
(Notice of Seizure) Order 1989**

<i>Made - - - -</i>	<i>13th June 1989</i>
<i>Laid before Parliament</i>	<i>26th June 1989</i>
<i>Coming into force</i>	<i>1st August 1989</i>

The Secretary of State, in exercise of the powers conferred upon him by section 100(4) and (5) and section 196(4) and (5) of the Copyright, Designs and Patents Act 1988(a) ("the Act"), hereby makes the following Order:-

1. This Order may be cited as the Copyright and Rights in Performances (Notice of Seizure) Order 1989 and shall come into force on 1st August 1989.
2. The form set out in the Schedule to this Order is hereby prescribed for the notice required under section 100(4) and section 196(4), respectively, of the Act.

13th June 1989

Eric Forth
Parliamentary Under Secretary of State
for Industry and Consumer Affairs,
Department of Trade and Industry

THE COPYRIGHT AND RIGHTS IN PERFORMANCES
(NOTICE OF SEIZURE) ORDER 1989

NOTICE OF SEIZURE

To Whom it May Concern

1. Goods in which you were trading have been seized. This notice tells you who carried out the seizure, the legal grounds on which this has been done and the goods which have been seized and detained. As required by the Copyright, Designs and Patents Act 1988, notice of the proposed seizure was given to the police station at (state address).

Person carrying out seizure

2. (State name and address)
*acting on the authority of (state name and address).

Legal grounds for seizure and detention

3. This action has been taken under *section 100/section 196 of the Act which (subject to certain conditions) permits a copyright owner, or a person having performing rights or recording rights, to seize and detain infringing copies or illicit recordings found exposed or immediately available for sale or hire, or to authorise such seizure. The right to seize and detain is subject to a decision of the court under *section 114/section 204 of the Act (order as to disposal of goods seized and detained).

Nature of the goods seized and detained

*4. Infringing copies of works (within the meaning of section 27 of the Act)—(specify all articles seized)
Illicit recordings (within the meaning of section 197 of the Act)—(specify all articles seized)

Signed..... Date.....

* Delete as necessary

EXPLANATORY NOTE

(This note is not part of the Order)

This Order prescribes the form of the notice required for the purposes of section 100(4) and section 196(4) of the Copyright, Designs and Patents Act 1988. Those sections require that when the copyright owner or the person having performer's rights or recording rights exercises his right to seize and detain infringing copies of works or illicit recordings of a performance he shall leave at the time and place of seizure a notice in the prescribed form. Before anything is seized under those sections notice of the time and place of the proposed seizure must be given to a local police station.

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