

Status: Point in time view as at 31/10/2003. This version of this provision has been superseded.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, Paragraph 4. (See end of Document for details)

SCHEDULES

SCHEDULE 2

RIGHTS IN PERFORMANCES: PERMITTED ACTS

Modifications etc. (not altering text)

- C1** Sch. 2 continued (31.10.2003) by virtue of [The Copyright and Related Rights Regulations 2003 \(S.I. 2003/2498\)](#), [reg. 33](#) (with [regs. 31-40](#))

Things done for purposes of instruction or examination

- 4 (1) The rights conferred by Part II are not infringed by the copying of a recording of a performance in the course of instruction, or of preparation for instruction, in the making of films or film sound-tracks, provided the copying is done by a person giving or receiving instruction [^{F1}and the instruction is for a non-commercial purpose].
- (2) The rights conferred by Part II are not infringed—
- (a) by the copying of a recording of a performance for the purposes of setting or answering the questions in an examination, or
 - (b) by anything done for the purposes of an examination by way of communicating the questions to the candidates.
- (3) Where a recording which would otherwise be an illicit recording is made in accordance with this paragraph but is subsequently dealt with, it shall be treated as an illicit recording for the purposes of that dealing, and if that dealing infringes any right conferred by Part II for all subsequent purposes.
- [^{F2}For this purpose “dealt with” means—
- (a) sold or let for hire, offered or exposed for sale or hire; or
 - (b) communicated to the public, unless that communication, by virtue of subparagraph (2)(b), is not an infringement of the rights conferred by Part 2.]
- (4) Expressions used in this paragraph have the same meaning as in section 32.

Textual Amendments

- F1** Words in [Sch. 2 para. 4\(1\)](#) inserted (31.10.2003) by [The Copyright and Related Rights Regulations 2003 \(S.I. 2003/2498\)](#), [reg. 11\(2\)\(a\)](#) (with [regs. 31-40](#))
- F2** Words in [Sch. 2 para. 4\(3\)](#) substituted (31.10.2003) by [The Copyright and Related Rights Regulations 2003 \(S.I. 2003/2498\)](#), [reg. 11\(2\)\(b\)](#) (with [regs. 31-40](#))

Status:

Point in time view as at 31/10/2003. This version of this provision has been superseded.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, Paragraph 4.