STATUTORY INSTRUMENTS

# 2018 No. 995

# The Copyright and Related Rights (Marrakesh Treaty etc.) (Amendment) Regulations 2018

## PART 2

Amendments to the 1988 Act

**Making and supply of accessible copies by authorised bodies**

**5.**—(1) Section 31B (making and supply of accessible copies by authorised bodies)[M1] is amended as follows.

(2) In the section heading, for "and supply" substitute " , communicating, making available, distributing or lending ".

(3) For subsection (1) substitute—

"(1) If—

(a) an authorised body has lawful access to the whole or part of a work which has been published or otherwise made available, and

(b) the body complies with subsection (1A),

the body may, without infringing copyright, make, communicate, make available, distribute or lend accessible copies of the work on a non-profit basis for the personal use of disabled persons in the United Kingdom or another member State of the European Union.

(1A) An authorised body complies with this subsection if it—

(a) distributes, communicates, makes available or lends accessible copies only to disabled persons or other authorised bodies,

(b) takes appropriate steps to discourage the unauthorised reproduction, distribution, communication to the public or making available to the public of accessible copies,

(c) demonstrates due care in, and maintains records of, its handling of works and accessible copies, and

(d) publishes and updates, on its website if appropriate, or through other online or offline channels, information on how it complies with the obligations in paragraphs (a), (b) and (c)."

(4) Omit subsections (2) to (4).

(5) In subsection (5)—

(a) for "subsections (1) and (3)" substitute " subsection (1) ";

(b) for "supply" substitute " to communicate, make available, distribute or lend ";

(c) for "includes supply" substitute " includes to communicate, make available, distribute or lend ".

(6) Omit subsections (6) to (8).

(7) In subsection (9)—

(a) for "supply" substitute " communicate, make available, distribute or lend ";

(b) after "another authorised body" insert " established in the United Kingdom or another member State of the European Union ".

(8) Omit subsection (10).

**Marginal Citations**

**M1** Section 31B was inserted by S.I. 2014/1384, **regulation 2(4)**.

**Changes to legislation:**
There are currently no known outstanding effects for the The Copyright and Related Rights (Marrakesh Treaty etc.) (Amendment) Regulations 2018, Section 5.