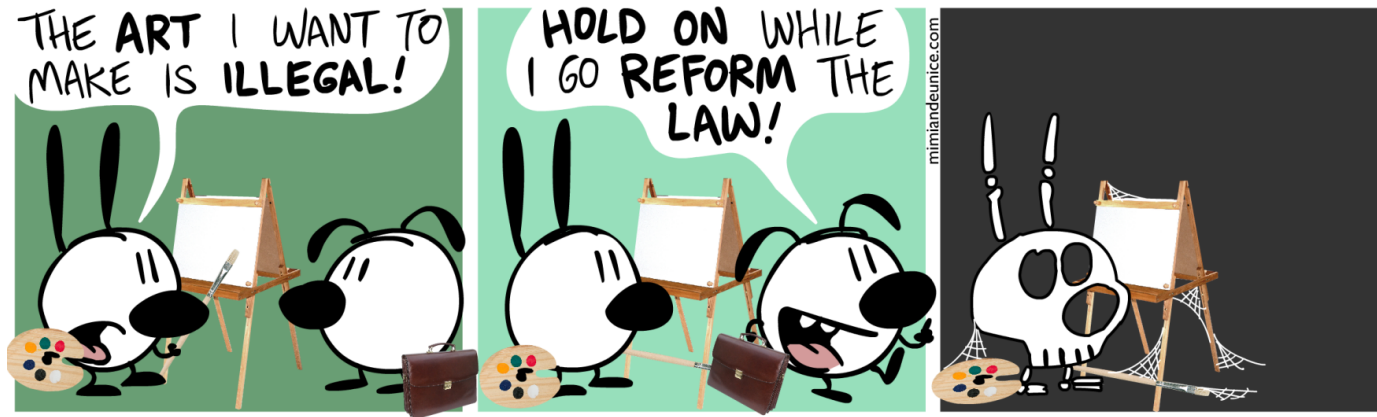


Copyright Reform in Australia 2016

Jessica Coates - Copyright and Policy Adviser
Australian Libraries Copyright Committee



Recent history of copyright reform in Australia

- 2000 Copyright Amendment (Digital Agenda) Bill
- Copyright Amendment (Moral Rights) Act
- 2005 Australia-US Free Trade Agreement Implementation Act
- 2014 The Civil Law and Justice Legislation Amendment Bill
- 2014 [e-Legal Deposit]
- 2015 Copyright Amendment (Online Infringements) Act
- 2016 Copyright Amendment (Disability Access and Other Measures) Bill [we hope]
- 2017 Fair use?



- Won't require changes to Aus copyright law
- Might help with getting safe harbours extended
- Will lock us in to current regime
- ISDS is as scary as they say
- What about RCEP?

Copyright Amendment (Disability Access and Other Measures) Bill


Marrakesh Treaty

Mmmmm I can smell something cooking ... we must be in the kitchen.

My sister is baking biscuits. Yummy!

- Gov says we don't have to make changes
- But making changes anyway
- And while we're at it...

low hanging fruit

- 
- Disability – new fair dealing and broader institution exception; will allow international transfer of accessible works
 - Education – simplifies statutory licence & allows online exams
 - Safe harbours – extends ISP 3rd party infringement protection to other online service providers, including libraries & archives
 - Preservation – fixes current confusing and paradoxical exceptions & removes (almost) all restrictions
 - Unpublished works - ends perpetual copyright, replaces with life plus 70 or 70 from creation for orphan works

Kiss Biscuits

Where is it from?

State Library of Western Australia Collection

What's the story?

The 1904 Recipe Book belonged to Annie Williams and was given to the State Library of WA in March 1987 by Mrs C Platell of Alfred Cove. The address on the inside cover of the Recipe Book appears to be 4 Murray Street Perth. A 1904 Electoral Roll for Perth lists Annie Williams, Spinster of No Place Inn, 358 Murray Street in Perth. Number 4 Murray Street may be part of Perth Public Hospital (now the Royal Perth Hospital). It is possible that she was employed as a cook in the kitchen of Perth Public Hospital, thus the recipe book, and lived at No Place Inn, or perhaps she worked as a cook in the kitchen of No Place Inn.

Let's make it

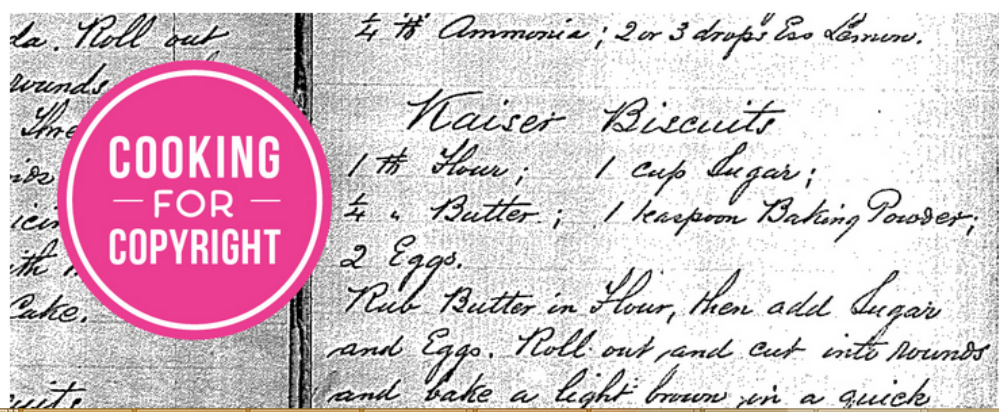
Ingredients

3 eggs; their weight in flour, sugar, butter and cornflour

1.5 teaspoons baking powder

Method

Beat butter and sugar together, add



First Name

Last Name

Email Address

Postcode

Do you work in...

☐ Yes

Subscribe

DONATE



APA and ALIA book cover agreement

Publishers and libraries work together to make it easier to promote books to Australian readers

1 August 2016: The Australian Publishers Association (APA) and the Australian Library and Information Association (ALIA) have come to a landmark agreement to allow libraries to use book covers to promote books and authors without seeking permission each time.

The Australian Publishers Association and the Australian Library and Information Association have agreed on the value of an environment in which libraries can be confident, for promotional purposes, to reproduce images of book covers whose copyright is owned by Australian publishers.

It will make it easier for libraries to create displays, posters, websites and social media, and free them to be able to focus more on the promotion of books and reading rather than confirming copyright clearances every time.

Michael Gordon-Smith, Chief Executive of APA, said: "It's a simple commonsense approach. Publishers and authors have nothing to lose. They may even reach more readers or make more sales as a result. We're delighted to be working with ALIA, and to show

Prospects?

- Only at exposure stage
- Got caught behind more controversial legislation and election
- Government has committed to table at start of new parliament – but not on Turnbull's "25 point" priority list
- We are pushing for tabling in time for Marrakesh coming into force 30 September
- Mainly bi-partisan so should get through ... if it gets tabled

Fair Use

Australian Copyright Act = great example of why fair use (or at least principle based exception) is needed:

- 700 pages long
- 41 minor amendments since 1996
- Most exceptions complex - 1.5+ pages long
- eg s44BA Acts done in relation to certain medicine

Why do libraries want fair use?

- Increases flexibility, acts as a safety valve
- More intuitive for lay person
- Removes confusion caused by complex exceptions
- Gives institutions confidence to be innovative
- Empower clients, not just institutions
- Only way to have a future-proofed copyright system



History of fair use recommendations in Australia

- 1998 CLRC Simplification Report
- 2004 Joint Standing Committee on Treaties AUSFTA Report
Senate Selection Committee on AUSFTA
- 2005 Australia-US Free Trade Agreement Implementation Act
- 2013 House of Reps Standing Committee on Infrastructure – IT Pricing Report
- 2014 ALRC Copyright and the Digital Economy
- 2016 Productivity Commission IP Framework (April draft – final due Sept)

Productivity Commission draft

- Found copyright was weighted towards right holders
- Recommended fair use for balance
- Controversial - statements about term, allowing parallel importation for books
- Non-controversial - end geoblocking, end perpetual copyright, mandate open access
- Vocal campaign by publishers and authors against the report

Prospects?

- New Prime Minister pro technology and anti-red tape
- Government has innovation agenda
- Closer than we've ever been

BUT...

- Still extremely strong opposition
- Fundamental change? Only time will tell