

MEDIA RELEASE

Digital innovation requires copyright reform

Canberra, 9th December 2015

EFA welcomes the release of the government's [National Innovation and Science Agenda](#) but is disappointed that the agenda is silent on copyright reform.

As recommended by the Australian Law Reform Commission in their November 2013 report on [Copyright and the Digital Economy](#), the introduction of a broad flexible fair use exception into Australian copyright law is a well-overdue reform that is critical to ensuring Australia is able to benefit fully from digital innovation.

EFA's Vice-Chair Angus Murray said today, "Australia's Copyright Act is outdated and no longer fit for purpose in the digital age. A broad flexible fair use exception is central to copyright law in the United States, Singapore, Israel and other nations that are leading the world in digital innovation. If the government is serious about digital innovation, they need to move to implement fair use, and to fix up the safe harbour protections within the Copyright Act, without further delay."

As Professor Jill McKeogh, head of the ALRC Inquiry, [said in February 2014](#), "Fair use is a flexible exception that can be applied to new technologies and services, which is crucial in the digital economy."

The government is proceeding with the implementation of the [Marrakesh Treaty](#), a groundbreaking global agreement designed to improve accessibility to content for the visually-impaired. The Marrakesh Treaty involves broad exceptions that allow transformation of existing content without the need for explicit permission from the copyright holder and therefore represents a significant step towards a broad flexible fair use exception.

EFA therefore calls on the government to build on this positive work in relation to the Marrakesh Treaty to implement a broad flexible fair use exception that will remove the many significant hurdles in Australia's current copyright Act that are preventing the realisation of the full benefit of the digital revolution.

In addition, EFA calls on the Communications Minister to rectify the unnecessarily limited safe harbour protections currently available within the Copyright Act.

About EFA

Established in January 1994, Electronic Frontiers Australia (EFA) is a national, membership-based non-profit organisation representing Internet users concerned with digital freedoms and rights.

EFA is independent of government and commerce, and is funded by membership subscriptions and donations from individuals and organisations with an altruistic interest in

promoting civil liberties in the digital context. EFA members and supporters come from all parts of Australia and from diverse backgrounds.

EFA's major objectives are to protect and promote the civil liberties of users of digital communications systems (such as the Internet) and of those affected by their use and to educate the community at large about the social, political and civil liberties issues involved in the use of digital communications systems.

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