

By email to: copyright@alrc.gov.au

OfficeLink Learning response to ALRC Inquiry into Copyright and the Digital Economy

18 July 2013

1. Introduction

OfficeLink Learning Pty Ltd (OLL), is a small publisher of educational materials to predominately the Vocational Education Sector (VET) nationally. We specialize in educational materials in the Business and Financial Services sectors. We are located in Melbourne and have been producing materials for over 10 years.

As a publisher one of our key commercial goals is to achieve a reasonable financial return on our investments. In line with the commercial aspects, we aim to produce quality, 'easy to use', work based training materials for Teachers and Students.

2. Summary of our Views

Thank you for the opportunity to respond to this consultation. We argue that:

- Businesses with digital and printing publishing within the educational sector are successfully providing competitive and diverse products and services.
- A robust, easy to understand framework for copyright is crucial with capacity to monitor actions. The law must remain current and relevant.
- We do not support a change to the current statutory licensing schemes relating to educational institutions because this will harm authors and students.
- We do not support that educational institutions be provided 'free-use' of content.

In particular we would like to respond to questions 29 and 30.

In relation to question 29, our simple response is yes, the statutory license is adequate and appropriate to its current form and application. Our view is that printed and digital content for VET sector has been available for a few years now. There is still the requirement to continue the statutory license for the VET sector for printed and digital materials to ensure the set boundaries of the use of content is understood and agreed to by both parties. For example; many Registered Training Organisations (RTOs) are now being licensed content by OLL in Microsoft Word format so they can endeavour to meet AQF compliance requirements by contextualizing the content. The statutory license agreement limits the RTO from on-selling the

content whether it was contextualised or not. This modified content is then uploaded into their own learning management system (LMS). The RTO is contractually required to provide monthly access reports to us so we can invoice them on usage. This process and financial arrangement has been successfully for a number of years now.

As an author and publisher, the statutory license provides an important financial set of boundaries for both parties involved along with the certainty and confidence to reinvest in updates or future products and services.

In fact, it is probably more necessary than ever to uphold the statutory license with the increased opportunities of technologies today in the VET sector. OLL is investing in more varieties of support training materials for the VET sector including movies and online interactive quizzes to use alongside our printed and online training materials. Potentially these new supporting materials will be licensed in order to gain a return on the investment. If OLL is unable to retrieve a commercial return for printed and digital content via statutory licenses, we will be unable to reinvest it back into support training materials and ultimately close our doors.

Whilst we a member of the Copyright Agency Limited (CAL), and have numerous pieces of training material registered, we believe a 'central registry' of training materials would be ideal to the publishing industry. Even though a small revenue stream comes from CAL audits, which does little to fund future investment. It really provides comfort at this stage that the audits are conducted and some miss-appropriation of copyright is identified.

So in summary, if we do not have a statutory license with our customers and only rely on a 'central registry' for revenue to update and invest in new materials, OLL will cease operation.

In regard to question 30, the simple answer is no, as the author and publisher of specialized training materials to the VET sector, everything we publish (in print and digital) is paramount to our business. We do not 'give away' our content. There are instances where small portions of the content are provided for evaluation purposes either in print or electronically via PDF. So every sale of print or digital is necessary for the longevity of OLL.

Just because OLL provides content for evaluation purposes this does not change our view that we created the content and own the content. Therefore 'free-use' of the content is not an option to the longevity of OLL irrespective of whether the content is printed or digital.

It is our view that the value of printed and digital content does vary greatly. The cost to produce printed or digital also varies too but there is ultimately little difference between the two. The difference being in the process, technologies or skills required to create and package the content.



6 David Street VIC 3195
Phone: 03 9588 2802
Fax: 03 8610 2199
ABN: 59 007 551 806
OfficeLink Learning P/L ATF OfficeLink Learning Trust

3. Conclusion

I do hope this response provides ALRC with a clear perspective that statutory licenses are necessary and 'free-use' will be a killer to our small publishing business. If you wish to clarify any of these comments please communicate with on the details herein.

Yours sincerely

A handwritten signature in black ink that reads 'Elizabeth J Haverfield'.

Elizabeth J Haverfield
Director