



Copyright, Designs and Patents Act 1988

1988 CHAPTER 48

PART I

COPYRIGHT

CHAPTER III

ACTS PERMITTED IN RELATION TO COPYRIGHT WORKS

Education

36 Reprographic copying by educational establishments of passages from published works.

- (1) Reprographic copies of passages from published literary, dramatic or musical works may, to the extent permitted by this section, be made by or on behalf of an educational establishment for the purposes of instruction without infringing any copyright in the work, [^{F1}provided that they are accompanied by a sufficient acknowledgement and the instruction is for a non-commercial purpose].

[^{F2}(1A) No acknowledgement is required in connection with the making of copies as mentioned in subsection (1) where this would be impossible for reasons of practicality or otherwise.

- (1B) Reprographic copies of passages from published editions may, to the extent permitted by this section, be made by or on behalf of an educational establishment for the purposes of instruction without infringing any copyright in the typographical arrangement of the edition.]

- (2) Not more than one per cent. of any work may be copied by or on behalf of an establishment by virtue of this section in any quarter, that is, in any period 1st January to 31st March, 1st April to 30th June, 1st July to 30th September or 1st October to 31st December.

Status: Point in time view as at 31/10/2003. This version of this provision has been superseded.

Changes to legislation: There are currently no known outstanding effects for the Copyright, Designs and Patents Act 1988, Section 36. (See end of Document for details)

- (3) Copying is not authorised by this section if, or to the extent that, licences are available authorising the copying in question and the person making the copies knew or ought to have been aware of that fact.
- (4) The terms of a licence granted to an educational establishment authorising the reprographic copying for the purposes of instruction of passages from published^{F3} . . . works are of no effect so far as they purport to restrict the proportion of a work which may be copied (whether on payment or free of charge) to less than that which would be permitted under this section.
- (5) Where a copy which would otherwise be an infringing copy is made in accordance with this section but is subsequently dealt with, it shall be treated as an infringing copy for the purposes of that dealing, and if that dealing infringes copyright for all subsequent purposes.

For this purpose “dealt with” means sold or let for hire [^{F4}, offered or exposed for sale or hire or communicated to the public.]

Textual Amendments

- F1** Words in s. 36(1) substituted (31.10.2003) by [The Copyright and Related Rights Regulations 2003 \(S.I. 2003/2498\)](#), **reg. 13(a)** (with [regs. 31-40](#))
- F2** S. 36(1A)(1B) inserted (31.10.2003) by [The Copyright and Related Rights Regulations 2003 \(S.I. 2003/2498\)](#), **reg. 13(b)** (with [regs. 31-40](#))
- F3** Words in s. 36(4) repealed (31.10.2003) by [The Copyright and Related Rights Regulations 2003 \(S.I. 2003/2498\)](#), **reg. 2(2)**, **Sch. 2** (with [regs. 31-40](#))
- F4** Words in s. 36(5) substituted (31.10.2003) by [The Copyright and Related Rights Regulations 2003 \(S.I. 2003/2498\)](#), **reg. 13(c)** (with [regs. 31-40](#))
-

Modifications etc. (not altering text)

- C1** Ss. 35, 36 extended by [S.I. 1989/1067](#), **art. 2**

Status:

Point in time view as at 31/10/2003. This version of this provision has been superseded.

Changes to legislation:

There are currently no known outstanding effects for the Copyright, Designs and Patents Act 1988, Section 36.