



*This Statutory Instrument has been made in consequence of a defect in S.I. 1989/955 (c.25) and is being issued free of charge to all known recipients of that Statutory Instrument.*

**1989 No. 1032 (C.27)**  
**COPYRIGHT**  
**DESIGNS**  
**RIGHTS IN PERFORMANCES**

The Copyright, Designs and Patents Act 1988 (Commencement No. 3) Order 1989

*Made*

*20th 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. 3) Order 1989.

2. The Copyright, Designs and Patents Acts 1988 (Commencement No. 2) Order 1989<sup>2</sup> is amended by substituting for the Schedule thereto the Schedule set out in the Schedule to this Order.

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

20th June 1989

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

<i>Provision and Authority</i>	<i>Subject matter</i>
Regulations by the Secretary of State under section 37 and 38 to 43	Copying by librarians and archivists of prescribed libraries and archives.
Orders by the Secretary of State under— section 47	Specification of material to be marked in relation to public inspection and copying of the same, and application of provisions relating to public inspection of material to material or registers maintained by international organizations.
section 52	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 by designated bodies.
section 75	Recordings for archives of designated class of broadcasts and cable programmes.
section 100 and 196	Prescribing the form of notice of seizure when infringing

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

<sup>2</sup>See S.I. 1989/955 (c.25).



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

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## EXPLANATORY NOTE

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

This Order amends the Copyright, Designs and Patents Act 1988 (Commencement No. 2) Order 1989 by substituting for the Schedule thereto a new Schedule specifying the provisions of the Act brought into force for the purpose only of enabling subordinate legislation thereunder to be made to come into force on 1st August 1989. The majority of the provisions of the Act (including those mentioned in the Schedule substituted by this Order) come into force on that date by virtue of the Copyright, Designs and Patents Act 1988 (Commencement No. 1) Order 1989 (S.I. 1989/816 (c.21)).