
**Council for Trade-Related Aspects
of Intellectual Property Rights**

Original: English/
anglais/
inglés

**MAIN DEDICATED INTELLECTUAL PROPERTY
LAWS AND REGULATIONS NOTIFIED UNDER
ARTICLE 63.2 OF THE AGREEMENT**

SINGAPORE

Revision

The present document reproduces the text¹ of the Copyright Tribunal (Procedure) Regulations, as notified by Singapore on 15 April 2009 under Article 63.2 of the Agreement (see document IP/N/1/SGP/4).

**Conseil des aspects des droits de propriété
intellectuelle qui touchent au commerce**

**PRINCIPALES LOIS ET RÉGLEMENTATIONS CONSACRÉES À LA
PROPRIÉTÉ INTELLECTUELLE NOTIFIÉES AU TITRE
DE L'ARTICLE 63:2 DE L'ACCORD**

SINGAPOUR

Révision

Le présent document contient le texte¹ du Règlement (Procédures) du Tribunal du droit d'auteur, notifié par Singapour le 15 avril 2009 au titre de l'article 63:2 de l'Accord (voir le document IP/N/1/SGP/4).

**Consejo de los Aspectos de los Derechos de Propiedad
Intellectual relacionados con el Comercio**

**PRINCIPALES LEYES Y REGLAMENTOS DEDICADOS A LA PROPIEDAD INTELECTUAL
NOTIFICADOS EN VIRTUD DEL PÁRRAFO 2
DEL ARTÍCULO 63 DEL ACUERDO**

SINGAPUR

Revisión

En el presente documento se reproduce el texto¹ del Reglamento relativo al tribunal de derecho de autor (procedimiento), notificado por Singapur el 15 de abril de 2009 de conformidad con el párrafo 2 del artículo 63 del Acuerdo (véase el documento IP/N/1/SGP/4).

¹ In English only/En anglais seulement./En inglés solamente.

COPYRIGHT ACT
(CHAPTER 63, SECTION 175 AND 202)
COPYRIGHT TRIBUNAL (PROCEDURE) REGULATIONS

[3rd January 1989]

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COPYRIGHT ACT
(CHAPTER 63, SECTION 175 AND 202)
COPYRIGHT TRIBUNAL (PROCEDURE) REGULATIONS

[3rd January 1989]

PART I

PRELIMINARY

Citation.

1.—These Regulations may be cited as the Copyright Tribunal (Procedure) Regulations.

Definitions.

2.—In these Regulations, unless the context otherwise requires —

"address for service", in relation to a person, means an address in Singapore at which documents may be served on the person;

"form" means a form set out in the First Schedule, and a form referred to by a number means the form so numbered in that Schedule;

"officer" means officer of the Tribunal appointed by the Minister under section 151 (4) of the Act;

"person" includes an organisation within the meaning of Part VII of the Act;

"President" means the President of the Tribunal;

"proceeding" means a proceeding before the Tribunal and includes an inquiry by the Tribunal under section 157 of the Act;

"Registry" means the Registry of the Tribunal established under regulation 5;

"sealed" means sealed with the seal of the Tribunal;

"Secretary" means an individual appointed by the Minister under section 151 (4) of the Act to be the Secretary to the Tribunal;

"the relevant case file number", in relation to a proceeding, means the case file number allotted by the Secretary to the proceeding in pursuance of regulation 9;

"Tribunal" means the Copyright Tribunal established under Part VII of the Act.

Forms.

3.—Where any form in the First Schedule is prescribed or authorised to be used, such variations may be made in the form as circumstances of any particular case may require.

PART II

GENERAL PROVISIONS

Seal.

4.—(1) There shall be a seal of the Tribunal of such nature and pattern as the President may approve.

(2) Subject to this regulation, the seal of the Tribunal shall be affixed by or with the authority of the Secretary to such documents as are required by these Regulations or by a direction of the President or of the Tribunal to be sealed with the seal of the Tribunal.

(3) The Secretary shall also keep a stamp, the design of which shall, as nearly as practicable, be the same as the design of the seal of the Tribunal.

(4) A document to which the seal of the Tribunal is required to be affixed may be stamped with the stamp referred to in paragraph (3) and, when so stamped, has the same force and effect as if it had been sealed with the seal of the Tribunal.

(5) All courts and all persons acting judicially shall take judicial notice of the seal or stamp referred to in this regulation affixed to, or stamped on, a document and, in the absence of proof to the contrary, shall presume that it was affixed or stamped by the proper authority.

Registry.

5.—(1) The Tribunal shall have a Registry for the transaction of business relating to the proceedings in the Tribunal and for the keeping of records of all such proceedings.

(2) The Registry shall be situated at such place as the Minister may direct.

(3) The Registry shall be open at the same time and on the same days as the registry of the Subordinate Courts.

PART III

FILING OF DOCUMENTS

Filing of documents.

6.—(1) Subject to this regulation, filing of a document with the Secretary shall be effected by lodging the document at the Registry at a time when that office is open for business and when the document is accepted for filing by the Secretary or any officer charged with the duty of receiving and filing any documents.

(2) The Secretary, or any officer charged with the duty of receiving and filing any documents, may refuse to accept a document for filing if the document does not substantially comply with the provisions of these Regulations applicable in relation to the document.

(3) The Secretary, or any officer charged with the duty of receiving and filing any documents, shall refuse to accept —

(a) any notice under regulation 16 (2) (d); or

(b) any application or reference to the Tribunal made under any provision of the Act,

if the filing fee of \$200 has not been paid in respect thereof.

(4) Where the President has directed that, in respect of each document filed with the Secretary that is included in a specified class of documents, a specified number of copies of the document shall be filed, a person filing a document that is included in that class shall be required to file that number of copies of the document.

Quality and size of paper.

7.—(1) Unless the nature of the document renders it impracticable, every document prepared by a party for use in a proceeding must be on paper of durable quality, approximately 297 millimetres long by 210 millimetres wide, having a margin not less than 20 millimetres wide to be left blank on either side of the paper.

(2) Except where these Regulations otherwise provide, every document prepared by a party for use in a proceeding must be produced by printing, writing (which must be clear and legible) or typewriting otherwise than by means of a carbon, or produced partly by one of those means and partly by another or others of them.

(3) For the purpose of these Regulations, a document shall be deemed to be printed if it is produced by type lithography or stencil duplicating.

(4) Any type used in producing a document for use in a proceeding shall be such as to give a clear and legible impression and must be not smaller than 11 point type for printing or elite type for type lithography, stencil duplicating or typewriting.

(5) Any document produced by a photographic or similar process giving a positive and permanent representation free from blemishes shall, to the extent that it contains a facsimile of any printed, written or typewritten matter, be treated for the purposes of these Regulations as if it were printed, written or typewritten, as the case may be.

English language.

8.—Every document filed with the Secretary, if not in the English language, shall be accompanied by a translation thereof verified by an affidavit of a person who is qualified to translate the document if it is to be received, filed or used in the Subordinate Courts.

File numbers of proceedings.

9.—(1) The Secretary shall cause a case file number to be allotted to each proceeding.

(2) One case file number may be allotted to all proceedings that, in the opinion of the Secretary, are related to each other.

Sealing of documents.

10.—(1) Every document filed with the Secretary in any proceedings shall show the date on which the document was filed.

(2) Particulars of the time of delivery at the Registry of any document for filing, the date of the document and the title of the proceeding of which the document forms part shall be entered in appropriate books kept in the Registry for the purpose.

(3) Where —

(a) a person is required by or under these Regulations to serve on another person a sealed copy of a document filed with the Secretary; and

(b) a copy of the document is lodged by or on behalf of that person with the Secretary,

the Secretary or any person charged with the duty of receiving and filing any documents shall cause the document to be sealed and returned to the person by whom it was lodged.

Address for service.

11.—(1) A person who files with the Secretary a document instituting, or relating to, a proceeding shall specify in the document an address for service.

(2) Paragraph (1) shall not apply in relation to a document filed in connection with a proceeding if the person filing the document has previously filed a document with the Secretary in connection with that proceeding specifying such an address.

(3) A person who has, in connection with a proceeding, filed with the Secretary a document specifying an address for service may at any time file with the Secretary a notice, in writing addressed to the Secretary and signed by or on behalf of the person, specifying a new address for service.

(4) A person filing a notice in accordance with paragraph (3) shall cause a copy of the notice to be served on every party to the proceedings within 7 days after the notice is filed.

(5) A reference in these Regulations to a document specifying an address for service in relation to a person shall, in relation to a person who has filed a notice in accordance with paragraph (3), be read as a reference to the notice or, if the person has filed more than one such notice, be read as a reference to the later or latest of those notices.

Signing of documents.

12.—Where, in connection with a proceeding, a person signs a document on behalf of another person, the person signing the document shall state in the document that he is signing the document on behalf of the other person.

PART IV

SERVICE OF DOCUMENTS

Service of documents.

13.—(1) A document that is required or permitted by or under these Regulations to be served on a person in connection with a proceeding may be served on the person —

(a) where the person has filed a document with the Secretary specifying an address for service—by delivering the document to the person personally or by leaving the document at, or by sending the document by post addressed to the person at, that address; or

(b) where the person has not filed such a document —

(i) if the person is a corporation — by delivering the document personally to the manager or secretary of the corporation, or, if the corporation has a registered office under any written law relating to companies, by leaving it at that office or by sending it by post addressed to the corporation at that office or, if the corporation does not have such a registered office, by sending it by post addressed to the corporation at its principal place of business in Singapore;

(ii) if the person is an organisation other than a corporation — by delivering the document personally to the manager, secretary or other similar officer of the organisation or by sending it by post addressed to the organisation at its principal place of business in Singapore; or

(iii) in any other case — by delivering the document personally to the person or by sending it by post addressed to the person at the address of the place of living or business of the person last known to the person serving the document.

(2) The Tribunal may make an order directing that service of a document that is required or permitted by or under these Regulations to be served be effected in a manner different from the manner provided by paragraph (1) or that service of the document be dispensed with.

Proof of service.

14.—Proof of the service of any document may be given by means of an affidavit.

PART V

RECORDS ROYALTY SYSTEM INQUIRY PROCEDURE

Application.

15.—This Part shall apply in relation to any inquiry by the Tribunal under section 157 of the Act.

Advertisement of intended inquiry by Tribunal into royalty payable in respect of records of works.

16.—(1) The President shall fix the time and place for the commencement of an inquiry by the Tribunal under section 157 of the Act.

(2) The Secretary shall cause to be published in the *Gazette* and such newspaper or newspapers circulating in Singapore as the President directs, on such date or dates as the President specifies but not being less than 30 days or more than 3 months before the time fixed under paragraph (1), a notice —

(a) stating that the Tribunal has been requested by the Minister charged with the responsibility for trade and industry to hold an inquiry under section 157 of the Act;

(b) specifying the matter to which the inquiry relates, including whether the inquiry is to extend to records generally or to be confined to any class of records and, if the latter, giving a description of the class;

(c) specifying the time and place at which the inquiry is to commence;

(d) specifying the period, not being less than 10 days, within which the person who has a substantial interest in the matter to which the inquiry relates shall, if he wishes to present his case to the Tribunal in relation to the matter, so file a notice in Form 1 of his intention with the Secretary; and

(e) stating that any notice referred to in sub-paragraph (d) must be accompanied by a statement of the nature of the evidence which the person giving the notice proposes to adduce and a list of the documents, if any, which the person proposes to produce or refer to, at the inquiry.

Amendments, further particulars, etc., and service of documents before inquiry.

17.—(1) At any time before the time fixed for the commencement of the inquiry but not being more than 14 days after the expiration of the period referred to in regulation 16 (2) (d), any person who has, in accordance with regulation 16 (2), filed a notice with the Secretary may file with the Secretary a statement of further particulars of the nature of the evidence which the person wishes to produce or refer to at the inquiry.

(2) Whenever requested by the Tribunal to do so, any person who has, in accordance with regulation 16 (2), filed a notice with the Secretary shall, within such period as may be specified in such request, file with the Secretary —

(a) such further particulars as the Tribunal may request of his statement of the nature of the evidence which he wishes to adduce at the inquiry;

(b) such number of copies as the Tribunal may specify of any document which the person has filed with the Secretary in accordance with these Regulations; and

(c) a copy of any document which the person wishes to produce or refer to at the inquiry.

(3) The Secretary shall cause copies of any documents which have been filed with him by any party to the inquiry in accordance with this Part (other than paragraph (2) (c)) to be served on the other parties to the inquiry and any party to the inquiry shall take all reasonable steps to afford to any other party to the inquiry an opportunity to examine the documents specified in the list accompanying the notice filed by the first-mentioned party under regulation 16 (2) (e), other than such documents as are readily available to that other party without recourse to the party in whose list the documents appear.

Right of audience at the inquiry.

18.—Any person who has —

(a) filed a notice with the Secretary of his wish to present his case to the Tribunal at the inquiry in accordance with regulation 16 (2);

(b) complied with any request made to it by the Tribunal under regulation 17 (2); and

(c) fulfilled the requirements of regulation 17 (3),

and in relation to whom the Tribunal is satisfied has a substantial interest in the matter to which the inquiry relates shall, for the purposes of these Regulations, be deemed a party to the inquiry and shall be entitled to an opportunity to present his case to the Tribunal at the inquiry.

Procedure.

19.—(1) The procedure at and in connection with the inquiry shall be such as the Tribunal shall in its discretion determine and any evidence shall be admitted at its discretion.

(2) The parties to an inquiry under section 157 of the Act shall be entitled to give evidence and may call witnesses and produce or refer to documents and be given an opportunity to put questions directly to other persons giving evidence, except that no party shall, without the leave of the Tribunal, be entitled to produce or refer to any document not mentioned in the list of documents accompanying the notice filed with the Secretary by that party in accordance with regulation 16, or any amendment thereto, or in any addition to such list filed with the Secretary under regulation 17, unless such document is mentioned in any such list of documents, or any amendment thereto, filed with the Secretary by any other party or has been produced or referred to at the inquiry by any other party.

(3) If any party to the inquiry fails to appear, the Tribunal may proceed with the inquiry in that party's absence or may adjourn the inquiry until a later date.

(4) Before concluding any inquiry in the absence of any party, the Tribunal shall consider any documents filed with the Secretary by such party in accordance with these Regulations if such documents have been disclosed to the other parties before or at the inquiry.

(5) The Tribunal may, from time to time, adjourn the inquiry and, if the date, time and place of the adjourned inquiry are announced at the inquiry, no further notice of the inquiry shall be required.

PART VI

APPLICATIONS AND REFERENCES TO THE TRIBUNAL

General provisions relating to applications and references to Tribunal.

20.—(1) An application or reference to the Tribunal shall —

- (a) state the name of the person making the application or reference;
- (b) state the general nature of the application or reference and specify the provision of the Act or these Regulations under which the application or reference is made;
- (c) subject to sub-paragraph (d), include such other matters as are required by these Regulations to be included in an application or reference made under that provision;
- (d) be signed by or on behalf of the person making the application or reference; and
- (e) be filed with the Secretary in the appropriate Form.

(2) A person desiring to make an application or reference to the Tribunal may, with the leave of the President, omit from the application or reference such of the particulars required by these Regulations to be included in the application or reference as the President specifies but, if the President, when so granting leave, directs that other particulars specified by him are to be included in the application or reference in lieu of the omitted particulars, the person shall include those other particulars in the application or reference.

(3) Subject to these Regulations, a person making an application or reference to the Tribunal shall cause notice of the making of the application or reference in Form 2, together with a sealed copy of the application or reference, to be served, within 7 days after the application or reference is filed with the Secretary, on every other person who, by virtue of the Act or these Regulations, is a party to the application or reference other than a person who became a party after the application or reference was filed.

(4) A notice of the making of an application or reference shall —

- (a) be addressed to the person on whom it is served;
- (b) inform the person on whom it is served that the application or reference to which the notice relates has been made to the Tribunal and that that person is, by virtue of the Act or these Regulations, as the case may be, a party to the application or reference; and
- (c) be signed by or on behalf of the person making the application or reference.

(5) The President may, and shall if so requested by a party to the application or reference, fix a time and place for a preliminary hearing of the application or reference (other than an application to which regulation 37 or 38 applies or an application or reference in respect of which the Tribunal decides not to have a hearing) for the purpose of dealing with such matters connected with the application or reference as the President directs, and the Secretary shall cause notice of the time and place so fixed to be served on the parties to the application or reference and on the persons (if any) who have applied to the Tribunal to be made parties to the application or reference.

(6) A request for the fixing of a time and place for a preliminary hearing shall —

- (a) specify the date on which the application or reference was filed with the Secretary and the relevant case file number;
- (b) state the name of the party making the request;
- (c) be in Form 3;
- (d) be signed by or on behalf of that party; and
- (e) be filed with the Secretary.

(7) The President shall fix a time and place for the hearing of the application or reference (other than an application to which regulation 37 applies or an application or reference in respect of which the Tribunal decides not to have a hearing), and the Secretary shall cause notice of the time and place so fixed to be served on the parties to the application or reference and on the persons (if any) who have applied to the Tribunal to be made parties to the application or reference and whose applications to be made parties have not been previously determined.

(8) An application to which regulation 37 applies shall be dealt with at the preliminary hearing (if any) or the hearing of the proceeding to which it relates.

Advertising of applications and references.

21.—(1) Where an application (other than an application in relation to which this regulation does not apply) or a reference is made to the Tribunal, the person making the application or reference shall, subject to this regulation, cause notice of the making of the application or reference in Form 4 to be advertised by being published, within 10 days after the filing of the application or reference with the Secretary, in the *Gazette*.

(2) The President may direct that notice of the making of an application or reference specified in the direction need not be advertised or that the notice be advertised in a manner other than that specified in paragraph (1).

(3) The notice shall —

- (a) specify the date on which the application or reference was made and the relevant case file number;
- (b) state the name and the address for service of the person by whom the application or reference is made; and
- (c) state the general nature of the application or reference and specify the provision of the Act or these Regulations under which the application or reference is made.

(4) This regulation shall not apply in relation to applications under section 43 (3), 60 (3) (b), 68 (3), 107 (3), 166 (1) or 167 (1) of the Act, or to applications to which regulation 37 or 38 applies.

Matters to be included in application under section 43(3) of Act.

21A.—An application to the Tribunal under section 43(3) of the Act shall —

- (a) set out the events giving rise to the application and, in particular, shall —
 - (i) identify the work, or adaptation of the literary, dramatic or musical work, to which the application relates;
 - (ii) identify the sound recording or cinematograph film to which the application relates;
 - (iii) state whether the applicant is the owner of the copyright in the work or the maker of the recording or film;
 - (iv) if the applicant is the owner of the copyright — state the name of the maker of the recording or film; and
 - (v) if the applicant is the maker of the recording or film — state the name of the owner of the copyright;
- (b) request the Tribunal to determine the amount that is equitable remuneration to the owner of the copyright for the making of the recording or film; and
- (c) be in Form 4A.

Matters to be included in application under section 52 (11) of Act.

22.—An application to the Tribunal under section 52 (11) of the Act shall —

- (a) set out the circumstances or events giving rise to the application and, in particular, shall —
 - (i) identify the work to which the application relates;
 - (ii) state whether the applicant is the owner of the copyright in the work or the body administering an educational institution;
 - (iii) if the applicant is the owner of the copyright — state the name of the body administering an educational institution by or on whose behalf the copies of the work were made; and

(iv) if the applicant is the body administering an educational institution — state the name of the owner of the copyright;

(b) request the Tribunal to determine the amount that is equitable remuneration to the owner of the copyright for the making of the copies of the work; and

(c) be in Form 5.

Matters to be included in application under section 52 (11C) of Act.

22A.—An application to the Tribunal under section 52 (11C) of the Act shall —

(a) set out the circumstances or events giving rise to the application and, in particular, shall —

(i) identify the work to which the application relates;

(ii) state whether the applicant is the owner of the copyright in the work or the body administering an educational institution;

(iii) if the applicant is the owner of the copyright — state the name of the body administering an educational institution which communicated the work or on whose behalf the work was communicated; and

(iv) if the applicant is the body administering an educational institution — state the name of the owner of the copyright;

(b) request the Tribunal to determine the amount that is equitable remuneration to the owner of the copyright for the making of the communication of the work; and

(c) be in Form 5A.

Matters to be included in application under section 54 (10) of Act.

23.—An application to the Tribunal under section 54 (10) of the Act shall —

(a) set out the circumstances or events giving rise to the application and, in particular, shall —

(i) identify the work to which the application relates;

(ii) identify the handicapped reader's copy to which the application relates;

(iii) state whether the applicant is the owner of the copyright in the work or the body administering an institution assisting handicapped readers;

(iv) if the applicant is the owner of the copyright — state the name of the body administering an institution assisting handicapped readers; and

(v) if the applicant is the body administering an institution assisting handicapped readers — state the name of the owner of the copyright;

(b) request the Tribunal to determine the amount that is equitable remuneration to the owner of the copyright for the making of the handicapped reader's copy; and

(c) be in Form 6.

Matters to be included in application under section 54A(7) of Act.

23A.—An application to the Tribunal under section 54A(7) of the Act shall —

- (a) set out the circumstances or events giving rise to the application and, in particular, shall —
 - (i) identify the work to which the application relates;
 - (ii) identify the intellectually handicapped reader's copy to which the application relates;
 - (iii) state whether the applicant is the owner of the copyright in the work or the body administering an institution assisting intellectually handicapped readers;
 - (iv) if the applicant is the owner of the copyright — state the name of the body administering an institution assisting intellectually handicapped readers; and
 - (v) if the applicant is the body administering an institution assisting handicapped readers — state the name of the owner of the copyright;
- (b) request the Tribunal to determine the amount that is equitable remuneration to the owner of the copyright for the making of the intellectually handicapped reader's copy; and
- (c) be in Form 6A.

Matters to be included in application under section 60 (3) (b) of Act.

24.—An application to the Tribunal under section 60 (3) (b) of the Act shall —

- (a) set out the circumstances or events giving rise to the application and, in particular, shall —
 - (i) identify the musical work and the literary or dramatic work to which the application relates;
 - (ii) identify the record to which the application relates;
 - (iii) state whether the applicant is the owner of the copyright in the musical work or the owner of the copyright in the literary or dramatic work;
 - (iv) if the applicant is the owner of the copyright in the musical work — state the name of the owner of the copyright in the literary or dramatic work; and
 - (v) if the applicant is the owner of the copyright in the literary or dramatic work — state the name of the owner of the copyright in the musical work;
- (b) request the Tribunal to determine the manner in which the royalty payable by the maker of the record in respect of the musical work and the literary or dramatic work shall be apportioned between the owners of the copyrights in those works; and
- (c) be in Form 7.

Matters to be included in application under section 68 (3) of Act.

25.—An application to the Tribunal under section 68 (3) of the Act shall —

- (a) set out the events giving rise to the application and, in particular, shall —
 - (i) identify the artistic work to which the application relates;
 - (ii) identify the cinematograph film to which the application relates;
 - (iii) state whether the applicant is the owner of the copyright in the work or the maker of the film;
 - (iv) if the applicant is the owner of the copyright — state the name of the maker of the film; and
 - (v) if the applicant is the maker of the film — state the name of the owner of the copyright;
- (b) request the Tribunal to determine the amount that is equitable remuneration to the owner of the copyright for the making of the film; and
- (c) be in Form 8.

Matters to be included in application under section 107(3) of Act.

25A.—An application to the Tribunal under section 107(3) of the Act shall —

- (a) set out the events giving rise to the application and, in particular, shall —
 - (i) identify the sound recording to which the application relates;
 - (ii) identify the record to which the application relates;
 - (iii) state whether the applicant is the owner of the copyright in the recording or the maker of the record;
 - (iv) if the applicant is the owner of the copyright — state the name of the maker of the recording; and
 - (v) if the applicant is the maker of the record — state the name of the owner of the copyright;
- (b) request the Tribunal to determine the amount that is equitable remuneration to the owner of the copyright for the making of the record; and
- (c) be in Form 8A.

Matters to be included in application under section 107D of Act.

25B.—An application to the Tribunal under section 107D of the Act shall —

- (a) set out the events giving rise to the application and, in particular, shall —
 - (i) identify the sound recording to which the application relates;

- (ii) state the date on and place at which the recording was made available to the public;
 - (iii) state the mode of and means by which the sound recording was made available to the public;
 - (iv) state whether the applicant is the owner of the copyright in the recording or the person who made available the recording to the public;
 - (v) if the applicant is the owner of the copyright — state the name of the person who made available the recording to the public; and
 - (vi) if the applicant is the person who made available the sound recording to the public — state the name of the owner of the copyright in the recording;
- (b) request the Tribunal to determine the amount that is equitable remuneration to the owner of the copyright for the making available of the sound recording to the public; and
- (c) be in Form 8B.

Matters to be included in reference under section 160 of Act.

26.—(1) A reference of a licence scheme to the Tribunal under section 160 of the Act shall —

- (a) state that the licensor referring the scheme proposes to bring the scheme into operation;
- (b) state whether the scheme relates to licences in respect of literary, dramatic or musical works or licences in respect of a commercial rental arrangement in relation to a computer program or sound recording;
- (c) state whether the licensor referring the scheme is the owner or prospective owner of the copyright in the works or sound recording or is acting as agent for the owners or prospective owners in relation to the negotiation or granting of such licences;
- (d) request the Tribunal to make such order, confirming or varying the scheme, as the Tribunal considers reasonable in the circumstances; and
- (e) be in Form 9.

(2) The reference shall be accompanied by a copy of the licence scheme.

References under section 161 of Act.

27.—(1) A reference of a licence scheme to the Tribunal under section 161 of the Act shall —

- (a) state whether the person referring the scheme is —
 - (i) the licensor operating the scheme;
 - (ii) an organisation claiming to be representative of persons requiring licences in cases included in a class of cases to which the scheme applies; or
 - (iii) a person claiming that he requires a licence in a case included in a class of cases to which the scheme applies;

- (b) specify the class of cases to which the reference relates;
- (c) state the name of the other party to the dispute that gave rise to the reference;
- (d) set out particulars of the matter in dispute;
- (e) request the Tribunal to make such order, confirming or varying the scheme, in so far as it relates to the class of cases to which the reference relates, as the Tribunal considers reasonable in the circumstances; and
- (f) be in Form 10.

(2) Where the reference is made by an organisation claiming to be representative of persons requiring licences, the Tribunal shall, before determining the question whether the organisation is reasonably representative of the class of persons that it claims to represent, give to every other party to the reference, and to every person who has applied to be made a party to the reference and whose application has not been determined, an opportunity of presenting a case in relation to that question.

Application for leave under section 162 (2) of Act to refer licence scheme to Tribunal.

28.—(1) A person desiring the leave of the Tribunal under section 162 (2) of the Act to refer a licence scheme to the Tribunal under section 162 (1) of the Act and desiring that the question whether leave should be granted be determined before the preliminary hearing or the hearing of the reference shall make an application to the Tribunal in accordance with this regulation.

(2) The application shall —

- (a) describe the general nature of the scheme as previously confirmed or varied by the Tribunal;
- (b) specify the class of cases in relation to which the applicant wishes to refer the scheme to the Tribunal;
- (c) specify the date when the Tribunal last made an order with respect to the scheme in relation to that class of cases and the relevant case file number;
- (d) state the name of the other party to the dispute that gave rise to the application;
- (e) set out particulars of the matter in dispute;
- (f) state the grounds on which leave is sought for the making of the reference;
- (g) request the Tribunal to grant leave to the applicant to refer the scheme to the Tribunal in so far as it relates to that class of cases; and
- (h) be in Form 11.

(3) The parties to the application shall be —

- (a) the applicant;
- (b) if the application is not made by the licensor operating the scheme — that licensor; and

(c) such other persons (if any) as apply to the Tribunal to be made parties to the application and are made parties to the application in accordance with paragraph (4).

(4) Where a person applies to the Tribunal to be made a party to the application and it appears to the Tribunal that the person has a substantial interest in the operation of the scheme in so far as it relates to the class of cases specified in the application, the Tribunal may, if it thinks fit, make that person a party to the application.

(5) The Tribunal shall consider the application and, after giving to the parties to the application an opportunity of presenting their cases, shall make such order, either granting or refusing the application, as the Tribunal thinks fit.

References under section 162 of Act.

29.—(1) A reference of a licence scheme to the Tribunal under section 162 of the Act shall —

(a) specify the date when the Tribunal last made an order with respect to the scheme that is applicable in the class of cases to which the reference relates and the relevant case file number;

(b) state whether the person referring the scheme is —

(i) the licensor operating the scheme;

(ii) an organisation claiming to be representative of persons requiring licences in cases included in the class of cases to which the order applies; or

(iii) a person claiming that he requires a licence in a case included in that class;

(c) specify the class of cases to which the reference relates;

(d) state the name of the other party to the dispute that gave rise to the reference;

(e) set out particulars of the matter in dispute;

(f) where leave of the Tribunal is required for the making of the reference —

(i) if that leave has already been granted — specify the date when the Tribunal granted the leave and the relevant file number; and

(ii) in any other case — state the grounds on which leave is sought for the making of the reference and request the Tribunal to grant leave for the making of the reference;

(g) request the Tribunal to make such order in relation to the scheme as previously confirmed or varied, in so far as it relates to cases included in the class of cases to which the reference relates, whether by way of confirming, varying or further varying the scheme, as the Tribunal considers reasonable in the circumstances; and

(h) be in Form 12.

(2) Regulation 27 (2) shall apply for the purposes of this regulation.

Applications under section 163 (1) of Act.

30.—(1) An application to the Tribunal under section 163 (1) of the Act shall —

(a) set out the circumstances or events giving rise to the application and, in particular, shall —

(i) specify the case in which a licence is required by the applicant;

(ii) specify the licence scheme applicable in that case;

(iii) state the name of the licensor operating the scheme; and

(iv) specify the date or the approximate date on which the applicant requested the licensor to grant him a licence in accordance with the scheme, or to procure the grant to him of such a licence;

(b) request the Tribunal to make an order specifying the charges, if any, and the conditions, that the Tribunal considers to be applicable in accordance with the scheme in relation to the applicant; and

(c) be in Form 13.

(2) The licensor shall be a party to the application.

Applications under section 163 (2) of Act.

31.—(1) An application to the Tribunal under section 163 (2) of the Act shall —

(a) set out the circumstances or events giving rise to the application and, in particular, shall —

(i) specify the case in which a licence is required by the applicant;

(ii) specify the licence scheme applicable in that case;

(iii) state the name of the licensor operating the scheme; and

(iv) specify the charges or conditions to which the grant of a licence in accordance with the scheme would, in that case, be subject and which are claimed by the applicant to be unreasonable in the circumstances of the case;

(b) request the Tribunal to make an order specifying the charges, if any, and the conditions, that the Tribunal considers reasonable in the circumstances in relation to the applicant; and

(c) be in Form 13.

(2) The licensor shall be a party to the application.

Applications under section 163 (3) of Act.

32.—(1) An application to the Tribunal under section 163 (3) of the Act shall —

(a) set out the circumstances or events giving rise to the application and, in particular, shall —

(i) specify the case in which a licence is required by the applicant;

(ii) state the name of the licensor concerned;

(iii) if section 163 (3) (a) of the Act is applicable — specify the date or the approximate date on which the applicant requested the licensor to grant him a licence or to procure the grant to him of a licence; and

(iv) if section 163 (3) (b) of the Act is applicable — specify the charges or conditions to which the licensor proposes that the licence should be subject and which are claimed by the applicant to be unreasonable;

(b) request the Tribunal to specify the charges, if any, and the conditions, that the Tribunal considers reasonable in the circumstances in relation to the applicant; and

(c) be in Form 14.

(2) The licensor shall be a party to the application.

Applications under section 163 (4) of Act.

33.—(1) An application to the Tribunal under section 163 (4) of the Act shall —

(a) set out the circumstances or events giving rise to the application and, in particular, shall —

(i) specify the cases in which licences are required by persons represented by the applicant;

(ii) state the name of the licensor concerned;

(iii) if section 163 (4) (a) of the Act is applicable — specify the dates or the approximate dates on which the licensor was requested to grant licences to persons represented by the applicant, or to procure the grant of such licences; and

(iv) if section 163 (4) (b) of the Act is applicable — specify the charges or conditions to which the licensor proposes that licences to be granted to persons represented by the applicant should be subject and which are claimed by the applicant to be unreasonable;

(b) request the Tribunal to specify the charges, if any, and the conditions, that the Tribunal considers reasonable in the circumstances in relation to the persons represented by the applicant; and

(c) be in Form 14.

(2) The licensor shall be a party to the application.

Applications under section 166 (1) of Act.

34.—An application to the Tribunal by the Attorney-General under section 166 of the Act shall —

(a) identify the body administering an educational institution in respect of which the application for an order suspending the application of section 52 (1) and (2) of the Act is made;

(b) set out details of the offences against regulation 9 (2) of the Copyright Regulations of which that body has been convicted;

- (c) annex certified copies of the convictions for those offences;
- (d) specify the period recommended in respect of the order applied for to suspend the application of section 52 (1) and (2) of the Act in relation to that body administering an educational institution; and
- (e) be in Form 15.

Applications under section 167 (1) of Act.

35.—An application to the Tribunal under section 167 (1) of the Act shall —

- (a) identify the order under section 166 (1) of the Act to which the application relates;
- (b) annex a certified copy of that order;
- (c) set out details of the steps taken since the making of the order by the body making the application to ensure that no further contravention of regulation 9 (2) of the Copyright Regulations will occur;
- (d) request the Tribunal to revoke the order to which the application relates; and
- (e) be in Form 16.

Applications to fix terms under section 198 (5) of Act.

36.—An application to the Tribunal to fix terms under section 198 (5) of the Act for the doing of an act comprised in the copyright by the Government or a person authorised in writing by the Government shall —

- (a) set out the circumstances or events giving rise to the application and, in particular, shall —
 - (i) identify the work or other subject-matter to which the application relates;
 - (ii) identify the act comprised in the copyright that was done, or is proposed to be done, under section 198 (1) of the Act;
 - (iii) state whether the applicant is the owner of the copyright in the work or other subject-matter or the Government;
 - (iv) if the applicant is the owner of the copyright — state whether the act that was done, or is proposed to be done, under section 198 (1) of the Act was done, or is proposed to be done, by the Government; and
 - (v) if the applicant is the Government — state the name of the copyright owner;
- (b) request the Tribunal to fix terms as between the copyright owner and the Government for the doing of any of the acts comprised in the copyright under section 198 (1) of the Act; and
- (c) be in Form 17.

Application to be made a party to a proceeding.

37.—(1) An application to the Tribunal to be made a party to a proceeding shall —

- (a) specify the date when the proceeding was instituted and the relevant case file number;
- (b) set out the interest of the applicant —
 - (i) where the proceeding is a reference under section 160 of the Act — in the operation of the scheme to which the reference relates;
 - (ii) where the proceeding is a reference under section 161 or 162, or an application under section 163, of the Act — in the matter in dispute; and
 - (iii) where the proceeding is an application for leave of the Tribunal under section 162 (2) of the Act to refer a licence scheme to the Tribunal — in the operation of the scheme in so far as it relates to the class of cases specified in that application;
- (c) request the Tribunal to make the person a party to the proceeding; and
- (d) be in Form 18.

(2) The Tribunal shall give to the applicant, to every party to the proceeding, and to every other person who has applied to be made a party to the proceeding and whose application has not been determined, an opportunity of presenting a case.

Other applications.

38.—(1) A party to a proceeding (other than an inquiry by the Tribunal under section 157 of the Act or an application to which regulation 37 applies) may apply to the Tribunal requesting the Tribunal to make an order with respect to any matter relating to the proceeding.

(2) The application shall specify the date when the proceeding was instituted and the relevant case file number and shall set out the circumstances or events giving rise to the application.

(3) A party to the proceeding may consent to the making of the order sought by the application.

(4) The consent of a party may be endorsed on the application or set out in a separate document filed with the Secretary but, if the consent is set out in a separate document that is not filed with the application, that party shall serve a copy of the document on the applicant within 7 days after the document is filed.

(5) Service of notice of the making of the application, or of a copy of the application, is not required to be effected on a party to the proceeding who has consented to the making of the order sought by the application and service of such a notice or copy on any other person may, with the leave of the President or of the Tribunal, be dispensed with.

(6) A party to the proceeding may lodge an objection to the application by filing with the Secretary a notice of objection in Form 19 within 14 days after the notice of the making of the application was served on him.

(7) A person lodging an objection shall cause a sealed copy of the notice of objection to be served on the applicant within 7 days after notice of the objection is filed with the Secretary.

(8) A notice of objection shall —

- (a) be in writing;
- (b) specify the date on which the application was filed with the Secretary and the relevant case file number;
- (c) state the name of the party lodging the objection;
- (d) state the grounds of the objection; and
- (e) be signed by or on behalf of the party lodging the objection.

(9) The Tribunal shall consider the application and, subject to paragraph (10), may make such order in relation to the application as the Tribunal considers reasonable in the circumstances.

(10) The Tribunal shall not refuse the application in whole or in part without giving the applicant an opportunity of presenting his case and, if an objection to the application has been lodged, shall not grant the application in whole or in part without giving the party by whom the objection was lodged an opportunity of presenting his case.

Amendment of documents.

39.—(1) The Tribunal may, subject to such conditions as the Tribunal considers fit to impose, grant leave to a party to a proceeding to amend a document previously filed with the Secretary by that party in connection with that proceeding.

(2) An application for the leave of the Tribunal to amend any document under this regulation shall be in Form 20.

(3) Where leave is granted to a party to a proceeding to amend a document, the party shall file with the Secretary a statement of the amendments in Form 21 and the amendments shall be deemed to be made upon the filing of the statement.

(4) The party filing the statement shall cause a sealed copy of the statement to be served on every other party to the proceeding within 7 days after the statement is filed.

(5) Nothing in this regulation shall prevent a person filing a notice specifying a new address for service in accordance with regulation 11.

Consolidation of applications and references.

40.—(1) Where two or more applications are pending before the Tribunal, the Tribunal may, of its own motion or on the application of a party to any of the applications, direct that some or all of the applications be considered together and may give such consequential directions as the Tribunal considers necessary.

(2) Where two or more references are pending before the Tribunal in relation to one licence scheme, the Tribunal may, of its own motion or on the application of a party to any of the references, direct that some or all of the references be considered together and may give such consequential directions as the Tribunal considers necessary.

(3) Before giving a direction under paragraph (1) or (2), the Tribunal shall give each party to each of the applications or references concerned an opportunity of presenting a case.

Withdrawal of application.

41.—(1) A person who has made an application to the Tribunal may, with the leave of the Tribunal, withdraw the application at any time before the Tribunal has determined the application.

(2) The leave of the Tribunal under paragraph (1) may be granted unconditionally or subject to such conditions as the Tribunal thinks reasonable.

(3) Where the Tribunal has granted leave for the withdrawal of an application, the withdrawal shall be effected by —

(a) the filing with the Secretary of a notice in Form 22—

(i) specifying the date on which the application was made and the relevant case file number;

(ii) stating that the person who made the application withdraws the application; and

(iii) signed by or on behalf of that person; and

(b) the serving of a sealed copy of the notice on every party to the application.

Withdrawal of reference of licence scheme.

42.—The withdrawal under section 160 (6) of the Act, or section 161 (7) of the Act (including section 161 (7) as having effect by reason of section 162 (5) of the Act), of a reference of a licence scheme shall be effected by —

(a) the filing with the Secretary of a notice in Form 22 —

(i) specifying the date on which the scheme was referred and the relevant case file number;

(ii) stating that the person who referred the scheme withdraws the reference; and

(iii) signed by or on behalf of that person; and

(b) the serving of a sealed copy of the notice on every party to the reference.

PART VII

ORDERS OF THE TRIBUNAL

Recording of orders of Tribunal.

43.—The Secretary shall cause each order of the Tribunal and the date on which it was made to be recorded in a document signed by him and shall cause the original of the document to be filed in the Registry.

Notification of orders of Tribunal and of reasons.

44.—(1) The Tribunal shall, when making an order, state in writing its reasons for making the order.

(2) The Secretary shall cause a copy of the document recording the order and of the reasons of the Tribunal to be served on every party to the application or reference in respect of which the order was

made and shall also cause a copy of the document recording the order and of the reasons to be available at the Registry for public inspection when that office is open for business.

(3) In paragraphs (1) and (2), “order” shall not include an interim order or an order that is made in respect of an application that is ancillary to another proceeding.

(4) The President may, if he thinks fit, direct the Secretary to cause particulars of any order of the Tribunal to be published in the *Gazette* and such newspaper or newspapers circulating in Singapore as the President determines.

(5) Paragraphs (2) and (4) shall not apply in relation to an order the operation of which is suspended pending a reference of a question of law to the High Court.

Effect of suspension of orders of Tribunal.

45.—Where an order of the Tribunal is suspended —

(a) section 160 (6) (a) and section 161 (8) and (10) of the Act shall operate during the period of the suspension as if the order had not been made; and

(b) section 165 of the Act shall not operate in relation to the order in respect of the period of the suspension.

PART VIII

REFERENCES TO THE HIGH COURT

Application.

46.—This Part shall not apply in relation to an inquiry by the Tribunal under section 157 of the Act.

Request for reference of question of law to High Court.

47.—(1) For the purposes of section 169 (1) of the Act, a request to the Tribunal for the reference of a question of law in a proceeding to the High Court shall —

(a) be in Form 23;

(b) state the name of the party making the request;

(c) specify the question of law;

(d) request the Tribunal to refer that question to the High Court;

(e) be signed by or on behalf of the party making the request; and

(f) be filed with the Secretary.

(2) The party making the request shall cause notice of the making of the request, together with a sealed copy of the request, to be served on every other party to the proceedings —

(a) in the case where the hearing of the proceeding to which the request relates, has not commenced or has been adjourned — within 7 days after the filing of the request with the

Secretary but not later than the date fixed for the commencement of the hearing or to which the hearing has been adjourned; or

(b) in any other case — within 7 days after the filing of the request with the Secretary.

(3) For the purposes of paragraph (2), a notice of the making of a request shall —

(a) be in writing addressed to the party on whom it is served; and

(b) inform that party that he may, within 21 days after service of the notice, present a case in writing to the Tribunal in relation to the request.

(4) The party making the request may within 21 days after the request is filed with the Secretary, and every other party to the proceeding may within 21 days after service on that party of the notice of making of the request, present a case in writing to the Tribunal in relation to the request and the Tribunal may, if it thinks fit, give to each of those parties an opportunity of presenting a case orally to the Tribunal.

(5) The Secretary shall cause notice of the decision of the Tribunal on the request to be served on the party that made the request and on every other party that presented a case to the Tribunal in relation to the request or notified the Tribunal that the party wished to be informed of the decision.

Fixing of a new date for hearing or further hearing where a party makes a request under section 169 of Act.

48.—(1) Where a party makes a request under section 169 (1) of the Act in a proceeding and a date has been fixed for the hearing or a further hearing of that proceeding that is less than 14 days from the date of the filing of the request, the President shall fix a new date for the hearing or further hearing of that proceeding that is more than 14 days from the date of the filing of the request.

(2) The Secretary shall cause notice of the date fixed by the President under paragraph (1) to be served on the parties to the proceeding.

Adjournment pending decision of High Court.

49.—Where the Tribunal refers a question of law arising in proceedings before it for determination by the High Court under section 169 (1) of the Act, being proceedings in which the Tribunal has not given its decision, the Tribunal shall adjourn its hearing of those proceedings until the question referred has been heard and determined by the High Court.

Suspension of orders of Tribunal pending reference of question of law to High Court.

50.—(1) Where, after the date on which the Tribunal has given its decision in a proceeding, the Tribunal refers to the High Court a question of law that arose in the course of the proceeding, the Tribunal may, if it thinks fit, suspend the operation of any order made by the Tribunal in the proceeding.

(2) Where an order of the Tribunal is so suspended, the Secretary shall cause notice in writing of the suspension to be served on every party to the proceeding and, if particulars of the order have been published in pursuance of a direction under regulation 44 (4), shall cause particulars of the suspension to be published in the *Gazette* and such newspaper or newspapers circulating in Singapore as the President directs.

Proceedings before Tribunal after determination of question of law by High Court.

51.—(1) Where a question of law arising in a proceeding has been referred to, and determined by, the High Court in pursuance of section 169 of the Act, any party to the proceeding before the Court may file with the Secretary an office copy of the order of the Court.

(2) Subject to paragraph (3), when a copy of the order of the High Court has been filed in pursuance of paragraph (1), the President shall fix a time and place for the resumption of the hearing of the proceeding and the Secretary shall cause notice of the time and place so fixed to be served on the parties to the proceeding.

(3) Paragraph (2) shall not apply where the question of law was referred to the High Court after the Tribunal had given its decision in the proceeding and that decision is consistent with the determination of the High Court.

PART IX

MISCELLANEOUS

Summons to witness.

52.—(1) A summons to a witness under section 176 (2) of the Act shall be substantially in accordance with Form 24 and shall be sealed with the seal of the Tribunal.

(2) A summons under section 176 (2) of the Act shall be served on a person by —

(a) delivering a copy of the summons to the person personally; and

(b) if so requested by the person at the time of such delivery, showing the sealed copy of the summons to the person at that time.

Extension of time.

53.—The Tribunal or the President may, whether before or after the expiration of the time prescribed or allowed by or under these Regulations for the filing of a document with the Secretary, the serving of a document on a person or the doing of any other act, extend that time for such period or periods, and subject to such conditions, as the Tribunal or the President thinks fit.

Fees.

54.—The fees specified in the Second Schedule shall be payable in respect of the matters in relation to which they are so specified.

Witnesses' fees and expenses.

55.—(1) Any person who —

(a) attends to give evidence in a proceeding;

(b) attends to give evidence and produce documents or articles in a proceeding; or

(c) attends to produce documents or articles in a proceeding,

in accordance with a summons, or at the request of a party to the proceeding or of the Tribunal, shall be entitled, whether or not he is called to give evidence or to produce documents or articles, to

payment of fees and expenses in accordance with the scale of witnesses' fees and expenses set out in the Third Schedule, less any amount previously paid to him for his expenses of attendance.

(2) Payment of fees and expenses to a witness shall be made by the person on whose behalf the witness is summoned or at whose request the witness attends or, if the witness is summoned or requested to attend on behalf of the Tribunal, by the Government.

Power to waive procedural requirements and effect of non-compliance.

56.—(1) Subject to the Act, the Tribunal may, in relation to any proceeding, in special circumstances, and either absolutely or subject to conditions, exempt a person from compliance with any procedural requirements of these Regulations.

(2) Subject to the Act, non-compliance with any of these Regulations shall not render void a proceeding or an order of the Tribunal, but the proceeding or order may be set aside either wholly or in part as irregular, or amended, or otherwise dealt with, by the Tribunal in such manner and upon such terms as the Tribunal considers fit.

FIRST SCHEDULE

FORM 1

Regulation 16(2)(d)

COPYRIGHT ACT
(CHAPTER 63)

COPYRIGHT TRIBUNAL (PROCEDURE) REGULATIONS

NOTICE OF INTENTION TO ATTEND INQUIRY

To: The Secretary,
Copyright Tribunal.

Case File No. _____

In the Matter of an Inquiry under section 157 of the Copyright Act.

TAKE NOTICE that I _____
(Name/s)

of _____
(Address)

(hereinafter called the Applicant) wish to present a case to the Copyright Tribunal in relation to an Inquiry under section 157 of the Copyright Act to be held _____

(Date and Place)

as advertised in the _____ and Gazette No. _____
(Name of Newspaper)

dated _____.

The Applicant has a substantial interest in the matter to which the inquiry relates: *(Give the grounds for this statement).*

The Applicant wishes to adduce the evidence set out in the Statement attached to this Notice and to produce or refer to the documents specified in the list of documents similarly attached.

The Applicant's address for service is _____

Made this _____ day of _____ 20 ____.

Filing date

Signed *by/*on behalf of
the Applicant

(Mr/Mrs/Miss)_____

Status of signatory if Notice
is signed on behalf of the
Applicant_____

*Delete whichever is inapplicable.

FORM 2

Regulation 20(3)

COPYRIGHT ACT
(CHAPTER 63)

COPYRIGHT TRIBUNAL (PROCEDURE) REGULATIONS

NOTICE OF *APPLICATION/*REFERENCE

To: Name _____ Case File No. _____
Address _____

In the Matter of an *Application/*Reference under section _____ of the Copyright Act/*regulation _____ of the Copyright Tribunal (Procedure) Regulations by _____

TAKE NOTICE that an *Application/*Reference under *section _____ of the Copyright Act/*regulation _____ of the Copyright Tribunal (Procedure) Regulations bearing case file No. _____ has been filed on _____ by _____ whose address for service is _____
(Name of *Applicant/*Referor)

The order sought by the *Applicant/*Referor is:

The person to whom this Notice is served is, by virtue of _____, a party to the *Application/*Reference.

Made this _____ day of _____ 20 ____.

Filing date

Signed *by/*on behalf of the *Applicant/*Referor

(Mr/Mrs/Miss) _____

Status of signatory if Notice is signed on behalf of the *Applicant/*Referor

*Delete whichever is inapplicable.

FORM 3

Regulation 20(6)

COPYRIGHT ACT
(CHAPTER 63)

COPYRIGHT TRIBUNAL (PROCEDURE) REGULATIONS

REQUEST FOR PRELIMINARY HEARING.

To: The Secretary,
Copyright Tribunal.

Case File No. _____

In the Matter of an *Application/*Reference under section _____ of the Copyright Act/*regulation _____ of the Copyright Tribunal (Procedure) Regulations by _____

TAKE NOTICE that _____,
(Name and Address of party requesting hearing)

being a party to the above *Application/*Reference bearing case file No. _____ and filed on _____, hereby requests that the matter be dealt with at a preliminary hearing before the Copyright Tribunal.

The address for service of the party requesting the preliminary hearing is _____

Made this _____ day of _____ 20 ____.

Filing date

Signed *by/*on behalf of

(Mr/Mrs/Miss) (State Full Name of Party making request)

Status of signatory if Notice is signed on behalf of the party making the request

*Delete whichever is inapplicable.

FORM 4

Regulation 21(1)

COPYRIGHT ACT
(CHAPTER 63)

COPYRIGHT TRIBUNAL (PROCEDURE) REGULATIONS

NOTICE OF *APPLICATION/*REFERENCE

Case File No. _____

In the Matter of an *Application/*Reference under section _____ of the Copyright Act/*regulation _____ of the Copyright Tribunal (Procedure) Regulations by _____

TAKE NOTICE than an *Application/*Reference under *section _____ of the Copyright Act/*regulation _____ of the Copyright Tribunal (Procedure) Regulations bearing case file No. _____ has been filed on _____ by _____ whose address for service is _____
(Name of *Applicant/*Referor)

The order sought by the *Applicant/*Referor is:

Any person to whom this Notice is given may file with the Secretary, Copyright Tribunal a Notice of Application to be made a party to the proceedings not later than _____.

Made this _____ day of _____ 20 ____.

Filing date

Signed *by/*on behalf of the
*Applicant/*Referor
(Mr/Mrs/Miss) _____

Status of signatory if Notice
is signed on behalf of the
*Applicant/*Referor

*Delete whichever is inapplicable.

FORM 4A

Regulation 21A

COPYRIGHT ACT
(CHAPTER 63)

COPYRIGHT TRIBUNAL (PROCEDURE) REGULATIONS

APPLICATION

To: The Secretary,
Copyright Tribunal.

Case File No. _____

In the Matter of an Application under section 43 (3) of the Copyright Act by

1. I _____ of _____
(hereinafter called the Applicant), being –

*(a) the owner of the copyright subsisting in a literary, dramatic or musical work described in paragraph 2;

*(b) the maker of the *sound recording/cinematograph film described in paragraph 3,

hereby apply to the Copyright Tribunal under section 43 (3) of the Copyright Act for an order determining the amount that is equitable remuneration to _____, the owner of the copyright subsisting in the work described in paragraph 2, for the making of a “sound recording/cinematograph film thereof solely for the purpose of broadcasting of the work or an adaptation thereof.

2. The work to which this Application relates is as follows:

(1) Title of Work _____.

(2) Description of Work _____.

(3) Full name of author or authors _____.

(4) If the author, or any one or more of the authors is dead, name of deceased author or authors and date or dates of deaths _____.

(5) Date and place of first publication of Work _____.

(6) Status of author at the date of first publication _____.

*I am the owner of the copyright subsisting in the work (Give grounds for this statement): _____.

3. The *sound recording/cinematograph film to which this Application relates is as follows:

(1) Title of *recording/film _____.

(2) Description of *recording/film _____.

- (3) Full name of maker or makers of *recording/film _____.
- (4) Status of maker or makers of the *recording/film _____.
- (5) Date and place of making of the *recording/film _____.

*I am the maker of the *sound recording/cinematograph film (Give grounds for this statement): _____ .

4. The grounds of my Application are as follows:

(All details which may be relevant to the Application should be set out in a logical order and in numbered paragraphs. Copies of correspondence, etc., should not be attached but relevant particulars of or extracts from the correspondence should be quoted).

5. The Applicant's address for service is _____

Made this _____ day of _____ 20____.

Filing date

Signed *by/*on behalf of the Applicant.

(Mr/Mrs/Miss) _____

Status of signatory if Application is signed on behalf of the Applicant.

*Delete whichever is inapplicable.

FORM 5

Regulation 22

COPYRIGHT ACT
(CHAPTER 63)

COPYRIGHT TRIBUNAL (PROCEDURE) REGULATIONS

APPLICATION

To: The Secretary,
Copyright Tribunal.

Case File No. _____

In the Matter of an Application under section 52 (11) of the Copyright Act by _____

1. I _____ of _____
(hereinafter called the Applicant), being –

*(a) the owner of the copyright subsisting in a Work described below;

*(b) the body administering _____,
an educational institution situated at _____

hereby apply to the Copyright Tribunal under section 52 (11) of the Copyright Act for an order determining the amount that is equitable remuneration to _____,
the owner of the copyright subsisting in the Work described below, for the making of copies of the Work by or on behalf of the educational institution _____
(Name)
situated at _____
(Address)

for teaching purposes.

2. The Work to which this Application relates is as follows:

(1) Title of Work _____.

(2) Description of Work _____.

(3) Full name of author or authors (if known) _____.

*(4) Name and Volume Number of periodical publication containing the Work
_____.

(5) The International Standard
*Serial/*Book Number,
if available _____.

- (6) Date and place of first publication of Work _____.
- (7) Status of author at the date of first publication _____.
- * (8) Name of publisher of the edition of the Work _____.

3. The grounds of my Application are as follows:

(All details which may be relevant to the Application should be set out in a logical order and in numbered paragraphs. Copies of correspondence, etc., should not be attached but relevant particulars of or extracts from the correspondence should be quoted).

4. The Applicant's address for service is _____
_____.

Made this _____ day of _____ 20 _____.

Filing date

Signed *by/*on behalf of the Applicant.

(Mr/Mrs/Miss) _____

Status of signatory if Application is signed on behalf of the Applicant.

*Delete whichever is inapplicable.

FORM 5A

Regulation 22A

COPYRIGHT ACT
(CHAPTER 63)

COPYRIGHT TRIBUNAL (PROCEDURE) REGULATIONS

APPLICATION

Case File No. _____

To: The Secretary,
Copyright Tribunal.

In the Matter of an Application under section 52(11C) of the Copyright Act by

1. I _____ of _____ (hereinafter called the Applicant), being —

*(a) the owner of the copyright subsisting in a Work described below;

*(b) the body administering _____ an educational institution
situated at _____,

hereby apply to the Copyright Tribunal under section 52(11C) of the Copyright Act for an order
determining the amount that is equitable remuneration to _____,
the owner of the copyright subsisting in the Work described below, for the making of a
communication of the Work by or on behalf of the educational institution _____
situated at _____ (Name)
(Address)

for educational purposes.

2. The Work to which this Application relates is as follows:

(1) Title of Work _____.

(2) Description of Work _____.

(3) Full name of author or authors (if known)
_____.

*(4) Name and Volume Number of periodical publication containing the Work
_____.

(5) The International Standard *Serial/*Book Number, if available
_____.

(6) Date and place of first publication of Work
_____.

(7) Status of author at the date of first publication _____.

*(8) Name of publisher of the edition of the Work _____.

3. The grounds of my Application are as follows:

(All details which may be relevant to the Application should be set out in a logical order and in numbered paragraphs. Copies of correspondence, etc., should not be attached but relevant particulars of or extracts from the correspondence should be quoted).

4. The Applicant's address for service is _____.

Made this _____ day of _____ 20 ____.

Filing date.

Signed *by/*on behalf of the Applicant.
(Mr/Mrs/Miss)_____

Status of signatory if Application is
signed on behalf of the Applicant.

* Delete whichever is inapplicable.

FORM 6

Regulation 23

COPYRIGHT ACT
(CHAPTER 63)

COPYRIGHT TRIBUNAL (PROCEDURE) REGULATIONS

APPLICATION

To: The Secretary,
Copyright Tribunal.

Case File No. _____

In the Matter of an Application under section 54 (10) of the Copyright Act by

1. I _____ of _____
(hereinafter called the Applicant), being –

*(a) the owner of the copyright subsisting in a Work described below;

*(b) the body administering _____,
an institution assisting handicapped readers situated at

hereby apply to the Copyright Tribunal for an order determining the amount that is equitable remuneration to _____, the owner of the copyright subsisting in the Work described below, for the making of a handicapped reader's copy --** _____
_____ -- of the Work or part thereof by or on behalf of the

(Particulars of copy)
body administering _____ an institution assisting handicapped readers
(Name)
situated at _____

(Address)

for use by a handicapped reader for his research or private study or for the purpose of otherwise instructing himself.

2. The Work to which this Application relates is as follows:

(1) Title of Work _____.

(2) Description of Work _____.

(3) Full name of author or authors (if known) _____.

*(4) Name and Volume Number of periodical publication containing the Work
_____.

(5) The International Standard
*Serial/*Book Number,
if available _____.

- (6) Date and place of first publication of Work _____.
- (7) Status of author at the date of first publication _____.
- * (8) Name of publisher of the edition of the Work _____.

3. The grounds of my Application are as follows:

(All details which may be relevant to the Application should be set out in a logical order and in numbered paragraphs. Copies of correspondence, etc., should not be attached but relevant particulars of or extracts from the correspondence should be quoted).

4. The Applicant's address for service is _____
_____.

Made this _____ day of _____ 20 ____.

Filing date

Signed *by/*on behalf of the Applicant.

(Mr/Mrs/Miss) _____

Status of signatory if Application is signed on behalf of the Applicant

*Delete whichever is inapplicable.

FORM 6A

Regulation 23A

COPYRIGHT ACT
(CHAPTER 63)

COPYRIGHT TRIBUNAL (PROCEDURE) REGULATIONS

APPLICATION

To: The Secretary,
Copyright Tribunal.

Case File No. _____

In the Matter of an Application under section 54A (7) of the Copyright Act by

1. I _____ of _____
(hereinafter called the Applicant), being –

*(a) the owner of the copyright subsisting in a Work described below;

*(b) the body administering _____,
an institution assisting intellectually handicapped readers situated at

hereby apply to the Copyright Tribunal for an order determining the amount that is equitable remuneration to _____, the owner of the copyright subsisting in the Work described below, for the making of an intellectually handicapped reader's copy of the Work or part thereof by or on behalf of the body administering _____

(Name)

an institution assisting intellectually handicapped readers situated at _____

(Address)

for use in the provision of assistance, whether by the institution or otherwise, of assistance to intellectually handicapped persons.

2. The work to which this Application relates is as follows:

(1) Title of Work _____.

(2) Description of Work _____.

(3) Full name of author or authors (if known) _____.

*(4) Name and Volume Number of periodical publication containing the Work
_____.

(5) The International Standard *Serial/*Book Number, if available _____.

(6) Date and place of first publication of Work _____.

(7) Status of author at the date of first publication _____.

*⁽⁸⁾ Name of publisher of the edition of the Work _____ .

3. The grounds of my Application are as follows:

(All details which may be relevant to the Application should be set out in a logical order and in numbered paragraphs. Copies of correspondence, etc., should not be attached but relevant particulars of or extracts from the correspondence should be quoted).

4. The Applicant's address for service is _____
_____.

Made this _____ day of _____ 20_____.

Filing date

Signed *by/*on behalf of the Applicant.

(Mr/Mrs/Miss) _____

Status of signatory if Application is signed on behalf of the Applicant.

*Delete whichever is inapplicable.

FORM 7

Regulation 24

COPYRIGHT ACT
(CHAPTER 63)

COPYRIGHT TRIBUNAL (PROCEDURE) REGULATIONS

APPLICATION

To: The Secretary,
Copyright Tribunal.

Case File No. _____

In the Matter of an Application under section 60 (3) (b) of the Copyright Act by

1. I _____ of _____
(hereinafter called the Applicant), being –

*(a) the owner of the copyright subsisting in the musical work described in paragraph 2;

*(b) the owner of the copyright subsisting in the *literary/*dramatic work described in paragraph 3,

hereby apply to the Copyright Tribunal under section 60 (3) (b) of the Copyright Act for an order apportioning the royalty payable by the maker of the record described in paragraph 4 in respect of the musical work and the *literary/*dramatic work between the owners of the copyrights subsisting in those works.

2. The musical work to which this Application relates is as follows:

(1) Title of Work _____ .

(2) Description of Work _____ .

(3) Full name of author or authors _____ .

(4) If the author, or any one or more of the authors is dead, name of deceased author or authors and date or dates of deaths _____ .

(5) Date and place of first publication of Work _____ .

(6) Status of author at the date of first publication _____ .

*I am the owner of the copyright subsisting in the musical work (Give grounds for this statement): _____

3. The *literary/*dramatic work to which the Application relates is as follows:

(1) Title of Work _____ .

(2) Description of Work _____ .

- (3) Full name of author or authors _____.
- (4) If the author, or any one or more of the authors is dead, name of deceased author or authors and date or dates of deaths _____.
- (5) Date and place of first publication _____.
- (6) Status of author at the date of first publication _____.

*I am the owner of the copyright subsisting in the *literary/*dramatic work (Give grounds for this statement): _____

4. The record to which this Application relates is as follows:

- (1) Title of record _____.
- (2) Description of record _____.
- (3) Initials or marks (if any) placed on copies of record _____.
- (4) Full name of maker or makers of record _____.
- (5) Status of maker or makers of record _____.
- (6) Date and place of making of the record _____.

5. The grounds of my Application are as follows:

(All details which may be relevant to the Application should be set out in a logical order and in numbered paragraphs. Copies of correspondence, etc., should not be attached but relevant particulars of or extracts from the correspondence should be quoted).

6. The Applicant's address for service is _____
_____.

Made this _____ day of _____ 20 _____.

Filing date

Signed *by/*on behalf of the Applicant.

(Mr/Mrs/Miss) _____

Status of signatory if Application is signed on behalf of the Applicant

FORM 8

Regulation 25

COPYRIGHT ACT
(CHAPTER 63)

COPYRIGHT TRIBUNAL (PROCEDURE) REGULATIONS

APPLICATION

To: The Secretary,
Copyright Tribunal.

Case File No. _____

In the Matter of an Application under section 68 (3) of the Copyright Act by

1. I _____ of _____
(hereinafter called the Applicant), being –

*(a) the owner of the copyright subsisting in an artistic work described in paragraph 2;

*(b) the maker of the cinematograph film described in paragraph 3,

hereby apply to the Copyright Tribunal under section 68 (3) of the Copyright Act for an order determining the amount that is equitable remuneration to _____, the owner of the copyright subsisting in the artistic work described in paragraph 2, for the making of a cinematograph film thereof solely for the purpose of inclusion in a television broadcast or cable programme.

2. The artistic work to which this Application relates is as follows:

(1) Title of Work _____ .

(2) Description of Work _____ .

(3) Full name of author or authors _____ .

(4) If the author, or any one or more of the authors is dead, name of deceased author or authors and date or dates of deaths _____ .

(5) Date and place of first publication of Work _____ .

(6) Status of author at the date of first publication _____ .

*I am the owner of the copyright subsisting in the artistic work (Give grounds for this statement): _____

3. The cinematograph film to which this Application relates is as follows:

(1) Title of cinematograph film _____ .

(2) Description of film _____ .

- (3) Full name of maker or makers of film _____.
- (4) Status of maker or makers of the film _____.
- (5) Date and place of making of the film _____.

*I am the maker of the cinematograph film (Give grounds for this statement):
_____ .

4. The grounds of my Application are as follows:

(All details which may be relevant to the Application should be set out in a logical order and in numbered paragraphs. Copies of correspondence, etc., should not be attached but relevant particulars of or extracts from the correspondence should be quoted).

5. The Applicant's address for service is _____
_____ .

Made this _____ day of _____ 20 ____.

Filing date

Signed *by/*on behalf of the Applicant.

(Mr/Mrs/Miss) _____

Status of signatory if Application is signed on behalf of the Applicant

*Delete whichever is inapplicable.

FORM 8A

Regulation 25A

COPYRIGHT ACT
(CHAPTER 63)

COPYRIGHT TRIBUNAL (PROCEDURE) REGULATIONS

APPLICATION

To: The Secretary,
Copyright Tribunal.

Case File No. _____

In the Matter of an Application under section 107 (3) of the Copyright Act by

1. I _____ of _____
(hereinafter called the Applicant), being –

*(a) the owner of the copyright subsisting in a sound recording described in paragraph 2;

*(b) the maker of a copy of a sound recording made solely for the purpose of the broadcasting of the recording,

hereby apply to the Copyright Tribunal under section 107 (3) of the Copyright Act for an order determining the amount that is equitable remuneration to _____, the owner of the copyright subsisting in the sound recording described in paragraph 2, for the making of a copy of the recording solely for the purpose of the broadcasting of the recording.

2. The sound recording to which this Application relates is as follows:

(1) Title of recording _____.

(2) Description of recording _____.

(3) Full name of maker of recording _____.

(4) Status of maker at the date of making of recording _____.

(5) Date and place of making of recording _____.

*(6) Date and place of first publication of recording _____.

*I am the owner of the copyright subsisting in the sound recording (Give grounds for this statement): _____.

3. Details of the copy of the sound recording made solely for the purpose of the broadcasting of the recording are as follows:

(1) Full name of maker or makers of recording _____.

(2) Date and place of making of recording _____.

*I am the maker of the copy of the sound recording (Give grounds for this statement):
_____.

4. The grounds of my Application are as follows:

(All details which may be relevant to the Application should be set out in a logical order and in numbered paragraphs. Copies of correspondence, etc., should not be attached but relevant particulars of or extracts from the correspondence should be quoted).

5. The Applicant's address for service is _____
_____.

Made this _____ day of _____ 20_____.

Filing date

Signed *by/*on behalf of the Applicant.

(Mr/Mrs/Miss) _____

Status of signatory if Application is signed on behalf of the Applicant.

*Delete whichever is inapplicable." and

FORM 8B

REGULATION 25B

COPYRIGHT ACT
(CHAPTER 63)

COPYRIGHT TRIBUNAL (PROCEDURE) REGULATIONS

APPLICATION

Case File No. _____

To: The Secretary,
Copyright Tribunal.

In the Matter of an Application under section 107D of the Copyright Act by
_____.

1. I _____ of _____ (hereinafter called the Applicant), being

*(a) the owner of the copyright subsisting in a sound recording described in paragraph 2;

*(b) the person who made available to the public the sound recording described in paragraph 2,

hereby apply to the Copyright Tribunal under section 107D of the Copyright Act for an order determining the amount that is equitable remuneration to _____, the owner of the copyright subsisting in the sound recording described in paragraph 2, for the making available of the sound recording to the public by means of or as part of a digital audio transmission that is not part of an interactive service.

2. The sound recording to which this Application relates is as follows:

(1) Title of recording _____.

(2) Description of recording _____.

(3) Full name of owner(s) of the copyright in the recording
_____.

(4) Date on and place at which the recording was made available to the public
_____.

(5) Date and place of first publication of recording _____.

(6) Mode of and means by which the recording was made available to the public
_____.

(7) Any other details _____.

3. The grounds of my Application are as follows:

(All details which may be relevant to the Application should be set out in a logical order and in numbered paragraphs. Copies of correspondence, etc., should not be attached but relevant particulars of or extracts from the correspondence should be quoted).

4. The Applicant's address for service is _____.

Made this ____ day of _____ 20 ____.

Filing date

Signed *by/*on behalf of the Applicant.
(Mr/Mrs/Miss)_____

Status of signatory if Application is
signed on behalf of the Applicant.

*Delete whichever is inapplicable.

FORM 9

Regulation 26

COPYRIGHT ACT
(CHAPTER 63)

COPYRIGHT TRIBUNAL (PROCEDURE) REGULATIONS

REFERENCE

To: The Secretary,
Copyright Tribunal.

Case File No. _____

In the Matter of a Reference under section 160 of the Copyright Act by

1. I _____ of _____

(hereinafter called the Referor), being a licensor proposing to bring the licence scheme hereinafter described into operation, hereby refer to the Copyright Tribunal for an order confirming or varying the licence scheme on such terms as the Tribunal thinks reasonable.

2. The licence scheme to which this reference relates is (Give short description of scheme): _____

A copy of the licence scheme is attached.

3. The Referor is –

*(a) the owner or prospective owner of the copyright subsisting in a
*literary/*dramatic/*musical work to which the licence scheme relates;
or

*(b) a body of persons acting as agent for the owner or prospective owners in
relation to the negotiation or granting of licences.

(Give grounds for this statement): _____
_____ .

4. The Referor's address for service is _____
_____ .

Made this _____ day of _____ 20____.

Filing date

Signed *by/*on behalf of the Referor.

(Mr/Mrs/Miss) _____

Status of signatory if Reference is
signed on behalf of the Referor.

*Delete whichever is inapplicable.

FORM 10

Regulation 27

COPYRIGHT ACT
(CHAPTER 63)

COPYRIGHT TRIBUNAL (PROCEDURE) REGULATIONS

REFERENCE

To: The Secretary,
Copyright Tribunal.

Case File No. _____

In the Matter of a Reference under section 161 of the Copyright Act by _____

1. I _____ of _____

(hereinafter called the Referor), being –

- *(a) the licensor operating a licence scheme hereinafter described;
- *(b) an organization claiming to be representative of persons requiring licences in cases included in a class of cases to which the licence scheme hereinafter described applies;
- *(c) a person claiming that he requires a licence in a case included in a class of cases to which the licence scheme hereinafter described applies,

hereby refers to the Copyright Tribunal under section 161 of the Copyright Act for an order confirming or varying the licence scheme in so far as it relates to the class of cases to which the reference relates as the Tribunal considers reasonable in the circumstances.

*2. The grounds for my statement in paragraph 1 (b) are as follows: _____

3. The licence scheme to which this Reference relates is (Give short description of scheme):

4. The class of cases to which this Reference relates is: _____

5. A dispute has arisen between the Referor and _____ in the following circumstances (Give particulars of dispute): _____

6. The grounds of my reference are as follows:

(All details which may be relevant to the Reference should be set out in a logical order and in numbered paragraphs. Copies of correspondence, etc., should not be attached but relevant particulars of or extracts from the correspondence should be quoted).

7. The Referor's address for service is _____

Made this _____ day of _____ 20____.

Filing date

Signed *by/*on behalf of the Referor.

(Mr/Mrs/Miss) _____

Status of signatory if Reference is
signed on behalf of the Referor.

*Delete whichever is inapplicable.

FORM 11

Regulation 28

COPYRIGHT ACT
(CHAPTER 63)

COPYRIGHT TRIBUNAL (PROCEDURE) REGULATIONS

APPLICATION FOR LEAVE

To: The Secretary,
Copyright Tribunal.

Case File No. _____

In the Matter of An Application under section 162 (2) of the Copyright Act by _____

1. I _____ of _____

(hereinafter called the Applicant) hereby apply under section 162 (2) of the Copyright Act for leave of the Copyright Tribunal to refer again to the Tribunal the licence scheme hereinafter described which was *confirmed/*varied by the Tribunal by an order dated _____ and bearing the case file No. _____.

2. The Applicant is –

*(a) the licensor operating the said licence scheme;

*(b) an organisation claiming to be representative of persons requiring licences in cases included in the class of cases to which the said order applies;

*(c) a person claiming that he requires a licence in a case included in the class of cases to which the said order applies.

*The grounds for my statement in paragraph 2 (b) are as follows:

3. The licence scheme to which this Application relates is (Give general nature of the scheme as previously confirmed by the Tribunal):

4. The class of cases in relation to which this Applicant wishes to refer the licence scheme to the Tribunal is: _____

5. Since the making of the said order a dispute has arisen between the Applicant and _____ in the following circumstances (Give particulars of dispute):

6. The grounds on which the Applicant desires leave to refer the licence scheme to the Copyright Tribunal before the time mentioned in section 162 (2) of the Copyright Act are as follows:

(All details which may be relevant to the Reference should be set out in a logical order and in numbered paragraphs. Copies of correspondence, etc., should not be attached but relevant particulars of or extracts from the correspondence should be quoted).

7. The Applicant's address for service is _____
_____.

Made this _____ day of _____ 20_____.

Filing date

Signed *by/*on behalf of the Applicant.

(Mr/Mrs/Miss) _____

Status of signatory if Application is signed on behalf of the Applicant.

*Delete whichever is inapplicable.

FORM 12

Regulation 29

COPYRIGHT ACT
(CHAPTER 63)

COPYRIGHT TRIBUNAL (PROCEDURE) REGULATIONS

REFERENCE

To: The Secretary,
Copyright Tribunal.

Case File No. _____

In the Matter of a Reference under section 162 of the Copyright Act by _____

1. I _____ of _____

(hereinafter called the Referor), being –

- *(a) the licensor operating a licence scheme *confirmed/*varied by the Copyright Tribunal by an order dated _____ and bearing the case file No. _____;
- *(b) an organisation claiming to be representative of persons requiring licences in cases included in the class of cases to which an order of the Copyright Tribunal dated _____ and bearing the case file No. _____ applies;
- *(c) a person claiming that he requires a licence in a case included in the class of cases to which an order of the Copyright Tribunal dated _____ and bearing case file No. _____ applies,

with the leave of the Tribunal dated _____ case file No. _____, hereby refer again to the Tribunal the said licence scheme, in so far as the scheme relates to cases included in the class of cases to which the said order applies, for an order *confirming/*varying/*further varying the licence scheme as the Tribunal considers reasonable in the circumstances.

*2. The grounds for my statement in paragraph 1 (b) are as follows: _____

3. The class of cases to which the said order applies is as follows: _____

4. The class of cases to which this Reference relates is as follows: _____

5. Since the making of the said order a dispute has arisen between the Referor and _____ in the following circumstances (Give particulars of matter in dispute):

6. The grounds on which the Referor desires to refer the licence scheme again to the Copyright Tribunal are as follows:

7. The Referor's address for service is _____
_____.

Made this _____ day of _____ 20____.

Filing date

Signed *by/*on behalf of the Referor.

(Mr/Mrs/Miss) _____

Status of signatory if Reference is signed on behalf of the Referor.

*Delete whichever is inapplicable.

FORM 13

Regulation 30 and 31

COPYRIGHT ACT
(CHAPTER 63)

COPYRIGHT TRIBUNAL (PROCEDURE) REGULATIONS

APPLICATIONS

To: The Secretary,
Copyright Tribunal.

Case File No. _____

In the Matter of an Application under section *163 (1)/*163 (2) of the Copyright Act by

1. I _____ of _____
(hereinafter called the Applicant) hereby apply to the Copyright Tribunal under section *163 (1)/*163 (2) of the Copyright Act for an order (*specify order sought*):

2. The Applicant requires a licence (*state purpose for which licence is required*):

3. Such a licence may be granted by _____
(Name and Address of licensor)

_____, which is a licensor for the purpose of the Copyright Act, in accordance with a licence scheme now operated by them as follows (State charges, terms and conditions on which the licence required may be granted in accordance with the licence scheme):

4. The Applicant has *orally/*in writing on _____ requested
(date)

the licensor to grant or to procure the grant to him of a licence but the licensor has *refused to do so/*failed to do so within a reasonable time/*refused to do except upon charges, terms and conditions that are unreasonable.

5. The grounds of my Application are as follows:

6. The Applicant's address for service is _____

_____.

Made this _____ day of _____ 20 _____.

Filing date

Signed *by/*on behalf of the
Applicant.

(Mr/Mrs/Miss) _____

Status of signatory if Application is
signed on behalf of the Applicant

*Delete whichever is inapplicable.

FORM 14

Regulation 32 and 33

COPYRIGHT ACT
(CHAPTER 63)

COPYRIGHT TRIBUNAL (PROCEDURE) REGULATIONS

APPLICATION

To: The Secretary,
Copyright Tribunal.

Case File No. _____

In the Matter of an Application under section *163 (3)/*163 (4) of the Copyright Act by

1. I _____ of _____

(hereinafter called the Applicant), being –

- **(a)* a person who claims that he requires a licence in a case to which a licence scheme does not apply;
- **(b)* an organisation that claims that it is representative of persons requiring licences in cases to which a licence scheme does not apply,

hereby apply to the Copyright Tribunal under section *163 (3)/*163 (4) of the Copyright Act for an order for a licence, specifying the charges (if any) and the conditions that the Tribunal considers reasonable in the circumstances in relation to the Applicant.

*2. The grounds for my statement in paragraph 1 (*b*) are as follows:

3. The Applicant requires a licence (State purpose for which licence is required);

4. Such a licence may be granted by _____
(Name and Address)

_____, but it is not covered by any
(of licensor)

licence scheme.

5. The Applicant has *orally/*in writing on _____ requested the licensor to grant or to procure the grant to him of a licence but the licensor has *refused to do so/*failed to do so within a reasonable time/*refused to do except upon charges, terms and conditions that are unreasonable.

6. The grounds of my Application are as follows:

7. The Applicant's address for service is _____

Made this _____ day of _____ 20____.

Filing date

Signed *by/*on behalf of the Applicant.

(Mr/Mrs/Miss) _____

Status of signatory if Application is signed on behalf of the Applicant.

*Delete whichever is inapplicable.

FORM 15

Regulation 34

COPYRIGHT ACT
(CHAPTER 63)

COPYRIGHT TRIBUNAL (PROCEDURE) REGULATIONS

APPLICATION

To: The Secretary,
Copyright Tribunal.

Case File No. _____

In the Matter of an Application under section 166 of the Copyright Act by the Attorney-General.

The Attorney-General hereby applies under section 166 of the Copyright Act to the Copyright Tribunal for an order suspending the application of section 52 (1) and (2) of the Act in relation to _____, the body administering _____, an educational institution situated at _____ for a period of _____.

The body administering the said educational institution and the custodian in charge of the copying records of that institution have been convicted of the following offences in relation to the retention of records or declaration relating to copies made in reliance of section 52:

(State particulars of the offences and the convicted persons).

Annexed are certified copies of the convictions for those offences.

The Attorney-General's address for service is _____

Made this _____ day of _____ 20____.

Filing date

Signed *by/*on behalf of the
Attorney-General,
Singapore.

FORM 16

Regulation 35

COPYRIGHT ACT
(CHAPTER 63)

COPYRIGHT TRIBUNAL (PROCEDURE) REGULATIONS

APPLICATION

To: The Secretary,
Copyright Tribunal.

Case File No. _____

In the Matter of an Application under section 167(1) of the Copyright Act by

1. I _____ of _____
being the body administering _____, an educational institution within the
meaning of the Copyright Act situated at _____, hereby apply under section
167 (1) of the Act to the Copyright Tribunal for an order revoking an earlier order of the Tribunal
under section 166 of the Act dated _____ (a copy of which is annexed).

The grounds of my application are as follows:

(Set out details of the steps taken by the body since the making of the said order to ensure that
no further contravention of regulation 9 (2) of the Copyright Regulations will occur).

The address for service of the body making this Application is

_____.

Made this _____ day of _____ 20____.

Filing date

Signed on behalf of

Status of signatory

*Delete whichever is inapplicable.

FORM 17

Regulation 36

COPYRIGHT ACT
(CHAPTER 63)

COPYRIGHT TRIBUNAL (PROCEDURE) REGULATIONS

APPLICATION

To: The Secretary,
Copyright Tribunal.

Case File No. _____

In the Matter of an Application under section 198 (5) of the Copyright Act by

1. I _____ of _____
(hereinafter called the Applicant) –

*(a) being the owner of the copyright subsisting in the
*literary/*dramatic/*musical/*artistic work/*published edition in a
_____ work/*sound recording/*cinematograph film/*television
broadcast/*sound broadcast/*cable programme hereinafter described;

*(b) on behalf of the Government of Singapore,

hereby apply under section 198 (5) of the Copyright Act to the Copyright Tribunal for an order
determining the terms as between the copyright owner and the Government for _____

(Identify the act done or proposed to be done for the service of the Government).

2. The work or other subject-matter to which this Application relates is as follows (State
description and particulars of work or other subject-matter e.g. Title, Description, Maker, Author,
etc.): _____

3. *The Government/* _____, being a person authorized in writing by
the Government, has *carried out/*proposes to carry out an act comprised in the copyright for the
service of the Government, namely (specify act to which application relates): _____

4. The grounds of my Application are as follows:

5. The Applicant's address for service is _____

Made this _____ day of _____ 20____.

Filing date

Signed *by/*on behalf of the Applicant.

(Mr/Mrs/Miss) _____

Status of signatory if Application is signed on behalf of the Applicant.

*Delete whichever is inapplicable.

FORM 18

Regulation 37(1)

COPYRIGHT ACT
(CHAPTER 63)

COPYRIGHT TRIBUNAL (PROCEDURE) REGULATIONS

APPLICATION TO BE MADE
A PARTY TO PROCEEDINGS

To: The Secretary,
Copyright Tribunal.

Case File No. _____

In the Matter of an *Application/*Reference under section _____ of the Copyright Act
by _____

1. I _____ of _____
(hereinafter called "the Applicant") hereby apply to be made a party to the proceedings instituted on
_____ and relating to the *Application/*Reference by
_____ Notice of which was advertised in the

(Name of newspaper or Gazette No.)
on _____.

The Applicant has substantial interest in the proceedings for the following reasons:

The Applicant's address for service is _____
_____.

Made this _____ day of _____ 20____.

Filing date

Signed *by/*on behalf of the
Applicant.

(Mr/Mrs/Miss) _____

If Application is signed on behalf of
Applicant, please indicate status of
signatory

*Delete whichever is inapplicable.

FORM 19

Regulation 38

COPYRIGHT ACT
(CHAPTER 63)

COPYRIGHT TRIBUNAL (PROCEDURE) REGULATIONS

NOTICE OF OBJECTION

To: The Secretary,
Copyright Tribunal.

Case File No. _____

In the Matter of an *Application under *section _____ of the Copyright Act/*regulation
_____ of the Copyright Tribunal (Procedure) Regulations by

_____.

TAKE Notice that I _____ of _____
(hereinafter called "the Objector") object to the Application under _____
_____ (state
_____ to the Tribunal bearing case file No. _____,
provision under which Application is made)

made by _____ and filed on _____.

The Objector objects to the Application on the ground that (Give particulars in support of
objection): _____

The Objector's address for service is _____

Made this _____ day of _____ 20____.

Filing date

Signed *by/*on behalf of the Objector.

(Mr/Mrs/Miss) _____

If Notice is signed on behalf of
Objector, please indicate status of
signatory

*Delete whichever is inapplicable.

FORM 20

Regulation 39

COPYRIGHT ACT
(CHAPTER 63)

COPYRIGHT TRIBUNAL (PROCEDURE) REGULATIONS

APPLICATION FOR LEAVE TO AMEND DOCUMENT

To: The Secretary,
Copyright Tribunal.

Case File No. _____

In the Matter of an *Inquiry/*Application/*Reference under *section _____ of the
Copyright Act/*regulation _____ of the Copyright Tribunal (Procedure) Regulations by

_____.

1. I _____ of _____
(Name /s) (Address)

being a party to the proceedings before the Copyright Tribunal relating to the above-mentioned
*Inquiry/*Application/*Reference, hereby apply under regulation 39 (2) for leave of the Tribunal to
amend _____
(Describe document to be amended)

dated _____ which I filed with the Secretary of the Tribunal on _____ in
connection with the said proceedings by:

(Set out briefly the amendments to be sought. If the amendments are too complicated
to set out briefly, a copy of the document sought to be amended should be attached
with the proposed amendments marked in red ink).

The grounds of my Application are:

Made this _____ day of _____ 20____.

Filing date

Signed *by/*on behalf of the
Applicant.

(Mr/Mrs/Miss) _____

Status of signatory if Application is
signed on behalf of the Applicant.

*Delete whichever is inapplicable.

FORM 21

Regulation 13(3)

COPYRIGHT ACT
(CHAPTER 63)

COPYRIGHT TRIBUNAL (PROCEDURE) REGULATIONS

STATEMENT OF AMENDMENTS

To: The Secretary,
Copyright Tribunal.

Case File No. _____

In the Matter of an *Inquiry/*Application/*Reference under *section _____ of the
Copyright Act/*regulation _____ of the Copyright Tribunal (Procedure) Regulations by

_____.

TAKE Notice that the Copyright Tribunal has by order dated _____ granted
_____ leave to amend the _____ dated
(Name of Maker of Statement) (Describe Document Amended)
_____ which relates to the proceedings before the Tribunal relating to the above
*Inquiry/*Application/*Reference.

The amendments are as follows:

(Set out briefly the amendments. If the amendments are too complicated to set out
briefly, a copy of the amended document should be attached with amendments
marked in red ink).

Pursuant to regulation 39 (3) of the Copyright Tribunal (Procedure) Regulations, these
amendments shall be deemed to be made upon the date of the filing of this Statement of
Amendments with the Secretary of the Copyright Tribunal.

Made this _____ day of _____ 20____.

Filing date

Signed *by/*on behalf of Maker of
Statement.

(Mr/Mrs/Miss) _____

If the Statement is signed on behalf of
the Maker of the Statement, please
indicate status of signatory

*Delete whichever is inapplicable.

FORM 22

Regulation 41(3) and 42

COPYRIGHT ACT
(CHAPTER 63)

COPYRIGHT TRIBUNAL (PROCEDURE) REGULATIONS

NOTICE OF WITHDRAWAL OF *APPLICATION/*REFERENCE

To: The Secretary,
Copyright Tribunal
and
every party to the
*Application/*Reference

Case File No. _____

In the Matter of an *Application/*Reference under *section _____ of the Copyright
Act/*regulation _____ of the Copyright Tribunal (Procedure) Regulations by

_____.

TAKE Notice that I, _____ of _____,
(Name of Applicant)

with the leave of the Copyright Tribunal granted on _____,
hereby withdraw the above *Application/*Reference bearing case file No. _____,
dated _____ and filed by me on _____.

Made this _____ day of _____ 20____.

Address for service

Signed *by/*on behalf of the
Applicant.

(Mr/Mrs/Miss) _____

Status of signatory if Notice is signed
on behalf of the Applicant.

*To delete where inapplicable.

FORM 23

Regulation 47

COPYRIGHT ACT
(CHAPTER 63)

COPYRIGHT TRIBUNAL (PROCEDURE) REGULATIONS

NOTICE REQUESTING REFERENCE TO THE HIGH COURT.

To: The Secretary,
Copyright Tribunal.

Case File No. _____

In the Matter of an *Application/*Reference under *section _____ of the Copyright Act/*regulation _____ of the Copyright Tribunal (Procedure) Regulations by _____.

TAKE NOTICE that I, _____ of _____ (hereinafter called the Applicant), being a party to the proceedings relating to the above *Application/*Reference filed on _____ and bearing case file No. _____, hereby request the Copyright Tribunal to refer the following question of law arising in the proceedings for determination by the High Court:

(Specify question of law to be referred)

The Applicant's address for service is _____

Made this _____ day of _____ 20____.

Filing date

Signed *by/*on behalf of the Applicant

(Mr/Mrs/Miss) _____

Status of signatory if Notice is signed on behalf of the Applicant

*Delete whichever is inapplicable.

FORM 24

Regulation 52

(Title)

COPYRIGHT ACT
(CHAPTER 63)

COPYRIGHT TRIBUNAL (PROCEDURE) REGULATIONS

SUMMONS TO WITNESS

To: [name and address of witness].

In the Matter of an *Inquiry/*Application/*Reference under *section _____
of the Copyright Act/*regulation _____ of the Copyright Tribunal (Procedure)
Regulations by _____
_____.

1. You are hereby summoned to attend before the Copyright Tribunal at [place] on
20 _____, at _____ o'clock in the _____ noon, and thereafter from day to day until
the hearing of proceedings in relation to the above mentioned application [or reference or inquiry] is
completed or until you are released from further attendance.

2. You are required to attend before the Tribunal for the purpose of giving evidence in
the proceedings.

*3. You are required to bring with you and produce the following documents [or articles
or documents and articles]:

[Here set out documents or articles required].

Made this _____ day of _____ 20____.

President [or Member]
of the Copyright Tribunal.

*Insert if inapplicable.

SECOND SCHEDULE

Regulation 54

FEES

Column 1 Item	Column 2 Matter	Column 3 Fee
1	For a photographic copy of a document — (a) for one page — (b) for each additional page —	\$3 40 cents
2	For a copy of the reasons for an order made by the Tribunal — (a) for one page — (b) for each additional page —	\$3 40 cents

THIRD SCHEDULE

Regulation 55

WITNESSES' FEES AND EXPENSES

1. Witness called because of his professional, scientific or other special skill of knowledge — such amount as the Tribunal, or the person taxing costs in relation to the proceeding, determines, being not less than \$100 per day and not more than \$150 per day.

2. Other witness —

(a) If remunerated in his occupation by wages, salary or fees. The amount of wages, salary or fees lost, by reason of the attendance, but not exceeding \$50 per day.

(b) In any other case \$30 per day.

3. In addition to the above fees —

(a) a witness may be allowed such sum as the Tribunal, or the person taxing costs in relation to the proceeding, thinks reasonable for the expenses of conveyance of the witness to and from the place where he attends to give evidence or to produce documents or articles; and

(b) a witness called because of his professional, scientific or other special skill or knowledge may be allowed such fees as the Tribunal, or the person taxing costs in relation to the proceeding, thinks reasonable for —

(i) qualifying to give the evidence; and

(ii) an attendance before the Tribunal not covered by the foregoing provisions of this Schedule when the witness is acting as an expert in assisting a representative of a party during the hearing.
