



Copyright, Designs and Patents Act 1988

1988 CHAPTER 48

PART I

COPYRIGHT

CHAPTER IV

MORAL RIGHTS

Right to be identified as author or director

79 Exceptions to right

- (1) The right conferred by section 77 (right to be identified as author or director) is subject to the following exceptions.
- (2) The right does not apply in relation to the following descriptions of work—
 - (a) a computer program;
 - (b) the design of a typeface;
 - (c) any computer-generated work.
- (3) The right does not apply to anything done by or with the authority of the copyright owner where copyright in the work originally vested—
 - (a) in the author's employer by virtue of section 11(2) (works produced in course of employment), or
 - (b) in the director's employer by virtue of section 9(2)(a) (person to be treated as author of film).
- (4) The right is not infringed by an act which by virtue of any of the following provisions would not infringe copyright in the work—
 - (a) section 30 (fair dealing for certain purposes), so far as it relates to the reporting of current events by means of a sound recording, film, broadcast or cable programme;

Status: This is the original version (as it was originally enacted).

- (b) section 31 (incidental inclusion of work in an artistic work, sound recording, film, broadcast or cable programme);
 - (c) section 32(3) (examination questions);
 - (d) section 45 (parliamentary and judicial proceedings);
 - (e) section 46(1) or (2) (Royal Commissions and statutory inquiries);
 - (f) section 51 (use of design documents and models);
 - (g) section 52 (effect of exploitation of design derived from artistic work);
 - (h) section 57 (anonymous or pseudonymous works: acts permitted on assumptions as to expiry of copyright or death of author).
- (5) The right does not apply in relation to any work made for the purpose of reporting current events.
- (6) The right does not apply in relation to the publication in—
- (a) a newspaper, magazine or similar periodical, or
 - (b) an encyclopaedia, dictionary, yearbook or other collective work of reference, of a literary, dramatic, musical or artistic work made for the purposes of such publication or made available with the consent of the author for the purposes of such publication.
- (7) The right does not apply in relation to—
- (a) a work in which Crown copyright or Parliamentary copyright subsists, or
 - (b) a work in which copyright originally vested in an international organisation by virtue of section 168,
- unless the author or director has previously been identified as such in or on published copies of the work.