

Copyright (Amendment) Act 1998
(No. 6 of 1998)

Table of Contents

Long Title

Enacting Formula

1 Short title and commencement

2 Amendment of section 7

3 New section 25A

4 Amendment of section 26

5 Amendment of section 35

6 Amendment of section 39

7 Amendment of section 43

8 Repeal and re-enactment of section 44

9 Amendment of section 45

10 Amendment of sub-heading and new section 50A

11 Amendment of section 52

12 New section 52A

13 New section 54A

14 Amendment of section 56

15 Amendment of section 68

- 16 Amendment of section 74**
- 17 Repeal and re-enactment of section 82**
- 18 Repeal and re-enactment of section 102**
- 19 Repeal and re-enactment of section 107**
- 20 New section 115A**
- 21 Amendment of section 116**
- 22 Repeal and re-enactment of section 120 and new section 120A**
- 23 Repeal and re-enactment of section 134**
- 24 Amendment of section 136**
- 25 New sections 140A to 140R**
- 26 Amendment of sub-heading**
- 27 Repeal of section 142**
- 28 Amendment of section 143**
- 29 Amendment of section 149**
- 30 New sections 156A and 156B**
- 31 Amendment of section 158**
- 32 Amendment of section 186**
- 33 Amendment of section 201**
- 34 New section 201A**
- 35 New Part XII**

36 Transitional provisions

REPUBLIC OF SINGAPORE GOVERNMENT GAZETTE ACTS SUPPLEMENT

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The following Act was passed by Parliament on 19th February 1998 and assented to by the President on 24th February 1998:—

COPYRIGHT (AMENDMENT) ACT 1998

(No. 6 of 1998)

I assent.

ONG TENG CHEONG
President
24th February 1998.

Date of Commencement: 16th April 1998

An Act to amend the Copyright Act (Chapter 63 of the 1988 Revised Edition) to enable Singapore to give effect to the Agreement on Trade-Related Aspects of Intellectual Property Rights (1994), and to make other amendments to the Act.

Be it enacted by the President with the advice and consent of the Parliament of Singapore, as follows:

Short title and commencement

1. This Act may be cited as the Copyright (Amendment) Act 1998 and shall come into operation on such date as the Minister may, by notification in the *Gazette*, appoint.

Amendment of section 7

2. Section 7 of the Copyright Act is amended —

- (a) by deleting paragraph (a) of the definition of “archives” in subsection (1) and substituting the following paragraph:

“(a) archival material in the custody of the National Archives of Singapore established under section 17 of the National Heritage Board Act (Cap. 196A);”.

- (b) by inserting, immediately after the definition of “construction” in subsection (1), the following definition:

““conveyance” has the same meaning as in the Regulation of Imports and Exports Act (Cap. 272A);”.

- (c) by inserting, immediately after the definition of “institution assisting handicapped readers” in subsection (1), the following definition:

““institution assisting intellectually handicapped readers” means —

(a) any educational institution; or

(b) any non-profit organisation,

that has as its principal function, or one of its principal functions, the provision of assistance to intellectually handicapped persons and that is declared by regulations made under this Act to be, for the purposes of this Act, an institution assisting intellectually handicapped readers;”;

- (d) by inserting, immediately after the definition of “minimum royalty” in subsection (1), the following definition:

““non-profit organisation” means an organisation or association or persons, whether corporate or unincorporate, that is not operated or conducted for profit;”.

- (e) by inserting, immediately after subsection (1), the following subsection:

“(1A) Without limiting the meaning of the expression “educational purposes” in this Act, a copy of the whole or a part of a work or other subject-matter shall be taken to have been made, used or retained, as the case may be, for the purposes of an educational institution if —

- (a) it is made or retained for use, or is used, in connection with a particular course of instruction provided by the institution; or
 - (b) it is made or retained for inclusion, or is included, in the collection of a library of the institution.”.
- (f) by deleting the words “or an institution assisting handicapped readers” in subsection (3)(a), (d) and (e) and substituting in each case the words “, an institution assisting handicapped readers or an institution assisting intellectually handicapped readers”;
- (g) by deleting the word “and” at the end of subsection (3)(d)(i);
- (h) by deleting the comma at the end of sub-paragraph (ii) of paragraph (d\ of subsection (3) and substituting a semi-colon, and by inserting immediately thereafter the following sub-paragraph:
 - “(iii) the relevant records in respect of copies of articles and other works made by or on behalf of the body administering the institution in reliance on section 54A,”.
- (i) by inserting, immediately after paragraph (g\ of subsection (3), the following paragraph:
 - “(ga) a reference to an intellectually handicapped reader’s copy of a work, or of a part of a work, shall be read as a reference to a copy of a work, or of a part of a work, as the case may be, made by, or on behalf of, the body administering an institution assisting intellectually handicapped persons, being a copy that is made for the sole purpose of use in the provision, whether by the institution or otherwise, of assistance to any intellectually handicapped person;”.

New section 25A

3. The Copyright Act is amended by inserting, immediately after section 25, the