

Art.4(1)(b) (TRADE)

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**From:** Art.4(1)(b) (TRADE)  
**Sent:** mercredi 19 août 2015 09:53  
**To:** Art.4(1)(b) (EEAS-PRETORIA); Art.4(1)(b) (TRADE)  
**Cc:** Art.4(1)(b) (DEVCO); Art.4(1)(b) (TRADE); Art.4(1)(b) (EEAS-PRETORIA); Art.4(1)(b) (TRADE)  
**Subject:** RE: New South African draft Copyright Amendment Bill published for public comment - response due 27 August 2015

Dear Art.4(1)(b)

Yes, please send the 'holding' letter ....

Do you know the final deadline possible for the Commission to send comments (beyond the original 27 August limit)?

Thanks,

Art.4(1)(b)

Art.4(1)(b)



European Commission  
DG TRADE  
Unit B3, Intellectual Property

Rue de la Loi 170  
CHAR Art.4(1)(b)  
B-1049 Brussels/Belgium

Art.4(1)(b) [@ec.europa.eu](mailto:Art.4(1)(b)@ec.europa.eu)

**From:** Art.4(1)(b) (EEAS-PRETORIA) [mailto:Art.4(1)(b)@eeas.europa.eu]  
**Sent:** Tuesday, August 18, 2015 7:05 PM  
**To:** Art.4(1)(b) (TRADE); Art.4(1)(b) (TRADE)  
**Cc:** Art.4(1)(b) (TRADE); Art.4(1)(b) (TRADE); Art.4(1)(b) (EEAS-PRETORIA)  
**Subject:** RE: New South African draft Copyright Amendment Bill published for public comment - response due 27 August 2015

Dear Art.4(1)(b), Art.4(1)(b)

I am back in the office and would be glad to send the letter as drafted below.

I assume it is still ok?

Kind regards

Art.4(1)(b)

Delegation of the European Union to South Africa

Art.4(1)(b)

No. 1 Green Park Estates, 27 George Storrar Drive, Groenkloof, 0181

P.O. Box 945 Groenkloof, Pretoria, 0027

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Website: [http://eeas.europa.eu/delegations/south\\_africa](http://eeas.europa.eu/delegations/south_africa)

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**From:** Art.4(1)(b) (TRADE) [[mailto:Art.4\(1\)\(b\)@ec.europa.eu](mailto:Art.4(1)(b)@ec.europa.eu)]  
**Sent:** Thursday, August 13, 2015 3:30 PM  
**To:** Art.4(1)(b) (EEAS-PRETORIA)  
**Cc:** Art.4(1)(b) (TRADE); Art.4(1)(b) (TRADE); Art.4(1)(b) (TRADE)  
**Subject:** FW: New South African draft Copyright Amendment Bill published for public comment - response due 27 August 2015  
**Importance:** High

Dear all, Art.4(1)(b)  
In the absence of both Art.4(1)(b) in TRADE/D2 and I during the next two weeks, my colleague Art.4(1)(b) in copy will ensure the follow-up of the file if it needs for TRADE/B3.  
It would be good to send the "holding" letter to the South African authorities asap before the end of August.

Thanks for your cooperation

Best regards

Art.4(1)(b)

Art.4(1)(b)

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**European Commission**

DG TRADE

Unit B.3. Intellectual Property and Public Procurement

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+ Art.4(1)(b)

[@ec.europa.eu](mailto:Art.4(1)(b)@ec.europa.eu)

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**From:** Art.4(1)(b) (TRADE)  
**Sent:** Monday, August 10, 2015 3:35 PM  
**To:** Art.4(1)(b) (EEAS-PRETORIA); Art.4(1)(b) (TRADE)  
**Cc:** Art.4(1)(b) (TRADE)  
**Subject:** New South African draft Copyright Amendment Bill published for public comment - response due 27 August 2015  
**Importance:** High

Dear Art.4(1)(b), dear Art.4(1)(b)

We have been informed very late by EU stakeholders of the public consultation in South Africa about the draft Copyright Amendment Bill. I must confess that I haven't had time yet to see the text in details...

Besides several positive aspects (e.g. introduction of a resale right) we could have concerns about the introduction of a kind of US-style "fair use" (not the tradition in SA), compulsory licenses for certain exceptions, etc.

As discussed today with Art.4(1)(b), we must inform the South African authorities that the European Commission will be in position to comment the draft Copyright Amendment Bill published for public comment at a later stage in September.

Please find below a draft "holding" letter for your comments.

In the meantime I will draft our comments in connection with our experts.

I attach for info the current legislation and the Notice including the draft amendments

<< File: Copyright Act.pdf >> << File: Draft Bill copyright 25 7 2015.pdf >>

Art.4(1)(b), we can discuss on phone if it helps. Inform us of the follow-up.  
Thanks a lot

Best Regards

Art.4(1)(b),

*The European Commission has been informed of the Notice of the Department of Trade and Industry of South Africa of 27.7.2015 inviting the public to comment on the draft Copyright Amendment Bill. The reform of the copyright regime in South Africa is most welcome and augurs well in the future in many aspects. Nevertheless, some other aspects could raise concerns for the Commission and certain EU stakeholders.*

*Unfortunately, while the Commission very much welcomes the opportunity to submit comments it is unfortunately not in a position, due to the absence of our experts and certain stakeholders during the summer break, to submit written comments on the proposed Copyright Amendment Bill within 30 calendar days from the date of publication of the Notice. We would therefore like to inform the South African authorities that the Commission does intend to submit comments in response to the public consultation on the proposed reform of the copyright legislation in South Africa and will do so in September when the relevant experts are available and when we have been able to consult with relevant European stakeholders.*

[Polite formula]

Art.4(1)(b)

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**European Commission**

DG TRADE

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