

Knowledge Organiser (LO2): Legislation

You must be able to demonstrate a through understanding of legislation in relation to multimedia assets and products.

The Data Protection Act (1998)

The Data Protection Act is a law that controls how your personal information is used by organisations, businesses or the government.

Everyone responsible for using data has to follow strict rules called '**data protection principles**'.

They must make sure the information is:

- ⇒ used fairly and lawfully
- ⇒ used for limited, specifically stated purposes
- ⇒ used in a way that is adequate, relevant and not excessive
- ⇒ accurate
- ⇒ kept for no longer than is absolutely necessary
- ⇒ handled according to people's data protection rights
- ⇒ kept safe and secure
- ⇒ not transferred outside the European Economic Area without adequate protection

There is stronger legal protection for more **sensitive information**, such as:

- ⇒ ethnic background
- ⇒ political opinions
- ⇒ religious beliefs
- ⇒ health
- ⇒ sexual health
- ⇒ criminal records

Intellectual Property Act (2014)

Intellectual property refers to creations of the mind: inventions; literary and artistic works; and symbols, names and images used in commerce.

Having the right type of intellectual property protection helps you to stop people stealing or copying:

- ⇒ the names of your products or brands
- ⇒ your inventions the design or look of your products
- ⇒ things you write, make or produce

Intellectual property is divided into two categories copyright and Industrial Property.

Industrial Property includes patents for inventions, trademarks, industrial designs and geographical indications.

Intellectual property rights are like any other property right. They allow creators, or owners, of patents, trademarks or copyrighted works to benefit from their own work or investment in a creation. These rights are also outlined in Article 27 of the Universal Declaration of Human Rights, which provides for the right to benefit from the protection of moral and material interests resulting from authorship of scientific, literary or artistic

TM Unregistered trademark



Registered trademark

Copyright Designs and Patent Act (1998)

Copyright protects your work and stops others from using it without your permission.

You get copyright protection automatically - you don't have to apply or pay a fee. There isn't a register of copyright works in the UK.

You automatically get copyright protection when you create:

- ⇒ original literary, dramatic, musical and artistic work, including illustration and photography
- ⇒ original non-literary written work, such as software, web content and databases
- ⇒ sound and music recordings
- ⇒ film and television recordings
- ⇒ broadcasts
- ⇒ the layout of published editions of written, dramatic and musical works

You can mark your work with the copyright symbol (©), your name and the year of creation.

Whether you mark the work or not doesn't affect the level of protection you have.



Copyright icon is displayed when a creator wants to enforce their copyright.

Knowledge Organiser (LO2): Legislation

You must be able to demonstrate a through understanding of legislation in relation to multimedia assets and products.

Copyright Protection

- ⇒ Copyright protection starts as soon as a work is created.
- ⇒ Once your copyright has expired, anyone can use or copy your work.
- ⇒ The length of copyright depends on the type of work.

Type of Work	How long Copyright Lasts
Written, dramatic, musical and artistic work	70 years from when it's first published
Films	70 years after the death of the director, screenplay author and composer
Broadcasts	50 years from when it's first broadcast
Layout of published editions of written, dramatic or musical works	25 years from when it's first published

Copyright Infringement

Copyright is infringed when any of the following acts are done **without permission**, whether directly or indirectly and whether the whole or a substantial part of a work is used:

- ⇒ copying the work in any way
- ⇒ issuing copies of the work to the public
- ⇒ renting or lending copies of the work to the public
- ⇒ performing, showing or playing the work in public
- ⇒ broadcasting the work or other communication to the public by electronic transmission
- ⇒ making an adaptation of the work.

- ⇒ Conviction in the magistrates' court the maximum term of incarceration in the UK for copyright infringement is 6 months and/or a fine of up to £50,000.
- ⇒ Conviction in the Crown Court the maximum term of incarceration in the UK for copyright infringement is 10 years and/or an "unlimited" fine.

Creative Commons Marks



Some creators **Creative Commons** to release and enable free distribution of work that would otherwise be regarded as eligible for copyright protection.

There are sometimes conditions (additional logos) associated with the creative commons licences (see table.)

Icon Right Description

Icon	Right	Description
	Attribution (BY)	You may copy, distribute, display and perform the work and make derivative works and remixes based on it only if they give the author or licensor the credits (attribution).
	Share-alike (SA)	You may distribute derivative works only if it is not modified.
	Non-commercial (NC)	You may copy, distribute, display, and perform the work and make derivative works and remixes based on it only for non-commercial purposes.
	No Derivative Works (ND)	You may copy, distribute, display and perform only verbatim copies of the work, not derivative works and remixes based on it.

Creative Commons Marks



Creative commons **Zero Mark** is a way to release as many copyright restrictions possible to anyone internationally.



The creative commons **Public Domain Mark** indicates works that is already released for public use and is free of any known copyright restrictions.