

# Duration of copyright

## Copyright material made before 1 January 2019 (other than Government copyright material)

| **Type of material** | **Factors affecting duration** | **Copyright expired if** | **Otherwise, duration is** |
| --- | --- | --- | --- |
| Literary, dramatic, musical work, engraving | Made public before death | author died before 1 January 1955\* | life of author + 70 years |
| Literary, dramatic, musical work, engraving | Made public after death but before 1 January 2019 | made public before 1 January 1955\* | first made public + 70 years |
| Literary, dramatic, musical work, engraving | Not made public before 1 January 2019 | author died before 1 January 1948\*\* | life of author + 70 years |
| Computer program |  | author died before 1 January 1955\* | life of author + 70 years |
| Artistic works other than photographs or engravings |  | author died before 1 January 1955\* | life of author + 70 years |
| Photograph |  | made before 1 January 1955\* | life of author + 70 years |
| Works where the author is unknown, or the works are made by an international organization | Made public before 1 January 2019 | made public before 1 January 1955\* | first made public + 70 years |
| Works where the author is unknown, or the works are made by an international organization | Never made public | made before 1 January 1948\*\* | date made + 70 years |
| Works where the author is unknown, or the works are made by an international organization | Made public on or after 1 January 2019 but not within 50 years of being made | made before 1 January 1948\*\* | date made + 70 years |
| Works where the author is unknown, or the works are made by an international organization | Made public on or after 1 January 2019 and within 50 years of being made | made public before 1 January 1955\* | first made public + 70 years |
| Sound recording | Made public before 1 January 2019 | made before 1 January 1955\* | first made public + 70 years |
| Sound recording | Never made public | made before 1 January 1955\* | date made + 70 years |
| Sound recording | Made public on or after 1 January 2019 but not within 50 years of being made | made before 1 January 1955\* | date made + 70 years |
| Sound recording | Made public on or after 1 January 2019 and within 50 years of being made | made before 1 January 1955\* | first made public + 70 years |
| Cinematograph film (made on or after 1 May 1969)\*\*\* | Made public before 1 January 2019 | N/A | first made public + 70 years |
| Cinematograph film (made on or after 1 May 1969)\*\*\* | Never made public | N/A | date made + 70 years |
| Cinematograph film (made on or after 1 May 1969)\*\*\* | Made public on or after 1 January 2019 but not within 50 years of being made | N/A | date made + 70 years |
| Cinematograph film (made on or after 1 May 1969)\*\*\* | Made public on or after 1 January 2019 and within 50 years of being made | N/A | first made public + 70 years |

## Copyright material made on or after 1 January 2019 (other than Government copyright material)

| **Type of material** | **Factors affecting duration** | **Copyright expired if** | **Otherwise, duration is** |
| --- | --- | --- | --- |
| Works where the author is known |  | N/A | life of author + 70 years |
| Works where the author is unknown | Not made public within 50 years of being made | N/A | date made + 70 years |
| Works where the author is unknown | Made public within 50 years of being made | N/A | first made public + 70 years |
| Sound recording | Not made public within 50 years of being made | N/A | date made + 70 years |
| Sound recording | Made public within 50 years of being made | N/A | first made public + 70 years |
| Cinematograph film | Not made public within 50 years of being made | N/A | date made + 70 years |
| Cinematograph film | Made public within 50 years of being made | N/A | first made public + 70 years |

## Government copyright material before or after 1 January 2019

| **Type of material** | **Factors affecting duration** | **Copyright expired if** | **Otherwise, duration is** |
| --- | --- | --- | --- |
| Works made, or first published, by a Commonwealth, State or Territory  |  | made before 1 January 1968\*\* | date made + 50 years |
| Sound recording |  | made before 1 January 1968\*\* | date made + 50 years |
| Cinematograph film (made on or after 1 May 1969)\*\*\* |  | N/A | date made + 50 years |

## Notes to tables

\*For this copyright material, copyright expired before 1 January 2005. Generally, prior to 1 January 2005, copyright lasted until 50 years from the end of the year in which the creator died or, for some material, until 50 years from the end of the year in which the material was first published. As a result of the Australia-United States Free Trade Agreement (AUSFTA), on 1 January 2005 the period of protection for most types of copyright material was extended to 70 years from the end of the year in which the creator died or 70 years from the end of the year in which the material was first published. If copyright had expired before 1 January 2005, copyright was not revived.

\*\*The amendments made by Schedule 2 to the Bill that provide for the new copyright terms would have the effect that copyright in this copyright material would cease before 1 January 2019. By virtue of the transitional provisions in Item 15 of Schedule 2 to the Bill, that copyright will instead cease to subsist on 1 January 2019.

\*\*\*Section 221 of the *Copyright Act 1968* provides that copyright does not subsist by virtue of section 90 in a cinematograph film made before the commencement of the Act (1 May 1969). Cinematograph films made before 1 May 1969 may be protected as a combination of original dramatic works, photographs and sound recordings.