



Country report: Australia
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Australian Law Reform Commission Copyright Review:

- Discussion Paper – outlining draft reform recommendations:
<http://www.alrc.gov.au/publications/copyright-and-digital-economy-dp-79> . Recommendations include:
 - Introduction of a flexible fair use exception
 - Repeal of statutory licences for education and government
 - Protection of certain exceptions from override by contract
 - Restriction of existing library document supply and preservation exceptions
- Submissions to Discussion Paper closed 31 July 2013. Read:
 - Australian Libraries Copyright Committee submission -
http://www.alrc.gov.au/sites/default/files/subs/586.org_the_australian_digital_alliance_and_australian_libraries_copyright_committee.pdf
 - Australian Library & Information Association (ALIA) -
http://www.alrc.gov.au/sites/default/files/subs/624.org_alia_and_alla_joint_submission.pdf
 - National Library of Australia -
<http://www.alrc.gov.au/inquiries/copyright-and-digital-economy/submissions-received-alrc#DPorgna> (Word no 704)
- Final report due to government November 30 2013
- **Political context:**
 - Australian election to be held 7 September 2013. Tight race between Labor (sitting) and Coalition. Labor government introduced copyright reform initiative.

Technological Protection Measures review

- First review of Australian TPM regime since adoption of Australia US Free Trade Agreement in 2004 – submissions closed October 2012
<http://www.ag.gov.au/consultations/pages/ReviewofTechnologicalProtectionMeasureexceptionsmadeundertheCopyrightAct1968.aspx>
- No update since October 2012

Extended Legal Deposit consultation

<http://www.ag.gov.au/Consultations/Pages/ExtendingLegalDeposit.aspx>

Other government consultation:

- Book Industry Collaborative Council - collaboration between publishers, authors, libraries, consumer groups, retailers to assist implementation of recommendations from Book Industry Strategy Group - <http://www.innovation.gov.au/industry/booksandprinting/BookIndustryCollaborativeCouncil/Pages/default.aspx>
 - Seven expert reference groups: copyright, data, distribution, export, industry skills, lending rights, scholarly book publishing

Legal matters

Trans-Pacific Partnership Agreement (TPP) negotiations

- TPP negotiations continue – next round (19th) to be held in Brunei August 23-27 2013.
- Japan has formally joined the negotiations, significantly increasing economic value in TPP
- IP chapter still heavily bracketed
- ALCC and ALIA are members of the international Fair Deal coalition, promoting positive standards for IP in the TPP – ourfairdeal.org

Law cases

Singtel Optus v National Rugby League Investments (No 2)

Concerning legality of cloud-based personal video recorders, ruled outside the scope of existing format exceptions in the Act. Optus denied leave to appeal to High Court of Australia. See summary: <http://digital.org.au/content/optus-tv-now-special-leave-application-denied>