

Performer

A performer is an artist who uses a wide repertoire of bodily movements, speech, voice, acting, music, props and objects as a form of artistic expression directed to an audience. Examples of performers are actors, singers, musicians, and dancers.

Legal framework, international context:

In respect of unfixed performances, a performer has the rights to prevent the broadcasting and communication to the public of their performance, and the fixation of their performance. Where a performance is fixed, the performer has the exclusive right to authorise reproduction, distribution, making available, rental and communication to the public of copies of their performance. The rights last at least until the end of a period of 50 years from the end of the year in which the performance was fixed (70 years EU). Where the rights are transferred to a third party, national law may provide for equitable remuneration for the performer.

Audio visual and aural performers have moral rights to claim to be identified as author of the performance (except where omission is dictated by the manner of the use of the performance) and to object to any distortion, mutilation or other modification of their performance that would be prejudicial to their reputation. The rights should generally last for at least as long as the economic right.