



Chinese Taipei

2022 New Amendments to Copyright Exceptions and Limitations

APEC IPEG AUG 23th-24th, 2022

CHIANG MAI, THAILAND



In response to **digital technology**

The partial draft amendment of the Copyright Act was **submitted** in 2021 (40 articles involved), awaiting review



In response to **Covid-19**

Copyright L&E for distance learning / textbook preparation / digital archive (4 articles) were **passed** in 2022 and took effect on June 15, 2022.



In-Person and Distance Learning §46

- Subject: all levels of legally established schools and **their teachers**
- Scope of Use: **within the scope necessary for the purposes of teaching of courses**

Permitted Use

In-Person Teaching

Reproduction, Adaptation, Distribution,
Public Performance, Public Presentation

shall not conflict with a normal exploitation of the work or unreasonably prejudice the legitimate interests of the author

Distance Teaching

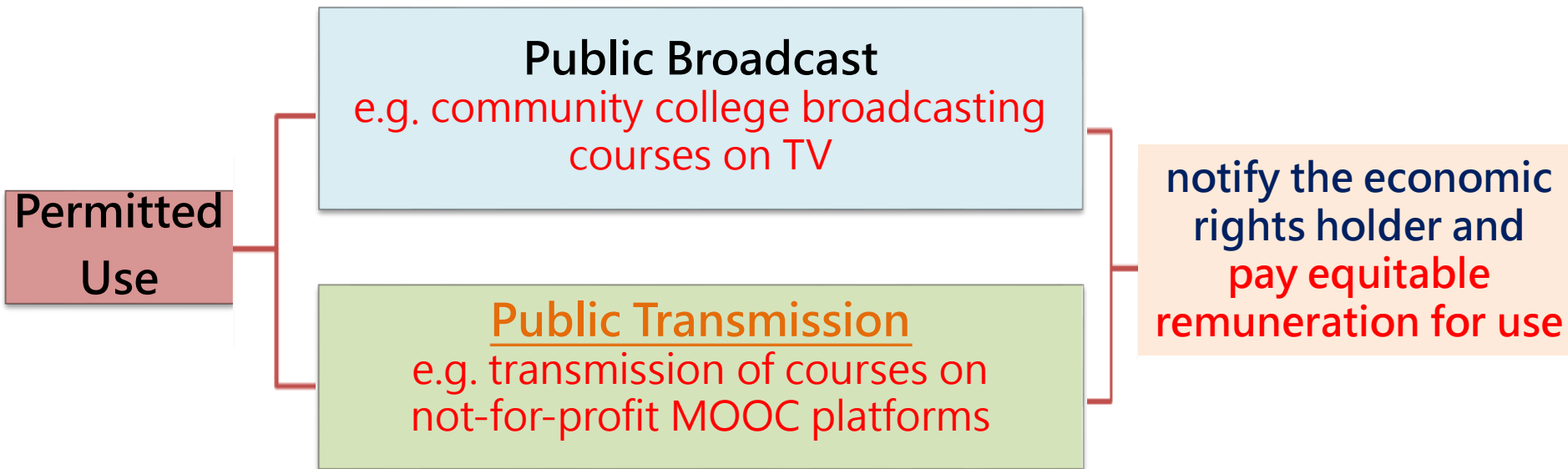
Public Broadcast, Public Transmission

Requirement:
adopt **reasonable technical measures** to prevent access by persons who have not registered in the school or have not enrolled in the course



Not-for-profit Distance Learning §46 bis

- Subject: all levels of legally established schools or educational institutions and their teachers
- Scope of Use: within the scope necessary for the purposes of education

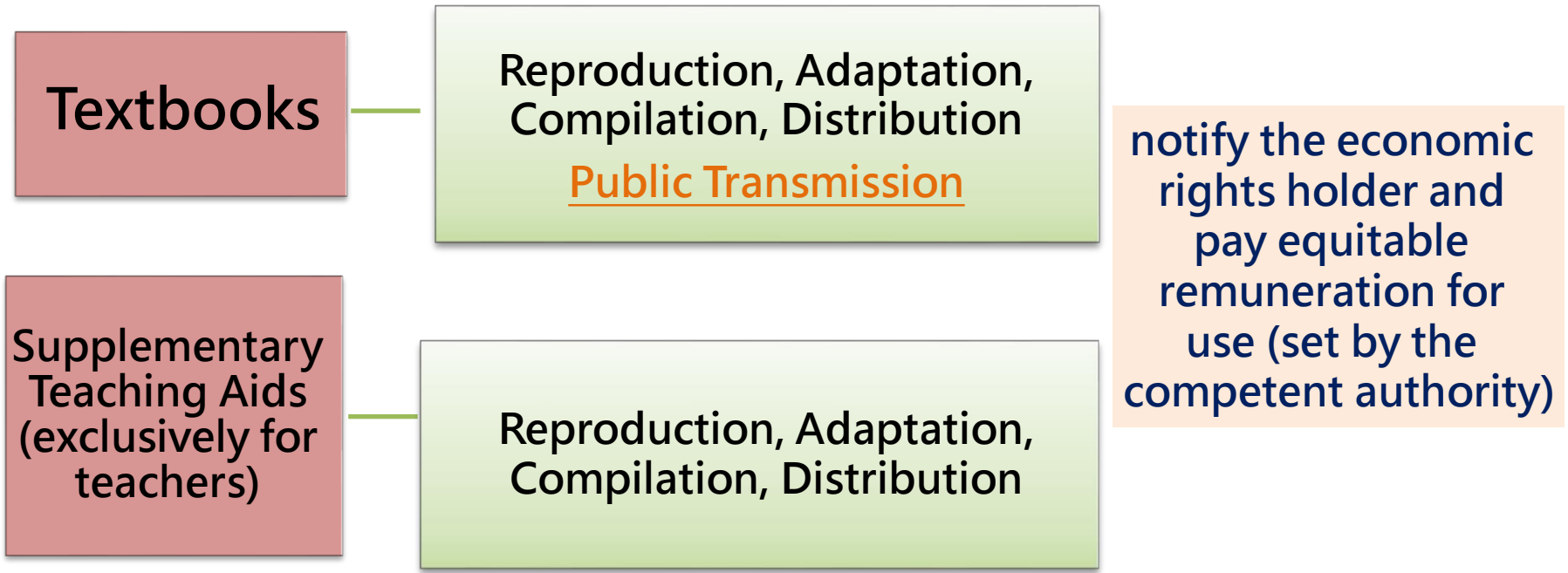


For-profit Distance Teaching: **must** obtain authorization from the economic rights holder



Preparation of Textbooks §47

- Subject: preparation of textbooks and supplementary teaching aids (except those for college use)





TYPE 1

- Subject: National Central Library
- Purpose of Use: promote cultural development
- Scope of Use: digitize collections (in order to preserve them) (shall not apply to works already available on the market in digital form)

TYPE 2

- Subject: National Central Library and other archival institutions
- Scope of Use: offering limited access to digitized collections within the institution

*availability for access shall not exceed quantity of the collection
*patrons' reproduction and public transmission are not allowed





Thank you for listening
