



Copyright, Designs and Patents Act 1988

1988 CHAPTER 48

PART I

COPYRIGHT

CHAPTER III

ACTS PERMITTED IN RELATION TO COPYRIGHT WORKS

[^{F1}Disability]

[^{F1}31B Making [^{F2}, communicating, making available, distributing or lending] of accessible copies by authorised bodies

[^{F3}(1) If—

- (a) an authorised body has lawful access to the whole or part of a work which has been published or otherwise made available, and
- (b) the body complies with subsection (1A),

the body may, without infringing copyright, make, communicate, make available, distribute or lend accessible copies of the work on a non-profit basis for the personal use of disabled persons in the United Kingdom ^{F4}....

(1A) An authorised body complies with this subsection if it—

- (a) distributes, communicates, makes available or lends accessible copies only to disabled persons or other authorised bodies,
- (b) takes appropriate steps to discourage the unauthorised reproduction, distribution, communication to the public or making available to the public of accessible copies,
- (c) demonstrates due care in, and maintains records of, its handling of works and accessible copies, and

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- (d) publishes and updates, on its website if appropriate, or through other online or offline channels, information on how it complies with the obligations in paragraphs (a), (b) and (c).]

^{F5}(2)

^{F5}(3)

^{F5}(4)

- (5) For the purposes of [^{F6}subsection (1)], [^{F7}to communicate, make available, distribute or lend] “for the personal use of disabled persons” [^{F8}includes to communicate, make available, distribute or lend] to a person acting on behalf of a disabled person.

^{F9}(6)

^{F9}(7)

^{F9}(8)

- (9) An authorised body which has made an accessible copy of a work under this section may [^{F10}communicate, make available, distribute or lend] it to another authorised body [^{F11}established in the United Kingdom ^{F12}...] which is entitled to make accessible copies of the work under this section for the purposes of enabling that other body to make accessible copies of the work.

^{F13}(10)

- (11) If an accessible copy made under this section is subsequently dealt with—
 (a) it is to be treated as an infringing copy for the purposes of that dealing, and
 (b) if that dealing infringes copyright, it is to be treated as an infringing copy for all subsequent purposes.

- (12) In this section “dealt with” means sold or let for hire or offered or exposed for sale or hire.]

Textual Amendments

- F1** Ss. 31B, 31BA, 31BB substituted (1.6.2014) for s. 31B by [The Copyright and Rights in Performances \(Disability\) Regulations 2014 \(S.I. 2014/1384\)](#), regs. 1(1), **2(4)**
- F2** Words in s. 31B heading substituted (11.10.2018) by [The Copyright and Related Rights \(Marrakesh Treaty etc.\) \(Amendment\) Regulations 2018 \(S.I. 2018/995\)](#), regs. 1(2), **5(2)**
- F3** S. 31B(1)(1A) substituted for s. 31B(1) (11.10.2018) by [The Copyright and Related Rights \(Marrakesh Treaty etc.\) \(Amendment\) Regulations 2018 \(S.I. 2018/995\)](#), regs. 1(2), **5(3)**
- F4** Words in s. 31B(1) omitted (31.12.2020) by virtue of [The Intellectual Property \(Copyright and Related Rights\) \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/605\)](#), regs. 1(2), **9** (with reg. 38) (as amended by [S.I. 2020/1050](#), regs. 1(2), 4); 2020 c. 1, Sch. 5 para. 1(1)
- F5** S. 31B(2)-(4) omitted (11.10.2018) by virtue of [The Copyright and Related Rights \(Marrakesh Treaty etc.\) \(Amendment\) Regulations 2018 \(S.I. 2018/995\)](#), regs. 1(2), **5(4)**
- F6** Words in s. 31B(5) substituted (11.10.2018) by [The Copyright and Related Rights \(Marrakesh Treaty etc.\) \(Amendment\) Regulations 2018 \(S.I. 2018/995\)](#), regs. 1(2), **5(5)(a)**
- F7** Words in s. 31B(5) substituted (11.10.2018) by [The Copyright and Related Rights \(Marrakesh Treaty etc.\) \(Amendment\) Regulations 2018 \(S.I. 2018/995\)](#), regs. 1(2), **5(5)(b)**
- F8** Words in s. 31B(5) substituted (11.10.2018) by [The Copyright and Related Rights \(Marrakesh Treaty etc.\) \(Amendment\) Regulations 2018 \(S.I. 2018/995\)](#), regs. 1(2), **5(5)(c)**

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- F9** S. 31B(6)-(8) omitted (11.10.2018) by virtue of The Copyright and Related Rights (Marrakesh Treaty etc.) (Amendment) Regulations 2018 (S.I. 2018/995), regs. 1(2), **5(6)**
- F10** Words in s. 31B(9) substituted (11.10.2018) by The Copyright and Related Rights (Marrakesh Treaty etc.) (Amendment) Regulations 2018 (S.I. 2018/995), regs. 1(2), **5(7)(a)**
- F11** Words in s. 31B(9) inserted (11.10.2018) by The Copyright and Related Rights (Marrakesh Treaty etc.) (Amendment) Regulations 2018 (S.I. 2018/995), regs. 1(2), **5(7)(b)**
- F12** Words in s. 31B(9) omitted (31.12.2020) by virtue of The Intellectual Property (Copyright and Related Rights) (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/605), regs. 1(2), **9** (with reg. 38) (as amended by S.I. 2020/1050, regs. 1(2), 4); 2020 c. 1, Sch. 5 para. 1(1)
- F13** S. 31B(10) omitted (11.10.2018) by virtue of The Copyright and Related Rights (Marrakesh Treaty etc.) (Amendment) Regulations 2018 (S.I. 2018/995), regs. 1(2), **5(8)**

Changes to legislation:

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