

**Manufacture of Optical Discs Act  
(CHAPTER 170C)**

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# **MANUFACTURE OF OPTICAL DISCS ACT**

## **(CHAPTER 170C)**

(Original Enactment: Act 25 of 2004)

REVISED EDITION 2005

(31st July 2005)

An Act to provide for the regulation and control of the manufacture of optical discs, and for matters connected therewith.

[30th July 2004]

## **PART I**

## **PRELIMINARY**

### **Short title**

1. This Act may be cited as the Manufacture of Optical Discs Act.

### **Interpretation**

2. In this Act, unless the context otherwise requires —

“article” includes any device, contrivance, machine or equipment;

“authorised officer” means any officer appointed by the Minister under section 3(1);

“licence” means a licence granted under section 7(1), and “licensee” shall be construed accordingly;

“licensed premises”, in relation to a licence, means any premises specified in the licence in which optical discs are authorised to be manufactured in accordance with this Act;

“manufacture” means the processes and activities involved in the making of optical discs, including (where applicable) mastering or replicating or both;

“manufacturer’s code” means the manufacturer’s code assigned to a licensee under section 7(3) (a);

“optical disc” means any medium or article specified in the Schedule;

“place” means any area on land or water and includes any building, structure or enclosure, whether moveable or not;

“register” means the register established and maintained by the Registrar under section 12;

“Registrar” means the Registrar of Optical Discs appointed under section 3(1).

### **Appointment of Registrar and other officers**

3.—(1) The Minister may appoint a Registrar of Optical Discs, and such Deputy Registrars of Optical Discs and Assistant Registrars of Optical Discs and other officers as he may consider necessary for the purposes of this Act.

(2) The Registrar shall be responsible for the administration of this Act, subject to the general or special directions of the Minister.

(3) The Deputy Registrars of Optical Discs and the Assistant Registrars of Optical Discs shall have and may exercise, subject to the general direction and supervision of the Registrar, all the powers conferred on the Registrar by this Act.

(4) All officers appointed under subsection (1) shall be deemed to be public servants for the purposes of the Penal Code (Cap. 224).

## **PART II**

### **LICENSING, ETC**

#### **Need for licence to manufacture optical discs**

4.—(1) Subject to the provisions of this Act, no person shall engage in the

manufacture for sale or other commercial purpose of any optical disc in any place except under the authority, and in accordance with the terms and conditions, of a licence.

(2) Any person who contravenes subsection (1) shall be guilty of an offence.

(3) For the purpose of subsection (1), any person who owns, directs, manages or otherwise has control of a business which undertakes the manufacture of optical discs shall be deemed to engage in the manufacture of optical discs for a commercial purpose.

### **Unlicensed premises**

5. Any licensee who manufactures for sale or other commercial purpose any optical disc in a place other than the licensed premises shall be guilty of an offence.

### **Application for licence**

6.—(1) An application for the grant or renewal of a licence shall be made to the Registrar in such form and manner as the Registrar may determine.

(2) The Registrar may, at any time after receiving the application under subsection (1), by notice in writing require the applicant to furnish such additional documents or information as the Registrar considers necessary.

(3) Where any additional document or information required under subsection (2) is not furnished by the applicant within the time specified in the notice or such longer period as may be granted by the Registrar, the application shall be deemed to be withdrawn.

### **Grant or renewal of licence**

7.—(1) The Registrar may, upon receipt of an application together with the documents and information required under section 6, grant or renew a licence, as the case may be, or refuse to do so.

(2) Without prejudice to the generality of subsection (1), the Registrar may refuse to grant or renew a licence if he is satisfied that —

- (a) the applicant, or any person who is or is to be a director, manager, secretary or other similar officer of the applicant, has been convicted of an offence under this Act;
- (b) the applicant, or any person who is or is to be a director, manager, secretary or other similar officer of the applicant, has furnished to the Registrar any false or misleading information; or
- (c) the applicant is, for any other reason, not a fit and proper person to hold a