Fair Dealing: what can I use without permission?
The Copyright Act of Singapore allows for use of copyright material without the copyright owner's permission in certain situations. These include making a “fair dealing” for certain purposes. More details on “fair dealing” below:

I Key points
• The Copyright Act allows “fair dealing” with copyright material for certain specified purposes.
• Unlike US copyright law, Singapore law does not have a general “fair use” defence.

II When are the fair dealing exceptions relevant?
If you are using copyright material in ways reserved to the copyright owner, you generally need permission to use it, unless:
   • copyright has expired; or
   • you are using less than a substantial part of the material; or
   • one of the specific exceptions to infringement applies

In this information sheet, we look at the fair dealing exceptions. Other important exceptions include:
   • Special provisions for educational institutions
   • Special provisions for libraries
   • Private copying exceptions

III The “fair dealing” exceptions to infringement
There is no general exception for using copyright material simply because you think it is fair or because you are not making a profit. The Copyright Act allows you to use copyright material without permission if your use is a “fair dealing” for one of the following purposes:
• research or study
• criticism or review
• parody or satire
• reporting news

IV What does “fair dealing” mean?
In this context, a “dealing” with copyright material means using the material in any of the ways in which only the copyright owner has legal rights to do.

Whether a person’s use of copyright material is “fair” depends on the circumstances of the case. Factors that may be taken into account in working out whether a dealing is “fair” include whether the person using the material is doing so for commercial purposes, and whether
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the copyright owner is out of pocket from the use (for example, where the copyright owner loses income). The mere fact that the person using the material is not making a profit does not make it fair.

V Fair dealing for research or study

Use of copyright material for the purpose of research or study will not infringe copyright, provided the use is “fair”. The Copyright Act states that if you use less than a certain amount of a copyright item for research or study, the use is deemed to be fair. If the amount used exceeds these limits, the Act sets out a number of factors to be taken into account to work out whether the use of the material is “fair”, if you are reproducing the material. In cases of doubt, check with SMU Libraries on copying limits.

VI Fair dealing for criticism or review

Copyright material can be reproduced for the purpose of criticism or review without infringing copyright, provided they acknowledge the author and title of the work, and provided that the dealing is “fair”. The criticism or review may relate to the work being used or to other material.

VII Fair dealing for parody or satire

You can use copyright material for the purposes of parody and satire, provided your use is “fair”.

VIII Fair dealing for reporting news

Copyright material may be used in reporting news in a newspaper, magazine or similar periodical, or, provided the use is “fair”. The author and title of the work must be acknowledged, however.

Frequently Asked Questions (FAQs)

Can a photocopying business copy for students for their research or study?
A photocopying business is not entitled to photocopy material requested by students for their research or study. Even if the person requesting the copy genuinely needs it for their research or study, the purpose of the photocopying business in making the copy would be to make a profit, and it could not rely on a fair dealing defence.

Is it fair dealing for research or study if I copy 10 per cent of a literary work?
The Copyright Act deems copying for research or study up to 5% of the number of pages or a single chapter to be a “reasonable portion” and a fair dealing. Educational institutions in possession of a valid license from the Copyright, Licensing and Administration Society of Singapore may copy up to 10% of a work.

What is fair use and how is it different to fair dealing?
Fair use is an exception in United States copyright law and applies only in that jurisdiction. Fair use applies more broadly than fair dealing, but is far more uncertain than fair dealing.
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Is it fair dealing if I copy material from the internet?

You should first check the website for any statements about copyright which apply to the material you want to copy – the copyright owner may expressly allow you to print and/or download material, possibly under stated conditions.