

**Section 41**

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reasonable portion (as defined in that subsection) on the basis of only one of those items.

- (7) If:
- (a) a person makes a reproduction of a part of a published literary or dramatic work or published adaptation of a literary or dramatic work; and
  - (b) the reproduction is of not more than a reasonable portion (as defined in subsection (5)) of the work or adaptation;
- subsection (5) does not apply in relation to any subsequent reproduction made by the person of any other part of the same work or adaptation.
- (8) Subsections 10(2), (2A), (2B) and (2C) do not affect subsection (5), (6) or (7) of this section.

**41 Fair dealing for purpose of criticism or review**

A fair dealing with a literary, dramatic, musical or artistic work, or with an adaptation of a literary, dramatic or musical work, does not constitute an infringement of the copyright in the work if it is for the purpose of criticism or review, whether of that work or of another work, and a sufficient acknowledgement of the work is made.

**41A Fair dealing for purpose of parody or satire**

A fair dealing with a literary, dramatic, musical or artistic work, or with an adaptation of a literary, dramatic or musical work, does not constitute an infringement of the copyright in the work if it is for the purpose of parody or satire.

**42 Fair dealing for purpose of reporting news**

- (1) A fair dealing with a literary, dramatic, musical or artistic work, or with an adaptation of a literary, dramatic or musical work, does not constitute an infringement of the copyright in the work if:

- (a) it is for the purpose of, or is associated with, the reporting of news in a newspaper, magazine or similar periodical and a sufficient acknowledgement of the work is made; or
  - (b) it is for the purpose of, or is associated with, the reporting of news by means of a communication or in a cinematograph film.
- (2) The playing of a musical work in the course of reporting news by means of a communication or in a cinematograph film is not a fair dealing with the work for the purposes of this section if the playing of the work does not form part of the news being reported.

#### **43 Reproduction for purpose of judicial proceedings or professional advice**

- (1) The copyright in a literary, dramatic, musical or artistic work is not infringed by anything done for the purposes of a judicial proceeding or of a report of a judicial proceeding.
- (2) A fair dealing with a literary, dramatic, musical or artistic work does not constitute an infringement of the copyright in the work if it is for the purpose of the giving of professional advice by:
  - (a) a legal practitioner; or
  - (b) a person registered as a patent attorney under the *Patents Act 1990*; or
  - (c) a person registered as a trade marks attorney under the *Trade Marks Act 1995*.

#### **43A Temporary reproductions made in the course of communication**

- (1) The copyright in a work, or an adaptation of a work, is not infringed by making a temporary reproduction of the work or adaptation as part of the technical process of making or receiving a communication.
- (2) Subsection (1) does not apply in relation to the making of a temporary reproduction of a work, or an adaptation of a work, as