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SCHEDULES

THIRD SCHEDULE

Section 11.

WORKS OF JOINT AUTHORSHIP

1 In relation to a work of joint authorship, the references to the author in subsections (1) and (2) of section two of this Act, in subsections (2) and (3) of section three of this Act, and in paragraph 2 of the Second Schedule to this Act, shall be construed as references to any one or more of the authors.

2 In relation to a work of joint authorship, other than a work to which the next following paragraph applies, references to the author in subsection (3) of section two, in subsection (4) of section three, and in subsection (6) of section seven, of this Act, shall be construed as references to the author who died last.

3 (1) This paragraph applies to any work of joint authorship which was first published under two or more names, of which one or more (but not all) were pseudonyms.

(2) This paragraph also applies to any work of joint authorship which was first published under two or more names all of which were pseudonyms, if, at any time within the period of fifty years from the end of the calendar year in which the work was first published, it is possible for a person without previous knowledge of the facts to ascertain the identity of any one or more (but not all) of the authors by reasonable inquiry.

(3) In relation to a work to which this paragraph applies, references to the author in subsection (3) of section two of this Act, and in subsection (4) of section three of this Act, shall be construed as references to the author whose identity was disclosed, or, if the identity of two or more of the authors was disclosed, as references to that one of those authors who died last.

(4) For the purposes of this paragraph the identity of an author shall be taken to have been disclosed if either—

(a) in his case, the name under which the work was published was not a pseudonym, or

(b) it is possible to ascertain his identity as mentioned in sub-paragraph (2) of this paragraph.

4 (1) In relation to a work of joint authorship of which one or more of the authors are persons to whom this paragraph applies, subsection (1) of section four of this Act shall have effect as if the author or authors, other than persons to whom this paragraph applies, had been the sole author, or (as the case may be) sole joint authors, of the work.

(2) This paragraph applies, in the case of a work, to any person such that, if he had been the sole author of the work, copyright would not have subsisted in the work by virtue of Part I of this Act.

5 In the proviso to subsection (6) of section six of this Act, the reference to other excerpts from works by the author of the passage in question—

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(a) shall be taken to include a reference to excerpts from works by the author of that passage in collaboration with any other person, or

(b) if the passage in question is from a work of joint authorship, shall be taken to include a reference to excerpts from works by any one or more of the authors of that passage, or by any one or more of those authors in collaboration with any other person.

6 Subject to the preceding provisions of this Schedule, any reference in this Act to the author of a work shall (unless it is otherwise expressly provided) be construed, in relation to a work of joint authorship, as a reference to all the authors of the work.