



10 May 2001

Mrs Florence Lam  
Clerk to the Bills Committee  
Legislative Council of Hong Kong  
3rd Floor Citibank Tower  
Garden Road  
Hong Kong

Dear Ms Lam,

Re: Copyright (Suspension of Amendments) Bill 2001

On behalf of the Business Software Alliance Hong Kong (BSA), I would like to supplement BSA's May 2nd letter regarding the Copyright (Miscellaneous Amendments) Bill 2001 with respect to the issue of parallel importation. The BSA did not address this issue in that letter because we were not aware that it was related to the subject matter of the legislation under consideration, but has since begun the process of reviewing this issue.

The BSA strongly supports the clarification of the law with respect to the criminalization of corporate end user piracy in the Intellectual Property (Miscellaneous Amendments) Bill 2000. This issue is of critical importance to overcoming the overwhelming problem of corporate end user piracy and the development of Hong Kong's information technology industry.

We have over the past few days tried to understand the point of view of the Hong Kong distributors of software programs, who would be most affected by a change in the law on parallel importation of software products. At this point we have not yet determined what their position is, but suspect that at least some of them would find this kind of change in the law detrimental to their interests. We therefore urge the government and the Legislative Council to solicit their views in this matter. We also urge the government and Legislative Council to determine who is responsible as soon as is possible.

The BSA is absolutely committed to supporting the rapid resolution of the temporary copy issue. While the issue should be addressed separate from the legislation under consideration, we hope that it can be addressed on an expedited basis. We hope that this issue can be resolved, after consultation with all the parties in interest, as soon as is possible. The BSA is fully in support of consumers getting access to plentiful software at a reasonable price.

BSA respectfully offers its support in getting to the bottom of the parallel importation issue on an expedited basis.

Sincerely,

Howard Digby  
Chairman, Hong Kong Campaign.