

Preserving our cultural heritage in the digital age

A round table concerned with the long-term preservation of digital/electronic publications was held in December 1998 under the auspices of the New Technologies Working Party (set up under the Cultural Ministers Council). At the meeting a need for national collaboration was identified, and

legal deposit was one of the mechanisms suggested to meet this need (see report, *inCite* March 1999, p15).

Derek Whitehead, with input from both the Department of Communication, Information Technology and the Arts (DCITA) and the National Library of

Australia (NLA), prepared a paper as a basis for further discussion. At a recent follow-up meeting this paper was discussed with particular attention on the interests of DCITA and the impact on the Arts portfolio. The meeting was chaired by Dr Kay Daniels, the general manager of the Intellectual Property Branch of DCITA, and attended by representatives of the Australian Publishers' Association, CSIRO Publishing, the Australian Interactive Multimedia Industry Association, the Australian Film Commission, the Attorney General's department, the National Library of Australia, ScreenSound Australia, CAUL, ALIA, and CASL (State Library of Victoria).

Derek's paper was primarily concerned with the preservation of our national heritage. Digital assets are more ephemeral than their printed counterparts so we need to act now before material is irretrievably lost. Derek identified five areas that need to be addressed: the selection of what should be preserved; the process for the capture and deposit of electronic items; the description of deposited items for which metadata was important; the provision of ongoing access; the physical preservation including the migration of formats; and dealing with redundant technologies.

The round table showed that there is substantial commonality among participants regarding the identification of issues and the development of responses that meet the needs of publishers, libraries, multimedia, archives and other interests. Overall, disagreement centres on the régime for the use of digital publications, rather than statutory deposit of these publications.

It was agreed that the NLA would clarify exactly how legal deposit currently works, including access to the material, and that both the NLA and ScreenSound Australia would provide some estimates of the costs of legal deposit for print, audiovisual and digital materials.

A working group will be established consisting of the NLA, publishers' representatives, and the depository institutions to look at the detailed mechanisms required.

The group decided to hold a similar meeting in the first half of next year, following consultation on the Digital Agenda reforms. ■

Your input needed...

The *Copyright Amendment (Digital Agenda) Bill 1999* was introduced into the House of Representatives on 2 September 1999. The Bill is co-sponsored by the attorney-general, Daryl Williams and the Minister for Communications, Information Technology and the Arts, Richard Alston. The Bill was referred to the House Representatives Standing Committee on Legal and Constitutional Affairs on 9 September 1999. The closing date for submissions was 1 October and the Committee is due to report to the Attorney-General on 9 December 1999. It is anticipated that the Bill will not be introduced into the Senate until April 2000. It is expected that the Bill will become law in the second half the year.

The *Digital Agenda Bill* inserts a new definition of 'library' to prevent a library in a for profit organisation from relying on the library exceptions in the *Copyright Act*. This proposed amendment will have important consequences for all libraries and will disrupt the resource-sharing relationships between non-profit and corporate libraries. The definition will effectively lock up important collections in corporate libraries and will prevent any library from gaining access without a licence. The new definition will not only affect the budgets of libraries in corporations but it will also affect the quality of library services. The definition will impose serious administrative burdens on library staff in for profit organisations and will cause delays to the way in which information is delivered to the research and scientific community.

ALIA has sent a letter of support for the ALCC/ADA submissions to the House of Representatives Standing Committee on Legal and Constitutional Affairs inquiry on the *Digital Agenda Bill*.

Since the inquiry was announced, ALIA has been collecting evidence from non-profit and corporate libraries to show that the definition will seriously impede the flow of information between libraries and restrict the services provided by corporate libraries. This evidence has been included in our response to the inquiry. Your evidence is still needed to support our arguments for amending this legislation in our representations to members of parliament. We ask that libraries continue to provide us with examples of how their services will be affected by the proposed amendments.

For more information on how the proposed definition will affect libraries, see the commentary on the *Digital Agenda Bill* at <http://www.alia.org.au/copyright.news/1999.09b/>. The commentary was prepared by Jamie Wodetzki, senior associate at Minter Ellison for the Australian Libraries Copyright Committee (ALCC) and the Australian Digital Alliance (ADA) and has highlighted several areas of concern for libraries.

If you would like more information about ALIA's response to the Bill or if you have any other queries about the Bill please contact, Rosemarie Sebastian-Pillai (copyright@alia.org.au) or Colette Ormonde (colette.ormonde@alia.org.au) at ALIA National Office. ■