



# Copyright (Visually Impaired Persons) Act 2002

## 2002 CHAPTER 33

### 6 Interpretation

In the Copyright, Designs and Patents Act 1988 (c. 48), after section 31E insert—

**“31F Definitions and other supplementary provision for sections 31A to 31E**

- (1) This section supplements sections 31A to 31E and includes definitions.
- (2) A copy of a copyright work (other than an accessible copy made under section 31A or 31B) is to be taken to be accessible to a visually impaired person only if it is as accessible to him as it would be if he were not visually impaired.
- (3) “Accessible copy”, in relation to a copyright work, means a version which provides for a visually impaired person improved access to the work.
- (4) An accessible copy may include facilities for navigating around the version of the copyright work but may not include—
  - (a) changes that are not necessary to overcome problems caused by visual impairment; or
  - (b) changes which infringe the right (provided by section 80) not to have the work subjected to derogatory treatment.
- (5) “Approved body” has the meaning given in section 31B(12).
- (6) “Lending”, in relation to a copy, means making it available for use, otherwise than for direct or indirect economic or commercial advantage, on terms that it will or may be returned.
- (7) For the purposes of subsection (6), a loan is not to be treated as being for direct or indirect economic or commercial advantage if a charge is made for the loan which does not exceed the cost of making and supplying the copy.

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*Status: This is the original version (as it was originally enacted).*

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- (8) The definition of “lending” in section 18A does not apply for the purposes of sections 31B and 31C.
- (9) “Visually impaired person” means a person—
- (a) who is blind;
  - (b) who has an impairment of visual function which cannot be improved, by the use of corrective lenses, to a level that would normally be acceptable for reading without a special level or kind of light;
  - (c) who is unable, through physical disability, to hold or manipulate a book; or
  - (d) who is unable, through physical disability, to focus or move his eyes to the extent that would normally be acceptable for reading.
- (10) The Secretary of State may by regulations prescribe—
- (a) the form in which; or
  - (b) the procedure in accordance with which,
- any notice required under section 31C(7) or (8), or 31D(1), must be given.
- (11) Any power to make regulations or orders is exercisable by statutory instrument subject to annulment in pursuance of a resolution of either House of Parliament.”