

1993 No. 193 COPYRIGHT

The Copyright (Certification of Licensing Scheme
for Educational Recording of Broadcasts and Cable Programmes)
(Educational Recording Agency Limited) (Amendment) Order 1993

Made 27th January 1993
Coming into force 1st April 1993

Whereas by virtue of the Copyright (Certification of Licensing Scheme for Educational Recording of Broadcasts and Cable Programmes) (Educational Recording Agency Limited) Order 1990¹ (“the Principal Order”) the Secretary of State certified for the purposes of section 35 of the Copyright, Designs and Patents Act 1988² (“the Act”) the licensing scheme set out in the Schedule to the Principal Order, being a scheme operated by the Educational Recording Agency Limited;

And whereas the Principal Order was amended by the Copyright (Certification of Licensing Scheme for Educational Recording of Broadcasts and Cable Programmes) (Educational Recording Agency Limited) (Amendment) Order 1992³;

And whereas the Educational Recording Agency Limited has applied to the Secretary of State for the Principal Order (as amended) to be further amended in accordance with article 2 of this Order;

Now, therefore, the Secretary of State, in exercise of the powers conferred upon him by section 143 of the Act, hereby makes the following Order:—

1. This Order may be cited as the Copyright (Certification of Licensing Scheme for Educational Recording of Broadcasts and Cable Programmes) (Educational Recording Agency Limited) (Amendment) Order 1993 and shall come into force on 1st April 1993.

2. The licensing scheme set out in the Schedule to the Principal Order shall be amended as follows—

(a) in paragraph 4—

(i) by substituting for the words “CHANNEL FOUR TELEVISION COMPANY LIMITED (“Channel 4”)” the words “CHANNEL FOUR TELEVISION CORPORATION (“Channel 4”)”, and in the entry shown in relation thereto in the right-hand column by substituting for the words “Fourth Channel” the words “television broadcasting service known as Channel 4”; and

(ii) in the entry in the right-hand column shown in relation to “SIANEL PEDWAR CYMRU (“S4C”)” by substituting for the words “Welsh Fourth Channel” the words “television broadcasting service known as S4C”;

(b) for paragraph 9 there shall be substituted the following paragraph—

“9.

(a) Licences may be granted for such period or periods as may from time to time be specified by or agreed with E.R.A.

(b) The Licence fee shall be calculated by reference to the period for which it is granted and to the tariff applicable in respect of that period.

¹S.I. 1990/879.

²1988 c.48.

³S.I. 1992/211.



- (c) Licence fees for periods of less than one year shall be calculated on a pro-rata basis.”;
- (c) in paragraph 10 there shall be substituted for all the words which appear immediately before the words “NOTE 1”, the following—
- “For Licences taking effect on or after 1st April 1993 the annual tariff, when calculated on a full-time and full-time equivalents per capita basis by type of Educational Establishment, shall be—
- (a) Primary/Preparatory Educational Establishments (including Preparatory Schools)—18p per student.
 - (b) Secondary Educational Establishments—36p per student.
 - (c) Educational Establishments of Further Education (including Sixth Form Colleges)—60p per student.
 - (d) Educational Establishments of Higher Education (including Higher Education Colleges and Universities)—£1.20 per student.
 - (e) Other Educational Establishments designated from time to time by the Secretary of State—a fee related to the above by type.”.

E. Leigh

Parliamentary Under-Secretary of State
Department of Trade and Industry

27th January 1993

EXPLANATORY NOTE

(This note is not part of the Order)

The licensing scheme operated by the Educational Recording Agency Limited was certified, for the purposes of section 35 of the Copyright, Designs and Patents Act 1988, by the Copyright (Certification of Licensing Scheme for Educational Recording of Broadcasts and Cable Programmes) (Educational Recording Agency Limited) Order 1990 (as amended by the Copyright (Certification of Licensing Scheme for Educational Recording of Broadcasts and Cable Programmes) (Educational Recording Agency Limited) (Amendment) Order 1992) made under section 143 of the Act.

A variation of the licensing scheme is not effective unless a corresponding amendment of the Order certifying the scheme is made.

This Order, made under section 143 of the Act, further amends the licensing scheme as scheduled to the 1990 Order to provide for increases in the annual tariff for licences, and to clarify the provision in the scheme relating to the duration of licences.