



Copyright, Designs and Patents Act 1988

1988 CHAPTER 48

PART I

COPYRIGHT

CHAPTER I

SUBSISTENCE, OWNERSHIP AND DURATION OF COPYRIGHT

Duration of copyright

[^{F1}13A Duration of copyright in sound recordings.

(1) The following provisions have effect with respect to the duration of copyright in a sound recording.

[^{F2}(2) Subject to subsections (4) and (5) [^{F3}and section 191HA(4)], copyright expires—

- (a) at the end of the period of 50 years from the end of the calendar year in which the recording is made, or
- (b) if during that period the recording is published, [^{F4}70] years from the end of the calendar year in which it is first published, or
- (c) if during that period the recording is not published but is made available to the public by being played in public or communicated to the public, [^{F5}70] years from the end of the calendar year in which it is first so made available,

but in determining whether a sound recording has been published, played in public or communicated to the public, no account shall be taken of any unauthorised act.]

(3) ^{F6}

(4) Where the author of a sound recording is not a national of an EEA state, the duration of copyright is that to which the sound recording is entitled in the country of which the author is a national, provided that does not exceed the period which would apply under [^{F7} subsection (2)] .

Status: Point in time view as at 01/11/2013. This version of this provision has been superseded.

Changes to legislation: There are currently no known outstanding effects for the Copyright, Designs and Patents Act 1988, Section 13A. (See end of Document for details)

- (5) If or to the extent that the application of subsection (4) would be at variance with an international obligation to which the United Kingdom became subject prior to 29th October 1993, the duration of copyright shall be as specified in [^{F7}subsection (2)].]

Textual Amendments

- F1** Ss. 13A, 13B substituted for s. 13 (1.1.1996) by [S.I. 1995/3297](#), **reg. 6(1)** (with Pt. IV)
- F2** S. 13A(2) substituted (31.10.2003) by [The Copyright and Related Rights Regulations 2003](#) (S.I. 2003/2498), **reg. 29(a)** (with [regs. 31-40](#))
- F3** Words in s. 13A(2) inserted (1.11.2013) by [The Copyright and Duration of Rights in Performances Regulations 2013](#) (S.I. 2013/1782), [regs. 1, 6\(a\)](#) (with [regs. 11-27](#))
- F4** Word in s. 13A(2)(b) substituted (1.11.2013) by [The Copyright and Duration of Rights in Performances Regulations 2013](#) (S.I. 2013/1782), [regs. 1, 6\(b\)](#) (with [regs. 11-27](#))
- F5** Word in s. 13A(2)(c) substituted (1.11.2013) by [The Copyright and Duration of Rights in Performances Regulations 2013](#) (S.I. 2013/1782), [regs. 1, 6\(b\)](#) (with [regs. 11-27](#))
- F6** S. 13A(3) repealed (31.10.2003) by [The Copyright and Related Rights Regulations 2003](#) (S.I. 2003/2498), [regs. 2\(2\), 29\(b\)](#), **Sch. 2** (with [regs. 31-40](#))
- F7** Words in s. 13A(4)(5) substituted (31.10.2003) by [The Copyright and Related Rights Regulations 2003](#) (S.I.2003/2498), **reg. 29(c)** (with [regs. 31-40](#))

Status:

Point in time view as at 01/11/2013. This version of this provision has been superseded.

Changes to legislation:

There are currently no known outstanding effects for the Copyright, Designs and Patents Act 1988, Section 13A.