

10th October 2002

The Hon Sin Chung-Kai  
Chairman of the Bills Committee  
Legislative Council Secretariat  
3/F., Citibank Tower,  
3 Garden Road,  
Central, Hong Kong  
(fax no: 2869 6794)

*By Fax & Post*

Dear The Hon Sin Chung-Kai

**Re: Liberalisation of Parallel Importation of Computer Software  
Copyright (Amendment) Bill 2002**

We understand that the Bills Committee remains receptive to further submissions regarding the above-proposed legislation.

The Music Publishers Association of Hong Kong Limited ("MPA HK") has previously provided to the Legislative Council its views on the proposed Copyright (Amendment) Bill 2001. In that submission we advised that our members are Hong Kong's music publishing companies that, in turn, own or control exclusively the rights in the copyrights subsisting in the majority of musical compositions, both Hong Kong and foreign written works.

We have seen the further submissions of:

- the International Federation of the Phonographic Industry (Hong Kong Group) Ltd dated 26th August 2002; and
  - the Motion Picture Association dated 21st August 2002,
- and wish to advise the Legislative Council that we support the views put forward in both those submissions.

It is likely that musical compositions in which our members own or control exclusively the copyrights in Hong Kong may be embodied into imported computer software. We therefore respectfully ask that the Bills Committee remains aware of the distinction between the various copyrights that may co-exist in computer software and maintains that distinction by applying the current Copyright Ordinance provisions to the importation of, and subsequent dealings with, all musical work copyrights regardless of the device in which they are embodied.

If you would like us to expand on this submission, we would be happy to do so.

Yours sincerely,  
For and on behalf of MPA HK

Tony Chu  
Chairman

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