**Country report - Australia**

Annual report to the IFLA CLM committee

Lyon 2014

This report is a short account of the activities of the **Australian Libraries Copyright Committee (ALCC), AUSTRALIA**

**Copyright**

***New legislation***

Nil

***Proposed legislation***

**Nil**

***Pending legislative issues***

1. Government announced intention to introduce legislation to curb online copyright Infringement. Issues discussion paper (August 2014) with three main proposals

* Extension of authorisation liability (also recommendation in response to Korea-Australia FTA)
* Injunctions to block overseas websites whose dominant purpose is to infringe copyright
* Extension of safe harbours (would now cover libraries)

1. Government announces intention for simplification and modification of the Copyright Act. Expected to consider recommendations from Australian Law Reform Commission inquiry (Feb 2014) which recommended

* Introduction of ‘fair use’ exception to copyright, or as a fall back extended fair dealing (including fair dealing for purposes of libraries and archives)
* Reforms to the statutory licences that university libraries operate under
* New orphan work provisions limiting remedies after a diligent search has failed to find a rights holder
* Technology and formal neutral preservation use exception for libraries and archives
* Simplification of the document supply provisions

Review is also expected to consider the outstanding reviews/recommendations on TPMs, parallel important and geoblocking. It should consider introducing a term for unpublished works.

1. Work continues on digital legal deposit for state and national libraries
2. Two Free Trade Agreements with IP chapters were signed, with Korea and Japan. Legislation to implement those is expected in Nov 2014 and early 2015 respectively, however the only changes to the Copyright Act have been subsumed into the Government’s response to online copyright infringement.
3. Australia continues to negotiate the TPP and an FTA with China, both of which have the potential to require domestic reforms.

**Legal Matters**

***New legislation***

NIL

**Law cases**

NIL

**Advocacy/Lobbying activities**

* Continuing advocacy surrounding copyright reform, including submissions to inquiries
* Australian libraries joined with other key stakeholders in the ‘fair use alliance’ to advocate at government level for copyright reform
* Australian libraries contribute to international efforts surrounding the TPP trade deal as part of ‘fair deal coalition’
* Support to IFLA efforts for library and archives treaty at WIPO
* Broad based consumer campaigns, including www.creationistas.com

**Educational activities**

* Ongoing skilling of staff in the library and archives sector with training sessions delivered in every Australian capital city and some regional areas in 2013/14.

**Strategic plans for the future**

Strategic plan for the ALCC 2014- 2016 has the following objectives

1. **Strengthen the capacity of the ALCC members and the broader sector in copyright to preserve and provide access to cultural, educational and historic content in the public interest**
2. **Advocate for a balanced copyright framework which supports the needs of the library, archive and information sector and its users in the digital world**
3. **Work collaboratively with national and international organisations to advance the above interests in copyright policy and debate on national and international levels**

**Other issues**

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