



Copyright, Designs and Patents Act 1988

1988 CHAPTER 48

PART I

COPYRIGHT

CHAPTER II

RIGHTS OF COPYRIGHT OWNER

The acts restricted by copyright

[^{F1}18A Infringement by rental or lending of work to the public.

- (1) The rental or lending of copies of the work to the public is an act restricted by the copyright in—
 - (a) a literary, dramatic or musical work,
 - (b) an artistic work, other than—
 - (i) a work of architecture in the form of a building or a model for a building, or
 - (ii) a work of applied art, or
 - (c) a film or a sound recording.
- (2) In this Part, subject to the following provisions of this section—
 - (a) “rental” means making a copy of the work available for use, on terms that it will or may be returned, for direct or indirect economic or commercial advantage, and
 - (b) “lending” means making a copy of the work available for use, on terms that it will or may be returned, otherwise than for direct or indirect economic or commercial advantage, through an establishment which is accessible to the public.
- (3) The expressions “rental” and “lending” do not include—

Status: Point in time view as at 31/10/2003.

Changes to legislation: There are currently no known outstanding effects for the Copyright, Designs and Patents Act 1988, Section 18A. (See end of Document for details)

- (a) making available for the purpose of public performance, playing or showing in public [^{F2}or communication to the public];
 - (b) making available for the purpose of exhibition in public; or
 - (c) making available for on-the-spot reference use.
- (4) The expression “lending” does not include making available between establishments which are accessible to the public.
- (5) Where lending by an establishment accessible to the public gives rise to a payment the amount of which does not go beyond what is necessary to cover the operating costs of the establishment, there is no direct or indirect economic or commercial advantage for the purposes of this section.
- (6) References in this Part to the rental or lending of copies of a work include the rental or lending of the original.]

Textual Amendments

F1 S. 18A inserted (1.12.1996) by [S.I. 1996/2967](#), **reg. 10(2)** (with Pt. III)

F2 Words in s. 18A(3)(a) substituted by [The Copyright and Related Rights Regulations 2003 \(S.I. 2003/2498\)](#), **reg. 2(1)**, **Sch. 1 para. 6(2)(a)** (with regs. 31-40)

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