



# Copyright (Visually Impaired Persons) Act 2002

## 2002 CHAPTER 33

### 3 Intermediate copies and records

In the Copyright, Designs and Patents Act 1988 (c. 48), after section 31B insert—

#### “31C Intermediate copies and records

- (1) An approved body entitled to make accessible copies under section 31B may hold an intermediate copy of the master copy which is necessarily created during the production of the accessible copies, but only—
  - (a) if and so long as the approved body continues to be entitled to make accessible copies of that master copy; and
  - (b) for the purposes of the production of further accessible copies.
- (2) An intermediate copy which is held in breach of subsection (1) is to be treated as an infringing copy.
- (3) An approved body may lend or transfer the intermediate copy to another approved body which is entitled to make accessible copies of the work or published edition under section 31B.
- (4) The loan or transfer by an approved body (“A”) of an intermediate copy to another person (“B”) is an infringement of copyright by A unless A has reasonable grounds for believing that B—
  - (a) is another approved body which is entitled to make accessible copies of the work or published edition under section 31B; and
  - (b) will use the intermediate copy only for the purposes of the production of further accessible copies.
- (5) If an approved body charges for lending or transferring the intermediate copy, the sum charged must not exceed the cost of the loan or transfer.
- (6) An approved body must—

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*Status: This is the original version (as it was originally enacted).*

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- (a) keep records of accessible copies made under section 31B and of the persons to whom they are supplied;
  - (b) keep records of any intermediate copy lent or transferred under this section and of the persons to whom it is lent or transferred; and
  - (c) allow the copyright owner or a person acting for him, on giving reasonable notice, to inspect the records at any reasonable time.
- (7) Within a reasonable time of making an accessible copy under section 31B, or lending or transferring an intermediate copy under this section, the approved body must—
- (a) notify each relevant representative body; or
  - (b) if there is no such body, notify the copyright owner.
- (8) A relevant representative body is a body which—
- (a) represents particular copyright owners, or owners of copyright in the type of copyright work concerned; and
  - (b) has given notice to the Secretary of State of the copyright owners, or the classes of copyright owner, represented by it.
- (9) The requirement to notify the copyright owner under subsection (7)(b) does not apply if it is not reasonably possible for the approved body to ascertain the name and address of the copyright owner.”