



# Copyright, Designs and Patents Act 1988

## 1988 CHAPTER 48

### PART I

#### COPYRIGHT

#### CHAPTER I

##### SUBSISTENCE, OWNERSHIP AND DURATION OF COPYRIGHT

##### *Introductory*

### 1 Copyright and copyright works.

- (1) Copyright is a property right which subsists in accordance with this Part in the following descriptions of work—
  - (a) original literary, dramatic, musical or artistic works,
  - (b) sound recordings, films [<sup>F1</sup>or broadcasts], and
  - (c) the typographical arrangement of published editions.
- (2) In this Part “copyright work” means a work of any of those descriptions in which copyright subsists.
- (3) Copyright does not subsist in a work unless the requirements of this Part with respect to qualification for copyright protection are met (see section 153 and the provisions referred to there).

#### Textual Amendments

- F1** Words in s. 1(1)(b) substituted (31.10.2003) by [The Copyright and Related Rights Regulations 2003](#) (S.I. 2003/2498), [reg. 5\(2\)](#) (with [regs. 31-40](#))

---

*Status: Point in time view as at 01/11/2013.*

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

---

## **2 Rights subsisting in copyright works.**

- (1) The owner of the copyright in a work of any description has the exclusive right to do the acts specified in Chapter II as the acts restricted by the copyright in a work of that description.
- (2) In relation to certain descriptions of copyright work the following rights conferred by Chapter IV (moral rights) subsist in favour of the author, director or commissioner of the work, whether or not he is the owner of the copyright—
  - (a) section 77 (right to be identified as author or director),
  - (b) section 80 (right to object to derogatory treatment of work), and
  - (c) section 85 (right to privacy of certain photographs and films).

**Status:**

Point in time view as at 01/11/2013.

**Changes to legislation:**

There are currently no known outstanding effects for the Copyright, Designs and Patents Act 1988, Cross Heading: Introductory.