

**Letterhead of UNION INTERNATIONALE DES EDITEURS INTERNATIONALE
VERLEGER-UNION INTERNATIONAL PUBLISHERS ASSOCIATION UNION
INTERNACIONAL DE EDITORES**

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The Honorable Kenneth TING Woo-shou, JP
Chair
Panel on Commerce and Industry
1/F, 22 Kai Cheung Road
Kowloon Bay, Kowloon
HONG KONG

April 18, 2001

URGENT

Intellectual Property (Miscellaneous Amendments) Ordinance 2000

Dear Mr. Ting,

As we were informed by the International Federation of Reproduction Rights Organisations (IFRRO) that urgent measures may be taken within the Hong Kong Legislative Council to suspend the implementation of the Intellectual Property (Miscellaneous Amendments) Ordinance 2000 in relation to the reproduction rights in newspapers, magazines, periodicals and books in both the analogue and digital environments, the International Publishers Association (IPA) feels compelled to express its deepest concerns to you about this important and urgent matter.

IPA is a Non Governmental Organisation with consultative relations with the United Nations. Its constituency is of book, journal and music publishers worldwide, assembled into 77 publishers associations at the national, regional and specialised level.

We firmly believe that the suspension of the implementation of the Ordinance as it relates to the interests of authors and publishers would have immediate and most damaging effects for rights holders distributing their works in Hong Kong and the region. We fully support the arguments presented by IFRRO in its letter to you dated 18 April 2001. Moreover, we regret the speed at which the decision to suspend the implementation of the Ordinance seems to be taken and urgently call on you to seriously consult rights holders before deciding to suspend the Ordinance which only came into effect on 1 April 2001.

Mrs Stephanie Faulkner, Secretary General of IFRRO, is on her way to Hong Kong in order to make representations to relevant Authorities and Organisations about this most important matter to authors and publishers. May we respectfully call on you to provide Mrs Faulkner with the opportunity of a fair hearing to allow her to present the arguments of the international rights holders community before the matter be decided by the relevant authorities.

We strongly urge you to consider the arguments of the rights holders community against the suspension of the implementation of the Intellectual Property (Miscellaneous Amendments) Ordinance 2000, calling on Hong Kong's compliance with its international obligations under the Agreement on Trade-Related Aspects of Intellectual Property Rights and the Berne Convention for the Protection of Literary and Artistic Works. We would very much appreciate to be kept informed of developments.

Sincerely yours,

Benoit Muller
Secretary General