

TACKLING FILM PIRACY & COPYRIGHT INFRINGEMENT

Relevant for: Indian Economy | Topic: Issues relating to Intellectual Property Rights (IPRs)

Cabinet

Tackling Film Piracy & Copyright infringement

Cabinet approves amendment to the Cinematograph Act, 1952

Penal Provisions for unauthorized camcording and duplication of films

Violators to face three years jail term or fine of Rs. 10 lakh or both

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The Union Cabinet has approved the proposal of Ministry of Information and Broadcasting for introducing the Cinematograph Amendment Bill, 2019 to amend to the Cinematograph Act, 1952. The Bill aims to tackle Films piracy by including the penal provisions for unauthorized camcording and duplication of films.

Details:

In order to tackle the menace of film piracy, the Amendments provide for:

- Insertion of new Section 6AA for prohibition of unauthorized recording

The following section shall be inserted after Section 6A of the Cinematograph Act, 1952.

6AA: "Notwithstanding any law for the time being in force, no person shall without the written authorization of the author be permitted to use any audio visual recording device to knowingly make or transmit or attempt to make or transmit or abet the making or transmission of a copy of a film or a part thereof."

**The expression author shall have the same meaning as assigned to it in the clause (d) of section 2 of the Copyright act of 1957.*

- Amendment in Section 7 to introduce Penal Provisions for violating provisions of section 6AA: In section 7 of the principal act, after subsection 1 the following subsection (1A) shall be inserted:

"If any person contravenes the provisions of section 6AA, he shall be punishable with an imprisonment for a term which may extend to 3 years or with fine which may extend to 10 lakh rupees or with both."

The proposed amendments would increase Industry revenues, boost job creation, fulfil important objectives of India's National IP policy and will give relief against piracy and infringing content online.

Background:

The medium of cinema, the tools and the technology associated with it and even its audience has undergone radical changes over a period of time. There have also been many changes in the field of media and entertainment with the proliferation of TV channels and Cable network throughout the country, advent of new digital technology, apprehension of piracy, particularly release of pirated version of films on internet, causing huge losses to the film industry and Government exchequer.

Film industry has been demanding for a long time, that Government should consider Amendments to the law preventing camcording and piracy. Prime Minister Shri Narendra Modi made an announcement at the inaugural function of the National Museum of Indian Cinema at Mumbai on 19th January 2019 to tackle the menace of camcording and piracy. The Ministry of I&B piloted this matter for consideration of Union Cabinet.

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