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WARTA KERAJAAN PERSEKUTUAN

FEDERAL GOVERNMENT GAZETTE

PERATURAN-PERATURAN HAK CIPTA (PEMBERITAHUAN SUKARELA) (PINDAAN) 2022

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AKTA HAK CIPTA 1987

PERATURAN-PERATURAN HAK CIPTA (PEMBERITAHUAN SUKARELA)
(PINDAAN) 2022

PADA menjalankan kuasa yang diberikan oleh seksyen 26A, 26B, 26C dan 59 Akta Hak Cipta 1987 [*Akta 332*], Menteri membuat peraturan-peraturan yang berikut:

Nama dan permulaan kuat kuasa

1. (1) Peraturan-peraturan ini bolehlah dinamakan **Peraturan-Peraturan Hak Cipta (Pemberitahuan Sukarela) (Pindaan) 2022**.

(2) Peraturan-Peraturan ini mula berkuat kuasa pada 18 Mac 2022.

Pindaan peraturan 2

2. Peraturan-Peraturan Hak Cipta (Pemberitahuan Sukarela) 2012 [*P.U. (A) 160/2012*], yang disebut “Peraturan-Peraturan ibu” dalam Peraturan-Peraturan ini, dipinda dalam peraturan 2—

(a) dengan menggantikan takrif “Pemohon” dengan takrif yang berikut:

‘ “Pemohon” ertinya pemunya hak cipta karya, pemegang serah hak hak cipta atau seseorang yang membuat pemberitahuan itu bagi pihak pemunya hak cipta karya atau pemegang serah hak hak cipta.’;

(b) dengan memotong takrif “pencipta”;

(c) dengan memotong takrif “Pengawal”; dan

(d) dengan memotong takrif “Perbadanan”.

Pindaan peraturan 5

3. Peraturan 5 Peraturan-Peraturan ibu dipinda—

- (a) dengan menggantikan subperaturan (2) dengan subperaturan yang berikut:

“(2) Jika suatu pemberitahuan hak cipta dibuat oleh pemunya hak cipta karya atau pemegang serah hak hak cipta, pemberitahuan itu hendaklah dibuat dalam Borang CR-1 bersama dengan suatu salinan elektronik karya dan fi yang ditetapkan.”;

- (b) dengan menggantikan subperaturan (3) dengan subperaturan yang berikut:

“(3) Jika suatu pemberitahuan hak cipta dibuat oleh seseorang yang bertindak bagi pihak pemunya hak cipta karya atau pemegang serah hak hak cipta, pemberitahuan itu hendaklah dibuat dalam Borang CR-1 dan Borang CR-3 bersama dengan suatu salinan elektronik karya dan fi yang ditetapkan.”;

- (c) dengan memasukkan selepas subperaturan (3) subperaturan yang berikut:

“(3A) Fi pentadbiran hendaklah dibayar kepada Pengawal bagi apa-apa permohonan yang dibuat secara manual oleh Pemohon di bawah subperaturan (2) dan (3).”; dan

- (d) dengan memasukkan selepas subperaturan (7) subperaturan yang berikut:

“(8) Pemohon hendaklah memberitahu Pengawal secara bertulis jika dia berniat untuk menarik balik permohonan di bawah peraturan ini.”.

Pindaan peraturan 8

4. Peraturan 8 Peraturan-Peraturan ibu dipinda—

(a) dalam subperaturan (1), dengan menggantikan perkataan “surat” dengan perkataan “sijil”; dan

(b) dengan menggantikan subperaturan (2) dengan subperaturan yang berikut:

“(2) Pemohon boleh membuat permintaan kepada Pengawal bagi sijil tambahan dalam Borang CR-9 bersama dengan fi yang ditetapkan.”.

Pindaan Jadual Pertama

5. Peraturan-Peraturan ibu dipinda dengan menggantikan Jadual Pertama dengan Jadual yang berikut:

“JADUAL PERTAMA
[Peraturan 3]

FI

(1) Butiran	(2) Perihal	(3) Fi (RM)
1.	(a) Pemberitahuan hak cipta dalam sesuatu karya [subperaturan 5(2) dan 5(3)]	200.00
	(b) Fi tambahan bagi pemberitahuan hak cipta dalam sesuatu karya oleh seseorang wakil atau seseorang yang bertindak bagi pihak pemunya hak cipta karya atau pemegang serah hak hak cipta [subperaturan 5(3) dan 14(2)]	30.00

(1) Butiran	(2) Perihal	(3) Fi (RM)
	(c) Fi pentadbiran bagi suatu permohonan pemberitahuan hak cipta yang dibuat secara manual [<i>subperaturan 5(3A)</i>]	50.00
2.	Deposit salinan elektronik karya bagi tiap-tiap 1GB tambahan selepas 3GB [<i>subperaturan 5(2) dan 5(3)</i>]	20.00
3.	Permintaan bagi pindaan pemberitahuan hak cipta [<i>peraturan 6</i>]	30.00
4.	Permintaan bagi pembetulan kesilapan perkeranian [<i>peraturan 9</i>]	30.00
5.	Permintaan bagi pemeriksaan Daftar [<i>peraturan 11</i>]	20.00 (setiap jam)
6.	Permintaan bagi— [<i>subperaturan 8(2) dan peraturan 12</i>]	
	(a) sijil pemberitahuan hak cipta tambahan	100.00 (setiap salinan)
	(b) petikan pemberitahuan yang diperakui sah	10.00 (setiap muka surat)
	(c) petikan yang tidak diperakui sah	
	(i) salinan cetak	5.00 (setiap muka surat)
	(ii) salinan elektronik	
	(A) 1KB hingga 1GB	30.00
	(B) setiap tambahan 1GB	10.00
7.	Pemberitahuan pertukaran alamat [<i>peraturan 13</i>]	20.00
8.	Pemberitahuan penyerahhakan, lesen, pemberian berwasiat atau kuat kuasa undang-undang [<i>peraturan 14</i>]	50.00

”.

Pindaan Jadual Kedua

6. Peraturan-Peraturan ibu dipinda dengan menggantikan Jadual Kedua dengan Jadual yang berikut:

“JADUAL KEDUA
[Peraturan 4]

BORANG

(1) Butiran	(2) Perihalhan	(3) Borang
1.	Pemberitahuan hak cipta dalam sesuatu karya [<i>subperaturan 5(2) dan 5(3)</i>]	CR-1
2.	Pemberitahuan hak cipta dalam sesuatu karya oleh seseorang wakil atau seseorang yang bertindak bagi pihak pemunya hak cipta karya atau pemegang serah hak hak cipta [<i>subperaturan 5(3) dan 14(2)</i>]	CR-3
3.	Permintaan bagi pindaan pemberitahuan hak cipta [<i>peraturan 6</i>]	CR-4
4.	Permintaan bagi pembetulan kesilapan perkeranian [<i>peraturan 9</i>]	CR-6
5.	Pembetulan, pemadaman atau pindaan mana-mana catatan dalam Daftar [<i>peraturan 10</i>]	CR-7
6.	Permintaan bagi pemeriksaan Daftar [<i>peraturan 11</i>]	CR-8
7.	Permintaan bagi sijil atau petikan tambahan [<i>subperaturan 8(2) dan peraturan 12</i>]	CR-9
8.	Pemberitahuan pertukaran alamat [<i>peraturan 13</i>]	CR-10

(1) Butiran	(2) Perihal	(3) Borang
9.	Pemberitahuan penyerahhakan, lesen, pemberian berwasiat atau kuat kuasa undang-undang [peraturan 14]	CR-11 ".

Dibuat 15 Mac 2022
[KPDNKK.100-1/4/17; PN(PU2)744/I]

DATO SRI ALEXANDER NANTA LINGGI
Menteri Perdagangan Dalam Negeri dan Hal Ehwal Pengguna

COPYRIGHT ACT 1987

COPYRIGHT (VOLUNTARY NOTIFICATION) (AMENDMENT) REGULATIONS 2022

IN exercise of the powers conferred by sections 26A, 26B, 26C and 59 of the Copyright Act 1987 [Act 332], the Minister makes the following regulations:

Citation and commencement

1. (1) These regulations may be cited as the **Copyright (Voluntary Notification) (Amendment) Regulations 2022**.

(2) These Regulations come into operation on 18 March 2022.

Amendment of regulation 2

2. The Copyright (Voluntary Notification) Regulations 2012 [*P.U. (A) 160/2012*], which are referred to as the “principal Regulations” in these Regulations, are amended in regulation 2—

(a) by substituting for the definition of “Applicant” the following definition:

‘ “Applicant” means the owner of the copyright in the work, an assignee of the copyright or a person that made such notification on behalf of the owner of the copyright in the work or the assignee of the copyright;’

(b) by deleting the definition of “author”;

(c) by deleting the definition of “Controller”; and

(d) by deleting the definition of “Corporation”.

Amendment of regulation 5

3. Regulation 5 of the principal Regulations is amended—

(a) by substituting for subregulation (2) the following subregulation:

“(2) Where a notification of copyright is made by the owner of the copyright in the work or an assignee of the copyright, the notification shall be made in Form CR-1 together with an electronic copy of the work and the prescribed fee.”;

(b) by substituting for subregulation (3) the following subregulation:

“(3) Where a notification of copyright is made by a person who acts on behalf of the owner of the copyright in the work or an assignee of the copyright, the notification shall be made in Form CR-1 and Form CR-3 together with an electronic copy of the work and the prescribed fee.”;

(c) by inserting after subregulation (3) the following subregulation:

“(3A) Administration fee shall be paid to the Controller for any application made manually by the Applicant under subregulations (2) and (3).”; and

(d) by inserting after subregulation (7) the following subregulation:

“(8) The Applicant shall notify the Controller in writing if he intends to withdraw the application under this regulation.”.

Amendment of regulation 8

4. Regulation 8 of the principal Regulations is amended—

(a) in subregulation (1), by substituting for the word “letter” the word “certificate”; and

(b) by substituting for subregulation (2) the following subregulation:

“(2) The Applicant may make a request to the Controller for an additional certificate in Form CR-9 together with the prescribed fee.”.

Amendment of First Schedule

5. The principal Regulations are amended by substituting for the First Schedule the following Schedule:

“FIRST SCHEDULE
[Regulation 3]

FEES

(1) Item	(2) Description	(3) Fee (RM)
1.	(a) Notification of copyright in a work [<i>subregulations 5(2) and 5(3)</i>]	200.00
	(b) Additional fee for notification of copyright in a work by a representative or a person who acts on behalf of the owner of the copyright in the work or an assignee of the copyright [<i>subregulations 5(3) and 14(2)</i>]	30.00
	(c) Administration fee for an application of notification of copyright made manually [<i>subregulation 5(3A)</i>]	50.00

(1) Item	(2) Description	(3) Fee (RM)
2.	Deposit of an electronic copy of the work for every additional 1GB after 3GB [<i>subregulations 5(2) and 5(3)</i>]	20.00
3.	Request for amendment of a notification of copyright [<i>regulation 6</i>]	30.00
4.	Request for correction of clerical error [<i>regulation 9</i>]	30.00
5.	Request for examination of the Register [<i>regulation 11</i>]	20.00 (per hour)
6.	Request for— [<i>subregulation 8(2) and regulation 12</i>]	
	(a) additional certificate of the notification of copyright	100.00 (per copy)
	(b) certified extract of the notification of copyright	10.00 (per page)
	(c) non-certified extract	
	(i) hardcopy	5.00 (per page)
	(ii) electronic copy	
	(A) 1KB to 1GB	30.00
	(B) every additional 1GB	10.00
7.	Notification of change of address [<i>regulation 13</i>]	20.00
8.	Notification of assignment, licence, testamentary disposition or operation of law [<i>regulation 14</i>]	50.00

”.

Amendment of Second Schedule

6. The principal Regulations are amended by substituting for the Second Schedule the following Schedule:

“SECOND SCHEDULE
[Regulation 4]

FORMS

(1) Item	(2) Description	(3) Form
1.	Notification of copyright in a work [<i>subregulations 5(2) and 5(3)</i>]	CR-1
2.	Notification of copyright in a work by a representative or a person who acts on behalf of the owner of the copyright in the work or an assignee of the copyright [<i>subregulations 5(3) and 14(2)</i>]	CR-3
3.	Request for amendment of a notification of copyright [<i>regulation 6</i>]	CR-4
4.	Request for correction of clerical error [<i>regulation 9</i>]	CR-6
5.	Correction, expungement or amendment of any entry in Register [<i>regulation 10</i>]	CR-7
6.	Request for examination of the Register [<i>regulation 11</i>]	CR-8
7.	Request for additional certificate or extracts [<i>subregulation 8(2) and regulation 12</i>]	CR-9
8.	Notification of change of address [<i>regulation 13</i>]	CR-10
9.	Notification of assignment, licence, testamentary disposition or operation of law [<i>regulation 14</i>]	CR-11

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Made 15 March 2022

[KPDNKK.100-1/4/17; PN(PU2)744/I]

DATO SRI ALEXANDER NANTA LINGGI
Minister of Domestic Trade and Consumer Affairs