



Copyright, Designs and Patents Act 1988

1988 CHAPTER 48

PART I

COPYRIGHT

CHAPTER III

ACTS PERMITTED IN RELATION TO COPYRIGHT WORKS

Libraries and archives

[^{F1}40A Lending of copies by libraries or archives.

[^{F2}(1) Copyright in a work of any description is not infringed by the following acts by a public library in relation to a book within the public lending right scheme—

- (a) lending the book;
- (b) in relation to an audio-book or e-book, copying or issuing a copy of the book as an act incidental to lending it.

(1A) In subsection (1)—

- (a) “book”, “audio-book” and “e-book” have the meanings given in section 5 of the Public Lending Right Act 1979,
- (b) “the public lending right scheme” means the scheme in force under section 1 of that Act,
- (c) a book is within the public lending right scheme if it is a book within the meaning of the provisions of the scheme relating to eligibility, whether or not it is in fact eligible, and
- (d) “lending” is to be read in accordance with the definition of “lent out” in section 5 of that Act (and section 18A of this Act does not apply).]

(2) Copyright in a work is not infringed by the lending of copies of the work by a ^{F3}...library or archive (other than a public library) which is not conducted for profit.]

Status: Point in time view as at 30/06/2014. This version of this provision has been superseded.

Changes to legislation: There are currently no known outstanding effects for the Copyright, Designs and Patents Act 1988, Section 40A. (See end of Document for details)

Textual Amendments

- F1** S. 40A inserted (1.12.1996) by [S.I. 1996/2967, reg. 11\(2\)](#) (with Pt. III)
- F2** S. 40A(1)(1A) substituted (30.6.2014) for s. 40A(1) by [Digital Economy Act 2010 \(c. 24\), ss. 43\(7\), 47\(3\)\(d\)](#); [S.I. 2014/1659, art. 2](#)
- F3** Word in s. 40A(2) omitted (1.6.2014) by virtue of [The Copyright and Rights in Performances \(Research, Education, Libraries and Archives\) Regulations 2014 \(S.I. 2014/1372\)](#), reg. 1, [Sch. para. 3](#)

Modifications etc. (not altering text)

- C1** S. 40A(2) modified (1.12.1996) by [S.I. 1996/2967, reg. 35](#) (with Pt. III)

Status:

Point in time view as at 30/06/2014. This version of this provision has been superseded.

Changes to legislation:

There are currently no known outstanding effects for the Copyright, Designs and Patents Act 1988, Section 40A.