



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 [^{F1}vested in the author's or director's employer by virtue of section 11(2) (works produced in the course of employment).]
- (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 [^{F2}or broadcast];
 - (b) section 31 (incidental inclusion of work in an artistic work, sound recording, film [^{F2}or broadcast]);
 - ^{F3}(c)

Status: Point in time view as at 28/07/2016.

Changes to legislation: There are currently no known outstanding effects for the Copyright, Designs and Patents Act 1988, Section 79. (See end of Document for details)

- (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);
 - ^{F4}(g)
 - (h) [^{F5}section 57 or 66A (acts permitted on assumptions as to expiry of copyright, &c.)];
- [^{F6}(4A) The right is also not infringed by any act done for the purposes of an examination which by virtue of any provision of Chapter 3 of Part 1 would not infringe copyright.]
- (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.

Textual Amendments

- F1** Words in s. 79(3) substituted (31.10.2003) by [The Copyright and Related Rights Regulations 2003 \(S.I. 2003/2498\)](#), reg. 2(1), **Sch. 1 para. 18(1)** (with regs. 31-40)
- F2** Words in s. 79(4)(a)(b) substituted (31.10.2003) by [The Copyright and Related Rights Regulations 2003 \(S.I. 2003/2498\)](#), reg. 2(1), **Sch. 1 para. 3(1)(g)(h)** (with regs. 31-40)
- F3** S. 79(4)(c) omitted (1.6.2014) by virtue of [The Copyright and Rights in Performances \(Research, Education, Libraries and Archives\) Regulations 2014 \(S.I. 2014/1372\)](#), reg. 1, **Sch. para. 4(a)**
- F4** S. 79(4)(g) omitted (28.7.2016) by virtue of [Enterprise and Regulatory Reform Act 2013 \(c. 24\)](#), **ss. 74(3)(a)**, 103(3); S.I. 2016/593, arts. 2(1), 3 (with arts. 4, 5)
- F5** Words in s. 79(4) substituted (1.1.1996) by S.I. 1995/3297, **reg. 5(3)** (with Pt. III)
- F6** S. 79(4A) inserted (1.6.2014) by [The Copyright and Rights in Performances \(Research, Education, Libraries and Archives\) Regulations 2014 \(S.I. 2014/1372\)](#), reg. 1, **Sch. para. 4(b)**

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