



**RESPONSE TO PUBLIC CONSULTATION ISSUED BY MINISTRY OF LAW AND
INTELLECTUAL PROPERTY OFFICE OF SINGAPORE (IPOS)**

FEEDBACK ON DRAFT COPYRIGHT BILL

FROM

THE AMERICAN CHAMBER OF COMMERCE, SINGAPORE

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FEEDBACK ON DRAFT COPYRIGHT BILL

The American Chamber of Commerce in Singapore (AmCham) welcomes the opportunity to provide feedback to the Ministry of Law and the Intellectual Property Office of Singapore on the proposed amendments to the Copyright Act.

AmCham is the leading international business chamber in Singapore, with over 5,000 members and representing nearly 550 companies. Our mission is to provide advocacy, business insights, and connections, and to meet present and future challenges to the mutual benefit of American businesses in Singapore.

AmCham's feedback with regards to the proposed amendments to the Copyright Act is centered on the following areas.

1. Adoption of plain English
2. Fair balance between the needs of copyright owners and users
3. Provide greater clarity of Fair Use Exceptions

Adoption of Plain English

AmCham applauds the adoption of plain English to present the law in a clear, readable and easily understood manner, while also recognizing the critical need for a degree of legal precision. We encourage consideration be given to clarifying which changes in the draft Copyright Act's language are stylistic versus substantive. Where there are legal precedents that establish the meanings of particular words, phrases or concepts, AmCham encourages that these not be changed for the sake of change.

Fair Balance Between the Needs of Copyright Owners and Users

AmCham encourages increased consideration on a fair balance between the needs of copyright owners and users in relation to copyright license of works under the text and data mining provisions. There are works where licensing is part of normal exploitation and works where licensing is the premier normal exploitation. The availability of licensing solutions should account for such cases. AmCham encourages reconsideration of these licensing solutions being deemed non-mandatory.

Provide Greater Clarity of Fair Use Exceptions

AmCham encourages greater clarity on how the fair use exception operates vis-à-vis the other exceptions. The exceptions proposed, such as those in relation to text and data mining and for galleries, libraries, archives and museums (GLAM) would benefit from being crafted in a clear manner that is specific in its scope and reach and with stringent safeguards. This will prevent abuse of the exceptions, prevent incidental

infringements which may lead to unintended consequences of proposals to facilitate uses of work, and fairly balance public policy objectives against the legitimate interests of copyright owners.

*Sincerely,
Hsien-Hsien Lei*

Dr. Hsien-Hsien Lei
Chief Executive Officer