



Hong Kong Subsidized Secondary Schools Council
香港津貼中學議會

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Clerk to the Bills Committee

Legislative Council

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Dear Sir/Madam,

**Views on the Government's legislative proposals of
Copyright (Amendment) Bill 2006**

On behalf of the Executive Committee (Exco) of the Hong Kong Subsidized Secondary Schools Council, I would like to forward the points of view on the captioned proposal as follows:

1. The Exco welcomes and supports the legislative amendments to the Copyright Ordinance. The Bill is an adequate balance between the protection of intellectual property and the dissemination of knowledge.
2. The Exco welcomes the proposal to introduce fair dealing provisions and expand the permitted acts for educational purposes. The relaxed provisions will provide schools, teachers and students the right to use copyright materials to a reasonable extent and with flexibility. This would definitely enhance the effectiveness of classroom teaching and facilitate the dissemination of knowledge. Besides, the added permitted acts for the visually impaired will help teaching in special education, and facilitate their learning and use of copyright materials.

3. The Exco welcomes the removal of civil and criminal liability associated with the importation and possession of parallel imported items of copyright works for educational and library use. Such relaxation enables educational establishments to lawfully acquire suitable educational materials from overseas for teaching and reference purposes.
4. The Exco supports the Government's proposal to exempt non-profit-making or subvented educational establishments from the proposed criminal offence of making and distributing infringing copies of copyright printed works. Without such an exemption, teachers will have great hesitation in using copyright printed works, and students' learning will be jeopardized.
5. The Exco objects to the harsh quantity threshold proposed by the copyright owners under the "safe harbour" provisions as it will hinder the dissemination of knowledge. We suggest that there should be further deliberations on the magnitude of the quantity threshold.
6. The Exco believes that one of the objectives of the Copyright Ordinance is to create an environment conducive to the creation and preservation of knowledge and the transmission of information. Such an environment will facilitate the development of teaching and learning activities. We hope that after the legislative amendments, teachers and students will not be needlessly worrying about using copyright materials in teaching and learning as this will ultimately serve the greater interest of society.

Yours faithfully,

Mr. Chu Fu-yau, Dominic
Chairman