

Division 3  
Commerce, Industry and Tourism Branch  
Commerce and Economic Development Bureau  
23rd Floor, West Wing  
Central Government Offices  
2 Tim Mei Avenue  
Tamar, Hong Kong

Brussels, 7<sup>th</sup> of January 2022

**Subject: Public consultation – updating Hong Kong's copyright regime**

Dear Madam, Dear Sir:

SCAPR, the Societies' Council for the Collective Management of Performers' Rights, is the international body representing performers Collective Management Organisations ("CMO's") in the framework of international exchanges. SCAPR member's primary activity is the administration of remuneration arising from performers' rights in Radio & TV broadcast, public performance, private copying, cable retransmission and webcasting.

SCAPR counts 57 CMOs from 43 countries representing 1 million performers. Collectively, our members' CMOs collected almost 800 million EUR in 2020 on behalf of performers.

One of SCAPR's core activities is to promote and support the implementation and enforcement of performers' rights throughout the world.

We would like to thank you for the opportunity to comment on the update of the copyright regime you are planning to lead in Hong Kong.

First of all, we strongly support your intention to align with international standards and to cope with the digitalization of Society.

However, we believe this goal cannot be achieved without an implementation of performers rights, as recognized in various international instruments, and in particular the WIPO Performances and Phonograms Treaty (WPPT) and the Beijing Treaty. Performers are essential contributors to works and they must be recognized accordingly.

Therefore, we regret that none of the key legislative proposals detailed in the consultation concerns performers. SCAPR would like to see proposed legislative amendments that include the implementation of performers rights and notably the establishment of an equitable remuneration for performers as stated in the WPPT and the Beijing Treaty.

SCAPR will be happy to provide you with any assistance in this matter and to further elaborate and discuss our comments in a meeting to be organised at your best convenience.

We thank you very much in advance for your consideration.

With kindest regards  
Rémy Desrosiers  
Managing Director

