
STATUTORY INSTRUMENTS

1989 No. 1212

**The Copyright (Librarians and Archivists)
(Copying of Copyright Material) Regulations 1989**

Copying by librarian of article or part of published work

4.—(1) For the purposes of sections 38 and 39 of the Act the conditions specified in paragraph (2) of this regulation are prescribed as the conditions which must be complied with when the librarian of a prescribed library makes and supplies a copy of any article in a periodical or, as the case may be, of a part of a literary, dramatic or musical work from a published edition to a person requiring the copy.

(2) The prescribed conditions are –

- (a) that no copy of any article or any part of a work shall be supplied to the person requiring the same unless –
 - (i) he satisfies the librarian that he requires the copy for purposes of research or private study and will not use it for any other purpose; and
 - (ii) he has delivered to the librarian a declaration in writing, in relation to that article or part of a work, substantially in accordance with Form A in Schedule 2 to these Regulations and signed in the manner therein indicated;
- (b) that the librarian is satisfied that the requirement of such person and that of any other person –
 - (i) are not similar, that is to say, the requirements are not for copies of substantially the same article or part of a work at substantially the same time and for substantially the same purpose; and
 - (ii) are not related, that is to say, he and that person do not receive instruction to which the article or part of the work is relevant at the same time and place;
- (c) that such person is not furnished –
 - (i) in the case of an article, with more than one copy of the article or more than one article contained in the same issue of a periodical; or
 - (ii) in the case of a part of a published work, with more than one copy of the same material or with a copy of more than a reasonable proportion of any work; and
- (d) that such person is required to pay for the copy a sum not less than the cost (including a contribution to the general expenses of the library) attributable to its production.

(3) Unless the librarian is aware that the signed declaration delivered to him pursuant to paragraph (2)(a)(ii) above is false in a material particular, he may rely on it as to the matter he is required to be satisfied on under paragraph (2)(a)(i) above before making or supplying the copy.