



Copyright, Designs and Patents Act 1988

1988 CHAPTER 48

PART VII

MISCELLANEOUS AND GENERAL

[^{F1}Circumvention of protection measures]

[^{F1}296ZB] Devices and services designed to circumvent technological measures

- (1) A person commits an offence if he—
- (a) manufactures for sale or hire, or
 - (b) imports otherwise than for his private and domestic use, or
 - (c) in the course of a business—
 - (i) sells or lets for hire, or
 - (ii) offers or exposes for sale or hire, or
 - (iii) advertises for sale or hire, or
 - (iv) possesses, or
 - (v) distributes, or
 - (d) distributes otherwise than in the course of a business to such an extent as to affect prejudicially the copyright owner,
- any device, product or component which is primarily designed, produced, or adapted for the purpose of enabling or facilitating the circumvention of effective technological measures.
- (2) A person commits an offence if he provides, promotes, advertises or markets—
- (a) in the course of a business, or
 - (b) otherwise than in the course of a business to such an extent as to affect prejudicially the copyright owner,
- a service the purpose of which is to enable or facilitate the circumvention of effective technological measures.

Changes to legislation: There are currently no known outstanding effects for the Copyright, Designs and Patents Act 1988, Section 296ZB. (See end of Document for details)

- (3) Subsections (1) and (2) do not make unlawful anything done by, or on behalf of, law enforcement agencies or any of the intelligence services—
- (a) in the interests of national security; or
 - (b) for the purpose of the prevention or detection of crime, the investigation of an offence, or the conduct of a prosecution,
- and in this subsection “ intelligence services ” has the meaning given in section 81 of the Regulation of Investigatory Powers Act 2000.
- (4) A person guilty of an offence under subsection (1) or (2) is liable—
- (a) on summary conviction, to imprisonment for a term not exceeding three months, or to a fine not exceeding the statutory maximum, or both;
 - (b) on conviction on indictment to a fine or imprisonment for a term not exceeding two years, or both.
- (5) It is a defence to any prosecution for an offence under this section for the defendant to prove that he did not know, and had no reasonable ground for believing, that—
- (a) the device, product or component; or
 - (b) the service,
- enabled or facilitated the circumvention of effective technological measures.]

Textual Amendments

- F1** Ss. 296-296ZF and cross-heading substituted (31.10.2003) for s. 296 and cross-heading by [The Copyright and Related Rights Regulations 2003 \(S.I. 2003/2498\)](#), [reg. 24\(1\)](#) (with regs. 31-40)

Changes to legislation:

There are currently no known outstanding effects for the Copyright, Designs and Patents Act 1988, Section 296ZB.