



Duration of copyright

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

Type of material	Factors affecting duration	Copyright expired as at 1 January 2019 if	Otherwise, duration is
Literary, dramatic, musical works (other than computer programs) ^[1]	Made public before death of author	Author died before 1 January 1955 ^[2]	Life of author + 70 years
Literary, dramatic, musical works (other than computer programs) ^[1]	Made public after author's death and before 1 January 2019	Made public before 1 January 1955 ^[2]	Year first made public + 70 years
Literary, dramatic, musical works (other than computer programs) ^[1]	Made public after author's death and on or after 1 January 2019	Author died before 1 January 1949 ^[3]	Life of author + 70 years
Literary, dramatic, musical works (other than computer programs) ^[1]	Never made public	Author died before 1 January 1949 ^[3]	Life of author + 70 years
Computer programs ^[1]		Author died before 1 January 1955 ^[2]	Life of author + 70 years
Artistic works other than engravings or photographs ^[4]		Author died before 1 January 1955 ^[2]	Life of author + 70 years
Engravings ^[5]	Made public before death of author	Author died before 1 January 1955 ^[2]	Life of author + 70 years
Engravings ^[5]	Made public after author's death and before 1 January 2019	Made public before 1 January 1955 ^[2]	Year first made public + 70 years
Engravings ^[5]	Made public after author's death and on or after 1 January 2019	Author died before 1 January 1949 ^[3]	Life of author + 70 years
Engravings ^[5]	Never made public	Author died before 1 January 1949 ^[3]	Life of author + 70 years
Photographs ^[6]		Made before 1 January 1955 ^[2]	Life of author + 70 years



Type of material	Factors affecting duration	Copyright expired as at 1 January 2019 if	Otherwise, duration is
Works where the author is unknown (other than photographs) ^[1]	Made public before 1 January 2019	Made public before 1 January 1955 ^[2]	Year first made public + 70 years
Works where the author is unknown (other than photographs) ^[1]	Made public on or after 1 January 2019 and within 50 years of being made	Made before 1 January 1949 ^[3]	Year first made public + 70 years
Works where the author is unknown (other than photographs) ^[1]	Made public on or after 1 January 2019 but not within 50 years of being made	Made before 1 January 1949 ^[3]	Year made + 70 years
Works where the author is unknown (other than photographs) ^[1]	Never made public	Made before 1 January 1949 ^[3]	Year made + 70 years
Photographs where the author is unknown ^[6]	Made public before 1 January 2019	Made before 1 January 1955 ^[2]	Year first made public + 70 years
Photographs where the author is unknown ^[6]	Made public on or after 1 January 2019 and within 50 years of being made	Made before 1 January 1955 ^[2]	Year first made public + 70 years
Photographs where the author is unknown ^[6]	Made public on or after 1 January 2019 but not within 50 years of being made	Made before 1 January 1955 ^[2]	Year made + 70 years
Photographs where the author is unknown ^[6]	Never made public	Made before 1 January 1955 ^[2]	Year made + 70 years
Sound recordings ^[7]	Made public before 1 January 2019	Made before 1 January 1955 ^[2]	Year first made public + 70 years
Sound recordings ^[7]	Made public on or after 1 January 2019 and within 50 years of being made	Made before 1 January 1955 ^[2]	Year first made public + 70 years
Sound recordings ^[7]	Made public on or after 1 January 2019 but not within 50 years of being made	Made before 1 January 1955 ^[2]	Year made + 70 years
Sound recordings ^[7]	Never made public	Made before 1 January 1955 ^[2]	Year made + 70 years



Type of material	Factors affecting duration	Copyright expired as at 1 January 2019 if	Otherwise, duration is
Cinematograph films (made on or after 1 May 1969) ^[8]	Made public before 1 January 2019	n/a	Year first made public + 70 years
Cinematograph films (made on or after 1 May 1969) ^[8]	Made public on or after 1 January 2019 and within 50 years of being made	n/a	Year first made public + 70 years
Cinematograph films (made on or after 1 May 1969) ^[8]	Made public on or after 1 January 2019 but not within 50 years of being made	n/a	Year made + 70 years
Cinematograph films (made on or after 1 May 1969) ^[8]	Never made public	n/a	Year made + 70 years
Broadcasts ^[9]		n/a	Year of broadcast + 50 years
Published editions ^[10]		First published before 1 January 1994	Year edition first published + 25 years
Copyright material made or first published by an international organization ^[11]	Made public before 1 January 2019	n/a	Year first made public + 70 years
Copyright material made or first published by an international organization ^[11]	Made public on or after 1 January 2019 and within 50 years of being made	n/a	Year first made public + 70 years
Copyright material made or first published by an international organization ^[11]	Made public on or after 1 January 2019 but not within 50 years of being made	n/a	Year made + 70 years
Copyright material made or first published by an international organization ^[11]	Never made public	n/a	Year made + 70 years
Editions first published by international organization ^[12]		First made public before 1 January 1994	Year edition first made public + 25 years

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

Type of material	Factors affecting duration	Copyright expired as at 1 January 2019 if	Otherwise, duration is
Works where the author is known ^[1]		n/a	Life of author + 70 years
Works where the author is unknown ^[1]	Made public within 50 years of being made	n/a	Year first made public + 70 years
Works where the author is unknown ^[1]	Not made public within 50 years of being made	n/a	Year made + 70 years
Sound recordings ^[7]	Made public within 50 years of being made	n/a	Year first made public + 70 years
Sound recordings ^[7]	Not made public within 50 years of being made	n/a	Year made + 70 years
Cinematograph films ^[8]	Made public within 50 years of being made	n/a	Year first made public + 70 years
Cinematograph films ^[8]	Not made public within 50 years of being made	n/a	Year made + 70 years
Broadcasts ^[9]		n/a	Year of broadcast + 50 years
Published editions ^[10]		n/a	Year edition first published + 25 years
Copyright material made or first published by an international organization ^[11]	Made public within 50 years of being made	n/a	Year first made public + 70 years
Copyright material made or first published by an international organization ^[11]	Not made public within 50 years of being made	n/a	Year made + 70 years
Editions first published by an international organization ^[12]		n/a	Year edition first made public + 25 years



Government copyright material made before or after 1 January 2019

Type of material	Factors affecting duration	Copyright expired as at 1 January 2019 if	Otherwise, duration is
Works made, or first published, by the Commonwealth, or a State or Territory ^[13]		Made before 1 January 1969 ^[3]	Year made + 50 years
Sound recordings ^[14]		Made before 1 January 1969 ^[3]	Year made + 50 years
Cinematograph films (made on or after 1 May 1969) ^[15]		n/a	Year made + 50 years

Notes to tables

[1] See *Copyright Act 1968*, sections 32, 33 and 211 (as amended by the *Copyright Amendment (Disability Access and Other Measures) Act 2017*). A 'literary work' includes: '(a) a table, or compilation, expressed in words, figures or symbols; and (b) a computer program or compilation of computer programs': section 10(1). A 'dramatic work' includes: '(a) a choreographic show or other dumb show; and (b) a scenario or script for a cinematograph film; but does not include a cinematograph film as distinct from the scenario or script for a cinematograph film': section 10(1).

[2] 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 made or first published. As a result of the Australia-United States Free Trade Agreement, on 1 January 2005 the period of protection for most types of copyright material was extended from 50 to 70 years. If copyright had expired by 1 January 2005, copyright was not revived.

[3] Under the *Copyright Amendment (Disability Access and Other Measures) Act 2017*, new terms of protection apply to a range of copyright materials from 1 January 2019. If the application of these new terms would have the effect that copyright in material would cease before 1 January 2019, that copyright will instead cease to subsist on 1 January 2019: Schedule 2 Item 15. If the relevant term is 70 years (eg 'Life of author + 70 years'), copyright will have expired by 1 January 1949. If the relevant term is 50 years, copyright will have expired by 1 January 1969.

[4] See *Copyright Act 1968*, sections 32, 33 and 211 (as amended by the *Copyright Amendment (Disability Access and Other Measures) Act 2017*). An 'artistic work' includes a painting, sculpture, drawing, engraving, photograph, building or model of a building, or work of artistic craftsmanship: section 10(1). A 'drawing' includes a diagram, map, chart or plan: section 10(1).

[5] See *Copyright Act 1968*, sections 32, 33 and 211 (as amended by the *Copyright Amendment (Disability Access and Other Measures) Act 2017*). An 'engraving' includes an etching, lithograph, product of photogravure, woodcut, print or similar work, not being a photograph: section 10(1).

[6] See *Copyright Act 1968*, sections 32, 33 and 211 (as amended by the *Copyright Amendment (Disability Access and Other Measures) Act 2017*). Under the *Copyright Act 1968*, the 'author' in relation to a photograph means the person who took the photograph: section 10(1). However, in relation to a photograph taken before the Act commenced (1 May 1969), the author is the individual who owned the material on which the photo was taken, unless the owner of the material was a body corporate in which case it means the photographer: section 208.



[7] See *Copyright Act 1968*, sections 89, 93 and 220 (as amended by the *Copyright Amendment (Disability Access and Other Measures) Act 2017*).

[8] See *Copyright Act 1968*, sections 90, 93, 221 and 222 (as amended by the *Copyright Amendment (Disability Access and Other Measures) Act 2017*). Copyright does not subsist by virtue of section 90 in a cinematograph film made before this Act commenced (1 May 1969): section 221. Cinematograph films made before 1 May 1969 may be protected as a combination of original dramatic works, photographs, sound recordings and/or other works, for example, a script (literary work), musical score (musical work) or artistic work. Films made before 1 May 1969 are regarded as ‘dramatic works’ if they constitute ‘a cinematograph production where the arrangement, the acting form or the combination of incidents represented gives the work an original character’: sections 204 and 222.

[9] See *Copyright Act 1968*, sections 91, 95 and 223. Television broadcasts and sound broadcasts are protected separately to the underlying works, sound recordings and films being broadcast. Copyright does not subsist under section 91 in a television or sound broadcast made before the Act commenced (1 May 1969), or in a later broadcast that is a repetition of a broadcast made before the Act commenced: section 223.

[10] See *Copyright Act 1968*, sections 92, 96 and 224. A ‘published edition’ is a published edition of one or more literary, dramatic, musical or artistic works, and does not include an edition that reproduces a previous edition of the same work or works: section 92. Copyright in a published edition is separate from the copyright that may subsist in the works which are reproduced in the edition. Copyright does not subsist under section 92 in a published edition of a work or works where the first publication of the edition took place before the Act commenced (1 May 1969): section 224.

[11] See *Copyright Act 1968*, sections 187, 188, 188A, 236 and 237 (as amended by the *Copyright Amendment (Disability Access and Other Measures) Act 2017*). This rule applies where copyright subsists in the material solely by reason of section 187 or 188 of the Act, and the material was made or first published by the international organization on or after the Act commenced (1 May 1969): sections 236 and 237. International organizations to which the Act applies are listed in section 125 of the *Copyright Regulations 2017*.

[12] See *Copyright Act 1968*, sections 188, 188A and 237. An ‘edition’ is an edition of one or more literary, dramatic, musical or artistic works, and does not include an edition that reproduces a previous edition of the same work or works: section 188(3). Section 188(3) does not apply in relation to an edition published by an international organization before this Act commenced (1 May 1969): section 237(3). International organizations to which the Act applies are listed in section 125 of the *Copyright Regulations 2017*.

[13] See *Copyright Act 1968*, sections 176, 177, 179 and 180 (as amended by the *Copyright Amendment (Disability Access and Other Measures) Act 2017*).

[14] See *Copyright Act 1968*, sections 178, 179 and 180 (as amended by the *Copyright Amendment (Disability Access and Other Measures) Act 2017*).

[15] See *Copyright Act 1968*, sections 178, 179, 180 and 235 (as amended by the *Copyright Amendment (Disability Access and Other Measures) Act 2017*). Crown copyright does not subsist under section 178 in a cinematograph film made before the Act commenced (1 May 1969), but may be protected as an original dramatic work or in relation to photographs forming part of the film: section 235.

