



REPUBLIC OF SINGAPORE
GOVERNMENT GAZETTE
ACTS SUPPLEMENT
Published by Authority

NO. 28]

FRIDAY, AUGUST 17

[2018

First published in the *Government Gazette*, Electronic Edition, on 13 August 2018 at 5 pm.

The following Act was passed by Parliament on 9 July 2018 and assented to by the President on 2 August 2018:—

REPUBLIC OF SINGAPORE

No. 30 of 2018.

I assent.

HALIMAH YACOB,
President.
2 August 2018.

(LS)

An Act to amend the National Library Board Act (Chapter 197 of the 2014 Revised Edition), and to make consequential and related amendments to the Copyright Act (Chapter 63 of the 2006 Revised Edition).

Be it enacted by the President with the advice and consent of the Parliament of Singapore, as follows:

Short title and commencement

1. This Act is the National Library Board (Amendment) Act 2018 and comes into operation on a date that the Minister appoints by notification in the *Gazette*.

Amendment of section 2

2. Section 2 of the National Library Board Act (called in this Act the principal Act) is amended —

(a) by deleting the definition of “library materials” and substituting the following definition:

““library materials” means —

(a) any book, periodical, newspaper, pamphlet, musical score, map, chart, plan, picture, photograph or matter, in printed or electronic form;

(b) any visual image (including a computer generated image) or sound, or aggregate of visual images or sounds or both, or data —

(i) embodied in or recorded on a film (including a microfilm or a microfiche), negative, tape, disc, sound track or other device or thing, so as to be capable (with or without the aid of some other equipment) of being reproduced from it; or

(ii) transmitted by electronic means; and

(c) any online material made available on a Singapore website;”;

(b) by inserting, immediately after the definition of “National Heritage Board”, the following definition:

““online material” means any writing, visual image, video, sound recording or data accessible to the public generally, through the Internet on a website;”;

- (c) by inserting, immediately after the word “books” in the definition of “printed”, the words “or other materials”;
- (d) by deleting the definition of “published in Singapore” and substituting the following definition:

““published in Singapore”, in relation to library materials other than online material, means produced and released in Singapore for sale or public distribution;”; and

- (e) by deleting the full-stop at the end of the definition of “publisher” and substituting a semi-colon, and by inserting immediately thereafter the following definition:

““Singapore website” means —

- (a) any website, the country code top level domain of which is associated with Singapore; or
- (b) any prescribed website or electronic service associated with Singapore.”.

Amendment of section 7

3. Section 7(2) of the principal Act is amended —

- (a) by inserting, immediately after the words “section 10” in paragraph (f), the words “or otherwise acquired by the Board”; and
- (b) by inserting, immediately after paragraph (f), the following paragraph:

“(fa) to make copies of any online material made available on a Singapore website, at the times and in the manner the Board considers appropriate;”.

Amendment of section 10**4. Section 10 of the principal Act is amended —**

(a) by deleting subsection (1) and substituting the following subsection:

“(1) Except as otherwise provided by regulations, the publisher of every library material (other than online material) published in Singapore must, at the publisher’s own expense —

(a) subject to paragraph (b), deposit 2 copies of that library material with the Board at a place determined by the Board within 4 weeks after the date of first publication; and

(b) where the library material is in electronic form, deposit a copy of that library material with the Board in the form and manner determined by the Board, free of any technological or other restriction on access, within 4 weeks after the date of first publication.”;

(b) by inserting, immediately after the words “by regulations” in subsection (2), the words “made under section 35”;

(c) by inserting, immediately after the words “required to be deposited” in subsection (2)(b), the words “, and the manner in which they must be deposited”; and

(d) by deleting subsection (4).

Amendment of section 11

5. Section 11(2) of the principal Act is amended by inserting, immediately after the words “by regulations”, the words “made under section 35”.

New section 33A

6. The principal Act is amended by inserting, immediately after section 33, the following section:

“Composition of offences

33A.—(1) The chief executive officer, or an officer or employee of the Board authorised in writing by the Board, may compound any offence under this Act that is prescribed as a compoundable offence by collecting from a person reasonably suspected of having committed the offence a sum not exceeding \$500.

(2) On payment of such sum of money, no further proceedings are to be taken against that person in respect of the offence.

(3) All sums collected under this section must be paid into the Consolidated Fund.”.

Amendment of section 35

7. Section 35(2) of the principal Act is amended —

- (a) by deleting the words “amount of fines that may be levied” in paragraph (g) and substituting the word “charges”; and
- (b) by deleting the words “such fines” in paragraph (g) and substituting the words “such charges”.

Consequential and related amendments to Copyright Act

8.—(1) Section 7(1) of the Copyright Act (Cap. 63) is amended —

- (a) by inserting, immediately after the definition of “minimum royalty”, the following definition:

““National Library Board” means the National Library Board established by the National Library Board Act;”;

- (b) by inserting, immediately after the definition of “Office”, the following definition:

““online material” has the same meaning as in section 2 of the National Library Board Act;”;
and

(c) by inserting, immediately after the definition of “simulcasting”, the following definition:

““Singapore website” has the same meaning as in section 2 of the National Library Board Act;”.

(2) Section 45 of the Copyright Act is amended by deleting subsection (7A) and substituting the following subsection:

“(7A) If any of the following is acquired as part of the collection of a library or archives:

- (a) an article contained in a periodical publication or a published work (other than an article contained in a periodical publication) acquired in electronic form;
- (b) any work that is or is part of online material acquired under section 49A,

the copyright in the article, published work or work is not infringed by the officer-in-charge of the library or archives making it available online within the premises of the library or archives in such a manner that users cannot, by using any equipment supplied by the library or archives —

- (i) make an electronic copy of the article, published work or work; or
- (ii) communicate the article, published work or work.”.

(3) The Copyright Act is amended by inserting, immediately after section 49, the following section:

“Copying of online material for National Library Board collection

49A. The copyright in a work that is or is part of online material made available on a Singapore website is not infringed by the making of a copy of the online material, by or on behalf of the National Library Board, in the performance of its functions

under section 6(*d*) of the National Library Board Act (Cap. 197).”.

(4) The Copyright Act is amended by inserting, immediately after section 113, the following sections:

“Copying of online material for National Library Board collection

113A. The copyright in any cinematograph film or sound recording that is or is part of online material made available on a Singapore website is not infringed by the making of a copy of the online material, by or on behalf of the National Library Board, in the performance of its functions under section 6(*d*) of the National Library Board Act (Cap. 197).

Access to cinematograph film and sound recording by users of libraries and archives

113B. If any cinematograph film or sound recording is acquired, or is or is part of online material acquired under section 113A, as part of the collection of a library or archives, the copyright in the cinematograph film or sound recording is not infringed by the officer-in-charge of the library or archives making it available online within the premises of the library or archives in such a manner that users cannot, by using any equipment supplied by the library or archives —

- (*a*) make an electronic copy of the cinematograph film or sound recording; or
- (*b*) communicate the cinematograph film or sound recording.”.

(5) Section 116 of the Copyright Act is amended by inserting, immediately after “48,” in paragraphs (*a*)(ii) and (*b*)(ii), “49A,”.
