

Hong Kong Televisioners Association
香港電視專業人員協會

By Mail

Our Ref. : HKTVA/06-034

Legislative Council Secretariat
Legislative Council Building
8 Jackson Road
Central
Hong Kong

Date : 25 July, 2006

Dear Sirs,

**Re: HKTVA (Hong Kong Televisioners Association) Position on Copyright
Amendments 2006**

We are a professional body in Hong Kong representing the interests of the professionals in the TV industries of Hong Kong. We would like to express our position on the Copyright Amendments 2006 and our position on the issues is summarized as follows:-

1. The creative industries including TV industries survive on the adequate and effective protections of the intellectual properties created by the creative professionals.
2. Yet, we understand that the creative industries thrive and prosper at the same time on the smooth and dynamic flow and transmission of knowledge and information among the public and this has given rise to the demands of the some sectors of the public e.g. education for a socially fair and just share of the use of the intellectual properties of the creative industries.
3. The challenging task for the Government and the Legislative Council is to design statutory arrangements which would accommodate the legitimate expectations under (1) and (2).
4. For the legal protections of the intellectual properties of the creative industries, we do support the view that the "digital-on-line environment" is a very unique and different environment. Therefore, more stringent legal provisions and remedies must be statutorily design in order to tackle the serious infringement problems in this special environment.

(1)

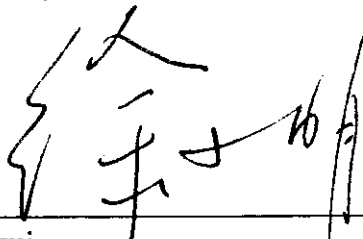
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5. For the legitimate public expectations that fair use and dealings of the intellectual properties should be allowed, we would like to echo that any systems designed for the fair use and dealings must at the same time make clear and effective provisions to discourage and attack abuses of such systems.
6. HKTVA do not believe in any univocal submissions on the issues. The optimal solutions shall lie in the candid and mutual discussions and elaborations of the Government and the industries over any given particular situations which would require "case by case" treatments and tackling.
7. HKTVA is pleased to take part and assist in such discussions.

Thank you for your attention.

Yours faithfully,
HONG KONG TELEVISIONERS ASSOCIATION LTD.



Siuming Tsui
President

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