

Layout-Designs of Integrated Circuits Act 1999
(No. 3 of 1999)

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[1999

The following Act was passed by Parliament on 20th January 1999 and assented to by the President on 26th January 1999:—

LAYOUT-DESIGNS OF INTEGRATED CIRCUITS ACT 1999

(No. 3 of 1999)

I assent.

ONG TENG CHEONG,
President.
26th January 1999.

Date of Commencement: 15th February 1999

An Act to provide for the protection of layout-designs of integrated circuits and to make a

consequential amendment to the Copyright Act (Chapter 63 of the 1988 Revised Edition).

Be it enacted by the President with the advice and consent of the Parliament of Singapore, as follows:

PART I

PRELIMINARY

Short title and commencement

1. This Act may be cited as the Layout-Designs of Integrated Circuits Act 1999 and shall come into operation on such date as the Minister may, by notification in the *Gazette*, appoint.

Interpretation

2.—(1) In this Act, unless the context otherwise requires —

“commercially exploit” includes —

- (a) to sell, let for hire or otherwise distribute by way of trade;
- (b) to offer or expose for sale or hire or other distribution by way of trade; or
- (c) to import for the purpose of sale, letting for hire or other distribution by way of trade,

and “commercially exploited”, “commercially exploiting” and “commercial exploitation” have corresponding meanings;

“Court” means the High Court;

“creator”, in the case of a computer aided design of a layout-design, means the person who made the arrangements for the creation of the layout-design;

“exclusive licence” means a licence in writing signed by or on behalf of a qualified owner authorising the licensee, to the exclusion of all other persons, including the person granting the licence, to exercise a right that would otherwise be exercisable exclusively by the qualified owner;

“integrated circuit” means a product, in its final form or an intermediate form, in which the elements, at least one of which is an active element, and some or all of the interconnections are integrally formed in and on, or in or on, a piece of material and which is intended to perform an electronic function;

“layout-design” means the 3-dimensional disposition, however expressed, of the elements of an integrated circuit (at least one of which is an active element), and of some or all of the interconnections of an integrated circuit, or such a 3-dimensional disposition prepared for an integrated circuit intended for manufacture;

“protected layout-design” means a layout-design that is protected under section 5;

“qualified owner” means —

- (a) a qualified person who, under section 6(1), is the owner of a layout-design; or
- (b) a person who, under section 6(1), is the owner of a layout-design which was not commercially exploited anywhere else in the world before it was commercially exploited in Singapore or in a qualifying country,

and includes a person, whether or not he is a qualified person, who is a successor in title to a qualified owner of the layout-design;

“qualified person” means —

- (a) a natural person —
 - (i) who is a national of, or is domiciled or ordinarily resident in Singapore or in a qualifying country; or
 - (ii) who has a real and effective industrial or commercial establishment for the creation of layout-designs or for the production of integrated circuits in Singapore or in a qualifying country; or
- (b) a person other than a natural person —
 - (i) the place of incorporation or place of formation of which is in Singapore or in a qualifying country; or
 - (ii) which has a real and effective industrial or commercial establishment for the creation of layout-designs or for the production of integrated circuits in Singapore or in a qualifying country,

and includes the Government and the government of a qualifying country;

“qualifying country” means —