STATUTORY INSTRUMENTS

2015 No. 641 (C. 36)

COPYRIGHT

The Enterprise and Regulatory Reform Act 2013 (Commencement No. 8 and Saving Provisions) Order 2015

Made - - - - 10th March 2015

The Secretary of State, in exercise of the powers conferred by sections 100 and 103(3) and (4) of the Enterprise and Regulatory Reform Act 2013(**1**), makes the following Order:

Citation

1. This Order may be cited as the Enterprise and Regulatory Reform Act 2013 (Commencement No. 8 and Saving Provisions) Order 2015.

Day appointed for the coming into force of section 74

2. The day appointed for the coming into force of section 74 of the Enterprise and Regulatory Reform Act 2013 is 6th April 2020 ("the commencement date").

Saving provisions – articles made in, or imported into, the United Kingdom

3.—(1) The amendments to the Copyright, Designs and Patents Act 1988(**2**) ("the 1988 Act") made by section 74 of the Enterprise and Regulatory Reform Act 2013 do not apply in relation to—

(a) a copy of an artistic work(**3**) made in the United Kingdom before the commencement date where the making of the copy does not by virtue of section 52 of the 1988 Act infringe copyright in the artistic work; or

(b) a copy of an artistic work imported into the United Kingdom before the commencement date where at the date of its importation its making in the United Kingdom would not by virtue of section 52 of the 1988 Act have constituted an infringement of copyright in the artistic work or a breach of an exclusive licence agreement relating to that work.

(2) Expressions used in this article have the same meaning as in the 1988 Act.

(**1**) 2013 c.24.
(**2**) 1988 c.48.
(**3**) See section 4 of the Copyright, Designs and Patents Act 1988 for the meaning of "artistic work".

Neville-Rolfe
Parliamentary Under Secretary of State for
Business, Innovation and Skills
10th March 2015 Department for Business, Innovation & Skills