

Act A461
Copyright (Amendment) Act 1979

Long Title & Preamble

An Act to amend the Copyright Act 1969.

BE IT ENACTED by the Duli Yang Maha Mulia Seri Paduka Baginda Yang di-Pertuan Agong with the advice and consent of the Dewan Negara and Dewan Rakyat in Parliament assembled, and by the authority of the same, as follows:

Section 1. Short title.

This Act may be cited as the **Copyright (Amendment) Act 1979**.

Section 2. Amendment of section 15.

(1) The Copyright Act 1969 [*Act 10*], which in this Act is referred to as the principal Act, is amended by substituting for section 15 (1) the following -

" 15. Offences.

(1) Any person who at a time when copyright subsists by virtue of this Act in a work -

- (a) makes for sale or hire any infringing copy; or
- (b) sells, lets for hire or by way of trade exposes or offers for sale or hire any infringing copy; or
- (c) distributes infringing copies; or
- (d) possesses, otherwise than for his private and domestic use, any infringing copy; or
- (e) by way of trade exhibits in public any infringing copy; or
- (f) imports into Malaysia, otherwise than for his private and domestic use, any infringing copy; or
- (g) makes or has in his possession any contrivance capable of being used for the purpose of making infringing copies,

shall, unless he proves that he acted in good faith and had no reasonable grounds for supposing that copyright would or might be thereby infringed, be guilty of an offence and on conviction shall be liable -

- (i) in the case of an offence under paragraph (a), (b), (c), (d), (e) or (f) of this subsection, to a fine not exceeding ten thousand ringgit for each infringing copy in respect of which the offence was committed or one hundred thousand ringgit, whichever is the lower, or to imprisonment for a term not exceeding five years or to both imprisonment and fine; and
- (ii) in the case of an offence under paragraph (g) of this subsection, to a fine not exceeding twenty thousand ringgit for each contrivance in respect of which the offence was committed or to imprisonment for a term not exceeding ten years or to both imprisonment and fine."

(2) Sections 15 (2) and 15 (4) of the principal Act are amended by inserting after the words

"making infringing copies" in line five of both, the words "or capable of being used for the purpose of making infringing copies".

(3) Section 15 (6) of the principal Act is amended by substituting for the word "or" in the last line the word "and".

Section 3. New section 15A.

The principal Act is amended by inserting after section 15 the following section 15A -

" 15A. Sessions Court, or First Class Magistrate's Court in Sabah and Sarawak, to have full jurisdiction in respect of offences.

Notwithstanding the provisions of any written law to the contrary a Sessions Court, or in Sabah and Sarawak the Court of a Magistrate of the First Class, shall have jurisdiction to try any offence under this Act or regulations made thereunder and to award the full punishment for such offence."