

**From:** [Clive Edwards](#)  
**To:** [Section52CDPA](#)  
**Subject:** Enterprise and Regulatory Reform Act 2013  
**Date:** 01 December 2015 17:24:31

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Dear Sirs,

Re: Enterprise and Regulatory Reform Act 2013

The main issues I am concerned about regarding the above Act are:

- The reduction in length of the transition period from five years to six months. Not only is the proposed transition period now shorter but it is drastically so.
- The introduction of a stock depletion period which was absent from the original consultation. The original proposal allowed publishers to sell existing stock for the full period of the transition. To comply with the law under the new proposal, publishers will either need to remove existing stock from sale or re-clear permissions for any objects coming back into copyright.
- The proposal to also repeal Regulation 24 of the Duration of Copyright and Rights in Performances Regulations 1995 (also absent from the original consultation). This would have imposed an obligation on those rights holders whose works were coming back into copyright to grant a licence to people who had been using their work. Taking it away means that there is no guarantee of getting a licence for all the necessary images. Its repeal is therefore of extreme concern.

Other points I am raising with the IPO include:

- Lack of a separate arrangement for the use of 2D images of 3D works
- Lack of guidance
- Incomplete impact assessment
- The overall lack of proportionality and balance in the new proposal

Your sincerely

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