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STATUTORY INSTRUMENTS

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**2003 No. 2498**

**The Copyright and Related Rights Regulations 2003**

**PART 2**

**AMENDMENTS OF THE COPYRIGHT, DESIGNS AND PATENTS ACT 1988**

*Broadcasts*

**Provisions relating to broadcasts**

**4. Section 6 shall be amended as follows—**

(a) for subsection (1) there shall be substituted—

“(1) In this Part a “broadcast” means an electronic transmission of visual images, sounds or other information which—

- (a) is transmitted for simultaneous reception by members of the public and is capable of being lawfully received by them, or
- (b) is transmitted at a time determined solely by the person making the transmission for presentation to members of the public,

and which is not excepted by subsection (1A); and references to broadcasting shall be construed accordingly.

(1A) Excepted from the definition of “broadcast” is any internet transmission unless it is—

- (a) a transmission taking place simultaneously on the internet and by other means,
- (b) a concurrent transmission of a live event, or
- (c) a transmission of recorded moving images or sounds forming part of a programme service offered by the person responsible for making the transmission, being a service in which programmes are transmitted at scheduled times determined by that person.”;

(b) in subsection (3) for the words “, broadcasting a work, or including a work in a broadcast” there shall be substituted “ or a transmission which is a broadcast ”;

(c) in subsection (4) before the word “broadcast”, where it first appears, there shall be inserted “ wireless ”;

(d) after subsection (5) there shall be inserted—

“(5A) The relaying of a broadcast by reception and immediate re-transmission shall be regarded for the purposes of this Part as a separate act of broadcasting from the making of the broadcast which is so re-transmitted.”.

**Changes to legislation:**

There are currently no known outstanding effects for the The Copyright and Related Rights Regulations 2003, Section 4.