

Translated texts and cultural institutions - some guidelines



A translation of intellectual property has status as a creative work and is protected by copyright.

This is unequivocally established by the **Berne Convention for the Protection of Literary and Artistic Works**, Article 2, Section 3: "Translations, adaptations, arrangements of music and other alterations of a literary or artistic work shall be protected as original works without prejudice to the copyright in the original work."

IF YOU INTEND TO USE A TRANSLATION or excerpts from a translation in connection with an event that is open to the public, you must first determine which of the following three categories the translation belongs to:



Public Domain

No restrictions apply to the use of translations published before 1923, or by long-dead translators. These may be freely used by anyone.

Please note, however, that although the original text may belong to the Public Domain, that does not necessarily imply that its translation does too. The translation may be of significantly newer date than the original.

It is however good practice to credit the translator by having their name visible.

Creative Commons



A translator may choose to designate their work as Creative Commons, in which case the designated work may be used without permission, but even so: *only in compliance with certain conditions set by each individual translator.*



Traditional Copyright

By far most translations of intellectual property fall into this category. These works may NOT be used in any way without the translator's permission. Please note that all original translations of intellectual property are protected under copyright from the moment they are created.

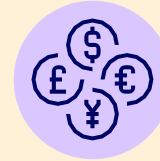
So, if the translation you wish to use, belongs to the category Traditional Copyright, you must:



A) Establish who holds the copyright. In many cases, this will be the translator.



B) Ensure that you have a written agreement with the copyright holder, allowing you to use their translation.



C) Bear in mind that the copyright holder is entitled to fair remuneration for use of their work.

The cost of remuneration may vary from case to case, depending on text volume, manner of distribution or usage, and established practice in the country or countries involved. In any case, however, the terms and conditions must be agreed upon with the copyright holder and presented in a written contract that is signed by all parties involved. In matters of dispute or uncertainty, most translators will be members of a union or association that can be consulted.

And please remember: in all instances start by contacting the translator, as a courtesy. It's always good to have the translator aware and part of the discussion, even if they don't hold copyright. If they don't hold the copyright themselves, they will be able to tell you who does.

About us



The Institute of Translation and Interpreting (ITI) is the only UK-based independent professional membership association for practising translators, interpreters and all those involved in the language services sector.

Founded in 1986, we now have over 3,000 members, both in the UK and internationally.

ITI seeks to promote the highest standards in the industry, supporting our members and raising the profile of the profession.

ITI acts as an interface between government, industry and commerce, the media, and the general public.

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The International Federation of Translators (FIT) is the federation of professional associations of interpreters, translators, and terminologists working in areas as diverse as literary, scientific and technical spheres, the public service, court and legal settings, conference interpreting, media and diplomatic fields and academia.

The goal of the Federation is to promote professionalism in the disciplines it represents. It seeks constantly to improve conditions for the profession in all countries and to uphold translators' rights and freedom of expression. FIT supports members and the profession at an international level, building community, visibility and a sustainable future for the profession.

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