



Copyright, Designs and Patents Act 1988

1988 CHAPTER 48

PART I

COPYRIGHT

CHAPTER IX

QUALIFICATION FOR AND EXTENT OF COPYRIGHT PROTECTION

Qualification for copyright protection

153 Qualification for copyright protection.

- (1) Copyright does not subsist in a work unless the qualification requirements of this Chapter are satisfied as regards—
 - (a) the author (see section 154), or
 - (b) the country in which the work was first published (see section 155), or
 - (c) in the case of a broadcast ^{F1} . . . , the country from which the broadcast was made ^{F1} . . . (see section 156).
- (2) Subsection (1) does not apply in relation to Crown copyright or Parliamentary copyright (see sections 163 to [^{F2}166D]) or to copyright subsisting by virtue of section 168 (copyright of certain international organisations).
- (3) If the qualification requirements of this Chapter, or section 163, 165 or 168, are once satisfied in respect of a work, copyright does not cease to subsist by reason of any subsequent event.

Textual Amendments

- F1** Words in s. 153(1)(c) repealed (31.10.2003) by [The Copyright and Related Rights Regulations 2003](#) (S.I. 2003/2498), reg. 2(2), [Sch. 2](#) (with regs. 31-40)

Changes to legislation: There are currently no known outstanding effects for the Copyright, Designs and Patents Act 1988, Section 153. (See end of Document for details)

- F2** Word in s. 153(2) substituted by [Government of Wales Act 2006 \(c. 32\)](#), s. 160(1), **Sch. 10 para. 25** (with [Sch. 11 para. 22](#)), the amending provision coming into force immediately after "the 2007 election" (held on 3.5.2007) subject to s. 161(4)(5) of the amending Act, which provides for certain provisions to come into force for specified purposes immediately after the end of "the initial period" (which ended with the day of the first appointment of a First Minister on 25.5.2007) - see ss. 46, 161(1)(4)(5) of the amending Act.

Modifications etc. (not altering text)

- C1** Pt. 1 extended (with modifications) (6.4.2017) by [The Copyright and Performances \(Application to Other Countries\) Order 2016 \(S.I. 2016/1219\)](#), arts. 1(1), **4** (with art. 13)
- C2** Pt. 1 restricted (6.4.2017) by [The Copyright and Performances \(Application to Other Countries\) Order 2016 \(S.I. 2016/1219\)](#), arts. 1(1), **6** (with art. 13)
- C3** Pt. 1 restricted (6.4.2017) by [The Copyright and Performances \(Application to Other Countries\) Order 2016 \(S.I. 2016/1219\)](#), arts. 1(1), **9** (with art. 13)
- C4** Pt. 1 extended (with modifications) (6.4.2017) by [The Copyright and Performances \(Application to Other Countries\) Order 2016 \(S.I. 2016/1219\)](#), arts. 1(1), **7** (with art. 13)
- C5** Pt. 1 restricted (6.4.2017) by [The Copyright and Performances \(Application to Other Countries\) Order 2016 \(S.I. 2016/1219\)](#), arts. 1(1), **2** (with art. 13)
- C6** Pt. 1 restricted (6.4.2017) by [The Copyright and Performances \(Application to Other Countries\) Order 2016 \(S.I. 2016/1219\)](#), arts. 1(1), **3** (with art. 13)
- C7** Pt. 1 extended (with modifications) (6.4.2017) by [The Copyright and Performances \(Application to Other Countries\) Order 2016 \(S.I. 2016/1219\)](#), arts. 1(1), **5**, **Sch. Pt. 1** (with art. 13)
- C8** Pt. 1 applied (with modifications) (6.4.2017) by [The Copyright and Performances \(Application to Other Countries\) Order 2016 \(S.I. 2016/1219\)](#), arts. 1(1), **8** (with art. 13)
- C9** Ss. 153, 154 extended by [S.I. 1989/988](#), **art. 2(1)**
- C10** S. 153 extended (1.7.1992) by [S.I. 1992/1313](#), **art. 2**
- C11** Ss. 153, 154 applied (with modifications) (4.5.1993) by [S.I. 1993/942](#), arts. 2, 3, 4, 5, **Sch. 4** (with art. 6)
- Ss. 153-155 applied (with modifications) (22.7.1999) by [S.I. 1999/1751](#), arts. 2(1)(2), 5, Sch. 1, **Sch. 5** (as amended 22.4.2003 by [S.I. 2003/774](#), **arts. 2-5**)
- Ss. 153, 154, 155 applied (with modifications) (22.7.1999) by [S.I. 1999/1751](#), arts. 2(1)(2), 3, 5, Sch. 1, **Sch. 2**, **Sch. 5** (as amended 22.4.2003 by [S.I. 2003/774](#), **arts. 2-5**)
- Ss. 153, 154, 156 applied (with modifications) (22.7.1999) by [S.I. 1999/1751](#), **arts. 4(1)(2)(5)**, 5 (as amended 22.4.2003 by [S.I. 2003/774](#), **arts. 2-5**)

Changes to legislation:

There are currently no known outstanding effects for the Copyright, Designs and Patents Act 1988, Section 153.