
STATUTORY INSTRUMENTS

1995 No. 3297

**The Duration of Copyright and Rights
in Performances Regulations 1995**

Part II

Amendments of the Copyright, Designs and Patents Act 1988

Rights in performances

Duration of rights in performances

10. In Part II (rights in performances), for section 191 (duration of rights) substitute—

“Duration of rights.

191.—(1) The following provisions have effect with respect to the duration of the rights conferred by this Part.

(2) The rights conferred by this Part in relation to a performance expire—

- (a) at the end of the period of 50 years from the end of the calendar year in which the performance takes place, or
- (b) if during that period a recording of the performance is released, 50 years from the end of the calendar year in which it is released,

subject as follows.

(3) For the purposes of subsection (2) a recording is “released” when it is first published, played or shown in public, broadcast or included in a cable programme service; but in determining whether a recording has been released no account shall be taken of any unauthorised act.

(4) Where a performer is not a national of an EEA state, the duration of the rights conferred by this Part in relation to his performance is that to which the performance is entitled in the country of which he is a national, provided that does not exceed the period which would apply under subsections (2) and (3).

(5) If or to the extent that the application of subsection (4) would be at variance with an international obligation to which the United Kingdom became subject prior to 29th October 1993, the duration of the rights conferred by this Part shall be as specified in subsections (2) and (3).”