



# Copyright, Designs and Patents Act 1988

## 1988 CHAPTER 48

### PART VII

#### MISCELLANEOUS AND GENERAL

#### *[<sup>F1</sup>Circumvention of protection measures]*

#### **[<sup>F1</sup>296ZH Interpretation of sections 296ZA to [<sup>F2</sup>296ZEA]**

- (1) In sections 296ZA to 296ZE, “technological measures” are any technology, device or component which is designed, in the normal course of its operation, to protect a copyright work other than a computer program.
- (2) Such measures are “effective” if the use of the work is controlled by the copyright owner through—
  - (a) an access control or protection process such as encryption, scrambling or other transformation of the work, or
  - (b) a copy control mechanism,which achieves the intended protection.
- (3) In this section, the reference to—
  - (a) protection of a work is to the prevention or restriction of acts that are not authorised by the copyright owner of that work and are restricted by copyright; and
  - (b) use of a work does not extend to any use of the work that is outside the scope of the acts restricted by copyright.
- (4) Expressions used in sections 296ZA to [<sup>F3</sup>296ZEA] which are defined for the purposes of Part 1 of this Act (copyright) have the same meaning as in that Part.]

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**Changes to legislation:** There are currently no known outstanding effects for the Copyright, Designs and Patents Act 1988, Section 296ZF. (See end of Document for details)

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### Textual Amendments

- F1** Ss. 296-296ZF and cross-heading substituted (31.10.2003) for s. 296 and cross-heading by [The Copyright and Related Rights Regulations 2003 \(S.I. 2003/2498\)](#), **reg. 24(1)** (with regs. 31-40)
- F2** Word in s. 296ZF heading substituted (1.10.2014) by [The Copyright and Rights in Performances \(Personal Copies for Private Use\) Regulations 2014 \(S.I. 2014/2361\)](#), regs. 1(1), **4(3)** (with reg. 5) (but note that the amending S.I. was quashed with prospective effect by the High Court in the case of *R (British Academy of Songwriters, Composers and Authors and others) v Secretary of State for Business, Innovation and Skills* [2015] EWHC 2041 (Admin), 17 July 2015)
- F3** Word in s. 296ZF(4) substituted (1.10.2014) by [The Copyright and Rights in Performances \(Personal Copies for Private Use\) Regulations 2014 \(S.I. 2014/2361\)](#), regs. 1(1), **4(3)** (with reg. 5) (but note that the amending S.I. was quashed with prospective effect by the High Court in the case of *R (British Academy of Songwriters, Composers and Authors and others) v Secretary of State for Business, Innovation and Skills* [2015] EWHC 2041 (Admin), 17 July 2015)

**Changes to legislation:**

There are currently no known outstanding effects for the Copyright, Designs and Patents Act 1988, Section 296ZF.