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**COPYRIGHT ACT
(CHAPTER 63)**

**COPYRIGHT (AMENDMENT)
REGULATIONS 2015**

In exercise of the powers conferred by section 202 of the Copyright Act, the Minister for Law makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Copyright (Amendment) Regulations 2015 and come into operation on 31 March 2015.

Deletion and substitution of regulation 4

2. Regulation 4 of the Copyright Regulations (Rg 4) is deleted and the following regulation substituted therefor:

“Institutions assisting persons with reading disabilities

4. For the purposes of the definition of “institution assisting persons with reading disabilities” in section 7(1) of the Act, each of the institutions specified in the Second Schedule is declared to be, for the purposes of the Act, an institution for assisting persons with reading disabilities.”.

Amendment of regulation 7

3. Regulation 7 of the Copyright Regulations is amended —

- (a) by deleting the words “sections 54(7) and 54A(4)” in paragraph (3) and substituting the words “section 54A(4)”;
- (b) by deleting the words “institution assisting handicapped readers” in paragraphs (3) and (4) and substituting in each case the words “institution assisting intellectually handicapped readers”;

(c) by deleting the words “sections 54(8) and 54A(5)” in paragraph (4) and substituting the words “section 54A(5)”; and

(d) by inserting, immediately after paragraph (4), the following paragraphs:

“(5) For the purposes of section 54(4)(a) of the Act (including that provision as applied by section 115C of the Act), a record of the making, distribution or making available of an accessible format copy of a relevant work or other subject-matter, is to —

(a) in the case of a relevant work, set out the particulars in paragraph (8); or

(b) in the case of other subject-matter, set out the particulars in paragraph (9).

(6) For the purposes of section 54(6)(b) of the Act (including that provision as applied by section 115C of the Act), a record of the making of an accessible format copy in a physical form of a relevant work or other subject-matter for the purpose of export, or the making available of an accessible format copy in an electronic form of a relevant work or other subject-matter, is to —

(a) in the case of a relevant work, set out the particulars in paragraph (8); or

(b) in the case of other subject-matter, set out the particulars in paragraph (9).

(7) For the purposes of section 54(10)(c) of the Act (including that provision as applied by section 115C of the Act), a record to be made after the receipt of an accessible format copy of a relevant work or other subject-matter, is to —

(a) in the case of a relevant work, set out the particulars in paragraph (8); or

(b) in the case of other subject-matter, set out the particulars in paragraph (9).

(8) The particulars referred to in paragraphs (5)(a), (6)(a) and (7)(a) are as follows:

(a) where the relevant work in question is a literary work in the form of a book (whether in an electronic or a physical form) —

(i) if the record maker knows the International Standard Book Number for the edition of the work from which the accessible format copy is made, that number;

(ii) if the record maker does not know the International Standard Book Number for the edition of the work from which the accessible format copy is made —

(A) the title of the work or, if no title is available, such description of the work as will allow the work to be identified;

(B) the name of the publisher of the edition of the work from which the accessible format copy is made; and

(C) the name of the author of the work;

(iii) the page numbers of the pages in the edition of the work from which the accessible format copy is made, which have been copied in the accessible format copy or, if a page which has been so copied does not bear a page number, such description of the page as will enable it to be identified;

(iv) if the accessible format copy is made from a medium which stores the work by electronic means, the total number of

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- bytes in the medium which have been copied in the accessible format copy;
- (v) the date on which the accessible format copy is made, distributed, made available or received; and
 - (vi) the number of accessible format copies made, distributed, made available or received;
- (b) where the relevant work in question is a literary work in any other form or is an artistic work or a dramatic work —
- (i) the title of the work or, if no title is available, such description of the work as will allow the work to be identified;
 - (ii) the name of the author of the work;
 - (iii) if the accessible format copy is made from a published edition of the work —
 - (A) the name of the publisher of the edition of the work; and
 - (B) the page numbers of the pages in the edition of the work which have been copied in the accessible format copy or, if a page which has been so copied does not bear a page number, such description of the page as will enable it to be identified;
 - (iv) if the accessible format copy is made from a medium which stores the work by electronic means, the total number of bytes in the medium which have been copied in the accessible format copy;

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- (v) the date on which the accessible format copy is made, distributed, made available or received; and
 - (vi) the number of accessible format copies made, distributed, made available or received.
- (9) The particulars referred to in paragraphs (5)(b), (6)(b) and (7)(b) are as follows:
- (a) the title of the subject-matter or, if no title is available, such description of the subject-matter which will allow it to be identified;
 - (b) if the accessible format copy is made from a medium which stores the subject-matter by electronic means, the total number of bytes in the medium which have been copied in the accessible format copy;
 - (c) if the subject-matter is a sound recording or sound broadcast of an edition of a book and the record maker knows the International Standard Book Number for that edition, that number;
 - (d) if the subject-matter is a sound broadcast, the name of the holder of a broadcasting licence which made the sound broadcast;
 - (e) the date on which the accessible format copy is made, distributed, made available or received;
 - (f) the number of accessible format copies, made, distributed, made available or received.”.

Amendment of regulation 8

4. Regulation 8 of the Copyright Regulations is amended —

- (a) by deleting paragraph (1) and substituting the following paragraph:

“(1) For the purposes of section 52(8)(a), 54(13)(a) or 54A(6)(a) of the Act, a record may, instead of being kept

in writing, be kept in any manner that permits the information in the record to be elicited by the use of a computer.”;

- (b) by deleting the words “section 52(8)(b), 54(9)(b) or 54A(6)(b)” in paragraph (2) and substituting the words “section 52(8)(b) or 54A(6)(b)”;
- (c) by inserting, immediately after paragraph (2), the following paragraph:

“(2A) Subject to paragraph (3), for the purposes of section 54(13)(b) of the Act (including that provision as applied by section 115C of the Act), a record which is kept in writing is to be kept in accordance with the form in the Eleventh Schedule (in the case of a relevant work) or in accordance with the form in the Twelfth Schedule (in the case of other subject-matter).”;
- (d) by deleting the words “Sixth and Seventh Schedules” in paragraph (3) and substituting the words “Sixth, Seventh, Eleventh and Twelfth Schedules”; and
- (e) by deleting “54(10)” in paragraph (4) and substituting the words “54(15)(b) (including that provision as applied by section 115C of the Act)”.

Amendment of regulation 9

5. Regulation 9 of the Copyright Regulations is amended —

- (a) by deleting paragraph (2) and substituting the following paragraphs:

“(2) Where —

 - (a) a copy of the whole or a part of a work is made in reliance of section 52 of the Act by or on behalf of the body administering an educational institution;
 - (b) an accessible format copy of a work or other subject-matter, or of a part of a work or other subject-matter, is made, distributed, made

available or imported, in reliance of section 54 of the Act (including that provision as applied by section 115C of the Act), by or on behalf of the body administering an institution assisting persons with reading disabilities or an educational institution; or

- (c) an intellectually handicapped reader's copy of the whole or a part of a work is made in reliance of section 54A of the Act by or on behalf of the body administering an institution assisting intellectually handicapped readers,

the body administering the institution, and the custodian in charge of the records of the making, distribution, making available or importation (as the case may be) of the copy, must retain the records until the expiration of 4 years after the date of such making, distribution, making available or importation.

(2A) Subject to paragraph (3), a person who fails to comply with paragraph (2) shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$1,000.”;

- (b) by deleting the words “copying records” in paragraph (3) and substituting the word “records”; and
- (c) by deleting the words “institution assisting handicapped readers” in paragraph (3) and substituting the words “institution assisting persons with reading disabilities”.

Amendment of regulation 10

6. Regulation 10(2) of the Copyright Regulations is amended by deleting the words “institution assisting handicapped readers” wherever they appear and substituting in each case the words “institution assisting persons with reading disabilities”.

Amendment of regulation 11

7. Regulation 11 of the Copyright Regulations is amended —

(a) by deleting paragraph (2) and substituting the following paragraph:

“(2) The owner of the copyright in a work, or the agent of such an owner, may notify the custodian in charge of the copying records of an educational institution or an institution assisting intellectually handicapped readers, in writing, that the owner or agent, as the case may be, wishes to inspect —

(a) all the relevant records of the institution that relate to the making, in reliance of section 52 or 54A of the Act, of copies or intellectually handicapped readers’ copies of works or parts of works; or

(b) such of those records as relate to any works by a specified author,

on a day specified in the notice, being an ordinary working day of the institution not less than 7 days after the date of the giving of the notice.”; and

(b) by inserting, immediately after paragraph (2A), the following paragraph:

“(2B) The owner of the copyright in a work or other subject-matter, or the agent of such an owner, may notify in writing the custodian in charge of the records of an educational institution or an institution assisting persons with reading disabilities, that relate to any act done in reliance of section 54 of the Act (including that provision as applied by section 115C of the Act), that the owner or the agent wishes to inspect on a day specified in the notice, being an ordinary working day of the institution not less than 7 days after the date of the giving of the notice —

(a) all those records; or

- (b) such of those records as relate to —
- (i) any works by a specified author; or
 - (ii) any specified subject-matter.”.

Deletion and substitution of regulation 14

8. Regulation 14 of the Copyright Regulations is deleted and the following regulation substituted therefor:

“Notation of copies and copies for persons with reading disabilities

14. For the purposes of section 201(3) of the Act, the message that is to be embodied on a record embodying a sound recording of a work or other subject-matter, or of a part of a work or other subject-matter, made in reliance of section 54(1) or (5)(a) of the Act (including those provisions as applied by section 115C of the Act), immediately before the commencement of the recording, is as follows:

“This record, embodying a sound recording of (*name of work or other subject-matter*) was made in reliance of section 54 of the Copyright Act (Chapter 63) on (*date on which record was made*) by (*name of person who made the record*) on behalf of (*name of institution assisting persons with reading disabilities or educational institution on behalf of which the record was made*). Copyright may subsist in the work or the subject-matter and, if it does, the making of a record embodying this sound recording, otherwise than with the permission of the owner of the copyright in the work or in reliance of a provision of that Act, constitutes an infringement of copyright in the work or the subject-matter.”.

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Amendment of Second Schedule

9. The Second Schedule to the Copyright Regulations is amended —

- (a) by deleting the Schedule heading and substituting the following Schedule heading:

“INSTITUTIONS ASSISTING PERSONS WITH
READING DISABILITIES”; and

- (b) by deleting item (2) and substituting the following items:

- (2) Lighthouse School (formerly known as Singapore School for the Visually Handicapped)
- (3) SG Enable
- (4) SPD (formerly known as Society for the Physically Disabled)
- (5) Very Special Arts (Singapore)”.

Amendment of Fifth Schedule

10. The Fifth Schedule to the Copyright Regulations is amended —

- (a) by deleting the words “SECTION 54(9) OR 54A(6)” in the heading and substituting the words “SECTION 54A(6)”; and
- (b) by deleting the words “*institution assisting handicapped readers or*” in the heading.

Amendment of Seventh Schedule

11. The Seventh Schedule to the Copyright Regulations is amended —

- (a) by deleting the words “SECTION 54(9) OR 54A(6)” in the heading and substituting the words “SECTION 54A(6)”; and
- (b) by deleting the words “*institution assisting handicapped readers or*” in the heading.

New Eleventh and Twelfth Schedules

12. The Copyright Regulations are amended by inserting, immediately after the Tenth Schedule, the following Schedules:

“ELEVENTH SCHEDULE

Regulation 8(2A) and (3)

COPYRIGHT ACT (CHAPTER 63)

FORM OF RECORD FOR PURPOSES OF SECTION 54(13)(b)

RECORD OF THE MAKING, DISTRIBUTION, MAKING
AVAILABLE
OR RECEIPT OF AN ACCESSIBLE FORMAT COPY OF A
RELEVANT WORK BY OR ON BEHALF OF THE BODY
ADMINISTERING (NAME OF THE INSTITUTION ASSISTING
PERSONS WITH READING DISABILITIES OR EDUCATIONAL
INSTITUTION)

Item	Matter	Particulars <i>(to indicate “N.A.” if the matter is not applicable to the relevant work in question or is not required to be recorded)</i>
1	The International Standard Book Number for the edition of the work from which the accessible format copy is made.	
2	The title or description of the work.	
3	The name of the publisher of the edition of the work from which the accessible format copy is made.	
4	The name of the author of the work.	
5	The page numbers of the pages in the edition of the work from which the accessible format copy is made which have been copied in the accessible format copy, or, if a page which has been so copied does not bear a page number, such	

description of the page as will enable it to be identified.

- 6 The total number of bytes in the electronic medium from which the accessible format copy is made which have been copied in the accessible format copy.
- 7 The date on which the accessible format copy was made, distributed, made available or received.
- 8 The number of accessible format copies made, distributed, made available or received.

(Signature)

TWELFTH SCHEDULE

Regulation 8(2A) and (3)

COPYRIGHT ACT (CHAPTER 63)

FORM OF RECORD FOR PURPOSES OF SECTION 54(13)(b)

RECORD OF THE MAKING, DISTRIBUTION, MAKING
AVAILABLE OR
RECEIPT OF AN ACCESSIBLE FORMAT COPY OF SUBJECT-
MATTERS
OTHER THAN WORKS BY OR ON BEHALF OF THE
BODY ADMINISTERING (NAME OF THE INSTITUTION
ASSISTING
PERSONS WITH READING DISABILITIES OR EDUCATIONAL
INSTITUTION)

Item	Matter	Particulars <i>(to indicate "N.A." if the matter is not applicable to the subject-matter in question or is not required to be recorded)</i>

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- 1 The title or description of the subject-matter which will allow it to be identified.
 - 2 The total number of bytes in the electronic medium from which the accessible format copy is made which have been copied in the accessible format copy.
 - 3 The International Standard Book Number for the edition of the book comprised in the subject-matter.
 - 4 The name of the holder of the broadcasting licence which made the sound broadcast.
 - 5 The date on which the accessible format copy is made, distributed, made available or received.
 - 6 The number of accessible format copies made, distributed, made available or received.

(Signature) „.

Made on 9 March 2015.

NG HOW YUE
Permanent Secretary,
Ministry of Law,
Singapore.