

Changes to UK Copyright Law – Copying for Commercial Purposes

On 31 October 2003 a number of changes were made to UK copyright law, in order to comply with a European Union Directive on copyright and related rights. One significant change relates to the so-called 'exceptions' to copyright, which enable librarians or individuals to make copies without having to obtain prior permission from the copyright holder.

Fair Dealing

The 'fair dealing' exceptions, which permit copying by or for an individual for research or private study, now only apply to research for a non-commercial purpose. Any copying carried out in support of research or private study which is directly or indirectly connected with a commercial purpose is likely to constitute an infringement, unless clearance has been obtained. Other restrictions, such as the amount that can be copied, remain unchanged.

Interlibrary Loans

Libraries are no longer able to supply photocopies which are required for any commercial purpose without payment of a copyright fee, in addition to the existing document supply fee. Users of the Interlibrary Loan service will be asked to declare whether the copy is required for a non-commercial purpose. Photocopies required for a commercial purpose can be obtained through the British Library's Copyright Cleared Service. Further information on this service is available from Library staff.

What constitutes commercial or non-commercial research?

Please note that the following list is not exhaustive and is for guidance only.

Non-commercial

- Work done by lecturers for teaching purposes
- Work done by students for their courses
- Research by employees to assist in their personal professional development

- Work done in preparation for a conference paper for which the author will not be paid
- Any individual's private research which is unrelated to any commercial venture.

Commercial

- Research undertaken or contracted-out by a commercial company
- Work done by an information broker for clients
- Work done for a spin-off company owned by the University
- Research for a book chapter or journal article for which the author will receive payment
- Research carried out by medical consultants for use in their private practice.

*For information and advice contact the
Legal Compliance Team
Information Services
Tel: 029 2087 9033
Email: Copyright@cardiff.ac.uk
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