



Copyright, Designs and Patents Act 1988

1988 CHAPTER 48

PART I

COPYRIGHT

CHAPTER IV

MORAL RIGHTS

Right to object to derogatory treatment of work

80 Right to object to derogatory treatment of work

- (1) The author of a copyright literary, dramatic, musical or artistic work, and the director of a copyright film, has the right in the circumstances mentioned in this section not to have his work subjected to derogatory treatment.
- (2) For the purposes of this section—
 - (a) “treatment” of a work means any addition to, deletion from or alteration to or adaptation of the work, other than—
 - (i) a translation of a literary or dramatic work, or
 - (ii) an arrangement or transcription of a musical work involving no more than a change of key or register; and
 - (b) the treatment of a work is derogatory if it amounts to distortion or mutilation of the work or is otherwise prejudicial to the honour or reputation of the author or director;

and in the following provisions of this section references to a derogatory treatment of a work shall be construed accordingly.

- (3) In the case of a literary, dramatic or musical work the right is infringed by a person who—

Status: This is the original version (as it was originally enacted).

- (a) publishes commercially, performs in public, broadcasts or includes in a cable programme service a derogatory treatment of the work; or
 - (b) issues to the public copies of a film or sound recording of, or including, a derogatory treatment of the work.
- (4) In the case of an artistic work the right is infringed by a person who—
- (a) publishes commercially or exhibits in public a derogatory treatment of the work, or broadcasts or includes in a cable programme service a visual image of a derogatory treatment of the work,
 - (b) shows in public a film including a visual image of a derogatory treatment of the work or issues to the public copies of such a film, or
 - (c) in the case of—
 - (i) a work of architecture in the form of a model for a building,
 - (ii) a sculpture, or
 - (iii) a work of artistic craftsmanship,issues to the public copies of a graphic work representing, or of a photograph of, a derogatory treatment of the work.
- (5) Subsection (4) does not apply to a work of architecture in the form of a building; but where the author of such a work is identified on the building and it is the subject of derogatory treatment he has the right to require the identification to be removed.
- (6) In the case of a film, the right is infringed by a person who—
- (a) shows in public, broadcasts or includes in a cable programme service a derogatory treatment of the film; or
 - (b) issues to the public copies of a derogatory treatment of the film,
- or who, along with the film, plays in public, broadcasts or includes in a cable programme service, or issues to the public copies of, a derogatory treatment of the film sound-track.
- (7) The right conferred by this section extends to the treatment of parts of a work resulting from a previous treatment by a person other than the author or director, if those parts are attributed to, or are likely to be regarded as the work of, the author or director.
- (8) This section has effect subject to sections 81 and 82 (exceptions to and qualifications of right).