

*Changes to legislation:* There are currently no known outstanding effects for the  
Copyright, Designs and Patents Act 1988, Paragraph 41. (See end of Document for details)

## SCHEDULES

### SCHEDULE 1

#### COPYRIGHT: TRANSITIONAL PROVISIONS AND SAVINGS

##### Modifications etc. (not altering text)

- C1 Sch. 1 applied (with modifications) by S.I. 1989/1293, [art. 4\(4\)\(5\)\(6\)](#)
- C1 Sch. 1 applied (with modifications)(4.5.1993) by S.I. 1993/942, [arts. 2\(3\), 5](#), [Sch. 4](#) (with [art. 6](#))
- C1 Sch. 1 applied (4.5.1993) by S.I. 1993/942, [arts.4, 5](#), [Sch. 4](#) (with [art. 6](#))
- C1 Sch. 1 applied (with modifications) (22.7.1999) by S.I. 1999/1751, [arts. 2\(3\), 3, 4\(3\)-\(5\), 6](#), [Sch. 5](#) (subject to [arts. 5, 7](#)) (as amended (22.4.2003) by S.I. 2003/774, [arts. 2-5](#))
- C1 Sch. 1 extended in part (with modifications) by [The Copyright \(Bermuda\) Order 2003 \(S.I. 2003/1517\)](#), [art. 2](#), [Sch.](#) (the amendment coming into force in accordance with [art. 1](#) of the amending S.I.)
- C1 Sch. 1 extended in part (with modifications) by [The Copyright \(Gibraltar\) Order 2005 \(S.I. 2005/853\)](#), [art. 2](#), [Sch.](#) (the amendment coming into force in accordance with [art. 1](#) of the amending S.I.)

##### *Crown copyright*

- 41 (1) The following provisions have effect with respect to the duration of copyright in existing works to which section 163 (Crown copyright) applies.

The question which provision applies to a work shall be determined by reference to the facts immediately before commencement; and expressions used in this paragraph which were defined for the purposes of the 1956 Act have the same meaning as in that Act.

- (2) Copyright in the following descriptions of work continues to subsist until the date on which it would have expired in accordance with the 1956 Act—
- (a) published literary, dramatic or musical works;
  - (b) artistic works other than engravings or photographs;
  - (c) published engravings;
  - (d) published photographs and photographs taken before 1st June 1957;
  - (e) published sound recordings and sound recordings made before 1st June 1957;
  - (f) published films and films falling within section 13(3)(a) of the 1956 Act (films registered under former enactments relating to registration of films).
- (3) Copyright in unpublished literary, dramatic or musical works continues to subsist until—
- (a) the date on which copyright expires in accordance with section 163(3), or
  - (b) the end of the period of 50 years from the end of the calendar year in which the new copyright provisions come into force,
- whichever is the later.

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- (4) Copyright in the following descriptions of work continues to subsist until the end of the period of 50 years from the end of the calendar year in which the new copyright provisions come into force—
- (a) unpublished engravings;
  - (b) unpublished photographs taken on or after 1st June 1957.
- (5) Copyright in a film or sound recording not falling within sub-paragraph (2) above continues to subsist until the end of the period of 50 years from the end of the calendar year in which the new copyright provisions come into force, unless the film or recording is published before the end of that period, in which case copyright expires 50 years from the end of the calendar year in which it is published.

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