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By fax and e-mail

Clerk to Panel on Commerce and Industry
Legislative Council Secretariat
3/F Citibank Tower
3 Garden Road, Central
Hong Kong

Dear Sirs

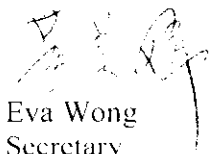
Preliminary Proposals on Various Copyright-related Issues

We write to provide our comments on the summary of the above Preliminary Proposals detailed in Annex C of the consultation paper.

- (a) We prefer to maintain the status quo.
- (b) Most of the communication in banks is made through printed works, such as circulation of newspaper cutting, information extracted from periodicals and circulation of professional reports. The expansion of the scope of business end-user possession criminal liability to such works, will not only hamper in-house dissemination of information, sharing of learning and sharing of resources, but also impede normal operation of business.
- (c) We support the defences for employees as proposed.
- (d) Defences for employees should also be available for the directors. For directors who are working in large corporations, they may/may not know of the use of such copies or be in a position to decide on the acquisition or removal of the infringing copies.
- (e) We support the introduction of the non-exhaustive approach as it would allow more flexibility.

We trust that you will find the above helpful.

Yours faithfully



Eva Wong
Secretary

Chairman Bank of China (Hong Kong) Ltd
Vice Chairmen Standard Chartered Bank (Hong Kong) Ltd
The Hongkong and Shanghai Banking Corporation Ltd
Secretary Eva Wong Mei Seong

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