

Legislative Council Panel on Commerce and Industry

Review of Certain Provisions of Copyright Ordinance

Introduction

This paper invites views from Members on the consultation document (Annex) concerning the review of certain provisions of the Copyright Ordinance.

Background

2. The commencement of the criminal provisions on possession of copyright infringing copies in business in April this year triggered a heated debate in the community. There was concern that the new law impaired the dissemination of information in enterprises and teaching in schools. In June, with the approval of the Legislative Council, the Government suspended the new law except as it applied to computer programs, movies, television dramas and musical recordings. The suspension will end on 31 July 2002.

3. The consultation document provides analysis of and options to tackle the issues raised by members of the community during the debate earlier this year. The document covers the following seven topics:

- criminal provisions related to end-user piracy
- permitted acts for educational purposes
- permitted acts for visually impaired persons
- permitted acts related to free public showing or playing of broadcast or cable programme
- parallel importation of copyright works other than computer software
- unauthorised reception of subscription television programmes
- licensing bodies

We will formulate concrete proposals after wide consultation in the community. The consultation period will last for two months and end on 31 December 2001.

Publicity

4. We have been publicising the consultation document widely so as to encourage more views from members of the public. We held a press conference on 2 November 2001. In parallel, we have made announcements over television and radio to enhance publicity. We have sent the consultation document to over 4000 bodies including District Councils, legal professional bodies, business associations, educational bodies, copyright owners associations and the Consumer Council, etc. The document is also available at District Offices and can be downloaded from Government websites. We will also organise a seminar on 26 November to listen to the views of public on the consultation document.

Way forward

5. We plan to report the results of the consultation exercise and submit our legislative proposals to this Panel in February 2002. We will then introduce a bill into the Legislative Council as soon as possible.

Commerce and Industry Bureau
November 2001