

Films and television broadcasts

Copyright protects the visual images and accompanying sounds of 'cinematographic films'. Cinematographic films includes feature films, TV programs, documentaries, short films, home videos, animated films and cartoons, television commercials, video podcasts and some multimedia products such as [computer games](#).

Television broadcasts are protected separately and include free-to-air TV, pay TV, cable and satellite TV. For example, a TV program such as *The Simpsons* is protected as a cinematographic film. When *The Simpsons* is broadcast on Channel 10 an additional and separate copyright is created in the broadcast.

Films and broadcasts may also include literary works, dramatic works, musical works and/or sound recordings which have their own copyright and are protected separately. Films are protected regardless of their format, e.g. 16mm, film, video, DVD or digital formats.

Using films or television broadcasts

You can use films or television broadcasts for certain purposes such as educational use, research or study or criticism or review. For more information, see [using copyright material](#).

You must properly acknowledge any film or television broadcast that you use.

Ownership

Copyright in films is generally owned by the person who arranged for the film to be made, (i.e. the producer, the production company, or the person or company who commissioned the film) unless there is an agreement to the contrary. If the film was not commissioned, for example a home video, then copyright is owned by the person who created the film.

Ownership can also vary depending on factors such as employment, licensing agreements. Where there is more than one person responsible for making the film, copyright will be shared equally.

Copyright in a television broadcast (but only the broadcast, not the underlying film) will be owned by the broadcaster, i.e. the channel on which it was aired.

The copyright owner of a film will only own copyright in the moving images and sounds of the film. They will not necessarily own copyright in the underlying works included in the film such as the musical soundtrack or score or the screenplay. Copyright in the underlying works will generally be owned by their creators unless there is an agreement assigning or transferring copyright.

See [ownership of copyright](#) for more information.

Rights of copyright owners

Copyright owners of films hold the right to perform or screen, reproduce or communicate the film.

Copyright owners of television broadcasts hold the right to make copy a film of the broadcast, rebroadcast or communicate the broadcast.

Performers or actors in films and broadcasts will also have performer's rights in their performance.

For more information, see [rights of copyright owners](#).

Duration of copyright

Films

Cinematographic films were not recognised as a separate category of material under the Copyright Act until 1 May 1969. Prior to that films were protected as [dramatic works](#) and the underlying works, such as the soundtrack, were protected separately as [sound recordings](#) and [musical works](#).

Created before 1 May 1969	Created after 1 May 1969
Protected as a combination of photographs , dramatic works and sound recordings .	70 years from the end of the year the film is first published (or made available to the public) regardless of whether the material was published or unpublished.

Broadcasts

Created before 1 May 1969	Created after 1 May 1969
No copyright protection. However, the underlying works in the broadcasts - the images, music, sounds, screenplays etc - would have had protection as <u>photographs</u> , <u>dramatic works</u> , and <u>sound recordings</u> .	50 years after the end of the year the first broadcast was made.

Copyright in films or broadcasts made for, or first published by a government, or in which copyright is owned by a government, lasts for 50 years from the end of the year of first publication.

Notes on duration in films and broadcasts

- Films and broadcasts created before 1 May 1969 are protected as combination of different types of copyright material, with different periods of duration depending on the type of material and who created the work. This means that copyright in the film and broadcasts will expire separately and parts of the film or broadcast may be out of copyright, while other parts remain in copyright.
- Likewise, for films and broadcasts created after 1 May 1969, copyright might expire in the film or broadcast but remain in the underlying works.

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