



Copyright, Designs and Patents Act 1988

1988 CHAPTER 48

PART I

COPYRIGHT

CHAPTER I

SUBSISTENCE, OWNERSHIP AND DURATION OF COPYRIGHT

Authorship and ownership of copyright

9 Authorship of work.

- (1) In this Part “author”, in relation to a work, means the person who creates it.
- (2) That person shall be taken to be—
 - ^{F1}(aa) in the case of a sound recording, the producer;
 - ^{F1}(ab) in the case of a film, the producer and the principal director;
 - (b) in the case of a broadcast, the person making the broadcast (see section 6(3)) or, in the case of a broadcast which relays another broadcast by reception and immediate re-transmission, the person making that other broadcast;
 - (c) ^{F2}.....
 - (d) in the case of the typographical arrangement of a published edition, the publisher.
- (3) In the case of a literary, dramatic, musical or artistic work which is computer-generated, the author shall be taken to be the person by whom the arrangements necessary for the creation of the work are undertaken.
- (4) For the purposes of this Part a work is of “unknown authorship” if the identity of the author is unknown or, in the case of a work of joint authorship, if the identity of none of the authors is known.

Changes to legislation: There are currently no known outstanding effects for the Copyright, Designs and Patents Act 1988, Section 9. (See end of Document for details)

- (5) For the purposes of this Part the identity of an author shall be regarded as unknown if it is not possible for a person to ascertain his identity by reasonable inquiry; but if his identity is once known it shall not subsequently be regarded as unknown.

Textual Amendments

- F1** S. 9(2)(aa)(ab) substituted for s. 9(2)(a) (1.12.1996 with effect in relation to films made on or after 1.7.1994) by [S.I. 1996/2967](#), [regs. 18\(1\)](#), 36
- F2** S. 9(2)(c) repealed (31.10.2003) by [The Copyright and Related Rights Regulations 2003](#) (S.I. 2003/2498), [regs. 2\(2\)](#), 5(4), [Sch. 2](#) (with [regs. 31-40](#))

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