



28 August 2013

Senate Environment and Communications Committee  
Parliament House  
Canberra ACT 2600  
Via Email: [ec.sen@aph.gov.au](mailto:ec.sen@aph.gov.au)

**RE: Copyright Legislation Amendment (Fair Go for Fair Use) Bill 2013**

We thank the Committee for the opportunity to comment. ACCAN welcomes the suite of measures proposed in this Bill.

Fair Use

ACCAN has been calling for reforms to simplify copyright law and make it relevant to the era of social media.<sup>1</sup> We accordingly favour a broad and easy to understand Fair Use provision that recognises the legitimacy of everyday consumer activities which have no substantive effect upon the market for, or value of copyright material.

We therefore welcome a Fair Use provision cast in the terms proposed which appropriately takes into account the purpose and character of the use and the effect on the market for, or value of, the copyrighted work. A Fair Use exception will likely provide the technology-neutral flexibility to accommodate the increasingly diverse ways in which consumers are using content.

Accessibility

ACCAN welcomes the Bill's proposed removal of some of the obstacles in the Copyright Act to blind and visually impaired Australians accessing published works in formats such as Braille, large print text and audio books.

ACCAN believes our laws must allow for printed material to be made available in electronic versions that are accessible for people who are blind or vision-impaired, and to allow such electronic versions to be created and held without fear of penalty. Accordingly, this Bill contains a long overdue amendment in relation to circumvention of access control technological protection measures. It would allow for accessible electronic formats to be provided to people with disabilities with fewer legal uncertainties.

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<sup>1</sup> ACCAN Position Statement [Copyright and Consumers](#) (2012)

Price discrimination

ACCAN has also been active in calling for an end to price discrimination and price gouging of Australian consumers by IT and content suppliers. Measures which enforce higher prices for consumers based on geographic location should not be facilitated by copyright law. We therefore welcome the Bill's proposal to remove 'geo-blocking' measures or 'geocodes' from the category of legitimate technological protection measures.

Sincerely,

Jonathan Gadir  
Senior Adviser – Policy and Research