



# Copyright Act 1956

1956 CHAPTER 74 4 and 5 Eliz 2

## PART III

### REMEDIES FOR INFRINGEMENTS OF COPYRIGHT

#### **21 Penalties and summary proceedings in respect of dealings which infringe copyright**

- (1) Any person who, at a time when copyright subsists in a work,—
- makes for sale or hire, or
  - sells or lets for hire, or by way of trade offers or exposes for sale or hire, or
  - by way of trade exhibits in public, or
  - imports into the United Kingdom, otherwise than for his private and domestic use,
- any article which he knows to be an infringing copy of the work, shall be guilty of an offence under this subsection.
- (2) Any person who, at a time when copyright subsists in a work, distributes, either—
- for purposes of trade, or
  - for other purposes, but to such an extent as to affect prejudicially the owner of the copyright,
- articles which he knows to be infringing copies of the work, shall be guilty of an offence under this subsection.
- (3) Any person who, at a time when copyright subsists in a work, makes or has in his possession a plate, knowing that it is to be used for making infringing copies of the work, shall be guilty of an offence under this subsection.
- (4) The preceding subsections shall apply in relation to copyright subsisting in any subject-matter by virtue of Part II of this Act, as they apply in relation to copyright subsisting by virtue of Part I of this Act.

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*Status: This is the original version (as it was originally enacted). This item of legislation is currently only available in its original format.*

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- (5) Any person who causes a literary, dramatic or musical work to be performed in public, knowing that copyright subsists in the work and that the performance constitutes an infringement of the copyright, shall be guilty of an offence under this subsection.
- (6) The preceding provisions of this section apply only in respect of acts done in the United Kingdom.
- (7) A person guilty of an offence under subsection (1) or subsection (2) of this section shall on summary conviction—
- (a) if it is his first conviction of an offence under this section, be liable to a fine not exceeding forty shillings for each article to which the offence relates;
  - (b) in any other case, be liable to such a fine, or to imprisonment for a term not exceeding two months:
- Provided that a fine imposed by virtue of this subsection shall not exceed fifty pounds in respect of articles comprised in the same transaction.
- (8) A person guilty of an offence under subsection (3) or subsection (5) of this section shall on summary conviction—
- (a) if it is his first conviction of an offence under this section, be liable to a fine not exceeding fifty pounds;
  - (b) in any other case, be liable to such a fine, or to imprisonment for a term not exceeding two months.
- (9) The court before which a person is charged with an offence under this section may, whether he is convicted of the offence or not, order that any article in his possession which appears to the court to be an infringing copy, or to be a plate used or intended to be used for making infringing copies, shall be destroyed or delivered up to the owner of the copyright in question or otherwise dealt with as the court may think fit.
- (10) An appeal shall lie to a court of quarter sessions from any order made under the last preceding subsection by a court of summary jurisdiction; and where such an order is made by the sheriff there shall be a like right of appeal against the order as if it were a conviction.