



Submission in response to the Australian Government Online Copyright Infringement Discussion Paper

5 September 2014

To: copyrightconsultation@ag.gov.au

Please find attached a submission from the Australian Libraries Copyright Committee, of which ALIA is a member, together with a paper by Dr Rebecca Giblin. ALIA fully endorses the submission and accompanying paper, is delighted to have contributed substantially to them, and is pleased to provide this information in response to your discussion paper.

1 About us

The Australian Library and Information Association [ALIA] is the professional organisation for the Australian library and information services sector. On behalf of our 5,000 personal and institutional members, we provide the national voice of the profession in the development, promotion and delivery of quality library and information services to the nation, through leadership, advocacy and mutual support. We are a member of the Australian Libraries Copyright Committee.

2 Purpose of our submission

We are responding to the Australian Government Online Copyright Infringement Discussion Paper, July 2014, with the aim of helping to ensure that there are no unintended consequences for libraries in any revised legal framework.

3. Evidence

Evidence to support these aims is provided in the submission, and in the accompanying paper. Libraries have provided a number of examples and illustrations for Dr Giblin's paper, and these practical examples contribute significantly.

ALIA believes that the likelihood of negative consequences of the proposed amendment to the Copyright Act is high, depending on the form of any eventual legislation. Most libraries provide public internet access; Australian public libraries provide an online access safety net for several million Australians who lack their own access to the internet; if new conditions and

new red tape are required to be placed on internet access in libraries and other public internet access, the effects will be most onerous for the least wired Australians. Dr Giblin's library examples (page 10) illustrate the wide range of possible consequences if the proposed changes to Australian copyright law are put into effect,

Libraries welcome the proposal to extend the current limited safe harbour to other access providers, such as libraries, while pointing out that extension of safe harbour arrangements may itself bring about unforeseen and unintended consequences.

4 Summary

We suggest that the proposed changes are likely to result in new obligations for libraries to take proactive effects to prevent infringement, new pressure to enter into private enforcement deals, an increased need to rely on safe harbours, and Increased red tape and regulation which impacts on the efficiency of operation of libraries and other information services.

Submission prepared by the ALIA Copyright and Regulation Advisory Committee.

For more information:

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