

Legislative Council Bills Committee

Copyright (Amendment) Bill 2001

Enforcement on Parallel Importation

The Bills Committee has requested for complaint and enforcement statistics in relation to the parallel importation provision in the Copyright Ordinance (Cap.528).

2. Since the commencement of the Copyright Ordinance in 1997, Customs and Excise Department has received six criminal complaints from copyright licensees against parallel imports. Five of them did not materialize into a valid complaint for lack of evidence to prove copyright infringement. One is still under investigation.

3. To follow up on Hon Ma Fung-kwok's allegation at the last Bills Committee meeting that there were a large number of complaints against parallel imports, Customs and Excise Department held a meeting with Hon Ma and representatives from the film industry. It transpired that a considerable number of complaints about parallel imports had been raised with the Motion Picture Industry Association ("MPIA"). During the meeting, Customs and Excise Department reassured the representatives that enforcement action would be taken against parallel imports once there was sufficient evidence. The Department will discuss with MPIA to establish guidelines so that MPIA members will better understand the complaint procedure and requirements for evidence in relation to criminal enforcement on parallel imports.

Commerce and Industry Branch
Commerce, Industry and Technology Bureau
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