

# **Copyright (Amendment) Bill**

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**Bill No: 15/1994**

***Read the first time: 25th July 1994***

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**Copyright (Amendment) Bill**

## **Bill No. 15/1994**

*Read the first time on 25th July 1994.*

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 1994 and shall come into operation on such date as the Minister may, by notification in the *Gazette*, appoint.

(2) The Minister may appoint different dates for the coming into operation of the different provisions of this Act.

### **Application**

**2.** Every provision of this Act shall apply to things existing on the commencement of the provision as well as to things coming into existence after such commencement.

### **Amendment of section 7**

**3.** Section 7(1) of the Copyright Act is amended by inserting, immediately before the definition of “adaptation”, the following definition:

“ “accessory”, in relation to an article, means one or more of the following:

- (a) a label affixed to, or displayed on, the article;
- (b) the packaging or container in which the article is packaged or contained;
- (c) a label affixed to, or displayed on, the packaging or container in which the article is packaged or contained;
- (d) a leaflet, pamphlet, certificate, warranty, brochure, written instruction or other information incidental to the article and provided with the article on its sale;
- (e) an instructional sound recording or cinematograph film incidental to the article and provided with the article on its sale,

but does not include —

- (i) a copy of a work that is incorporated into the surface of the

- article and is a permanent part of the article;
- (ii) a copy of a work that cannot be separated from the article without rendering the article unsuitable for its ordinary use; or
- (iii) a manual sold with computer software for use in connection with that software;”.

### **Amendment of section 25**

4. Section 25 of the Copyright Act is amended by inserting, immediately after subsection (2), the following subsection:

“(3) Where reference is made in this Act to an imported article the making of which was carried out without the consent of the owner of the copyright, the reference to the owner of the copyright shall be read as a reference to —

- (a) the person entitled to the copyright in respect of its application to the making of an article of that description in the country where the article was made; or
- (b) if there is no person entitled to the copyright in respect of its application to the making of an article of that description in the country where the article was made, the person entitled to the copyright in respect of that application in Singapore,

and the making of the article shall be deemed to have been carried out with the consent of that owner if, after disregarding all conditions as to the sale, distribution or other dealings in the article after it making, the article was made with his licence (other than a compulsory licence).”.

### **New section 40A**

5. The Copyright Act is amended by inserting, immediately after section 40, the following section:

#### **“Accessories to imported articles**

**40A.**—(1) The copyright in a work embodied in an accessory to an article is not infringed by a person who, without the licence of the owner of the copyright, imports the article into Singapore for a purpose mentioned in section 32(a), (b) or (c) unless the article is an infringing copy.

(2) The operation of this Act in relation to a work embodied in an article shall not be affected by the operation of this section in relation to a work embodied in an accessory to the article.