
STATUTORY INSTRUMENTS

2014 No. 2863

**The Copyright and Rights in Performances
(Licensing of Orphan Works) Regulations 2014**

Rights of identified right holder

12.—(1) This regulation applies where the right holder in an orphan work identifies themselves to the authorising body and satisfies the authorising body of their identity and of their ownership of relevant rights in the orphan work either—

- (a) in the period between the receipt by the authorising body of an application for the grant of an orphan licence and the grant by the authorising body of that licence; or
- (b) within eight years or less of the date on which the authorising body has granted an orphan licence of the orphan work.

(2) If the authorising body has verified the diligent search but has not granted an orphan licence then the work shall, to the extent of the rights of the identified right holder, cease to be an orphan work.

(3) If the authorising body has granted an orphan licence then the orphan licence shall continue for the remainder of its unexpired term or until the expiration of the notice period which is set out in the orphan licence notwithstanding the fact that the right holder is identified.

(4) The authorising body shall within two months of being satisfied that the right holder has been identified—

- (a) notify the orphan licensee that the right holder has been identified;
- (b) pay to the right holder a sum equal to the licence fee paid by the orphan licensee in respect of the orphan work.