

ACTION SOON ON COMPUTER SOFTWARE

The Government has decided that the state of uncertainty regarding the legal protection of computer software should not be allowed to continue beyond the current sittings of Parliament. Legislation is being prepared to clarify the protection accorded to software under the *Copyright Act 1968*.

The Government's move follows intense public scrutiny of the issues following the decision by Mr Justice Beaumont, in the Federal Court in the *Apple Computer v Computer Edge* case last year, that certain categories of computer software were not protected as 'literary works' under the present Act.

Notice of motion for leave to introduce a Copyright Amendment Bill was given on Thursday, 10 May, and the Bill introduced when Parliament resumed on 29 May, with the intention of securing its passage before the Winter recess.

As industry representatives have been advised, the only basis on which the legislation will not proceed is if there is a Federal Full Court decision in the meantime resolving the matter in such a way as to avoid the need for legislation.

The legislation will specifically include software in the existing copyright category of 'literary works' and will give to computer programs the protection now applied to literary works. Other amendments will clarify the nature and scope of this protection, having regard to the distinctive features of computer software.

The Government indicated last December that it would legislate if necessary to ensure that soft-

ware was adequately protected.

Interest groups, including industry and users, have had an opportunity to make submissions on the issue of software protection. In addition a public Symposium was held in March this year to enable discussion of problems and possible solutions. Views expressed in submissions and at the Symposium have been taken into consideration.

The Australian computer software industry is internationally competitive and there is significant local research and development. There is a growing number of organisations in this country whose main activity is software development. Copyright protection in this area will stimulate innovation and further growth of Australia's software industry.

There are real risks of a withdrawal or limitation on the availability of imported software in the absence of copyright protection. Such a limitation would seriously jeopardise the viability of most local computer manufacturers, since many obtain their systems software under licence from overseas suppliers.

The majority of software packages used throughout manufacturing, mining and commerce are imported under licence, and limitations on the availability of such packages would be a major setback to productivity and to Australian industries' endeavour to modernise.

Although some microcomputer software would be available on a 'pirated' basis, the bulk of systems and applications software packages are not available through this route.

The proposed legislation is to be understood clearly as a short term measure. It will not pre-empt consideration of fundamental issues remain-

CONFERENCE NEWS

Profile on Monica Hissink



'Data-base Developments in Australia and New Zealand', will be the title of an address by New Zealander Monica Hissink, at Brisbane's LAA-NZLA Conference in August.

'I am an enthusiast for disseminating information and regard the creation of data bases as a means to this end, not an end in themselves', she said. Head of Information at the Building Research Association of New Zealand, Ms Hissink, is expected to include in her address possible guidelines for standards for data-base developments, and co-ordination in the creation of data bases to underpin a national information resource.

Ms Hissink is author of numerous published works related to computerised information services including: *Everything you wanted to know about... may be on-line*.

She has planned and relocated a new library, conducted feasibility studies and systems analyses for automation. She has also initiated meetings of the building and construction group of librarians in order to co-ordinate acquisitions.

Before taking up her position at BRANZ, Monica Hissink lectured at New Zealand Library School on special libraries and information work. Earlier she worked in libraries in the United Kingdom and Canada, and she has been a teacher and museum curator.

ing to be resolved, both at the domestic and international levels, regarding long-term policies for the protection of software and works stored in or created with the aid of computers.

Joint Statement by Senator the Hon Gareth Evans QC, Attorney-General, Senator the Hon John Button, Minister for Industry and Commerce, and the Hon Barry O. Jones MP, Minister for Science and Technology.

A GENERAL COUNCIL MEETING



Taken at the March General Council Meeting held at LAA House. Back row (l to r): Hazel Wallace Williams, David Hawkins, Doug Down, Marina Garlick (visiting) Gerrie Stafford, Anne Hazell, Bert Elson, Keith Davison, Derek Fielding, Robyn Young, Barbara Paton, Sue Phillips. Front row: Peter Bloomfield, Eve Ahearn, Jan Cree, Ron Davis, Averill Edwards, Warren Horton, Jenny Adams, Carmen Hannaker, Delys Newman, Joan Brewer, Christine Crocker, Anne Crewe, Barrie Mitcheson, Alan Bunsell.