



Mr Kasiviswanathan Shanmugam Minister
for Home Affairs and Minister for Law
Ms Indranee Rajah
Senior Minister of State

100 High Street
08-02 The Treasury
Singapore 179434

29th September 2016

Dear Ministers,

The International Authors Forum is a network representing nearly 650,000 professional creators worldwide. Our members, 59 organisations representing authors, have noted with concern the proposed changes to the Copyright Act in Singapore that would permit a significant extension of 'free use' for works in education. If adopted this legislation would seriously prejudice authors by limiting their ability to make a living from uses of their work.

Currently in Singapore CLASS operate an efficient and effective licensing system generally accepted by the educational sector which rewards creators. The proposals, as we understand them, involves an increase in the amount of use permitted without the need for a licence from 5% to 10% notwithstanding that the current system is one of the least expensive in the world. The International Authors Forum support a balance between user access and creator reward and we believe the current proposal tips the balance unreasonably and disproportionately in favour of access. The recent EU copyright proposals successfully maintain this balance by providing for exceptions for users allied to the opportunity for licensing or compensation schemes. Authors support this balance of access to their work on terms that give them access to reasonable reward.

Authors want their work (in all formats) to be available as widely as possible. The flexibility of a copyright law that accommodates user needs to access authors' work and which does not unnecessarily limit that access, is vital. However, as reflected in the international copyright framework embodied in the Berne Convention and other copyright treaties administered by the World Intellectual Property Organisation (WIPO) including the TRIPS agreement, the aim of copyright is to do this within a framework which grants rights to authors that give them the opportunity to make a living from those uses, and the necessary protection to choose if and when to make them available for free.

Any exceptions to those rights must respect the Berne Convention's three-step test, (Article 9), which gives countries the option to provide an exception to the right of reproduction only where it "does not conflict with a normal exploitation of the work and does not unreasonably prejudice the legitimate interests of the author". It is doubtful that Singapore's copyright law proposals reflect these internationally respected norms, to which Singapore is a signatory.

In its work advocating for the rights of authors at the international level, including at Standing Committee on Copyright and Related Rights at WIPO, the International Authors Forum must refer to the current proposals in Singapore as an example of how not to reform copyright with regard to education.



We welcome any opportunities to discuss this with you further and will be happy to provide further information about the realities authors face in trying to keep alive what is clearly becoming, despite its societal importance, an increasingly endangered profession.

Yours sincerely,

The members of the International Authors Forum:

Academic and Non-fiction Authors' Association of South Africa (ANFASA), South Africa
American Society of Media Photographers, USA
Association of Swedish Illustrators and Graphic Designers, Sweden
Authors' Licensing & Collecting Society Ltd, UK
BUS, Visual Arts Copyright Society in Sweden
Design and Artists Copyright Society (DACs), UK
European Council of Literary Translators' Associations (CEATL), Europe
Graphic Artists Guild, USA
Malawi Writers Union, Malawi
MISZJE, Hungarian Literary Collecting Society, Hungary
Platform Makers, The Netherlands
Society of Authors, UK
The Authors Guild, USA
The Finnish Association of Non-fiction Writers, Finland
The Writers' Union of Canada, Canada
Union des écrivaines et des écrivains québécois (UNEQ), Canada
National Writers Union, USA
Pictoright, The Netherlands
Authors Coalition of America, USA
Australian Society of Authors, Australia
Science Fiction and Fantasy Writers of America, USA
Text and Academic Authors Association, USA
Pyramide, Europe
Writers' Guild of Great Britain, UK
Writers Association of Tanzania, Tanzania
American Photographic Artists, Inc., USA
Artists Rights Society, USA
Zimbabwean Academic and Non-fiction Authors Association, Zimbabwe
Sudanese Writers Union, Sudan
Swedish Association of Educational Writers, Sweden
Uganda Textbook-Academic and Non-Fiction Authors' Association (UTANA), Uganda
Irish Writers' Union, Ireland
Irish Copyright Licensing Agency, Ireland
Korean Society of Authors, Korea
The Vietnam Literary Copyright Center, Vietnam



INTERNATIONAL AUTHORS FORUM

The Swedish Writers' Union, Sweden
Association of Authors' Agents, UK
New Zealand Society of Authors, New Zealand
Writers Association of Thailand, Thailand
Professional Writers' Union of Russia, Russian Federation
Dansk Forfatterforening, Denmark
Reprobel, Belgium
Canadian Authors Association, Canada
Federazione Unitaria Italiana Scrittori, Italy
Associació d'Escriptors en Llengua Catalana (The Association of Catalan Language Writers), Spain
Alliance of Independent Authors (ALLi), International
Belizean Writers Guild, Belize
Lira, The Netherlands
Conseil Permanent des Écrivains, France
Société des Gens De Lettres, France
Sociedad de Autores de Obras Visuales, Imagen del Tercer Milenio, S.de G.C. de I.P., Mexico Sofia,
France
Copyright Polska, Poland
Namibia National Writers Union, Namibia
Asociación de Editores y Autores de Panamá (SEA), Panama
Fundación para la Gestión del Arte (FUGA), Panama