

The REME Museum's copyright statement

1. Introduction

The purpose of this document is to explain the copyright form you are being invited to complete.

2. What is copyright?

Copyright law protects a creator's work and stops others from using it without their permission. Essentially, it gives the creator rights to control the ways in which their work may be used, including how it may be copied, issued, loaned, broadcast, rented out, adapted, publicly performed or reproduced.

3. What are the definitions of "creator" and "work"?

For the purposes of this document, a "creator" is defined as the person who produced an original work as a result of artistic or literary effort. A "work" can include, but is certainly not limited to, a watercolour painting, a piece of music, a novel, a film or a photograph. Both the format and inherent quality of the work are irrelevant in copyright law; it is the work's existence and protection that matters.

4. How is copyright obtained?

The creator does not have to apply for copyright, as it is automatically assigned to their work at the outset. The creator is referred to as "the first owner of copyright".

5. How long does copyright last?

It lasts for the term of the creator's life plus seventy years. There are exceptions to this (for example published photographs, Crown Copyright and unpublished works), but life plus seventy years is the usual arrangement.

6. What happens when the copyright expires?

The work goes into the public domain, making it available to anyone wishing to use, copy or reproduce the work. This is the legal mechanism by which so many companies can publish Shakespeare's plays and poems, or release recordings of music written by classical composers.

7. If I own the work, do I also own the copyright?

Not necessarily. An artist may sell you an original painting, but they might decide to retain the copyright for themselves (as outlined in the answer to question five, the ownership of the copyright will last for the artist's lifetime plus an additional seventy years; your ownership of the painting will continue for as long as you wish it to). A creator may agree to sell the copyright, but this will normally be a separate transaction to the sale of the work. Thus, there are two forms of ownership inherent in any single work: these are the physical work itself and the copyright of that work.

8. Can the copyright of a work be acquired by another party?

Yes, it can. Just like any other asset, copyright may be inherited, transferred or sold by the current copyright owner to another party, thus creating a new owner of that copyright. Any changes to the copyright have to be recorded with a formal agreement signed by the old and new copyright holders. This action is sometimes called an assignment.

9. Does assigning the copyright to another party extend the period by which the work is protected in law?

No, it does not. A work will only ever be legally protected for a maximum of the term of the creator's life plus seventy years, irrespective of how many copyright holders there are during that period.

10. What is the Museum asking me to do?

The purpose of the form we are asking you to complete (the copyright agreement form), is to record how you would like the Museum to deal with the copyright of the material you are donating to us. The answer to each question will give us a better understanding of the approach you would like us to take, as the Museum has a legal obligation to respect the copyright of others. It also gives you the option to assign the copyright to the Museum as explained in the answer to question eight.

11. Is the copyright holder obliged to assign the copyright to the Museum?

No, they are not; that choice belongs entirely to the copyright holder. However, if they do decide to assign it to us, they would be assisting us in making the donated work accessible to the widest possible audience via our website and social media platforms. It also means we will not have to contact the copyright holder on a case-by-case basis to discuss the use of the donated work for publicity or other purposes.

Please be assured the Museum's staff will do their best to answer any questions you may have.