

Moral Rights

Moral rights are non-economic rights. It is a right held by the authors and cannot be sold or transferred. Thus, if the copyright has been assigned or transferred to another 'owner', the moral right is still with the original author.

There are four categories of moral rights:

1. **Paternity Right** (the right to be identified as author or director).
2. **Integrity Right** (the right to object to a derogatory treatment of work).
3. **False Attribution Right** (the right not to have work falsely attribute).
4. **Privacy Right** (the right of privacy to certain photographs and films).

The duration of moral rights are the same as copyright except for *false attribution right* where it is only 20 years after death.



COPYRIGHT

For more information on Copyright, please direct all enquiries to:

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The Law Building
Bandar Seri Begawan
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What is Copyright?

It is a bundle of rights given to the author of works to make sure that only he can use and reproduce what he has created for his own purposes. It would enable him to control the commercial exploitation of his works.

Copyright Order 1999

The legislation governing the protection of copyright in Brunei Darussalam is the Copyright Order 1999*.

The categories of work that the Copyright Order protects are: *Literary Works, Dramatic Works, Musical Works, Artistic Works, Films, Sound Recordings, Broadcasts, Cable Programmes, and Published Editions.*

Ownership & Authorship

The person who creates the work is the author and owner. If the work is created in the course of the employment, the employer will own the copyright; or if the work is made by a public officer in the course of his duties, HM the Sultan and Yang Di-Pertuan is the 1st owner.

Duration for Protection

For *literary, artistic, dramatic and musical works*: Life of the author plus 50 years from the end of the calendar year in which the author died.

For *film and sound recording*: 50 years from the year in which they were made or released.

For *broadcast and cable programmes*: 50 years from the end of the year in which it was first broadcast or transmitted.

For *typographical arrangement*: 25 years from the end of the calendar year in which the edition was published.

Protecting Copyright

Protection of copyright is automatic thus there is no formal procedure for registration in Brunei.

*You can view or download a copy of the Copyright Order in the Attorney General's Chambers website under the heading 'Legislation Online', then click on 'List of Laws of Brunei Darussalam' followed by 'Acts, Orders & Enactments (including subsidiary legislation, amendments, notifications and appointments)', and finally click on 'C'. Both the English and Malay versions are available online.

Importance of © Symbol

The use of the © indicates an assertion of copyright. The symbol © is usually followed by the name of the copyright owner plus the year when copies of the work were first made available. Example: © Attorney General's Chambers 2018.

Not using the © symbol does not imply a waiver or loss of copyright. It may, however, be a relevant fact in infringement proceedings.

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