THE SINGAPORE COPYRIGHT ACT

A Summary of Provisions and Exceptions for Educational Institutions

1. Copyright protects the following works:
   - Literary works such as books, journal articles, newspaper articles, song lyrics, computer source codes
   - Published editions of literary, dramatic, musical or artistic works
   - Dramatic works such as scripts for films and dramas and dance routines
   - Musical works
   - Artistic works such as:
     - Sound recordings
     - Films
     - Television and radio broadcasts
     - Cable programmes
     - Performances by artistes

2. Excluded from copyright protection are:
   - Ideas
   - Concepts
   - Discoveries
   - Procedures
   - Methods
   - Subject matter that has not been made tangible in a recording or writing
   - Subject matter which is not of original authorship
   - Work that is in the public domain eg. where copyright has expired

3. Copyright Protection for Creators
   - In Singapore, an author automatically enjoys copyright protection as soon as he creates and expresses his work in a tangible form.
   - Generally, the author of the work owns the copyright. Exceptions to this general rule are as follows:
     - Employment: If the work is created by an employee in the course of his employment, the employer may own the copyright in the work (depending on the terms of his employment or contract).
     - Commissioning: Where work is commissioned by another party, the commissioner owns the copyright in the work.
4. Rights of the Copyright Owner

4.1 Copyright owners will include:

- Authors
- Artists
- Publishers
- Producer of a film / sound recording
- Broadcaster
- Performer

4.2 The exclusive right to do the following rests solely with the copyright owners:

- reproduce or make copies of the work;
- publish the work;
- perform the work in public;
- communicate the work to the public
- make an adaptation of the work
- distribute or sell or import for distribution or sale of work
- make a recording of the broadcast / rebroadcast (Television and radio broadcasts)

5. Duration applicable for copyright protection

5.1 The duration varies according to the type of copyright work concerned.

- **Literary, dramatic, musical and artistic works**
  - 70 years from the end of the year in which the author died. If the work is published after the death of the author, it lasts for 70 years, from the end of the year in which the work was first published.

- **Published editions of literary, dramatic, musical or artistic works**
  - 25 years from the end of the year in which the edition was first published.

- **Sound recordings and films**
  - 70 years from the end of the year of release of the sound recording or film.

- **Broadcasts and cable programmes**
  - 50 years from the end of the year of making the broadcast or cable programme.

- **Performances**
  - 70 years from the end of the year of the performance
6. Permission & Collecting Societies

6.1 Consent is needed to do anything that only a copyright owner has the exclusive right to do. Consent may be obtained by contacting the copyright owners directly and negotiating for a license to use the copyright work or obtain a license through a collecting society.

6.2.1 A collecting society is an organization that administers the rights of a group of copyright owners. It can grant consent for use of the works of its members under specific conditions. Licenses from the collecting societies below (which SMU has acquired), are required for use of works whose rights belong to the Publishers/Producers represented by these societies.

- The Copyright Licensing and Administration Society of Singapore Ltd (CLASS)
  (Click for a list of CLASS Publishers)
- Motion Picture Licensing Company (MPLC)

7. Copying & multiple copying

7.1 Copying for personal use can be done under Fair Dealing (See (8) Exceptions Under Fair Dealing), and will not constitute infringement, if carried out within the limitations and conditions set out.

7.2 Multiple copying or communication under educational exceptions / statutory license by educational institutions are permissible. These conditions will apply:

- Subjected to copying limits
- Mandatory record-keeping of copying activity – to be maintained for a minimum of 4 years
- Payment of applicable fees, either to copyright owner or collecting agencies eg. CLASS, MPCL
- Explicit consent required for exceeding copying limit or if work to be copied is not included within the CLASS licence. Permission can usually be obtained from:
  - Applicable publishers
  - Author of work
  - Copyright Licensing Agencies

- The following notation must be on the first page of redistributed material.

  "Copy made on behalf of Singapore Management University on <date>"
  "No further reproduction allowed"

  <The date of the notation should tally with the date when the copyright form is submitted>
8. Exceptions to Copyright Infringement – Fair Dealing

8.1 The Copyright Act provides for some exceptions, where copying a copyrighted work is permitted. For educational institutions, the Fair Dealing and Educational Exceptions will apply.

8.2 Fair dealing

8.2.1 Copying the whole or a part of a copyright work is permissible as long as it is a “fair dealing”. Factors that will be taken into account in deciding whether such copying is a fair dealing include but is not limited to:

- The purpose and nature of the dealing, including whether such dealing is of a commercial nature or is for non-profit educational purposes
- The nature of the work
- The amount and significance of the work copied, in relation to the whole
- The effect of the dealing upon the potential or value of the work
- The possibility of obtaining the work within a reasonable time at an ordinary commercial price

Copying works for a specific purpose of research and study is considered fair dealing so long copying limits are observed. For a published work of at least 10 pages, the copying limit is 10% of the total number of or one chapter of the work, whichever is greater.

8.2.2 Fair dealings for the purposes of criticism, review or reporting current events in a newspaper, magazine or similar periodical - would not constitute copyright infringement, but a sufficient acknowledgment of the work is required.


9.1 Multiple copying & communication not exceeding 5%

9.1.1 For a work of 500 or fewer pages (whether in hard or soft copy), copying and communication up to 5 pages are allowed.

9.1.2 For a work of more than 500 pages (whether in hard or soft copy), copying and communication up to 5% of the total number of pages are allowed. For a work in soft copy and not divided into pages, copying and communication up to 5% of the total number of bytes, words or contents are allowed.

Points to note:

- The copying limits apply to literary and dramatic works
- Copying & communication must be done on the premises of the educational institution for the purposes of a course of education provided by the institution
- Time limit: No other part of the same work may be copied by or on behalf of the same person within 14 days of the 1st copying or communication
- Notation of copies and record keeping: Not Required
- Payment: Not required
- Dissemination: Educational institutions may distribute the permitted copies to their students or provide permitted copies on a network operated by them that their student that only their students can access.
9.2 Multiple copying & communication up to 10%

Applicable to:

- Literary, dramatic, musical or artistic works (excluding articles within a periodical publication)
- For a work (whether in hard or soft copy) of at least 10 pages, copying and communication up to either 10% of the total number of pages or 1 chapter of the work are allowed.
- For a work in soft copy and not divided into pages, copying and communication up to either 10% of the total number of bytes, words or contents or 1 chapter of the work are allowed.
- Educational institutions may distribute the permitted copies to their students OR
- Provide permitted copies on a network operated by the institutions that their students can access.

9.2.1 However, the following are required for 9.2:

(i) **Record-keeping requirements** (relevant copyright forms/documentation must be completed); and

(ii) Payment of **equitable remuneration** (to CLASS, author/publisher; or copyright owner).

(iii) The following **notation** must be clearly indicated on the first page of the copy.

"Copy made on behalf of Singapore Management University on <date>"
"No further reproduction allowed"

< The date of the notation should tally with the date when the copyright form is submitted.>

9.3 Multiple copying & communication exceeding 10%

9.3.1 When a work is not available within a reasonable time and at an ordinary commercial price (e.g. out-of-print book), educational institutions may copy or communicate more than 10% of the work. Second-hand copies are not taken into account in this exception.

9.3.2 Educational institutions may copy or communicate more than 10% of a work if it is not separately published eg. In a collection of short stories or anthology of poetry.

9.3.3 Artistic works accompanying permitted copying and communication in its entirety for the purpose of explanation or illustration eg. charts, photograph.
10. Educational Exceptions: Periodicals

10.1 Multiple copying & communication from periodical publications
Type of Work: Articles within a periodical publication
- 1 article in a periodical publication may be copied
- 2 or more articles relating to the same subject matter in the same periodical publication may be copied

Do you have a question on copyright? Get in touch with the Copyright Librarian.

*The information in this document has been extracted from the following sources:

IPOS Website:

Singapore Statutes Online