

INQUIRY INTO THE COPYRIGHT AMENDMENT (SERVICE PROVIDERS) BILL
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National and State Libraries Australasia (NSLA) welcomes the opportunity to provide comments to the Inquiry into the Copyright Amendment (Service Providers) Bill.

NSLA is the active collaboration between the ten National, State and Territory libraries in Australia and New Zealand. As members of the Australian Libraries Copyright Committee, NSLA joins Australia's library and archives communities in welcoming the amendments proposed by the Bill.

NSLA libraries have mandated roles to collect and preserve cultural heritage, provide open and equitable access to information, and support the growth of knowledge and ideas. Our libraries build and deliver online collections, providing the greatest possible access to local and global communities. In 2016-17, NSLA libraries had 74.2 million visits to their websites, including Trove, and 14.7 million visits to their catalogues.

NSLA has developed national protocols¹ for responding to take-down requests that already comply with the requirements of the safe harbours scheme. Our libraries actively work with copyright owners to remove access to infringing content on our systems. The amendments will reduce risks associated with enabling public access to digital collections, and will also support copyright owners to enforce their rights online.

For many Australians, libraries are their primary internet service provider. Australia has a distributed public library network of more than 1600 sites across the nation. As part of their service to the community, they provide free public access to technology and the internet, as well as digital literacy programs and support. Libraries already deter copyright infringement by educating users about their copyright responsibilities. The proposed amendments to the Bill will increase clarity about legal liability when libraries, as internet service providers, are alerted to third party breaches that they do not control, initiate or direct, but may take place on their IT systems.

The proposed amendments to the Bill will enable our libraries to implement reasonable, efficient and effective remedies for potential online infringements. Expanding safe harbours to include libraries will clarify legal requirements and recognises the vital service libraries provide the Australian public through free access to technology, the internet and a wealth of digital content.

NSLA libraries continue to respond to changes in technologies and community expectations, including undertaking activities and partnerships with commercial service providers. These initiatives are underpinned by our collections, as well as working in partnership with commercial service providers to increase public engagement. For example, State Library Victoria recently partnered with the online marketplace Redbubble to run #CreateArtHistory, attracting thousands of artists from all

over the world to design new work inspired by the Library's collection. Furthermore, NSLA libraries provide specialised hubs that facilitate innovation, collaboration and entrepreneurship such as the Business Studio at State Library of Queensland, the DX Lab at State Library of New South Wales, Studio001 at the State Library of Western Australia and Start Space at State Library Victoria (due to open in 2019). In actively contributing to Australia's digital economy, our libraries value the power of partnership.

Extending safe harbours to commercial service providers would assist libraries to clarify potential liability and reduce risk associated with projects and initiatives undertaken in partnership with commercial entities.

About NSLA

National and State Libraries Australasia (NSLA) is the active collaboration between the ten National, State and Territory libraries in Australia and New Zealand. We achieve more by working together, delivering greater value to our jurisdictions through collaboration.

NSLA Member Libraries:

- Libraries ACT
- LINC Tasmania
- National Library of Australia
- National Library of New Zealand
- Northern Territory Library
- State Library of New South Wales
- State Library of Queensland
- State Library of South Australia
- State Library Victoria
- State Library of Western Australia

During the 2016-2017 financial year:

- 12.5 million people visited our library buildings
- 47.2 million people visited our websites including Trove
- 14.7 million people visited our online catalogues
- 7,217 terabytes of digital collections were stored
- \$33.5 million was the total spend on collections
- \$5.3 billion was the asset value of our collections
- \$997 million was the asset value of our buildings/sites

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, a New Zealand government department. The views expressed in this letter should not be taken to reflect the views of the National Library of New Zealand nor of the New Zealand Government.

www.nsla.org.au

¹ National & State Libraries Australasia. April 2015. *Position Statement on Takedown*. Available from: <http://www.nsla.org.au/publication/position-statement-takedown>