

Position statement: self-copying of copyrighted collection materials

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Members of the National and State Libraries of Australia (NSLA) have a mandatory responsibility to build, preserve and provide equitable access to Australia's documentary cultural heritage. In undertaking these activities, NSLA supports and respects the rights of copyright creators (including their personal and moral rights), copyright owners, and those who seek to access and use the large number of copyright works held in our collections.

Australian copyright law provides a legal framework that aims to balance the rights of creators with those of users. The law protects the rights of creators, while also permitting levels of access (through exceptions or limitation on rights) to copyright works to encourage the evolution and growth of knowledge and ideas.

NSLA libraries work to inform and educate staff and users about the importance of copyright in self-copying, and the rights, obligations and liabilities that it imposes. NSLA balances the protections of rights with a commitment to enhance access to, and use of, collections through the exceptions that Australian copyright law provides.

With the growing popularity of the use of mobile phones, cameras and other devices to capture images of collection items, there is a need to educate and inform staff and users about how the convenience of a capture medium does not remove the obligation upon the user to abide by the requirements of copyright law or observe any restrictions upon the copying of these items.

NSLA libraries will provide guidance to users so that they understand their obligations and responsibilities when they undertake the copying of published and unpublished collection items under the fair dealing provisions of the Copyright Act, which permits copying for research or study.

NSLA libraries will also provide guidance to users so that they understand their responsibilities regarding requests to re-publish material that require separate and additional permissions.

NSLA libraries will enforce collection restrictions on collection materials. These restrictions may be due to issues such as preservation concerns or conditions of acquisition.

Library staff understand the importance of facilitating their users' understanding of their obligations and responsibilities, but the decision to self-copy an item for personal use, research and study or for re-publication, will remain the responsibility of the user.



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