



**1989 No. 955 (C.25)**  
**COPYRIGHT**  
**DESIGNS**  
**RIGHTS IN PERFORMANCES**

The Copyright, Designs and Patents Act 1988  
(Commencement No. 2) Order 1989

*Made*

*9th June 1989*

The Secretary of State, in exercise of the powers conferred upon him by section 305(3) of the Copyright, Designs and Patents Act 1988<sup>1</sup> (“the Act”), hereby makes the following Order:

1. This Order may be cited as the Copyright, Designs and Patents Act 1988 (Commencement No. 2) Order 1989.

2. The provisions of the Act specified in the Schedule to this Order (which, apart from this Order, come into force on 1st August 1989<sup>2</sup>) shall come into force forthwith for the purpose only of enabling the making of subordinate legislation thereunder, by the authority shown in relation to those provisions, expressed to come into force on 1st August 1989.

*Eric Forth*  
Parliamentary Under Secretary of State  
Department of Trade and Industry

9th June 1989

**SCHEDULE**  
**PROVISIONS OF THE ACT COMING INTO FORCE FORTHWITH**

Provision and Authority	Subject matter
Regulations by the Secretary of State under sections 37(1), (2) and (4) and 38 to 43	Copying by librarians and archivists of prescribed libraries and archives.
Orders by the Secretary of State under—	
section 47(4)	Specification of material to be marked in relation to public inspection and copying of the same.
section 47(5)	Provisions relating to public inspection of material to apply to material or registers maintained by international organisations.
section 52(4)	Articles to be regarded as made by industrial process and excluded articles.
section 61	Recordings of folksongs for archival purposes for designated bodies.
section 74	Provision of subtitled copies of broadcasts and cable programmes for designated bodies.
section 75	Recordings for archives of designated class of broadcasts and cable programmes.

<sup>1</sup>1988 c.48.

<sup>2</sup>See S.I. 1989/816.



Provision and Authority	Subject matter
sections 100(4) and (5) and 196(4) and (5)	Prescribing the form of notice of seizure when infringing articles or illicit recordings are seized and detained.
Regulations by Commissioners of Customs and Excise under section 112(1), (2) and (3)	Prescribing the form of notices required under section 111 in respect of goods to be treated as prohibited goods.
Rules by the Lord Chancellor under sections 150, 152(2) and (3) and paragraph 34 of Schedule 1	Proceedings before the Copyright Tribunal.
Order in Council under— section 159	Application of Part I of the Act to other countries.
section 168(2)	Vesting of copyright in certain international organisations.
Order by Secretary of State under— section 174(1)(b)	Descriptions of educational establishments for the purposes of Part I of the Act.
section 174(2)	Application of provisions relating to educational establishments to certain teachers.
Order in Council under section 208(1)(a)	Designation of Convention countries enjoying reciprocal protection under Part II of the Act (performances).
Rules by Secretary of State under section 250	Proceedings before Comptroller under Part III of the Act (design right).
Order in Council under section 256(1)	Designation of countries enjoying reciprocal protection under Part III of the Act (design right).

## EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order brings into force forthwith the provisions of the Copyright, Designs and Patents Act 1988 specified in the Schedule to it for the purpose only of enabling the subordinate legislation referred to in the Schedule to be made to come into force on 1st August 1989. The Copyright, Designs and Patents Act 1988 (Commencement No. 1) Order 1989 (S.I. 1989/816 (C.21)) brings into force the majority of the provisions (including those mentioned in the Schedule to this Order) on 1st August 1989.