



# Copyright, Designs and Patents Act 1988

## 1988 CHAPTER 48

### PART I

#### COPYRIGHT

### CHAPTER III

#### ACTS PERMITTED IN RELATION TO COPYRIGHT WORKS

##### *Public administration*

#### **47 Material open to public inspection or on official register.**

- (1) Where material is open to public inspection pursuant to a statutory requirement, or is on a statutory register, any copyright in the material as a literary work is not infringed by the copying of so much of the material as contains factual information of any description, by or with the authority of the appropriate person, for a purpose which does not involve the issuing of copies to the public.
- (2) Where material is open to public inspection pursuant to a statutory requirement, copyright is not infringed by the copying or issuing to the public of copies of the material, by or with the authority of the appropriate person, for the purpose of enabling the material to be inspected at a more convenient time or place or otherwise facilitating the exercise of any right for the purpose of which the requirement is imposed.
- (3) Where material which is open to public inspection pursuant to a statutory requirement, or which is on a statutory register, contains information about matters of general scientific, technical, commercial or economic interest, copyright is not infringed by the copying or issuing to the public of copies of the material, by or with the authority of the appropriate person, for the purpose of disseminating that information.
- (4) The Secretary of State may by order provide that subsection (1), (2) or (3) shall, in such cases as may be specified in the order, apply only to copies marked in such manner as may be so specified.

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*Changes to legislation:* There are outstanding changes not yet made by the legislation.gov.uk editorial team to Copyright, Designs and Patents Act 1988. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details)

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- (5) The Secretary of State may by order provide that subsections (1) to (3) apply, to such extent and with such modifications as may be specified in the order—
- (a) to material made open to public inspection by—
    - (i) an international organisation specified in the order, or
    - (ii) a person so specified who has functions in the United Kingdom under an international agreement to which the United Kingdom is party, or
  - (b) to a register maintained by an international organisation specified in the order, as they apply in relation to material open to public inspection pursuant to a statutory requirement or to a statutory register.
- (6) In this section—
- “appropriate person” means the person required to make the material open to public inspection or, as the case may be, the person maintaining the register;
  - “statutory register” means a register maintained in pursuance of a statutory requirement; and
  - “statutory requirement” means a requirement imposed by provision made by or under an enactment.
- (7) An order under this section shall be made by statutory instrument which shall be subject to annulment in pursuance of a resolution of either House of Parliament.

**Annotations:**

**Modifications etc. (not altering text)**

- C1** S. 47(1) extended with modifications by S.I. 1989/1098, **art. 2**
- C2** S. 47(2) modified by S.I. 1990/1427, **art. 2**
- C3** S. 47(2)(3) extended with modifications by S.I. 1989/1098, **art. 2**
- C4** S. 47(2)(3) modified by S.I. 1989/1099, **art. 2**
- C5** S. 47(6) modified (1.3.2010) by The Scottish Register of Tartans Act 2008 (Consequential Modifications) Order 2010 (S.I. 2010/180), **art. 2(2)** (with art. 2(4))

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**Changes and effects yet to be applied to the whole Act, associated Parts and Chapters:**

- Blanket amendment text amended by [S.I. 2011/1043 art. 3 4](#)
- Blanket amendment text amended by [S.I. 2011/1043 art. 3 6](#)

**Commencement Orders yet to be applied to the Copyright, Designs and Patents Act 1988:**

Commencement Orders bringing legislation that affects this Act into force:

- [S.I. 2011/2196 art. 2](#) commences (2007 c. 29)