

*Changes to legislation: There are currently no known outstanding effects for the Copyright, Designs and Patents Act 1988, Paragraph 1D. (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](#) )

#### *F1* Copies for text and data analysis for non-commercial research

##### Textual Amendments

- F1** Sch. 2 paras. 1C, 1D and cross-headings inserted (1.6.2014) by [The Copyright and Rights in Performances \(Research, Education, Libraries and Archives\) Regulations 2014 \(S.I. 2014/1372\)](#), **regs. 1, 3(3)**

- 1D. (1) The making of a copy of a recording of a performance by a person who has lawful access to the recording does not infringe any rights conferred by this Chapter provided that the copy is made in order that a person who has lawful access to the recording may carry out a computational analysis of anything recorded in the recording for the sole purpose of research for a non-commercial purpose.
- (2) Where a copy of a recording has been made under this paragraph, the rights conferred by this Chapter are infringed if—
- (a) the copy is transferred to any other person, except where the transfer is authorised by the rights owner, or
  - (b) the copy is used for any purpose other than that mentioned in subparagraph (1), except where the use is authorised by the rights owner.
- (3) If a copy of a recording made under this paragraph is subsequently dealt with—
- (a) it is to be treated as an illicit recording for the purposes of that dealing, and
  - (b) if that dealing infringes any right conferred by this Chapter, it is to be treated as an illicit recording for all subsequent purposes.
- (4) To the extent that a term of a contract purports to prevent or restrict the making of a copy which, by virtue of this paragraph, would not infringe any right conferred by this Chapter, that term is unenforceable.
- (5) Expressions used in this paragraph have the same meaning as in section 29A.]

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