



# Copyright, Designs and Patents Act 1988

## 1988 CHAPTER 48

### PART I

#### COPYRIGHT

#### CHAPTER III

##### ACTS PERMITTED IN RELATION TO COPYRIGHT WORKS

##### *General*

#### **31 Incidental inclusion of copyright material.**

- (1) Copyright in a work is not infringed by its incidental inclusion in an artistic work, sound recording, film [<sup>F1</sup>or broadcast].
- (2) Nor is the copyright infringed by the issue to the public of copies, or the playing, showing [<sup>F2</sup>or communication to the public], of anything whose making was, by virtue of subsection (1), not an infringement of the copyright.
- (3) A musical work, words spoken or sung with music, or so much of a sound recording [<sup>F1</sup>or broadcast] as includes a musical work or such words, shall not be regarded as incidentally included in another work if it is deliberately included.

#### **Textual Amendments**

- F1** Words in s. 31(1)(3) substituted (31.10.2003) by [The Copyright and Related Rights Regulations 2003 \(S.I. 2003/2498\)](#), reg. 2(1), [Sch. 1 para. 3\(1\)\(d\)\(e\)](#) (with regs. 31-40)
- F2** Words in s. 31(2) substituted (31.10.2003) by [The Copyright and Related Rights Regulations 2003 \(31.10.2003\)](#), reg. 2(1), {[Sch. 1 para. 6\(2\)\(b\)](#)} (with reg. 31-40)

**Changes to legislation:**

There are currently no known outstanding effects for the Copyright, Designs and Patents Act 1988, Section 31.