



# Copyright, Designs and Patents Act 1988

## 1988 CHAPTER 48

### PART I

#### COPYRIGHT

#### CHAPTER X

##### MISCELLANEOUS AND GENERAL

##### *Crown and Parliamentary copyright*

#### **165 Parliamentary copyright.**

- (1) Where a work is made by or under the direction or control of the House of Commons or the House of Lords—
  - (a) the work qualifies for copyright protection notwithstanding section 153(1) (ordinary requirement as to qualification for copyright protection), and
  - (b) the House by whom, or under whose direction or control, the work is made is the first owner of any copyright in the work, and if the work is made by or under the direction or control of both Houses, the two Houses are joint first owners of copyright.
- (2) Copyright in such a work is referred to in this Part as “Parliamentary copyright”, notwithstanding that it may be, or have been, assigned to another person.
- (3) Parliamentary copyright in a literary, dramatic, musical or artistic work continues to subsist until the end of the period of 50 years from the end of the calendar year in which the work was made.
- (4) For the purposes of this section, works made by or under the direction or control of the House of Commons or the House of Lords include—
  - (a) any work made by an officer or employee of that House in the course of his duties, and

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*Changes to legislation: There are currently no known outstanding effects for the Copyright, Designs and Patents Act 1988, Section 165. (See end of Document for details)*

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- (b) any sound recording, film [<sup>F1</sup>or live broadcast] of the proceedings of that House;
- but a work shall not be regarded as made by or under the direction or control of either House by reason only of its being commissioned by or on behalf of that House.
- (5) In the case of a work of joint authorship where one or more but not all of the authors are acting on behalf of, or under the direction or control of, the House of Commons or the House of Lords, this section applies only in relation to those authors and the copyright subsisting by virtue of their contribution to the work.
- (6) Except as mentioned above, and subject to any express exclusion elsewhere in this Part, the provisions of this Part apply in relation to Parliamentary copyright as to other copyright.
- (7) The provisions of this section also apply, subject to any exceptions or modifications specified by Order in Council, to works made by or under the direction or control of any other legislative body of a country to which this Part extends; and references in this Part to “Parliamentary copyright” shall be construed accordingly.
- (8) A statutory instrument containing an Order in Council under subsection (7) shall be subject to annulment in pursuance of a resolution of either House of Parliament.

#### Textual Amendments

- F1** Words in s. 165(4)(b) substituted (31.10.2003) by [The Copyright and Related Rights Regulations 2003 \(S.I. 2003/2498\)](#), [reg. 2\(1\)](#), [Sch. 1 para. 11\(b\)](#) (with [regs. 31-40](#))

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

- C1** S. 165 modified (6.5.1999) by [S.I. 1999/676](#), [art. 2](#)  
S. 165 modified (2.12.1999) by [S.I. 1999/3146](#), [arts. 1\(1\), 2](#); [S.I. 1999/3208](#), [art. 2](#)
- C2** S. 165 modified (3.5.2007 in accordance with art. 1(2) of the amending S.I.) by [The Parliamentary Copyright \(National Assembly for Wales\) Order 2007 \(S.I. 2007/1116\)](#), [art. 2](#)

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