

FORM 2

NOTICE UNDER SECTION 140B(1) READ WITH SECTION 254B  
OF THE COPYRIGHT ACT (CHAPTER 63) IN RESPECT OF UNAUTHORISED  
RECORDING OF PERFORMANCE

Please read these notes before completing the notice

1. This notice may only be given by the performer of a performance embodied in an unauthorised recording.

2. Unless otherwise indicated, the notice must contain sufficient particulars of all matters specified therein and in Appendices 1 and 2 to enable the Director-General of Customs to act on it. Please follow the instructions in the Explanatory Notes below when filling up the notice.

3. A statutory declaration that the contents of the notice are true is to be enclosed with the notice.

4. A fee of \$200 is payable on giving the notice.

5. Where more than one performance is embodied in an unauthorised recording, the information in Appendix 1 must be given in respect of each performance so embodied.

6. You are required to provide the Director-General of Customs with security (whether by way of deposit of money, an instrument of guarantee or otherwise) that is sufficient to —

(a) reimburse the Government for any liability or expense which it may incur as a result of seizing the goods; and

(b) compensate any person suffering damage as a result of the seizure,

in accordance with section 140C read with section 254B of the Copyright Act. Please note that you will be responsible for any liability or expense which exceeds the amount of the security.

7. Please note that the notice lapses within 60 days commencing on the day of the giving of the notice, or the end of protection period for the performance, whichever is the earlier.

NOTICE

To the Director-General of Customs:

1. I, \_\_\_\_\_<sup>(1)</sup>, hereby give you notice that —

(a) the performance(s) mentioned in Appendix 1 to this Notice is protected under Part XII of the Copyright Act (Cap. 63) and the protection period in respect of the performance has not expired; and

(b) \_\_\_\_\_<sup>(2)</sup> the performer of the performance and object(s) to the import into Singapore of copies of the unauthorised recording of the performance(s) as described in Appendix 2 to this Notice.

2. To the best of my knowledge and belief —

(a) the importer of the copies of unauthorised recording of the performance(s) is \_\_\_\_\_<sup>(3)</sup>; and

(b) the particulars of the time when and place where the copies of the unauthorised recording of the performance(s) are expected to be imported into Singapore are as follows<sup>(4)</sup>:

3. The said copies are copies of an unauthorised recording of the performance(s) to which section 140B read with section 254B of the Copyright Act applies because —

(a) they are copies made, wholly or partly, outside Singapore the making of which was without the authority of the performer of the performance embodied in the recording; and

(b) they are not goods in transit within the meaning of section 140A of the Copyright Act.

4. I hereby request that the said copies be dealt with in accordance with Division 6 of Part V read with section 254B of the Copyright Act.

Date:

Signature:

Designation<sup>(5)</sup>:

#### Explanatory Notes

<sup>(1)</sup> State the name and address of the person giving the notice.

<sup>(2)</sup> If the Notice is given by the performer, insert “I am”; if given by an agent, insert the name of the performer and the word “is”.

<sup>(3)</sup> Insert the full name and address of the importer.

<sup>(4)</sup> State —

(a) the estimated date of arrival of the copies of the unauthorised recording of the performance(s);

(b) the name of the port, airport or checkpoint by which the copies of the unauthorised recording of the performance(s) are expected to be imported into Singapore;

(c) the name of the ship, the flight number of the aircraft or the vehicle registration number of the motor vehicle by which the copies of the unauthorised recording of the performance(s) are expected to be imported into Singapore; and

(d) where available —

- (i) the country of origin of the copies of the unauthorised recording of the performance(s); and
- (ii) any other information which may indicate the actual time when and place where the copies of the unauthorised recording of the performance(s) will be imported into Singapore.

<sup>(5)</sup> State the designation of the person giving the notice, i.e. “the performer” , or “agent of performer ”. If the notice is given on behalf of a company, insert the name of the company and the designation within the company of the person giving the notice.

#### APPENDIX 1

Description of performance(s):

Full name(s) of performer(s) in the performance(s):

Date of expiry of protection period of performance(s) :

\*Delete whichever is inapplicable

## APPENDIX 2

Provide sufficient information to describe and identify the copies of the unauthorised recording, where available, particulars of—

- (a) the quantity and value of the copies;
- (b) the number of packages;
- (c) any mark used;
- (d) any relevant bill of lading or airway bill; and
- (e) any relevant consignment reference number.”.