

26 April 2012



## Draft ALRC terms of reference: Inquiry into copyright and the digital economy

### About NSLA

National & State Libraries Australasia (NSLA) represents the State, Territory and National Libraries of Australia and New Zealand. These ten major public research libraries work together to enable people to access, use and share local and global knowledge and ideas. Through a series of projects called Re-imagining Libraries, NSLA works to make our collections accessible in the digital environment and to share expertise and best practice.

### Draft terms of reference

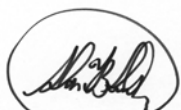
NSLA welcomes the Australian Law Reform Commission's Inquiry into Copyright and the Digital Economy, noting the importance of considering changes to the current exceptions to the Copyright Act as well as developing further exceptions, to enable greater flexibility of use for works in copyright. The legal framework should also be technology-neutral.

In particular, copyright exceptions should enable "legitimate use of copyright works to create and deliver new products and services of public benefit" and "legitimate non-commercial use of copyright works for uses on the internet such as social networking". These uses, and other related uses, are critical to fostering creativity and innovation. Expanding current "fair dealing" provisions to equate to the US "fair use" provisions, has the potential to provide significant improvements in easy access, especially for education and visually impaired sectors.

NSLA also notes the inquiry is to have regard to "Australia's international obligations, including any existing or proposed international obligations". Outcomes from this inquiry should not be unduly delayed by "proposed international obligations" nor should Australia accept international proposals without due questioning.

Thank you for the opportunity to comment on the draft terms of reference. We look forward to contributing to the inquiry, and support the ongoing concurrent review of the safe harbor scheme. As a member of the Australian Digital Alliance and the Australian Libraries Copyright Committee, NSLA also supports that submission.

Yours sincerely,



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Please note: Each of the ten NSLA member libraries works within different government jurisdictions. The National Library of New Zealand is part of the Department of Internal Affairs. The views expressed in this letter do not reflect New Zealand Government Policy.