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**From:** ALRC [mailto:web@alrc.gov.au]
**Sent:** Wednesday, 31 July 2013 2:16 PM
**To:** Marie-Claire Muir
**Subject:** Online submission to DP79

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Proposal 4-1:

Proposal 4-2:

Proposal 4-3:

Proposal 4-4:

Question 4-1:

Question 4-2:

Proposal 6-1:

Under the current statutory licensing scheme, school teachers can use most texts and images without seeking copyright permission each and every time they make copies because the copyright holders are paid fairly for their use.

Under the ALRC proposal, the statutory licensing scheme will be repealed for educational  and other institutions and replaced with a discrete ‘voluntary licensing scheme’.

We believe that this proposal will undoubtedly reduce authors’ earnings (particularly the earnings of Australian expert teachers sharing their classroom knowledge though publication in Australia for Australians) and will undermine the independence and efficiency of the current system. It will also remove oversight of copyright licensing from a neutral, independent body, set up to ensure fair and adequate payments for rights holders.

The ALRC claims this change is to allow easier uptake of digital licensing models, but in our view, should consider that the current licensing scheme could be modified to include new (digital) models.

Question 6-1:

Proposal 7-1:

Proposal 7-2:

Proposal 7-3:

Proposal 7-4:

Proposal 8-1:

Proposal 8-2:

Proposal 8-3:

Proposal 9-1:

Proposal 9-2:

Proposal 9-3:

Proposal 9-4:

Proposal 9-5:

Proposal 10-1:

Proposal 10-2:

Proposal 10-3:

Proposal 11-1:

Proposal 11-2:

Proposal 11-3:

Question 11-1:

Proposal 11-4:

Proposal 11-5:

Proposal 11-6:

Proposal 11-7:

Proposal 12-1:

Proposal 12-2:

Proposal 12-3:

Proposal 13-1:

Proposal 13-2:

The ALRC proposes to effect a fair use exception to copyright for educational copying or, alternatively, a ‘fair dealing for education’ exception in lieu of existing statutory exceptions for educational institutions under the Copyright Act. The proposed exception would be broader in nature and depend on certain non-exhaustive criteria.  We view this as an unfettered expansion of the exemptions from copyright protection now in place.

Proposal 13-3:

Proposal 14-1:

Proposal 14-2:

Proposal 14-3:

Proposal 15-1:

Proposal 15-2:

Question 15-1:

Proposal 15-3:

Question 15-2:

Proposal 16-1:

Question 16-1:

Proposal 16-2:

Question 16-2:

Question 16-3:

Proposal 17-1:

Additional comments?:

We believe that the current legal framework provided by the statutory license is fair and efficient. It allows teachers and schools to get on with the job of educating students without the need to worry about individual copyright issues, while at the same time supporting authors, illustrators and publishers by protecting their rights and thereby ensuring the creation of new content.  In our view, there is no need to revise Australian copyright law in the ways the ALRC proposes.

File 1:

File 2:

The results of this submission may be viewed at:

<http://www.alrc.gov.au/node/5296/submission/4933>