

Bills Committee on Copyright (Amendment) Bill 2011

**List of follow-up actions arising from the discussion
at the meeting on 11 October 2011**

The Administration was requested to:

- (a) advise under what circumstances a parody might be regarded as infringing the copyright of a work and falling into the criminal net, with reference to the following examples: (a) the parody of a T-shirt logo based on the logo of the Democratic Party for the Betterment and Progress of Hong Kong, (b) the parody based on the Government's "Act Now" campaign slogan, (c) the parody of the appointment of the new Chief Secretary for Administration Mr Stephen LAM based on the poster of the movie "Johnny English Reborn" and (d) the parody of the former Chief Secretary for Administration Mr Henry TANG based on the poster of the movie "A Simple Life";
- (b) consider the proposal raised by the deputations at the meeting with the Administration on 22 September 2011 that parodies not involving large scale copyright piracy and profit making should be exempted from the criminal liability;
- (c) consider including in the Bill provisions specifying that only those who engaged in the communication of copyright works which caused direct and concrete economic prejudice to the copyright owners would attract criminal liability; and
- (d) advise whether the communication of a copyright work to the public without the authorization of the copyright owner, through online social network channels (such as Facebook) which might generate minimal indirect revenue, would constitute a criminal offence.