

TABLE SHOWING CHANGES TO RULES

SNo.	Copyright (Excluded Works) Order 2005	Copyright (Excluded Works) Order 2008	Comments
1.	<p>Rule 3(1): In this Order, unless the context otherwise requires –</p> <p>"Internet location" includes any domain, uniform resource locator (URL) or numeric Internet protocol (IP) address or any combination thereof;</p> <p>"list of blocked Internet locations" means a list of Internet locations to which access is blocked by means of a commercially available filtering computer program which operates to prevent access to any domain or website or any part thereof, but does not include any list of blocked Internet locations which is merely protected by -</p> <p>(a) a computer program which operates exclusively to prevent damage to a computer or computer network; or</p> <p>(b) a computer program which operates exclusively to prevent receipt of electronic mail.</p>	<p>Definitions of "Internet location" and "list of blocked Internet locations" deleted.</p>	<p>The definitions are no longer relevant with the deletion of the previous Rule 4(1)(a) on the list of blocked Internet locations.</p>

SNo.	Copyright (Excluded Works) Order 2005	Copyright (Excluded Works) Order 2008	Comments
2.	<p>Rule 3(2): For the purposes of paragraph 4(1)(b), a dongle shall be treated as obsolete if —</p> <p>(a) it is no longer being manufactured; or</p> <p>(b) it is no longer commercially available.</p>	<p>Rule 3(2): For the purposes of paragraph 4(a), a dongle shall be treated as obsolete if —</p> <p>(a) it is no longer being manufactured; or</p> <p>(b) it is no longer commercially available; <u>or</u></p> <p>(c) <u>its repair is no longer commercially available.</u></p>	<p>The broadened definition of ‘obsolete dongle’ is to ensure that a user should not be taken to task for circumventing access control measures to gain access to his legitimately purchased computer program if the dongle is irreparable. This change to a similar rule was also made in the United States Copyright Office 2006 rulemaking¹.</p>
3.	<p>Rule 4(1)(a): Any compilation which consists of a list of blocked Internet locations;</p>	<p>This rule is deleted.</p>	<p>The rule is deleted due to a lack of evidence of use in Singapore. A similar rule was also deleted in the United States Copyright Office 2006 rulemaking for lack of use.</p>
4.	<p>Rule 4(1)(c): any computer program or video game —</p> <p>(i) which is distributed in an obsolete format; and</p> <p>(ii) to which access may be gained only by means of the original medium or hardware in or with which it was</p>	<p>Rule 4(b): any computer program or video game —</p> <p>(i) which is distributed in an obsolete format; and</p> <p>(ii) to which access may be gained only by means of the original medium or hardware in or with</p>	<p>The additional text is to allow circumvention of technological access control measures only for archival purposes. A similar rule was also narrowed in the United States Copyright Office 2006 rulemaking.</p>

¹ The United States Copyright Office makes rules exempting the act of circumventing technological access control measures from the prohibition contained in their copyright law once every three years. The last round of rulemaking was in 2006. The full report of the 2006 rulemaking may be accessed at the USCO website <http://www.copyright.gov/>, under the link “Anticircumvention Rulemaking”.

SNo.	Copyright (Excluded Works) Order 2005	Copyright (Excluded Works) Order 2008	Comments
	designed to be used or operated;	<p>which it was designed to be used or operated,</p> <p><u>where circumvention of a technological access control measure that has been applied to it is for the purpose of preservation or archival reproduction of published digital works by a library or archive;</u></p>	
5.	<p>Rule 4(1)(d): Any literary work —</p> <p>(i) which is in an electronic book format; and</p> <p>(ii) in respect of which a technological access control measure has been applied to all existing electronic book editions of the work (including any digital text edition made available by an institution assisting handicapped readers) so as to —</p> <p>(A) prevent the operation of the read-aloud function of the electronic book; and</p> <p>(B) prevent screen readers from converting the text into a specialised format.</p>	<p>Rule 4(c):</p> <p>any literary work —</p> <p>(i) which is in an electronic book format; and</p> <p>(ii) in respect of which a technological access control measure has been applied to all existing electronic book editions of the work (including any digital text edition made available by an institution assisting handicapped readers) so as to —</p> <p>(A) prevent the operation of the read-aloud function of the electronic book; and <u>or</u></p> <p>(B) prevent screen readers from converting the text into a specialised format;</p>	<p>This rule was modified in the same way in the United States Copyright Office 2006 rulemaking.</p> <p>The exemption would allow circumvention of the technological access control measure if either the read-aloud function or screen reader accessibility has been disabled in all e-book editions of the work.</p>

SNo.	Copyright (Excluded Works) Order 2005	Copyright (Excluded Works) Order 2008	Comments
6.	No rule.	<p><u>New Rule 4(d):</u> any cinematograph film which is contained in the library of —</p> <ul style="list-style-type: none"> (i) a university; (ii) a polytechnic; (iii) an institute of technical education; or (iv) other tertiary educational institution, <p>that conducts courses in film or media studies, where circumvention of a technological access control measure that has been applied to the cinematograph film is carried out by any film or media studies lecturer, or any staff or employee acting on the instructions of such lecturer, of the university, polytechnic, institute of technical education or other tertiary educational institution (as the case may be) for the purpose of making compilations of portions of the work for educational use in the classroom; and</p>	<p>This new rule applies only to tertiary institutions that conduct courses in film or media. The circumvention may be effected by the lecturers, or any staff or employee instructed to do so by such lecturers.</p> <p>A similar rule was introduced in the United States Copyright Office 2006 rulemaking.</p>

SNo.	Copyright (Excluded Works) Order 2005	Copyright (Excluded Works) Order 2008	Comments
7.	No rule.	<p><u>New Rule 4(e):</u></p> <p>any sound recording or cinematograph film, which is —</p> <p>(i) distributed in compact disc format; and</p> <p>(ii) protected by a technological access control measure that —</p> <p>(A) controls access to lawfully purchased sound recordings or cinematograph films; and</p> <p>(B) creates or exploits security flaws or vulnerabilities that compromise the security of personal computers,</p> <p>where circumvention of the technological access control measure that has been applied to the sound recording or cinematograph film is solely for the purpose of testing, investigating or correcting in good faith such security flaws or vulnerabilities.</p>	<p>This new rule applies to compact discs containing music or films. Any technological access control measure applied to the compact disc may be circumvented only if the stated conditions are met.</p> <p>The compact disc must be lawfully purchased by the user and the technological access control measure applied to the compact disc creates or exploits security flaws to compromise the security of personal computers. The user is allowed to circumvent the technological access control measure for the purpose of testing, investigating or correcting without any dishonest intent, the security flaws.</p> <p>A similar rule was introduced in the United States Copyright Office 2006 rulemaking.</p>

