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**COPYRIGHT ACT
(CHAPTER 63)**

**COPYRIGHT
(INTERNATIONAL PROTECTION) (AMENDMENT)
REGULATIONS 2003**

In exercise of the powers conferred by sections 184 and 202 of the Copyright Act, the Minister for Law hereby makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Copyright (International Protection) (Amendment) Regulations 2003 and shall come into operation on 1st December 2003.

Amendment of regulation 2

2. Regulation 2(1) of the Copyright (International Protection) Regulations (Rg 2) (referred to in these Regulations as the principal Regulations) is amended —

(a) by inserting, immediately after the definition of “at a material time”, the following definitions:

“ “Berne Convention” means the Berne Convention for the Protection of Literary and Artistic Works signed at Berne on 9th September 1886, as revised or amended from time to time;

“Convention country” means a country, other than Singapore, which is a party to the Berne Convention or a member of the World Trade Organisation;

“country” includes territory;”;

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- (b) by deleting the words “country so specified” in paragraph (b) of the definition of “country of origin” and substituting the words “Convention country”;
- (c) by deleting the words “not specified in the Schedule” in paragraphs (d) and (e) of the definition of “country of origin” and substituting the words “which is not a Convention country”;
- (d) by inserting, immediately after the definition of “country of origin”, the following definition:
- “ “member of the World Trade Organisation” means a country, other than Singapore, which is a signatory to the WTO Agreement;”;
- (e) by deleting the full-stop at the end of the definition of “simultaneously” and substituting a semi-colon, and by inserting immediately thereafter the following definition:
- “ “WTO Agreement” means the World Trade Organisation Agreement signed in Marrakesh in 1994 as revised or amended from time to time.”.

Amendment of regulation 3

3. Regulation 3 of the principal Regulations is amended by deleting the words “a country specified in Part I of the Schedule” in paragraphs (2) and (8) and substituting in each case the words “a member of the World Trade Organisation”.

Amendment of regulation 8

4. Regulation 8(2) of the principal Regulations is amended —

- (a) by deleting paragraph (a) and substituting the following paragraph:
- “(a) a change in the membership of the World Trade Organisation or the parties to the Berne Convention has occurred, which results in a country, which was previously not a

Convention country, becoming a Convention country;”;

- (b) by deleting the words “the amendment comes into operation” wherever they appear and substituting in each case the words “the change takes effect”;
- (c) by deleting the words “the amendment” in the last line of paragraph (b) and substituting the words “the change”; and
- (d) by deleting the words “country being specified in the Schedule” and substituting the words “country becoming a Convention country”.

Amendment of regulation 8A

5. Regulation 8A(2) of the principal Regulations is amended —

- (a) by deleting paragraph (a) and substituting the following paragraph:
 - “(a) a change in the membership of the World Trade Organisation has occurred, which results in a country, which was previously not a member of the World Trade Organisation, becoming a member of the World Trade Organisation;”;
- (b) by deleting the words “the amendment comes into operation” wherever they appear and substituting in each case the words “the change takes effect”; and
- (c) by deleting the words “the amendment” in the last line of paragraph (b) and substituting the words “the change”.

Miscellaneous amendments

6. The principal Regulations are amended by deleting the words “country specified in the Schedule” wherever they appear in the following provisions and substituting in each case the words “Convention country”:

Regulations 2(1) (paragraphs (a), (b) and (c) of the definition of “country of origin”), 3(1) and (3) to (7), 5, 6 and 7.

Deletion of Schedule

7. The Schedule to the principal Regulations is deleted.

Savings and transitional provisions

8.—(1) Where a person has, at any time before 1st December 2003 taken action whereby he has incurred expenditure or liability —

- (a) in connection with the doing of any act in relation to a work or other subject-matter in a manner that at that time was lawful; or
- (b) for the purpose of or with a view to the doing of any act in relation to a work or any subject-matter at a time when the doing of that act would, but for these Regulations, have been lawful,

nothing in the principal Regulations (as amended by these Regulations) shall diminish or prejudice any right or interest arising from or in connection with that action that is subsisting and valuable immediately before that date, unless the person who, by virtue of the operation of the principal Regulations (as amended by these Regulations), has the exclusive right to do that act agrees to pay to the first-mentioned person such compensation as is reasonable in the circumstances.

(2) Where a person has, at any time before 1st December 2003 taken action whereby he has incurred expenditure or liability —

- (a) in connection with the doing of an act in relation to a performance in a manner that at the time was lawful; or
- (b) for the purpose of or with a view to the doing of any act in relation to a performance at a time when the doing of that act would, but for these Regulations, have been lawful,

nothing in the principal Regulations (as amended by these Regulations) shall diminish or prejudice any right or interest arising in connection with that action that is subsisting and valuable immediately before 1st December 2003 unless the performer of the performance agrees to pay to the person such compensation as is reasonable in the circumstances.

Made this 20th day of October 2003.

LIEW HENG SAN
*Permanent Secretary,
Ministry of Law,
Singapore.*

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