



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}166B]) 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- F1** Words in s. 153(1)(c) repealed (31.10.2003) by [The Copyright and Related Rights Regulations 2003](#) (S.I. 2003/2498), reg. 2(2), [Sch. 2](#) (with regs. 31-40)

Status: Point in time view as at 11/11/2004. This version of this provision has been superseded.

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to Copyright, Designs and Patents Act 1988. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details)

- F2** Words in s. 153(2) substituted (2.12.1999) by 1998 c. 47, s. 99, **Sch. 13 para. 8(3)** (with s. 95); S.I. 1999/3209, art. 2, **Sch. 1**

Modifications etc. (not altering text)

- C1** Ss. 153, 154 extended by S.I. 1989/988, **art. 2(1)**
- C2** S. 153 extended (1.7.1992) by S.I. 1992/1313, **art. 2**
- C3** 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**)

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