



Legal Deposit Libraries Act 2003

2003 CHAPTER 28

Non-print publications

7 Restrictions on activities in relation to non-print publications

- (1) Subject to subsection (3), a relevant person may not do any of the activities listed in subsection (2) in relation to relevant material.
- (2) The activities are—
 - (a) using the material (whether or not such use necessarily involves the making of a temporary copy of it);
 - (b) copying the material (other than by making a temporary copy where this is necessary for the purpose of using the material);
 - (c) in the case of relevant material comprising or containing a computer program or database, adapting it;
 - (d) lending the material to a third party (other than lending by a deposit library to a reader for use by the reader on library premises controlled by the library);
 - (e) transferring the material to a third party;
 - (f) disposing of the material.
- (3) The Secretary of State may by regulations make provision permitting relevant persons to do any of the activities listed in subsection (2) in relation to relevant material, subject to such conditions as may be prescribed.
- (4) Regulations under this section may in particular make provision about—
 - (a) the purposes for which relevant material may be used or copied;
 - (b) the time at which or the circumstances in which readers may first use relevant material;
 - (c) the description of readers who may use relevant material;
 - (d) the limitations on the number of readers who may use relevant material at any one time (whether by limiting the number of terminals in a deposit library from which readers may at any one time access an electronic publication or otherwise).

- (5) In this section—
- (a) “reader” means a person who, for the purposes of research or study and with the permission of a deposit library, is on library premises controlled by it;
 - (b) “relevant material” means—
 - (i) a copy delivered under section 1 of a work published in a medium other than print;
 - (ii) a copy delivered pursuant to regulations under section 6 of a computer program or material within section 6(2)(b);
 - (iii) a copy of a work to which section 10(6) applies;
 - (iv) a copy (at any remove) of anything within any of sub-paragraphs (i) to (iii);
 - (c) “relevant person” means—
 - (i) a deposit library or person acting on its behalf;
 - (ii) a reader;
 - (d) references to a deposit library include references to the Faculty of Advocates.
- (6) A contravention of this section is actionable at the suit of a person who suffers loss as a result of the contravention, subject to the defences and other incidents applying to actions for breach of statutory duty.