

Copyright (Computer Software) Amendment Act 1985

1985 CHAPTER 41

An Act to amend the Copyright Act 1956 in its application to computer programs and computer storage.

[16th July 1985]

BE IT ENACTED by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

Copyright in computer programs. 1956 c. 74.

1.—(1) The Copyright Act 1956 shall apply in relation to a computer program (including one made before the commencement of this Act) as it applies in relation to a literary work and shall so apply whether or not copyright would subsist in that program apart from this Act.

(2) For the purposes of the application of the said Act of 1956 in relation to a computer program, a version of the program in which it is converted into or out of a computer language or code, or into a different computer language or code, is an adaptation of the program.

Computer storage.

2. References in the Copyright Act 1956 to the reduction of any work to a material form, or to the reproduction of any work in a material form, shall include references to the storage of that work in a computer.

Offences and search warrants.

3. Where an infringing copy of a computer program consists of a disc, tape or chip or of any other device which embodies signals serving for the impartation of the program or part of it, sections 21 to 21B of the Copyright Act 1956 (offences and search warrants)

shall apply in relation to that copy as they apply in relation to an infringing copy of a sound recording or cinematograph film.

Short title, interpretation, commencement and extent.

4.—(1) This Act may be cited as the Copyright (Computer Software) Amendment Act 1985.

1956 c. 74.

(2) This Act shall be construed as one with the Copyright Act 1956 and Part V of that Act (extension and restriction of operation of Act) shall apply in relation to the provisions of this Act as it applies in relation to the provisions of that Act.

(3) This Act shall come into force at the end of the period of two months beginning with the day on which it is passed.

(4) Nothing in this Act shall affect—

(*a*) the determination of any question as to whether anything done before the commencement of this Act was an infringement of copyright or an offence under section 21 of the said Act of 1956; or

(*b*) the penalty which may be imposed for any offence under that section committed before the commencement of this Act.

(5) This Act extends to Northern Ireland.