
STATUTORY INSTRUMENTS

1997 No. 3032

The Copyright and Rights in Databases Regulations 1997

PART III

DATABASE RIGHT

The maker of a database

14.—(1) Subject to paragraphs (2) to (4), the person who takes the initiative in obtaining, verifying or presenting the contents of a database and assumes the risk of investing in that obtaining, verification or presentation shall be regarded as the maker of, and as having made, the database.

(2) Where a database is made by an employee in the course of his employment, his employer shall be regarded as the maker of the database, subject to any agreement to the contrary.

(3) Subject to paragraph (4), where a database is made by Her Majesty or by an officer or servant of the Crown in the course of his duties, Her Majesty shall be regarded as the maker of the database.

(4) Where a database is made by or under the direction or control of the House of Commons or the House of Lords—

- (a) the House by whom, or under whose direction or control, the database is made shall be regarded as the maker of the database, and
- (b) if the database is made by or under the direction or control of both Houses, the two Houses shall be regarded as the joint makers of the database.

[^{F1}(4A) Where a database is made by or under the direction or control of the Scottish Parliament, the Scottish Parliamentary Corporate Body shall be regarded as the maker of the database.]

(5) For the purposes of this Part a database is made jointly if two or more persons acting together in collaboration take the initiative in obtaining, verifying or presenting the contents of the database and assume the risk of investing in that obtaining, verification or presentation.

(6) References in this Part to the maker of a database shall, except as otherwise provided, be construed, in relation to a database which is made jointly, as references to all the makers of the database.

Textual Amendments

- F1** [Reg. 14\(4A\)](#) inserted (6.5.1999) by [The Scotland Act 1998 \(Consequential Modifications\) \(No.1\) Order 1999 \(S.I. 1999/1042\)](#), arts. 1(2)(a), 3, [Sch. 1 para. 26](#)
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Commencement Information

- I1** [Reg. 14](#) in force at 1.1.1998, see [reg. 1\(2\)](#)

Changes to legislation:

There are currently no known outstanding effects for the The Copyright and Rights in Databases Regulations 1997, Section 14.