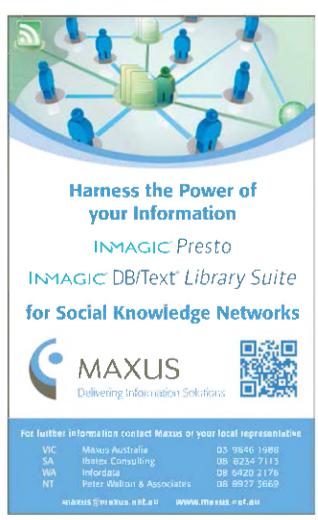ALIA NEWS

COPYRIGHT ISSUES PAPER

Copyright is a hot issue at the moment with the release of the Australian Law Reform Commission's (ALRC) Issues Paper, *Copyright and the Digital Economy*.

The paper asks 55 questions on such issues as how current library exceptions, statutory licenses and licences for blocks of digital material are working in the digital environment.

In response to this paper ALIA is collecting information on problems members are having with copyright. What are some of the challenges you face with copyright law as it currently stands? What do you currently avoid doing in your workplace because you are unsure of copyright law?

We have asked for input from our members and have set up a wiki to provide you with information about the shape our submission is taking. We have had more than 30 responses. They have come from public libraries, school libraries, information professionals in special libraries, students and others, all of whom want copyright law to adapt to changed technology and digital materials. These responses have not been one-liners. They are based on serious thought and reflection, and indicate how much weight our members attach to copyright law. We are feeding into the Australian Libraries Copyright Council submission, as well as preparing our own, allied response.

The major issues reported so far relate to the sections of the paper on libraries, archives and digitisation, orphan works, data and text mining, educational institutions, statutory licences in the digital environment, fair dealing exceptions, fair use and contracting out. For example:

- Difficulties with the complexity and restrictiveness of digital licensing, such as 12 month embargoes on the digital copy, if the library does not get the print as well
- Confusion between fair use and fair dealing
- Issues surrounding the 10% rule in educational institutions
- Problems surrounding updating formats

While we have not completed our submission yet, we plan on reflecting these basic principles:
- Simplifying copyright legislation so that everyone can understand their rights and responsibilities
- The importance of a degree of flexibility in a rapidly changing online environment
- A technology neutral approach
- The need for libraries and archives to be able to carry out mass digitisation of unique collections
- Licences for digital collections should not remove the library exceptions
- Legislation that embraces the ethos of creative commons, where it doesn't disadvantage creators or have a detrimental effect on their work

The issues paper:
www.alrc.gov.au/publications/copyright-ip42

The wiki:
aliacopyright.wikispaces.com