

Country: Singapore

QUESTIONNAIRE

A. COPYRIGHT REGISTRATION AND RECORDATION

1. What is the name and legal status of the copyright registering/recording body in your country?

Answer: Not Applicable.

In Singapore, an author automatically enjoys copyright protection as soon as he creates and expresses his work in a tangible form. As registration or recordation is not necessary there does not exist any copyright registration/recording body in Singapore.

2. Please provide full contact details of the copyright registering/recording body, including location of its offices, with indication of the hours they open to public.

Answer: Not Applicable. Please see answer to Question 1.

3. Does the copyright registering/recording body have a webpage and e-mail address? If so, please list them.

Answer: Not Applicable. Please see answer to Question 1.

4. Is the copyright registry interconnected to any other copyright data system?

Answer: Not Applicable

5. Please list relevant national legislation, including regulations, regarding copyright recordation/registration.

Answer: Not Applicable

6. What kind of copyright works can be registered/recorded? Is the registration/recordation process different for each type of copyrighted work? Please describe the differences, if any.

Answer: Not Applicable

7. Can the subject matter of related rights (e.g., performances, broadcasts, sound recordings) also be registered/recorded? If yes, is there a different registration/recording process than for works protected by copyright?

Answer: Not Applicable

8. Is there a possibility to record the transfer or licensing of copyright/related rights?

Answer: Not Applicable, since there is no system of registration of copyright or related rights.

9. Is there a possibility to record a security interest in the copyright or related right? If so, what are the legal requirements and effects of such recording?

Answer: Not Applicable. Please see answer to Question 8.

10. What is the legal effect of registration?

Answer: Not Applicable

11. Is copyright registration/recording mandatory or voluntary in the following circumstances?

- (a) Recognition of creation?
- (b) Transfer of rights?
- (c) Initiation of judicial proceedings?
- (d) Other changes in title/ownership (such as leasing)?

If your country has a mandatory registration/recording system, please describe any legal consequences for non-compliance.

Answer: Not Applicable. Please see answer to Question 1. There does not exist any copyright registration/recording body in Singapore.

12. Do courts in your country recognize copyright registrations affected by public authorities in other countries? If yes, is recognition automatic or is a local procedure required to validate or otherwise give effect to the foreign registration?

Answer:

In Singapore, the law states that copyright belongs to the author or the owner of the copyright work or subject matter. A court will look to all relevant documentation that proves authorship and ownership, including the copyright registrations affected in other countries where it is relevant.

13. What are the requirements for registration?

- (a) What are the mandatory elements of the request for registration/recordation?
- (b) Does the request need to be submitted in a specific form? Can the request be submitted by the post? Can the request be submitted electronically?
- (c) Is there a deposit requirement, that is, must a copy of the work be submitted with the registration request? If so, can it be submitted in digital form?
- (d) Is there a registration/recordation fee? If so, how much is the registration/recordation fee?
- (e) What is the average time taken to complete the registration/recordation process?

Answer: Not Applicable

14. Are foreigners allowed to register/record their creation? Are people without legal residence in your country allowed to register/record their creations? Is there a different registration/recordation process for domestic as opposed to foreign works or objects of related rights?

Answer: Not Applicable

15. Are the files stored in digital form?

Answer: Not Applicable

16. What criteria are followed for classification of the registrations/recordations (including chronology/name of right owner/name of work or related right/type of work or subject matter of related rights, etc)? Is it possible to correct or update relevant information?

Answer: Not Applicable

17. Does the system have a search facility?

Answer: Not Applicable

18. Is it accessible by the public? Is the search facility available online?

Answer: Not Applicable

19. Is access granted to the work registered or its copies?

Answer: Not Applicable

20. Does the general public have access to other documents submitted or to any information regarding the work registered/recorded?

Answer: Not Applicable

21. Does your country have legislation dealing specifically with "orphan works", i.e. works in respect of which the right owner can not be identified and/or located (e.g., a compulsory license or a limitation on liability)? Please briefly describe the main elements of that legislation.

Answer: Yes

Copyright Act Section 29: Duration of copyright in anonymous and pseudonymous work

Any copyright subsisting in a work which is anonymous or pseudonymous shall continue to subsist until the expiration of the period of 70 years after the expiration of the calendar year in which the work was first published.

22. Independently of whether your country has legislation on the subject, are there industry practices in your country aimed at identifying and/or locating the copyright owner of "orphan works"?

Answer:

We are not aware of any such industry practices aimed at identifying and/or locating the copyright owner of "orphan works".

23. Does the registering/recording body play a relevant role in the legislation or practice dealing with "orphan works"?

Answer: Not Applicable

24. Is there a system to identify and list recorded/registered works or objects of related rights in the public domain? Is that system automated? Is that information made available to the public?

Answer: Not Applicable

25. If your country has a public registration/recording system, do private institutions or initiatives exist that provide additional mechanisms to access registered/recorded information from the public system?

Answer: Not Applicable

26. Please provide statistics on following registrations/recordations:

- (a) Number per statistical period (last five years).
- (b) Number per nationality (last five years).
- (c) Number of inquiries/requests for information filed per statistical period (last five years).
- (d) Number of recordation/registrations whose subject matter has entered the public domain. Global figure/Figure per statistical period (last five years).

Answer: Not Applicable

B. LEGAL DEPOSIT

27. Does your country have a legal deposit system/s in place?

Answer: Yes

28. Please list relevant national legislation regulating the legal deposit.

Answer: The National Library Board Act (Chapter 197, No. 5 of 1995) at Part II, Section 10 requires every Singapore publisher to deposit two (2) copies of every publication published in the Republic of Singapore with the National Library Board (NLB).

29. Is the legal deposit mandatory or voluntary in your Country? If mandatory, what are the legal consequences in case of non-compliance?

Answer: It is mandatory. Every publisher of any library material who contravenes or fails to comply with this section shall be guilty of an offence and shall be liable on conviction to a fine not exceeding Singapore Dollars \$5000.00 : section 35 National Library Board Act.

30. What are the functions performed by your National legal deposit system (e.g. preservation of cultural heritage; collection of statistical information, etc)?

Answer: The purpose of legal deposit is to ensure that the nation's published heritage is systematically collected and preserved in posterity, in order to make them accessible to present and future generation of Library users and patrons.

31. Is there any connection or interaction among legal deposit and copyright protection?

Answer: When publishers deposit their materials with NLB both in the physical form and more and more via on-line systems, they are informed of the following

- The deposited material(s) does not violate any laws of the Republic of Singapore and especially, Copyright Laws.
- By submitting the deposited item(s) to NLB, they agree to provide NLB with perpetual, non-exclusive and non-transferable rights to make copies for web display or exhibition for educational or research purpose, or take the necessary preservation actions to keep the deposited item(s) accessible, including but not limited to the conversion of the deposited material(s) to other formats and making copies of the deposited material(s).

32. Does your national legislation have any provision in regard to making copies or adapting formats of deposited works for preservation purposes? If so, please clarify under which terms and conditions?

Answer: Yes, please see our response on Question 31 above.

33. What is the object of legal deposit?

Please list all types or categories of material subject to legal deposit (e.g. Print Material, such as books, serials, government publication; Non-Print Material, such as music and audiovisual works, broadcast material).

Answer:

- Monographs
- Serials/Magazines

- Newsletters (comprise 8 pages or more)
- Annual Reports
- Conference proceedings
- Newspapers
- Limited Editions - commemorative souvenir magazines
- Electronic Resources
- Online Resources
- Educational Curriculum Materials
- Government Publications
- Feature and Short Films
- Music (printed music only)
- Market Reports
- Ephemera

34. Does legal deposit apply upon production/printing of content or after its distribution?
Does legal deposit apply to material printed in your country but distributed abroad?

Answer: All materials are to be deposited after printing and publishing for release. As indicated in section 10 of the National Library Board Act, the copies have to be deposited within four (4) weeks after the date of publication.

35. Is there any type or category of material exempted from legal deposit for policy reasons.

Answer: Yes, they are mostly newsletters that are of the following nature

- i. Titles that are published for internal circulation and not made available to the public and are therefore not liable for legal deposit.
- ii. Newsletters which contain summarized information that is easily available elsewhere
- iii. Materials of an administrative or social nature dealing with and directed to members of an organization, corporate bodies, religious bodies, etc.
- iv. Materials that are intended primarily for advertising purposes and consisting mainly of advertisements
- v. Religious materials that are evangelistic in nature

36. Is there any specific regulation in regard to material published in electronic format? If so, does the regulation distinguish between on-line and off-line material? Please clarify relevant differences.

Answer: There are no specific regulations at the moment with regard to material published in electronic format. At the present, publishers are encouraged to voluntarily deposit their publications created in any electronic formats.

37. How many copies does the depositor have to deposit? Are there special conditions for limited or *de luxe* editions?

Answer: The depositor has to deposit 2 copies of each publication. No there is no special condition for limited or *de luxe* editions.

38. Who is/are the subject/subjects responsible for delivering the legal deposit?

Answer: Publishers, including commercial and self-publishers, organisations, associations, government agencies, printers, and commercial companies are all responsible for delivering legal deposit.

39. What are the time requirements for legal deposit?

Answer: The time requirement for legal deposit is within 4 weeks from the date of publication.

40. Is there a payment or compensation involved in legal deposit? If so, please indicate its amount.

Answer: No, there is no payment or compensation involved in legal deposit.

41. What is/are the entity/entities responsible for acting as legal depository?

Answer: The National Library of Singapore is responsible for acting as a legal depository.

42. Does the general public have access to legally deposited materials? If so, please explain under which terms and conditions.

Answer: Yes. As two copies of each publication are deposited to the National Library, one copy will be kept in the depository and the other copy will be processed and made accessible at the Lee Kong Chian Reference Library for reference only.

43. Do/does the depository/depositories provide publicly available search facilities? If so, are they accessible on-line?

Answer: Yes these reference copies are catalogued into the Online Public Access Catalogue (OPAC) for public access on-line and onsite.

44. Is legal deposit linked to any number or code? Is there any relation with the International Standard Books Number (ISBN) with the International Standard Serial Number (ISSN) and other such codes?

Answer: Yes. For those who applied the ISBN and ISSN, they will be given a reminder note to deposit their materials upon published. The publishers are also allowed to deposit via the on-line system indicating whether they have the ISBN or ISSN. The National Library would also track the publishers who had successfully applied for ISBN or ISSN but have not deposited their materials after some time.

45. Please provide statistics on the number of deposits per year for the following items (last five years); a) print materials; b) musical works; c) audiovisual works

Answer: Statistics are only available for (a) and (c). No separate statistics are maintained for musical works that are currently captured under print materials, and deposited in a print format The approximate figures in the table below are unique titles collected for Legal Deposit:

Year	Print Titles	AV Titles
2005	3963	150
2006	5502	20
2007	7072	352
2008	3796	83
2009	4601	219