

IMPLEMENTING THE MARRAKESH TREATY

Singapore's
Experience

BROAD CONSIDERATIONS

- Promote access to knowledge
 - “Book drought” for the print-disabled
 - Community of approx. 3,400 persons
- Avoid unduly prejudicing interests of rights-holders



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PROCESS TO IMPLEMENT MARRAKESH TREATY

IMPLEMENTATION: THINGS TO WATCH FOR

- Policy choices when drafting legislation
- Public consultations and possible changes
- Timeline and treaty accession

STATUTORY LICENSE FOR ACCESSIBLE FORMAT COPIES

- Non-profit basis only
- For use of study only
- Exception covers:
 - making of a copy
 - physical distribution
 - making available online
- Recognised works:
 - Literary, dramatic, and artistic works
 - Non-musical sound recordings and broadcasts
- Limited to VIPs and gazetted institutions assisting VIPs
- Must see if there is a commercially available copy first
- Still requires equitable remuneration

CROSS-BORDER EXCHANGE OF ACCESSIBLE FORMAT COPIES

- Non-profit basis only
- For use of study only
- Exception covers:
 - Importation
 - Transient copies
 - Physical distribution
- Requirements:
 - Export: verify identity of the foreign institution or reader
 - Import: check if there is a commercially available copy first, and then request the accessible format copy from the foreign institution.
- Limited to VIPs and gazetted institutions assisting VIPs

CONCERNS RAISED DURING PUBLIC CONSULTATION

- Types of work which may be copied:
 - Suggestion to include architectural and engineering drawings
 - Suggestion to include cinematograph works
- Recognised “accessible formats” adopted.
 - Initial approach specified certain accepted “accessible formats”
 - Suggestion to include “direct neurological stimulation”
 - Technologically-neutral drafting subsequently adopted
 - “specifically designed to meet the needs”...”including but not limited to...”

CONCERNS RAISED DURING PUBLIC CONSULTATION

- Institutions which are allowed to make copies:
 - Must its principal function(s) include making accessible copies?
 - Will support of persons with reading disabilities suffice?
- Can persons with reading disabilities make their own copies, or must it be left to institutions? If yes, on what terms?
- Issues of nomenclature – scope carefully; beware of sensitivities
 - “handicapped readers”
 - “persons with reading disabilities”
 - “persons with visual and print disabilities”

TIMELINE

- **Legislative drafting:**
 - Several months to finalise draft legislation for public consultation
 - Allow for discussions between policy team and drafting team
- **Public consultation:**
 - Allow up to 1 month to receive responses
 - Several weeks to work with legislative draftsman take changes on board
 - To consider industry consultations with individual stakeholders.
- **Parliamentary process:**
 - May take several months depending on schedule
 - Singapore Parliament: 1st reading; 2nd & 3rd readings

QUESTION TIME

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