591. D Bradley

Full name: Dave Bradley

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Proposal 10-1:

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Additional comments?:

Dear Sir/Madam
I would like to submit the opinion that the Part VB educational statutory licence not be repealed.
Have we forgotten the anxiety in schools colleges and libraries in the eighties which so distracted and compromised educators and librarians from efficiently carrying their professional duties?
The penalties threatened at the time in relation to unauthorized use were enormous and vague. Were the educators personally liable for any detected breaches or would the education system protect them? No-one knew.
Many students at that time did not have had an optimum educational experience because of these limits on use of materials and compromises made out of doubt and fear.
Many good teachers and lecturers did break the existing laws simply to ensure that students got the professional and efficient learning they were entitled to and in doing so were taking real risk of penalty for the sake of their students.
This situation should never arise again.
Always at the forefront of any legislation must be the idea that creators of materials must be fairly rewarded. In general this is currently the case in Australia. Educational Statutory Licences are simple and fair giving authors recognition of their copyright along with a simple and effective mechanism to reward them and freeing teachers to teach and librarians to service the needs of their users.
We have high quality course materials topical and relevant to the needs of our population available only because The Educational Statutory Licence has created a fair and effective and inexpensive means to allow all needs to be met.
We need to continue to protect and support quality writers so that they can continue to provide quality resources to assist teachers to provide a quality education and librarians the quality of information we are entitled to.
Nature abhors a vacuum and I fear that if we put the financially impossible task of pursuing copyright on to individual authors we will destroy another Australian industry which we should be rightfully proud of. It is a resource that we and the rest of the world need.
Failure to protect this industry will unwittingly open ourselves up to ‘copyright trolling’
Patent and copyright trolling have been referred to by President Obama as costing the USA up thirty billion dollars a year in litigation which creates or manufactures nothing.
We ourselves have the recent Larrikin records vs Men at Work legal action over the hit Down Under where an old copyright was bought cheaply and although the creators of the song thought they had a strong argument the argument was lost - at great expense.
This may well have been the first example of Copyright Trolling in Australia
Educational institutions are big targets and history suggests that this type of activity is based on the principle that it is often cheaper to settle than engage in litigation. This will erode the publishing industry or, as we saw in the eighties, lead to rights owners being forced to contemplate punitive restrictions to protect themselves.
Regards Dave Bradley

File 1: