STATUTORY INSTRUMENTS

1992 No. 3233

The Copyright (Computer Programs) Regulations 1992

Amendments of Part VII (miscellaneous and general)
of the Copyright,Designs and Patents Act 1988

Devices designed to circumvent copy-protection applied to computer programs

10. In section 296 (devices designed to circumvent copy-protection), after subsection (2) insert—

"(2A) Where the copies being issued to the public as mentioned in subsection (1) are copies of a computer program, subsection (2) applies as if for the words "or advertises for sale or hire" there were substituted "advertises for sale or hire or possesses in the course of a business".".

Avoidance of certain terms relating to computer programs

11. After section 296 insert—

"Computer programs

Avoidance of certain terms.

296A.—(1) Where a person has the use of a computer program under an agreement, any term or condition in the agreement shall be void in so far as it purports to prohibit or restrict—

(a) the making of any back up copy of the program which it is necessary for him to have for the purposes of the agreed use;

(b) where the conditions in section 50B(2) are met, the decompiling of the program; or

(c) the use of any device or means to observe, study or test the functioning of the program in order to understand the ideas and principles which underlie any element of the program.

(2) In this section, decompile, in relation to a computer program, has the same meaning as in section 50B".