

Copyright (Amendment) Bill

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Bill No: 27/1999

Read the first time: 3rd August 1999

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Copyright (Amendment) Bill

Bill No. 27/1999

Read the first time on 3rd August 1999.

An Act to amend the Copyright Act (Chapter 63 of the 1988 Revised Edition).

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

Short title and commencement

1.—(1) This Act may be cited as the Copyright (Amendment) Act 1999 and, with the exception of section 25, shall come into operation on such date as the Minister may, by notification in the *Gazette*, appoint.

(2) Section 25 shall be deemed to have come into operation on 16th April 1998.

Amendment of section 2

2. Section 2 of the Copyright Act is amended —

- (a) by deleting the words “Part XI” and substituting the words “Parts XI and XII”; and
- (b) by deleting the word “provides” and substituting the word “provide”.

Amendment of section 7

3. Section 7 of the Copyright Act is amended —

- (a) by deleting the definition of “literary work” in subsection (1);
- (b) by inserting, immediately after subsection (2), the following subsection:

“(2A) Without limiting the meaning of the expression “reasonable portion” in this Act, where a literary, dramatic or musical work is contained in a published edition of that work, being an edition which is stored on any medium by electronic means and is not divided into pages, a copy of part of that work, as it appears in that edition, shall be taken to contain only a reasonable portion of that work if the part that is copied in the edition —

- (a) does not exceed, in the aggregate, 10% of the total number of bytes in that edition; or
 - (b) in a case where the work is divided into chapters, exceeds, in the aggregate, 10% of the total number of bytes in that edition but contains only the whole or part of a single chapter of the work.”; and
- (c) by deleting the words “or a handicapped reader’s copy” in subsection (3)(k)(i) and substituting the words “a handicapped reader’s copy, or an intellectually handicapped reader’s copy”.

New section 7A

4. The Copyright Act is amended by inserting, immediately after section 7, the following section:

“Literary works include compilation and computer program

7A.—(1) For the purposes of this Act, “literary work” includes —

- (a) a compilation in any form; and
- (b) a computer program.

(2) Any copyright subsisting in a compilation by virtue of Part III —

- (a) is limited to the selection or arrangement of its contents which constitutes an intellectual creation; and
- (b) is in addition to, and independent of, any right subsisting by virtue of Part III, IV or XII in any relevant material or data contained in the compilation.

(3) For the purposes of this section —

“compilation” means —

- (a) a compilation, or table, consisting wholly of relevant materials or parts of relevant materials;
- (b) a compilation, or table, consisting partly of relevant materials or parts of relevant materials; or
- (c) a compilation, or table, of data other than relevant materials or parts of relevant materials,

which, by reason of the selection or arrangement of its contents, constitutes an intellectual creation;

“relevant material” means —

- (a) a work, including a computer program;
- (b) a sound recording;
- (c) a cinematograph film;
- (d) a published edition of a work;
- (e) a television or sound broadcast;
- (f) a cable programme; or
- (g) a recording of a performance within the meaning of Part XII.”.

Amendment of section 15

5. Section 15 of the Copyright Act is amended —

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

“(1A) For the purposes of this Act, reproduction, in relation to any work, includes the making of a copy which is transient or is incidental to some other use of the work.”; and

- (b) by deleting the words “Subsection (1)” in subsection (2) and substituting the words “Subsections (1) and (1A)”.

Repeal and re-enactment of section 17

6. Section 17 of the Copyright Act is repealed and the following section substituted therefor:

“Storage in computer or on any medium by electronic means