Content

Title：	Standards for Compensation for Fair Use of Works in Paragraph 3 of Article 47 of Copyright Act Ch
Date：	2023.02.14
Legislative：	1.Promulgated on January 23, 1998 per Letter No. Tai-(87)-Nei-Chu- Zi 8702053 of the Ministry of the Interior. 2.Amended on February 14, 2023 per Letter No. per Letter No. Jing-Zhi-Zi-11252000020 of the Ministry of Economic Affairs

Content： 1.These standards are set pursuant to the provisions of Paragraph 3, Article 47 of the Copyright Act
(hereinafter referred to as "the Act").

2.Except as otherwise provided under these standards, the compensation for reproduction or compilation of works pursuant to the provisions of Paragraph 1, Article 47 of the Act shall be calculated as follows:
(1)For literary and oral works: the calculation shall be based on the number of characters at the rate of NTD 1,250 for one thousand characters or fraction thereof.
(2)For photographic, artistic, or pictorial works: the calculation shall be based on the number of items, irrespective of the plate size, and regardless of whether the item is in black and white or color,
at the rate of NTD 625 per item; if the work is to be used on front or back covers, NTD 1,250.
(3)For musical works: lyrics and music shall be calculated separately at the rate of NTD 2,500 per title.
(4)For works other than those referred to in the preceding (1), (2), and (3): the calculation shall be based on the proportion of the exploited work occupying the surface space on the page or plate at the rate of NTD 1,250 per page or plate ; or if a calculation can not be made on this basis, NTD 1,250 per piece.

3.Compensation for adaptations pursuant to Paragraph 1, Article 47 of the Act shall be calculated based on the standards at one-half of the amount specified under the preceding provision.

4.Compensation for the public transmission of approved or edited paper textbooks by the preparer, pursuant to Paragraph 1, Article 47 of the Act, shall be calculated as forty percent of the amounts set
forth in Provision 2.

5.Except as otherwise provided in these standards, the compensation for editing of supplementary teaching aids pursuant to Paragraph 2, Article 47 of the Act shall be separately calculated as follows:
(1)For sound recordings and audio visual works: NTD 2,500 for each three-minute period or fraction thereof.
(2)For works other than those specified in the preceding (1): one-half of the amount specified in the provisions of 2 and 3.

6.With respect to reproductions, compilations, adaptations, or public transmission pursuant to Paragraph 1, Article 47 of the Act, where the work exploited is a derivative work, and compensation
is required to be paid for both the original work and the derivative work, the amount shall be calculated as seventy five percent of the amounts set forth in Provisions 2 to 4, depending on the type of exploitation.
With respect to reproductions, compilations, or adaptations pursuant to Paragraph 2, Article 47 of the Act, where the work exploited is a derivative work, and compensation is required to be paid for both the original work and the derivative work, the amount shall be calculated as seventy five percent of the amounts set forth in the preceding provision.

7.With respect to editing of textbooks or supplementary teaching aids pursuant to Paragraph 1 or Paragraph 2, Article 47 of the Act, if the subject falls under the rare subjects rewarded by the Ministry of Education, the amount of compensation shall be calculated at half of the amount specified in the Provisions 2 to the preceding provision.

8.Aforementioned standards should be reviewed at least once every five years.

Data Source：Ministry of Economic Affairs R.O.C.(Taiwan) Laws and Regulations Retrieving System