Citation and operation

7. These Regulations may be cited as the Copyright Royalty System (Records) Regulations, 1957, and shall come into operation on the 1st day of June, 1957.

Dated this 17th day of May, 1957.

F. J. Erroll,
Parliamentary Secretary
to the Board of Trade.

EXPLANATORY NOTE

(This Note is not part of the Regulations, but is intended to indicate their general purport.)

These Regulations prescribe the notice to be given by a record manufacturer who wishes to take advantage of the right given by section 8 of the Copyright Act, 1956, to make records of a copyright musical work if a record of that work has previously been made in or imported into the United Kingdom by or with the consent of the copyright owner for the purpose of retail sale. The Regulations also prescribe the steps to be taken in order to ensure that the copyright owner shall receive the statutory royalty to which he is entitled on the retail sale of records of his work made under section 8 of the Act; the method prescribed for this purpose by the Regulations applies only in the absence of agreement to the contrary.

1957 No. 924

The Performing Right Tribunal Rules, 1957

Made - - - -	*27th May,* 1957
Laid before Parliament	*31st May,* 1957
Coming into Operation	*1st June,* 1957

I, David, Viscount Kilmuir, Lord High Chancellor of Great Britain, in exercise of the powers conferred upon me by paragraph 6 of the Fourth Schedule to the Copyright Act, 1956(a), and with the approval of the Treasury in regard to the fees prescribed by these Rules in respect of proceedings before the Performing Right Tribunal, do hereby make the following Rules:—

Citation and commencement

1. These Rules may be cited as the Performing Right Tribunal Rules, 1957, and shall come into operation on the first day of June, 1957.

Interpretation

2.—(1) In these Rules, unless the context otherwise requires—

"The Act" means the Copyright Act, 1956;

"The Chairman" means the Chairman, or any person for the time being appointed to act as Chairman, of the Performing Right Tribunal;

(a) 4 & 5 Eliz. 2. c. 74.

"The office" and "the Secretary" mean respectively the office and the Secretary for the time being of the Tribunal;

"The Tribunal" means the Performing Right Tribunal.

(2) A Form referred to by number means the Form so numbered in the First Schedule to these Rules.

(3) The Interpretation Act, 1889(a), shall apply to the interpretation of these Rules as it applies to the interpretation of an Act of Parliament.

Commencement of proceedings

3.—(1) A licence scheme may be referred under section 25 of the Act or referred again under section 26, and an application for a declaration that the applicant is entitled to a licence may be made under section 27, by serving on the Secretary a notice substantially in accordance with Form 1, Form 2, or Form 3, as the case may be.

(2) In the case of a reference under section 25 or an application under section 27, the organisation or person at whose instance the reference or application is made shall at the same time serve a copy of the notice referred to in the last foregoing paragraph on the licensing body named in the notice.

(3) In the case of a further reference under section 26, the licensing body, organisation or person at whose instance the further reference is made shall at the same time serve a copy of the notice referred to in paragraph (1) of this rule on all the parties to the reference on which the Tribunal made the previous order with respect to the licence scheme.

Application for special leave under section 26 (2)

4.—(1) A licensing body, organisation or person desiring to apply for the special leave of the Tribunal under section 26 (2) of the Act may do so by serving a notice substantially in accordance with Form 4 on the Secretary and on all the parties to the reference on which the Tribunal made the previous order with respect to the licence scheme.

(2) The Tribunal shall grant or dismiss the application as it thinks just, after considering any representations in writing made within fourteen days after service of notice of the application by any person on whom the notice was served, and, if the Tribunal thinks fit, after giving the applicant and all such persons as aforesaid an opportunity of being heard on the application.

Advertisement of reference or application

5.—(1) Except where the Chairman otherwise directs, the Secretary shall give notice by advertisement in such manner as the Chairman may think fit of every reference under section 25 or 26 of the Act and of every application under section 27:

Provided that a reference by an organisation claiming to be representative of persons requiring licences shall not be advertised until the Tribunal has decided in accordance with rule 7 that the organisation is reasonably representative of such persons.

(2) An advertisement under paragraph (1) of this rule shall state—

(*a*) the name and address of the licensing body, organisation or person at whose instance the reference or application is made;

(*b*) the names and addresses of the licensing body and of all other persons on whom copies of the reference or application have been served;

(a) 52 & 53 Vict. c. 63.

(*c*) the nature of the reference or application;

(*d*) the time, not being less than twenty-one days from the publication of the advertisement, within which any organisation or person may apply to the Tribunal to be made a party to the proceedings.

Application to be made a party

6. An application to the Tribunal by any organisation or person claiming to have a substantial interest in the matter in dispute to be made a party to a reference under section 25 or 26 of the Act or to an application under section 27 may be made by serving a notice substantially in accordance with Form 5 on the Secretary and on all the parties mentioned in the advertisement required by the last foregoing rule, or, where there has been no such advertisement, then on such persons as the Chairman may direct.

Preliminary questions

7.—(1) A licensing body named in a reference under section 25 or 26 of the Act by an organisation claiming to be representative of persons requiring licenses may object to the reference on the ground that the organisation is not reasonably representative of the class of persons it claims to represent.

(2) A licensing body, organisation or person at whose instance a reference under section 25 or 26 of the Act or an application under section 27 is made, or a licensing body named in any such reference or application, may object to any application by an organisation or person to be made a party to the proceedings on the ground that such organisation or person has no substantial interest in the matter in dispute.

(3) An objection under either of the two last foregoing paragraphs shall be made by serving on the Secretary a notice substantially in accordance with Form 6 or Form 7, as the case may be, within fourteen days of service of notice of the reference or application which is the subject of the objection.

(4) A copy of the notice required by the last foregoing paragraph shall at the same time be served—

(*a*) in the case of objection to a reference, on the organisation at whose instance the reference is made;

(*b*) in the case of objection to an application to be made a party to a reference or to an application under section 27 of the Act, on the organisation or person applying to be made a party and on any licensing body, organisation or person other than the objector entitled to give notice of objection under paragraph (2) of this rule.

(5) Before determining whether the organisation is reasonably representative of the class of persons it claims to represent or, as the case may be, whether the organisation or person applying to be made a party to the proceedings has a substantial interest in the matter in dispute, the Tribunal shall give such organisation or person an opportunity of commenting in writing on any objection of which notice has been given under paragraph (3) of this rule and may, if it thinks fit, give such organisation or person as aforesaid, the objector and any licensing body concerned an opportunity of being heard on the objection.

(6) If no notice of objection is given under paragraph (3) of this rule, the Tribunal shall proceed as soon as may be to consider whether the organisation at whose instance the reference is made is reasonably representative of the class of persons it claims to represent or, as the case may be, whether the organisation or person applying to be made a party to the proceedings has a substantial interest in the matter in dispute and ought reasonably to be made a party:

Provided that the Tribunal shall not reach an adverse decision without giving the organisation or person concerned an opportunity of making representations in writing to the Tribunal or, if the Tribunal thinks fit and such organisation or person so desires, of being heard.

(7) The Secretary shall give notice in writing of the Tribunal's decision to the organisation at whose instance the reference is made or, as the case may be, to the organisation or person applying to be made a party to the proceedings, and to all other parties to the proceedings. In the case of a further reference under section 26 of the Act, notice of the Tribunal's decision shall also be given to any other persons who were parties to the reference on which the Tribunal made the previous order with respect to the licence scheme.

Consideration of references and applications

8.—(1) The Chairman shall fix a date for the consideration by the Tribunal of every reference under section 25 or 26 of the Act, or application under section 27, as soon as may be after all preliminary questions have been disposed of under the last foregoing rule; and the Secretary shall give not less than twenty-eight days notice in writing of the date so fixed to all parties to the reference or application.

(2) Every party who wishes to make representations in writing to the Tribunal shall serve a copy of his representations on the Secretary and on every other party to the proceedings not less than fourteen days before the date fixed under the last foregoing paragraph.

(3) Any party who desires the reference or application to be dealt with at a hearing before the Tribunal may serve notice to that effect in accordance with Form 8 on the Secretary and on every other party to the proceedings not less than seven days before the date fixed under paragraph (1) of this rule, and in that case the Chairman shall fix a place and time for the hearing and the Secretary shall give notice in writing of the place and time so fixed to all parties to the proceedings.

(4) If no party serves notice requesting a hearing under the last foregoing paragraph, the Tribunal shall proceed to consider the reference or application and shall make such order thereon as it thinks just after considering all representations received by the Tribunal in support of and in opposition to the reference or application, as the case may be.

Procedure at hearing

9.—(1) If notice is given by any party requesting a hearing under paragraph (3) of the last foregoing rule, every party to the reference or application shall be entitled to attend the hearing and to address the Tribunal and call oral evidence.

(2) The hearing shall be in public.

(3) Subject to the foregoing paragraphs of this rule, the procedure at the hearing shall be such as the Tribunal may determine.

Interlocutory applications

10.—(1) Except where the Tribunal or the Chairman, whether generally or in any particular case, otherwise directs or these Rules otherwise provide, every interlocutory application shall be disposed of by the Chairman.

(2) The application shall be made in writing, stating the grounds upon which it is made, and shall be sent to the Secretary.

(3) If all parties to the proceedings consent to the application, it shall be accompanied by consents signed by them or on their behalf; and in any

other case, a copy of the application shall, before it is made, be served by the applicant on every other party and the application shall state that this has been done.

(4) Any party who objects to the application may, within seven days after receiving a copy thereof, send written notice of objection to the Secretary and to the applicant and in that case before disposing of the application the Chairman shall consider any objection of which notice has been given as aforesaid and may, if he thinks fit, give all parties concerned an opportunity of being heard.

Consolidation of proceedings

11. Where there is pending before the Tribunal more than one reference under section 25 or 26 of the Act relating to the same licence scheme, or more than one application under section 27 relating to the same licensing body, the Chairman may, if he thinks fit, either of his own motion or on an application made under the last foregoing rule, order that some or all of the references or applications, as the case may be, shall be considered together, and may give such consequential directions as may be necessary:

Provided that the Chairman shall not make an order under this rule of his own motion without giving all parties concerned a reasonable opportunity of objecting to the proposed order.

Disclosure of documents

12.—(1) Every party to proceedings before the Tribunal shall send to the Secretary on his request a copy of any document relevant to the proceedings which is in that party's possession or control and shall give to every other party an opportunity of inspecting and of taking copies of any such document:

Provided that nothing in this rule shall affect any party's right to claim privilege for any document.

(2) If any party fails without just cause to comply with the requirements of the last foregoing paragraph, the Tribunal or the Chairman may order him to comply and may give such consequential directions as to adjourning the hearing or otherwise as may be necessary and may order any party to pay any costs occasioned by his default.

Evidence

13. Evidence at any hearing before the Tribunal shall be given orally or, if the parties agree or the Chairman so orders, by affidavit, but the Tribunal may at any stage of the proceedings require the personal attendance of any deponent for examination and cross-examination.

Right of audience

14. In any proceedings before the Tribunal any party may appear and be heard either in person, or by counsel or solicitor or by any other person allowed by the Tribunal or the Chairman to appear on behalf of any party.

Withdrawal of reference or application

15. A reference under section 25 or 26 of the Act, and an application under section 27, may be withdrawn at any time before it has been finally disposed of by notice in writing served on the Secretary and on all parties to the proceedings, but such withdrawal shall be without prejudice to the Tribunal's power to make an order as to the payment of costs incurred up to the time of service of the notice:

Provided that the Tribunal may proceed with a reference on the application of the licensing body named therein notwithstanding the purported withdrawal of the reference by any other party thereto.

Decisions of the Tribunal

16.—(1) The final decision of the Tribunal on every reference under section 25 or 26 of the Act and on every application under section 27 shall be given in writing and shall include a statement of the Tribunal's reasons.

(2) Except where the operation of the order is suspended under rule 18, the Secretary shall send every party to the proceedings a copy of the Tribunal's decision and shall cause a copy to be made available at the office for public inspection at such times as the Chairman may direct.

(3) The Chairman may in any case direct that short particulars of the decision shall be advertised in such manner as he may think fit.

Application for reference of question of law to the Court

17.—(1) A request to refer a question of law to the court under section 30 (1) of the Act shall (unless made at the hearing) be made by notice in writing to the Secretary and may be made at any time before or within fourteen days after the Tribunal has given its decision in the proceedings in which the question arises.

(2) The Tribunal shall as soon as may be proceed to consider any such request and shall notify its decision thereon to the party by whom the request was made.

(3) Any party who intends to apply to the court under section 30 (2) of the Act on the Tribunal's refusal of his request to refer a question of law to the court shall give notice in writing of his intention to the Secretary and to all other parties to the proceedings within seven days after receiving notice of the refusal.

Effect of references to the Court

18.—(1) Where the Tribunal refers a question of law to the court after giving its decision in any proceedings, it may, if it thinks fit, suspend the operation of any order made in the proceedings; and in that case the Secretary shall give notice of the suspension to all parties to the proceedings and, if particulars of the order have been advertised, he shall cause notice of the suspension to be advertised in the same manner.

(2) Where a question of law has been referred to the court, the Tribunal shall not make any further order on the reference or application in connection with which the question arose until the court has given its decision thereon.

Effect of suspension of order

19. If the operation of any order is suspended by the Tribunal under the last foregoing rule or by the court, then, while the order remains suspended, section 29 (1) and (3) of the Act shall not have effect in relation to the order, but paragraph (*b*) of section 25 (7) (and section 26 (5) to the extent that it applies the said paragraph (*b*) for the purposes of section 26) shall continue to have effect as if the order had not been suspended.

Application of Arbitration Acts

20. The provisions of sections 12, 14, 17 and 26 of the Arbitration Act, 1950(**a**), shall apply in the case of proceedings before the Tribunal in England and Wales, and the provisions of sections 13, 14, 16, 21 and 24 of, and paragraphs 4, 5 and 8 of the First Schedule to, the Arbitration Act (Northern Ireland) 1937(**b**), shall apply in the case of proceedings before the Tribunal in Northern Ireland, as those provisions respectively apply to an arbitration where no contrary intention is expressed in the arbitration agreement.

(**a**) 14 Geo. 6. c. 27. (**b**) 1 Edw. 8. & 1 Geo. 6. c. 8. (N.I.)

Enforcement of Tribunal's orders in Scotland

21. Any decision of the Tribunal may be recorded in the Books of Counsel and Session for execution, and may be enforced accordingly.

Costs

22. The costs of and incidental to any proceedings shall be in the discretion of the Tribunal, which may direct that any party against whom an order for costs is made shall pay to any other party a lump sum by way of costs, or such proportion of the costs as may be just and in the last-mentioned case the Tribunal may assess the sum to be paid or may direct that it be assessed by the Chairman.

Fees

23. The fees specified in the Second Schedule to these Rules shall be payable to the Secretary in respect of the matters mentioned in that Schedule by means of stamps impressed on the notices or other documents therein mentioned.

Service of documents

24.—(1) Any notice or other document required by these Rules to be served on or sent to any person may be sent to him by pre-paid post at his address for service, or where no address for service has been given, at his registered office, principal place of business or last-known address, and every notice or other document required to be served on or sent to the Tribunal may be sent by pre-paid post to the Secretary at the office at Someries House, Regent's Park, London, N.W.1.

(2) Any notice or other document required to be served on a licensing body or organisation which is not a body corporate may be sent to the secretary, manager or other similar officer.

(3) The Tribunal or the Chairman may direct that service of any notice or other document be dispensed with or effected otherwise than in manner provided by these Rules.

Time

25.—(1) The time prescribed by these Rules or by order of the Tribunal for doing any act may be extended (whether it has already expired or not) or abridged by agreement or by order of the Tribunal.

(2) Where the last day for the doing of any act falls on a day on which the office is closed and by reason thereof the act cannot be done on that day it may be done on the next day on which the office is open.

Office hours

26. The office shall be open at such times as the Chairman may direct.

Failure to comply with Rules

27. Failure to comply with any requirement of these Rules shall not invalidate any proceedings unless the Tribunal so directs and, subject to the provisions of the Act and these Rules, the Tribunal shall have power to regulate its own procedure.

Dated this 27th day of May, 1957.

Kilmuir, C.

We approve the fees prescribed by these Rules in respect of proceedings before the Performing Right Tribunal.

Edward Wakefield
Anthony Barber } Lords Commissioners of Her Majesty's Treasury.

Rule 3 (1)

FIRST SCHEDULE

FORM 1

COPYRIGHT ACT, 1956

PERFORMING RIGHT TRIBUNAL

NOTICE OF REFERENCE UNDER SECTION 25

To:—The Secretary,
Performing Right Tribunal

1. TAKE NOTICE that [*name and address or organisation or person making the reference*] (hereinafter called " the referor ") hereby refers to the Tribunal the licence scheme hereinafter described, operated by the [*name and address of licensing body*], (hereinafter called " the licensing body ") which is a licensing body for the purposes of the Copyright Act, 1956.

2. The scheme to which this notice relates (hereinafter referred to as " the scheme ") is [*short description of scheme*].

3. The referor is

Delete whichever is inapplicable.

[an organisation claiming to be representative of persons requiring licences in cases]
[a person claiming that he requires a licence in a case]
to which the scheme applies.

4. [*Here give grounds for statement in paragraph* 3. *Where referor is an organisation, particulars should be given of the persons it claims to represent and grounds on which it claims to be reasonably representative of them.*]

5. A dispute has arisen between the referor and the licensing body in the following circumstances [*give particulars of dispute*].

6. The referor says that the scheme is unreasonable in the following respects [*give particulars*].

7. All communications regarding this reference should be addressed to

Delete whichever is inapplicable

[the referor at the address shown above]
[*name and address* Solicitor(s)/Agent(s) for the applicant].

8. A copy of this notice has been sent to the licensing body at the address shown above.

Signed .....
Status of signatory*.....
Date .....

* Insert as appropriate " Referor "
" An officer of the organisation making the reference "
" Solicitor(s) for the referor "
"Agent(s) for the referor ".

Rule 3 (1)

FORM 2

COPYRIGHT ACT, 1956

PERFORMING RIGHT TRIBUNAL

NOTICE OF FURTHER REFERENCE UNDER SECTION 26

To:—The Secretary,
Performing Right Tribunal

1. TAKE NOTICE that [*name and address of licensing body, organisation or person making the further reference*] (hereinafter called " the referor ") hereby refers to the Tribunal the licence scheme [confirmed] [varied] by the Tribunal by an order dated [ ], and bearing the reference number [ ].

Delete whichever is inapplicable

Delete whichever is inapplicable.

2. The referor says that the scheme as so [confirmed] [varied] is unreasonable in the following respects [*give particulars*].

Delete whichever is inapplicable.

3. All communications regarding this further reference should be addressed to [the referor at the address shown above]
[*name and address* Solicitor(s)/Agent(s) for the referor].

4. A copy of this notice has been sent to all the parties to the previous reference.

Signed .....
Status of signatory*.....
Date .....

* Insert as appropriate " Referor "
" An officer of the organisation/licensing body making the further reference "
" Solicitor(s) for the referor "
"Agent(s) for the referor ".

FORM 3 Rule 3 (1)

COPYRIGHT ACT, 1956

PERFORMING RIGHT TRIBUNAL

NOTICE OF APPLICATION UNDER SECTION 27

To:—The Secretary,
Performing Right Tribunal

1. TAKE NOTICE that [*name and address of person making the application*] (hereinafter called " the applicant ") hereby applies to the Tribunal under [sub-section (2)] [sub-section (3)] of section 27 of the Copyright Act, 1956.

Delete whichever is inapplicable.

2. The applicant requires a licence [*purpose for which licence is required*].

Delete if application made under section 27 (3).

3. Such a licence may be granted by [*name and address of licensing body*] (hereinafter called " the licensing body "), which is a licensing body for the purposes of the Copyright Act, 1956, in accordance with a licence scheme now operated by them [*state charges, terms and conditions on which the licence required may be granted in accordance with the licence scheme*].

4. The applicant has requested the licensing body to grant a licence but the licensing body have [refused to do so] [failed to do so within a reasonable time].

Delete whichever is inapplicable.

[*give particulars, including date of request and stating whether request made orally or in writing*].

Delete if application made under section 27 (2).

3. Such a licence may be granted by [*name and address of licensing body*] (hereinafter called " the licensing body ") but it is not covered by any licence scheme.

4. The applicant has requested the licensing body to grant a licence but the licensing body has [refused to do so] [failed to do so within a reasonable time] [refused to do so except upon charges, terms and conditions that are unreasonable].

Delete whichever is inapplicable.

[*give particulars, including date of request and stating whether request made orally or in writing, with reasons for any allegation that the charges, terms and conditions sought to be imposed are unreasonable*].

Delete whichever is inapplicable.

5. All communications regarding this application should be addressed to [the applicant at the address shown above]
[*name and address* Solicitor(s)/Agent(s) for the applicant].

6. A copy of this Notice has been sent to the licensing body at the address shown above.

Signed .....

Status of signatory*.....

Date .....

* Insert as appropriate " Applicant "
" Solicitor(s) for the applicant "
"Agent(s) for the applicant ".

Rule 4 (1) FORM 4

COPYRIGHT ACT, 1956
PERFORMING RIGHT TRIBUNAL

NOTICE OF APPLICATION FOR SPECIAL LEAVE OF TRIBUNAL UNDER SECTION 26(2)

To:—The Secretary,
Performing Right Tribunal

Delete whichever is inapplicable.

1. TAKE NOTICE that [*name and address of applicant*] (hereinafter called " the applicant ") hereby applies for the special leave of the Tribunal to refer again to the Tribunal the licence scheme [confirmed] [varied] by the Tribunal by an order dated [ ] and bearing the reference number [ ].

Delete whichever is inapplicable.

2. The applicant is
[the licensing body operating the scheme]
[an organisation claiming to be representative of persons requiring licences in cases of the class to which the said order applies]
[a person claiming that he requires a licence in a case of the class to which the said order applies].

3. [*Grounds on which the applicant desires to refer the scheme to the Tribunal before the time mentioned in Section* 26 (2) *of the Act*].

Delete whichever is inapplicable.

4. All communications regarding this request should be addressed to [the applicant at the address shown above]
[*name and address* Solicitor(s)/Agent(s) for the applicant].

5. A copy of this notice has been sent to all the parties to the reference on which the order mentioned in paragraph 1 was made.

Signed .....

Status of signatory*.....

Date .....

* Insert as appropriate " Applicant "
" An officer of the organisation making the request "
" Solicitor(s) for the applicant "
"Agent(s) for the applicant ".

FORM 5 Rule 6

COPYRIGHT ACT, 1956
PERFORMING RIGHT TRIBUNAL
NOTICE OF APPLICATION TO BE MADE A PARTY TO PROCEEDINGS

To:—The Secretary,
Performing Right Tribunal

Delete whichever is inapplicable.

1. TAKE NOTICE that [*name and address of applicant*] (hereinafter called " the applicant ") wishes to be made a party to the [reference] [application] advertised in [*name of newspaper or journal and date of issue*] under reference number [ ].

2. The applicant has a substantial interest in the matter in dispute for the following reasons [*give reasons*].

Delete whichever is inapplicable.

3. All communications regarding this application should be addressed to [the applicant at the address shown above]
[*name and address* Solicitor(s)/Agent(s) for the applicant].

4. A copy of this notice has been sent to the parties mentioned in the said advertisement.

Signed .....
Status of signatory*.....
Date .....

* Insert as appropriate "Applicant "
"An officer of the organisation making the application "
" Solicitor(s)/Agent(s) for the applicant ".

FORM 6 Rule 7 (3)

COPYRIGHT ACT, 1956
PERFORMING RIGHT TRIBUNAL
NOTICE OF OBJECTION TO REFERENCE

To:—The Secretary,
Performing Right Tribunal

1. TAKE NOTICE that [*name and address of licensing body*] (hereinafter called " the objector ") is the licensing body named in a notice of reference dated the day of 19 , given by [*name and address of organisation giving the notice of reference*].

2. The objector objects to the reference on the ground that the said [*name of organisation giving the notice of reference*] is not reasonably representative of the class of persons it claims to represent.

3. [*Here give particulars in support of objection*].

4. All communications regarding this notice of objection should be addressed to

Delete whichever is inapplicable.

[the objector at the address shown above]
[*name and address* Solicitor(s)/Agent(s) for the objector].

5. A copy of this notice has been sent to the organisation mentioned in paragraph 1 above.

Signed .....
Status of signatory*.....
Date .....

* Insert as appropriate " An officer of the objector "
" Solicitor(s) for the objector "
"Agent(s) for the objector ".

Rule 7 (3) FORM 7

COPYRIGHT ACT, 1956
PERFORMING RIGHT TRIBUNAL

NOTICE OF OBJECTION TO APPLICATION TO BE MADE A PARTY

To:—The Secretary,
Performing Right Tribunal

1. TAKE NOTICE that [*name and address of objector*] (hereinafter called " the objector ") is
[[the organisation] [person] by whom a notice of [reference] [application] dated the day of 19 , was given relating to a licence scheme operated by [*name and address of licensing body*]]

Delete whichever is inapplicable.

[the licensing body named in a notice of [reference] [application] dated the day of 19 , given by [*name and address of organisation or person giving the notice of reference or application*]].

2. The objector objects to the application to be made a party to the proceedings which was made in a notice dated the day of 19 , given by [*name of organisation or person applying to be made a party*] because the said [*name of organisation or person*] has no substantial interest in the matter in dispute.

3. [*Here give particulars in support of objection.*]

4. All communications regarding this notice of objection should be addressed to
[the objector at the address shown above]
[*name and address* Solicitor(s)/Agent(s) for the objector].

Delete whichever is inapplicable.

5. A copy of this notice has been sent to the [organisation] [person] applying to be made a party and to [[the licensing body named in the notice of [reference] [application]] [the [organisation] [person] giving the notice of [reference] [application]] mentioned in paragraph 1.

Delete whichever is inapplicable.

Signed .....
Status of signatory*.....
Date .....

* Insert as appropriate " Objector "
"An officer of the objector "
" Solicitor(s) for the objector "
"Agent(s) for the objector ".

FORM 8 Rule 8 (3)

COPYRIGHT ACT, 1956
PERFORMING RIGHT TRIBUNAL

NOTICE REQUESTING HEARING

To:—The Secretary,
Performing Right Tribunal

Delete whichever is inapplicable.

1. TAKE NOTICE that [*name and address of party requesting hearing*] being a party to the [reference] [further reference] [application] initiated by a notice dated the day of 19 , [*particulars identifying the reference, further reference or application*], hereby requests that the matter be dealt with at a hearing before the Tribunal.

Delete whichever is inapplicable.

2. All communications regarding this notice should be addressed to [the party by whom it is given at the address shown above] [*name and address* Solicitor(s)/Agent(s) acting for the party giving this notice].

3. A copy of this notice has been sent to all the other parties to the proceedings mentioned in paragraph 1.

Signed .....

Status of signatory*.....

Date .....

* Insert as appropriate " The party aforesaid "
"An officer of this organisation/licensing body giving the notice "
" Solicitor(s) for the party giving the notice "
"Agent(s) for the party giving the notice ".

SECOND SCHEDULE

FEES

		£	s.	d.
1.	On a notice in Form 1, 2, 3, 4 or 5	2	0	0
2.	On a notice in Form 6 or 7		10	0
3.	On a notice in Form 8	5	0	0
4.	On every interlocutory application or objection		10	0
5.	On a case stated for the decision of the Court:—			
	(i) for drawing case (if not drawn by the parties), for every folio of 72 words		1	0
	(ii) for Chairman's time settling case	1	0	0
	(iii) for copy of case supplied to any party, for every folio of 72 words			4

EXPLANATORY NOTE

(This Note is not part of the Rules, but is intended to indicate their general purport.)

These Rules prescribe the procedure to be followed in proceedings before the Performing Right Tribunal.

Proceedings will be begun by service of a notice in the appropriate form under Rule 3, and notice of the reference or application to the Tribunal will normally be advertised. Any organisation or person claiming to have a substantial interest in the matter in dispute may apply under Rule 6 to be made a party to the proceedings, and Rule 7 provides for the consideration by the Tribunal of objections to any such application. Under Rule 8 the Tribunal will dispose of references, and applications under section 27 of the Act, after considering any written representations made by the parties or, if so desired, after giving the parties an opportunity of being heard. At any hearing parties may appear in person, or by counsel or solicitor or by any other person allowed by the Tribunal to appear on their behalf. The Tribunal will give its decision in writing and copies of the decision will be made available for public inspection. Rules 18 and 19 deal with the reference of questions of law to the High Court and enable the Tribunal's orders to be suspended in such cases. The Tribunal will have a discretion as to the payment of costs in proceedings before it, while the Second Schedule prescribes a scale of fees.