



Copyright Act 1956

1956 CHAPTER 74 4 and 5 Eliz 2

PART VI

MISCELLANEOUS AND SUPPLEMENTARY PROVISIONS

43 False attribution of authorship

- (1) The restrictions imposed by this section shall have effect in relation to literary, dramatic, musical or artistic works; and any reference in this section to a work shall be construed as a reference to such a work.
- (2) A person (in this subsection referred to as “the offender”) contravenes those restrictions as respects another person if, without the licence of that other person, he does any of the following acts in the United Kingdom, that is to say, he—
 - (a) inserts or affixes that other person's name in or on a work of which that person is not the author, or in or on a reproduction of such a work, in such a way as to imply that the other person is the author of the work, or
 - (b) publishes, or sells or lets for hire, or by way of trade offers or exposes for sale or hire, or by way of trade exhibits in public, a work in or on which the other person's name has been so inserted or affixed, if to the offender's knowledge that person is not the author of the work, or
 - (c) does any of the acts mentioned in the last preceding paragraph in relation to, or distributes, reproductions of a work, being reproductions in or on which the other person's name has been so inserted or affixed, if to the offender's knowledge that person is not the author of the work, or
 - (d) performs in public, or broadcasts, a work of which the other person is not the author, as being a work of which he is the author, if to the offender's knowledge that person is not the author of the work.
- (3) The last preceding subsection shall apply where, contrary to the fact, a work is represented as being an adaptation of the work of another person as it applies where a work is so represented as being the work of another person.

Status: This is the original version (as it was originally enacted). This item of legislation is currently only available in its original format.

- (4) In the case of an artistic work which has been altered after the author parted with the possession of it, the said restrictions are contravened, in relation to the author, by a person who in the United Kingdom, without the licence of the author,—
- (a) publishes, sells or lets for hire, or by way of trade offers or exposes for sale or hire the work as so altered, as being the unaltered work of the author, or
 - (b) publishes, sells or lets for hire, or by way of trade offers or exposes for sale or hire a reproduction of the work as so altered, as being a reproduction of the unaltered work of the author,
- if to his knowledge it is not the unaltered work, or, as the case may be, a reproduction of the unaltered work, of the author.
- (5) The three last preceding subsections shall apply with respect to anything done in relation to another person after that person's death, as if any reference to that person's licence were a reference to a licence given by him or by his personal representatives:
- Provided that nothing in those subsections shall apply to anything done in relation to a person more than twenty years after that person's death.
- (6) In the case of an artistic work in which copyright subsists, the said restrictions are also contravened, in relation to the author of the work, by a person who in the United Kingdom—
- (a) publishes, or sells or lets for hire, or by way of trade offers or exposes for sale or hire, or by way of trade exhibits in public, a reproduction of the work, as being a reproduction made by the author of the work, or
 - (b) distributes reproductions of the work as being reproductions made by the author of the work,
- if (in any such case) the reproduction or reproductions was or were to his knowledge not made by the author.
- (7) The preceding provisions of this section shall apply (with the necessary modifications) with respect to acts done in relation to two or more persons in connection with the same work.
- (8) The restrictions imposed by this section shall not be enforceable by any criminal proceedings; but any contravention of those restrictions, in relation to a person, shall be actionable at his suit, or, if he is dead, at the suit of his personal representatives, as a breach of statutory duty.
- (9) Any damages recovered under this section by personal representatives, in respect of a contravention committed in relation to a person after his death, shall devolve as part of his estate, as if the right of action had subsisted and had been vested in him immediately before his death.
- (10) Nothing in this section shall derogate from any right of action or other remedy (whether civil or criminal) in proceedings instituted otherwise than by virtue of this section:
- Provided that this subsection shall not be construed as requiring any damages recovered by virtue of this section to be disregarded in assessing damages in any proceedings instituted otherwise than by virtue of this section and arising out of the same transaction.
- (11) In this section “name ” includes initials or a monogram.