

April 12, 2001

The Chairman  
LegCo Panel on Commerce and Industry

Dear Sir'

**Re: Enforcement action taken by the Government following the commencement of Intellectual Property (Miscellaneous Amendments) Ordinance 2000**

Our Council agrees to the ideal of the Ordinance. However, we have great concern on the effects of it in the education process. We have the following views for you to consider:

1. It is absolute right that we should use licensed softwares. But the prices are really too high. It is hope that very special discounted prices can be given to schools, teachers and students.
2. The copyright issues of books, magazines and newspapers greatly disturb the teachers, students and schools. We have been encouraging students to do projects, task-based assignments and search things by themselves etc., so as to make learning more interesting and long lasting. The enforcement of the copyright law greatly prohibits this learning process. In addition, teachers depend very much on these printed works for their preparation and deliberation of teaching, and doing evaluation of students. Though schools have signed agreement with the HK Reprographic Rights Licensing Society, yet teachers are still very worried about the situation if they reproduced materials for the teaching purpose. Of course, the situation applied to audio, video and visual materials.
3. We uphold the practice that schools can reproduced up to 10% of the books or printed materials within a week. However, the number of copies should be up to the total number of students in the school. The copyright law should not cover

news in the newspapers because pictures are usually taken from the public and reporting news should be viewed as a service to the public rather than privately owned. Also, schools should be allowed to reproduce audio, video and visual materials as long as it is for learning and teaching purpose in the schools and not hurting the profit of the producers.

4. At the present moment, the schools have been receiving interpretations and suggestions from different sources regarding the copyright law. They are confusing. Is it possible for the government to issue a detailed booklet on guidelines covering all aspects of copyright issues that will affect schools?

Thank you for your kind attention.

Yours sincerely,

David C.S. To (Dr.)  
Chairman  
Caput Schools Council