

Submission No:20.....



State Library

RECEIVED
13 APR 2004

5 April 2004

The Secretary
Joint Standing Committee on Treaties
Parliament House
CANBERRA ACT 2600

BY:.....
328 Swanston Street
Melbourne Victoria 3000 Australia
Telephone +613 8664 7000
www.statelibrary.vic.gov.au

Dear Sir

The State Library of Victoria welcomes the opportunity to respond to the provisions of the Australia-US Free Trade Agreement relating to Intellectual Property and, in particular, copyright.

Australian copyright law has evolved a highly workable and internationally regarded legislative framework, which provides a balance between the public's right of access to information with the rights, financial and otherwise, of copyright owners. Recognising the importance of maintaining this balance, the State Library of Victoria supports the concerns, particularly those relating to duration of copyright, as outlined by the Australian Libraries Copyright Committee and the Australian Digital Alliance regarding the proposed "harmonisation" of Australian and United States copyright legislation.

Although the Library acknowledges the importance and benefits of developing international consistency across intellectual property laws, this should not be achieved at the expense of either copyright creators or users. The Library would urge policy makers to review the AUSTFA proposals in the light of the cultural, legal and historical differences between Australia and the United States to ensure that the level and costs of material currently available in the public domain are not reduced in any way. Developments such as open source software and the creative commons cooperative both in Australia and overseas also indicate that creators and scholars in the education and cultural sectors do not support restrictive copyright laws.

The State Library of Victoria supports a flexible copyright regime which assists and encourages learning and scholarship, incorporates changing technology, allows the creative reuse of material and facilitates the preservation of Victoria's heritage. Protecting and maintaining Australian intellectual property rights requires education and legislative support. While libraries play a key role in this educative process, the State Library of Victoria also believes that there is an urgent need for the Commonwealth Government to undertake a public awareness campaign to demystify and facilitate greater understanding of intellectual property rights in general.

Yours sincerely

A handwritten signature in cursive script, appearing to read "Anne-Marie Schwirtlich".

Anne-Marie Schwirtlich
Chief Executive Officer & State Librarian