



# Copyright, Designs and Patents Act 1988

## 1988 CHAPTER 48

### PART I

#### COPYRIGHT

### CHAPTER III

#### ACTS PERMITTED IN RELATION TO COPYRIGHT WORKS

##### *Miscellaneous: literary, dramatic, musical and artistic works*

#### **58 Use of notes or recordings of spoken words in certain cases**

- (1) Where a record of spoken words is made, in writing or otherwise, for the purpose—
- (a) of reporting current events, or
  - (b) of broadcasting or including in a cable programme service the whole or part of the work,

it is not an infringement of any copyright in the words as a literary work to use the record or material taken from it (or to copy the record, or any such material, and use the copy) for that purpose, provided the following conditions are met.

- (2) The conditions are that—
- (a) the record is a direct record of the spoken words and is not taken from a previous record or from a broadcast or cable programme;
  - (b) the making of the record was not prohibited by the speaker and, where copyright already subsisted in the work, did not infringe copyright;
  - (c) the use made of the record or material taken from it is not of a kind prohibited by or on behalf of the speaker or copyright owner before the record was made; and
  - (d) the use is by or with the authority of a person who is lawfully in possession of the record.