

香港特別行政區政府
工商及科技局
工商科

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COMMERCE AND INDUSTRY BRANCH
COMMERCE, INDUSTRY AND
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11 October 2006

Miss Polly Yeung
Clerk to the Bills Committee on
Copyright (Amendment) Bill 2006
Legislative Council Building
8 Jackson Road, Central
Hong Kong

Dear Miss Yeung,

**Proposed Approach to Deal with Clause-by-clause Examination
of the Copyright (Amendment) Bill 2006**

I write to seek the Bills Committee's views on the Administration's proposed approach to deal with clause-by-clause examination of the Copyright (Amendment) Bill 2006. We recommend the Bills Committee to –

- (a) start examining two less controversial clauses, namely, clauses 11 and 53 of the Bill, which relate to the introduction of copyright exemption for persons with a print disability and moral rights for certain performers; and
- (b) examine the remaining clauses together with our proposed Committee Stage Amendments(CSAs) when available.

Justifications

The Administration is considering whether and if so what amendments should be made to the Bill to address the concerns raised by the Bills Committee Members and the deputations representing stakeholders. In formulating any revised proposals, we need to strike a balance between protecting the interests of copyright owners and the community's need for reasonable use of copyright works.

Judging from the grounds that have been covered by the Bills Committee so far, the clause-by-clause examination of the Bill is likely to commence in November 2006. Given the complexity of the issues involved, the proposed CSAs may not be ready for submission by then. Instead of putting the work of the Bills Committee on hold, we recommend the Bills Committee to start examining clauses 11 and 53 of the Bill first. We will strive our best to submit the CSAs to the Bills Committee as soon as possible.

Grateful if you would seek Members' views on whether the proposed approach is agreeable.

Yours sincerely,

A handwritten signature in black ink, consisting of a stylized 'P' followed by a long horizontal stroke.

(Ms Priscilla To)
for Secretary for Commerce, Industry and Technology