

## SCHEDULE 1

### EXCEPTIONS TO DATABASE RIGHT FOR PUBLIC ADMINISTRATION

#### *Material open to public inspection or on official register*

3.—(1) Where the contents of a database are open to public inspection pursuant to a statutory requirement, or are on a statutory register, database right in the database is not infringed by the extraction of all or a substantial part of the contents containing factual information of any description, by or with the authority of the appropriate person, for a purpose which does not involve re-utilisation of all or a substantial part of the contents.

(2) Where the contents of a database are open to public inspection pursuant to a statutory requirement, database right in the database is not infringed by the extraction or re-utilisation of all or a substantial part of the contents, by or with the authority of the appropriate person, for the purpose of enabling the contents to be inspected at a more convenient time or place or otherwise facilitating the exercise of any right for the purpose of which the requirement is imposed.

(3) Where the contents of a database which is open to public inspection pursuant to a statutory requirement, or which is on a statutory register, contain information about matters of general scientific, technical, commercial or economic interest, database right in the database is not infringed by the extraction or re-utilisation of all or a substantial part of the contents, by or with the authority of the appropriate person, for the purpose of disseminating that information.

(4) In this paragraph—

“appropriate person” means the person required to make the contents of the database open to public inspection or, as the case may be, the person maintaining the register;

“statutory register” means a register maintained in pursuance of a statutory requirement; and

“statutory requirement” means a requirement imposed by provision made by or under an enactment.

[<sup>F1</sup>(5) In sub-paragraph (4) the reference to an enactment includes any enactment contained in Part 3 of the Regulatory Reform (Scotland) Act 2014.]

#### **Textual Amendments**

**F1** Sch. 1 para. 3(5) inserted (26.2.2015) by [The Regulatory Reform \(Scotland\) Act 2014 \(Consequential Modifications\) Order 2015 \(S.I. 2015/374\)](#), arts. 1(1), **10(2)**

#### **Commencement Information**

**I1** Sch. 1 para. 3 in force at 1.1.1998, see [reg. 1\(2\)](#)

**Changes to legislation:**

There are currently no known outstanding effects for the The Copyright and Rights in Databases Regulations 1997, Cross Heading: Material open to public inspection or on official register.