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STATUTORY INSTRUMENTS

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**2003 No. 2498**

**The Copyright and Related Rights Regulations 2003**

**PART 2**

**AMENDMENTS OF THE COPYRIGHT, DESIGNS AND PATENTS ACT 1988**

*Acts permitted in relation to copyright works and rights in performances*

**Observing, studying and testing of computer programs**

15.—(1) After section 50B there shall be inserted—

**“50BA Observing, studying and testing of computer programs**

**50BA**

(1) It is not an infringement of copyright for a lawful user of a copy of a computer program to observe, study or test the functioning of the program in order to determine the ideas and principles which underlie any element of the program if he does so while performing any of the acts of loading, displaying, running, transmitting or storing the program which he is entitled to do.

(2) Where an act is permitted under this section, it is irrelevant whether or not there exists any term or condition in an agreement which purports to prohibit or restrict the act (such terms being, by virtue of section 296A, void).”

(2) In section 50A(2) after the word “50B” there shall be inserted “ , 50BA ”<sup>3</sup>.

(3) In section 50C(3) for the words “section 50A or 50B” there shall be substituted “ section 50A, 50B or 50BA ”.

(4) For section 296A(1)(c) there shall be substituted—

“(c) the observing, studying or testing of the functioning of the program in accordance with section 50BA.”.

**Changes to legislation:**

There are currently no known outstanding effects for the The Copyright and Related Rights Regulations 2003, Section 15.