



# Copyright, Designs and Patents Act 1988

## 1988 CHAPTER 48

### PART I

#### COPYRIGHT

#### CHAPTER IV

#### MORAL RIGHTS

#### *Supplementary*

#### **88 Application of provisions to joint works.**

- (1) The right conferred by section 77 (right to be identified as author or director) is, in the case of a work of joint authorship, a right of each joint author to be identified as a joint author and must be asserted in accordance with section 78 by each joint author in relation to himself.
- (2) The right conferred by section 80 (right to object to derogatory treatment of work) is, in the case of a work of joint authorship, a right of each joint author and his right is satisfied if he consents to the treatment in question.
- (3) A waiver under section 87 of those rights by one joint author does not affect the rights of the other joint authors.
- (4) The right conferred by section 84 (false attribution) is infringed, in the circumstances mentioned in that section—
  - (a) by any false statement as to the authorship of a work of joint authorship, and
  - (b) by the false attribution of joint authorship in relation to a work of sole authorship;

and such a false attribution infringes the right of every person to whom authorship of any description is, whether rightly or wrongly, attributed.

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*Status: Point in time view as at 01/12/1996.*

*Changes to legislation: There are currently no known outstanding effects for the Copyright, Designs and Patents Act 1988, Section 88. (See end of Document for details)*

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- (5) The above provisions also apply (with any necessary adaptations) in relation to a film which was, or is alleged to have been, jointly directed, as they apply to a work which is, or is alleged to be, a work of joint authorship.

A film is “jointly directed” if it is made by the collaboration of two or more directors and the contribution of each director is not distinct from that of the other director or directors.

- (6) The right conferred by section 85 (right to privacy of certain photographs and films) is, in the case of a work made in pursuance of a joint commission, a right of each person who commissioned the making of the work, so that—
- (a) the right of each is satisfied if he consents to the act in question, and
  - (b) a waiver under section 87 by one of them does not affect the rights of the others.

**Status:**

Point in time view as at 01/12/1996.

**Changes to legislation:**

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