

**COPYRIGHT ADVISORY GROUP
SCHOOLS RESOURCING TASKFORCE**

**MINISTERIAL COUNCIL ON EMPLOYMENT, EDUCATION,
TRAINING AND YOUTH AFFAIRS**



30 October 2006

Ms Jackie Morris
A/g Committee Secretary
Standing Committee on Legal and Constitutional Affairs
P.O Box 6100
Parliament House
Canberra ACT 2600

BY EMAIL:

Dear Ms Morris

Please find attached our submission to the Senate Standing Committee on Legal and Constitutional Affairs regarding the Inquiry on the Provisions of the Copyright Amendment Bill 2006.

This submission is made on behalf of the Copyright Advisory Group to the Schools Resourcing Taskforce of the Ministerial Council on Education, Employment, Training and Youth Affairs (**CAG**). CAG is responsible for copyright policy and administration for the Australian school and TAFE sector (including the management of obligations under educational statutory licences), and represents almost all primary and secondary school educational authorities in Australia. CAG members include State and Territory Departments of Education, all Catholic Education Offices, the Independent Schools Council of Australia, and the great majority of TAFE colleges.

A hard copy of the submission will follow in the mail.

We would welcome the opportunity to present oral evidence to the Senate Inquiry.

If you have any questions, please contact me on 02 8561 8876 or email delia.browne@det.nsw.edu.au

Yours sincerely

Delia Browne
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Ministerial Council on Employment, Education, Training and Youth Affairs

**THE COPYRIGHT ADVISORY GROUP TO THE SCHOOLS RESOURCING
TASKFORCE**

OF THE

**MINISTERIAL COUNCIL ON EDUCATION EMPLOYMENT TRAINING
AND YOUTH AFFAIRS**

**Submission to the Senate Standing Committee on
Legal and Constitutional Affairs**

"Provisions of the Copyright Amendment Bill 2006"

October 2006

An introduction to the Copyright Advisory Group

This submission is made on behalf of the Copyright Advisory Group to the Schools Resourcing Taskforce of the Ministerial Council on Education, Employment, Training and Youth Affairs (CAG). CAG is responsible for copyright policy and administration for the Australian school and TAFE sector (including the management of obligations under educational statutory licences), and represents almost all primary and secondary school educational authorities in Australia. CAG members include State and Territory Departments of Education, all Catholic Education Offices, the Independent Schools Council of Australia, and the great majority of TAFE colleges.

CAG and its members have a significant interest in copyright law and policy. In 2006 Australian schools (government and non-government) and TAFEs (excluding Victorian TAFEs) have paid \$75.6 million in licensing fees to copyright collecting societies for statutory and voluntary copyright licences for the use of copyright materials in schools and TAFEs. This figure does not include any amount that individual schools or TAFEs may have spent in obtaining direct licences for copyright materials.

CAG members place a great deal of importance on the appropriate administration of copyright in Australian schools, and ensuring system and school-level compliance with educational exceptions and statutory licences. CAG works with administrators and teachers to ensure that the rights of copyright creators are respected, and that teachers and support staff have practical guidelines to facilitate the greatest possible compliance with the copyright licences granted to schools.

CAG recognises the importance of providing sufficient incentives to copyright owners, and the importance of the exclusive rights granted to copyright owners. However, CAG also supports the need for an appropriate balance in the Copyright Act, and recognises the strong public benefits in public access to information, particularly for educational and cultural purposes.

The need for balance in copyright legislation has also been expressly recognised at the international level. The Preamble to the 1996 WIPO Copyright Treaty states that copyright laws should recognise:

"the need to maintain a balance between the rights of authors and the larger public interest, particularly education, research and access to information, as reflected in the Berne Convention".

CAG members see the role of educational institutions - and the exceptions and statutory licences that provide access to educational material - as a fundamental part of the framework for balanced copyright protection and access in Australia.

The Copyright Amendment Bill 2006

CAG is broadly supportive of the Copyright Amendment Bill 2006 (the Bill). Overall, CAG believes that this Bill is an important step in redressing some shifts in the copyright balance that CAG submits have been made due to the passage of the copyright amendments required by the Australia-United States Free Trade Agreement.

CAG is particularly supportive of Schedule 7 of the Bill. This schedule contains an important provision which will clarify the Government's intention (first outlined on the introduction of the Digital Agenda forms in 2000) that reading from the Internet should never be an infringement of copyright. CAG members have already received claims from one collecting society that Australian schools should be required to remunerate copyright owners when teachers ask students to read material from the Internet for educational purposes. CAG submits that it is imperative that this provision be accepted by the Parliament to ensure that Australian citizens will never face copyright infringement claims when they turn on their computers to read from the Internet.

CAG was pleased to see proposed section 28A of the Bill which will ensure that schools can use new technologies to enable classroom use of copyright material. CAG does, however, have some concerns with the drafting of section 28A. The range of copyright material covered by section 28A does not correspond with the range of copyright material covered by section 28 of the Act. The practical effect is that schools will be able to use new technologies for some kinds of copyright material and not others. CAG has submitted drafting suggestions to the Attorney-General's Department and would appreciate the Committee endorsing the principle that section 28A permit schools to use the same range of copyright material as permitted by section 28 of the Act.

CAG is also supportive of the Government's initiatives to ensure that the statutory licences operate in a technology neutral manner. For example, this Bill will ensure that school teachers can copy television shows to show to students in class, irrespective of whether the copy of the broadcast was made by using a video recorder or copying the show from the Internet.

CAG does have a number of technical drafting concerns about many provisions in the Bill, and has written separately to the Attorney-General's Department on these issues. However, CAG also submits that there are some significant and fundamental flaws with four key aspects of this Bill:

- the cap on the ability of Australian students and researchers to access research materials in proposed section 40(5)
- the exclusion of proxy caching from the active caching exception in proposed section 200AAA
- the fundamental change of policy in relation to the nature of a copyright infringement contained in proposed section 135ZMB(5)
- the absence of a permission exception in relation to the manufacture and distribution of a circumvention device for the purposes of exercising a TPM exception

CAG does not believe that resolving these four issues would require significant drafting changes. However, if these significant issues are not resolved, CAG submits that this Bill will either fail to address a key policy intention behind these reforms (in the case of caching), or in the case of the other issues identified by CAG, place Australian students, teachers and funding bodies in a significantly worse position than the status quo.

Capping access to research material for students and researchers

As the Committee may be aware, the Copyright Act 1968 (the Act) currently permits Australian students and researchers to make a copy of a copyright work for the purposes of research and study. In relation to textbooks and similar works, the current law allows each student to copy 10% or up to one chapter of the book. This amount is deemed to be a fair dealing.

A student or researcher may be able to copy more than 10% or one chapter of the book, if the person examines a list of factors (set out in s40(2) of the Act) to determine whether copying more than 10% or one chapter is fair. These factors require the person to consider:

- the purpose and character of their use
- the nature of the copyright work
- the possibility of obtaining the work within a reasonable time at an ordinary commercial price
- the effect of the use on the potential market for the work
- the amount copied in relation to the whole work.

These factors have meant that most researchers can copy more than 10% - or even the whole – of a work that is out of print. In addition, it may be fair for a high school student to copy two chapters of a work for the purposes of an assignment if the required book is not available for sale in Australia and it would take too long to import the book from overseas (eg, after the due date for the assignment). It may not be fair, and the person may be limited to 10%, if the book is available in the shops and the person is wishing to use the copy for commercial research.

The deeming provision (ie, the ability to take 10% or one chapter) is an essential part of the Australian copyright system. It enables students and researchers to have a clear rule to follow so that they know when their use of copyright material will be fair. However, the ability to take more than 10% in certain circumstances is equally fundamental, particularly in situations where the reference material is no longer commercially available, but the work is still protected by copyright. This will become an increasingly common scenario following the extension of the term of copyright required by the Australia United States Free Trade Agreement, where the term of copyright for a textbook is the life of the author plus 70 years.

CAG was extremely concerned to see that this Bill proposes to overturn this critical part of the Australian copyright balance by "capping" the ability of Australian students and researchers to only ever copy 10% or one chapter of a textbook or similar work. This cap will be the case even if the source work is out of print, even if it would take several months to order the work into Australia for sale, even if the user is a primary school student doing an project for homework, even if the researcher is in a remote location and there is only one copy of the required book in the school library.

This will place Australian students in a worse position than students in the United States and Europe, and will place Australian researchers at a competitive disadvantage to their counterparts overseas. A comparison table outlining just how out of step with international norms this cap on research is, is provided at Attachment A to this submission.

CAG requests the Committee to reject this fundamental erosion of the public interest right of access to information for research and study purposes.

Proxy caching

The Committee would be aware that many of the reforms in this Bill arise from the Government's 'Fair Use' review, and the three year review of the Copyright Amendment (Digital Agenda) Act 2000. In both of these reviews, CAG and other educational institutions submitted that it was unclear whether an activity commonly referred to as 'proxy caching' was covered by the temporary copies exceptions in the Copyright Act, and asked that this issue be clarified.

The clarification of proxy caching as a non-infringing, efficiency-enhancing activity was also a key recommendation of the National Competition Principles review of intellectual property legislation in 2000 (the Intellectual Property and Competition Review Committee, or Ergas Review - IPCRC). The IPCRC examined the issue of caching and found that:

".... caching improves the efficiency of the Internet. [It] is economically efficient: it reduces waiting time and bandwidth requirements, allowing greater efficiency in using finite network resources and reducing costs. It provides important benefits to Internet users and to the development of e-commerce in Australia."¹

The IPCRC also recommended that Government policy should ensure that such an efficiency enhancing activity is not prevented.²

The education sector, including CAG, made submissions to Government following the conclusion of both of these reviews for urgent law reform to clarify the legal status of proxy caching. This followed claims made by the Copyright Agency Limited (CAL) against Australian schools that Australian educational authorities should pay for student reading (ie, not copying or other copyright-protected activities) from the Internet. This was partly due to CAL's belief that any copies made in a proxy cache as part of this Internet browsing should be paid for by the copyright user.

What is proxy caching?

A web cache is a dedicated computer system within the Internet that monitors web object requests (eg, an Internet user typing in a Uniform Resource Locator (**URL**) such as <http://www.ag.gov.au>). The cache temporarily stores copies of the responses from the origin server (in this example web pages or files from the server hosting www.ag.gov.au). If another request is made for the same URL, it can use the stored response instead of asking the origin server again.³ This is particularly useful when the origin server is overseas, or has limited bandwidth capacity.

There are two main types of cache in common use:

- *Browser caches* - contained in the preferences dialog of an Internet browser such as Internet Explorer or Netscape Navigator. Web pages viewed by a user are temporarily stored on the user's hard drive. If the user hits the 'back' button on the browser, the web page will be shown from the cache rather than re-downloading the site from the Internet.⁴
- *Proxy caches* - these caches follow the same principle as browser caches, except the proxy cache is set up on an organisation's firewall or proxy server, and is shared by all system users. When a web page requested by a system user is temporarily stored in a proxy cache, subsequent user requests can be served from the cached copy rather than the origin server.⁵

¹ Final Report of the Intellectual Property and Competition Review Committee, p108

² Ibid at p14

³ See *Caching Tutorial for Web Authors and Web Masters*, http://mnot.net/cache_docs

⁴ It is accepted that this type of caching is covered by s.43A (see the Explanatory Memorandum for the Digital Agenda Act). The simple act of 'viewing' is not a remunerable activity.

⁵ Ibid

An example of proxy caching in action:

Imagine that students in a classroom are doing an assignment on frogs. Jim types in his web browser the URL <http://www.frogs.com>, a foreign-based site which takes some time to download. A copy of the web page would be stored in Jim's browser cache and in the school's proxy cache. Jane then types in www.frogs.com. The proxy server recognises the request and provides Jane's computer with the web page almost immediately, and all other students in the class will access the site quickly from the local cache.

What is active caching?

Schools also sometimes perform a type of temporary reproduction that is akin to caching when teaching Internet use to young children. In the interests of providing a safe learning environment, some teachers may replicate an Internet environment for the purposes of the lesson ("child protection" temporary storage).

An example of this child protection temporary storage – or active caching – is:

Mr Smith the first grade teacher is preparing a lesson on frogs, and decides to load some parts of the www.frogs.com website onto a secure site for the day of the lesson to ensure that young children cannot accidentally be exposed to inappropriate content. This storage would be temporary, would merely facilitate safe access to the www.frogs.com website, and would achieve the same practical result as if the material had been temporarily stored in the school's proxy cache.

Proposed section 200AAA of the Bill

Proposed section 200AAA of the Bill provides protection for the 'child protection' type of caching mentioned above, but not for proxy caching– which is the vast majority of caching undertaken by the education sector. The absence of a proxy caching exception is particularly concerning given claims by copyright collecting societies that schools should pay for student reading from the Internet due to the operation of proxy caches in schools (where the material that is read by students is temporarily placed in the cache).

However, CAG notes that the failure to include proxy caching in proposed section 200AAA may merely be a drafting oversight. The Explanatory Memorandum to the Bill refers to both proxy and active caching.⁶

CAG has worked collaboratively with Screenrights, the Audio-Visual Collecting Society, to develop a proposal for the Attorney-General's Department which would address the needs of the education sector for an exception to permit both proxy caching and child protection active caching in a manner that would not cause harm to copyright owners. CAG and Screenrights have jointly written to the Chair of this Committee setting out this proposal in more detail.

CAG urges the Committee to recommend the inclusion of proxy caching in this Bill and commend the collaborative solution devised by Screenrights and CAG as a mechanism to achieve this result.

⁶ Explanatory Memorandum to the Bill at p137: '...the issue arose as to how to best provide for proxy or forward caching by educational institutions...'

Insubstantial copying

It is a fundamental principle of Australian copyright law that a copy of a work that does not represent a 'substantial part' of a work cannot be a copyright infringement. In the educational context, this principle is reflected in the statutory licences so that educational institutions do not have to pay remuneration for 1 or 2 page copying (which is deemed to be insubstantial). This has always been the case irrespective of whether the 2 pages are consecutive or taken from separate locations in a work.

Proposed section 135ZMB(5) in relation to electronic works seeks to impose a requirement that in order to be considered 'insubstantial' (and therefore free to use), the 2 pages (or equivalent number of words from websites) copied from a work must be consecutive. If the 2 pages are not consecutive, the second page will be considered a separate copy and must be paid for.

This amendment overturns this fundamental and longstanding principle of copyright law and creates a situation for educational institutions which is not consistent with general principles of copyright interpretation and jurisprudence.

CAG submits that the practical result of the inclusion of proposed section 135ZMB(5) seems absurd. Consider this example:

A teacher copies paragraph 1 and paragraph 2 from a webpage to use for a lesson. The sum total of what is copied is less than 1% of the words on the webpage. As a result, the copying is deemed to be insubstantial. Therefore, no payment is required under the educational statutory licence.

If the same teacher copied paragraph 1 from the same website, but this time decided to copy paragraph 3 instead of paragraph 2, the two parts of the webpage would not be consecutive. The total number of words copied would still be less than 1% of the total number of words on the webpage. However in this example, only paragraph 1 would be deemed to be insubstantial (and free), but paragraph 3 would be deemed to be substantial, and therefore otherwise an infringement which must be paid for under the statutory licence.

Paragraph 3 would have to be paid for out of education budgets in a situation where the general law of copyright would most likely view the copying of such a small amount as insubstantial and therefore non-infringing.

This example would be the same if a teacher copied two sentences from a PDF file if the two sentences were taken from different pages of the document.

CAG submits that the results of this proposed amendment are ludicrous. The proposed amendment is contrary to ordinary principles of copyright law and cannot be supported as good public policy.

There would be serious financial consequences for the education sector. For example, Australian schools are currently given a 25% discount in copyright fees to compensate for hard copy insubstantial copying (ie, as it is administratively cumbersome to count all 1-2 page copying, an estimate has been made in the context of surveys conducted as a part of the statutory licence that insubstantial copying amounts to approximately 25% of all copying in the hard copy environment).

In the hard copy licence, the discount for insubstantial copying for 2006 amounted to approximately \$14.3 million per annum for the school sector alone. This represents a discount that is largely related to the education budgets of State and Territory Governments, as well as a direct saving for the Independent and Catholic schools sectors. Although it is impossible to calculate the financial impact to the sector of this proposed change for electronic works (as sufficient surveying has not yet

occurred), it seems plausible to estimate that the cost of proposed section 135ZMB(5) to the school sector alone will amount to some millions of dollars. The provision would also apply to the TAFE, university and flexible learning sectors.

Proposed section 135ZMB(5) will also have significant day-to-day practical consequences for the administration of the statutory licence in schools. Currently the statutory licence is administered based on surveying copyright usage in educational institutions. In the schools' case, teachers currently indicate when they are filling out survey forms whether the amount used is less than 2 pages or less than 1% of the words of a work in electronic form. These 'one and two page copying' entries can then be used to determine any discount that should be applied.

If section 135ZMB(5) is introduced, this surveying approach will no longer be practically possible. An alternative would have to be identified, which would have to take into account whether the amounts taken were consecutive and whether each amount should properly be considered to be substantial. It would also be practically difficult to record details of multiple passage use (eg, to record where 3 short extracts of a work are used from different locations in a source electronic work). In the case of non-paginated electronic works, this could be almost impossible to achieve in practice.

CAG is therefore opposed to the introduction of proposed section 135ZMB(5) as it:

- is contrary to long standing fundamental copyright principles
- would create illogical and absurd results in practice
- will create an unwarranted and unjustified financial impost on education budgets in the probable order of many millions of dollars
- will create practical problems in the day-to-day administration of the educational statutory licence, and in particular the surveys that are conducted in schools.

CAG submits that it is imperative that proposed section 135ZMB(5) is removed from the Bill and CAG urges the Committee to recommend its removal.

Manufacture or distribution of circumvention devices with the permission of the copyright owner

Schedule 12 to the Bill contains the technological protection measures (TPM) provisions required to be introduced as part of Australia's obligations under its Free Trade Agreement with the United States. Some aspects of these obligations were considered by the House of Representatives Standing Committee on Legal and Constitutional Affairs (HRLACA).

HRLACA identified a significant problem with the TPM regime in the Free Trade Agreement – the fact that Australia was permitted to introduce exceptions for, say, educational institutions to circumvent TPMs for public interest reasons, but the Agreement did not permit the Government to introduce exceptions to enable anyone to manufacture or supply a circumvention device to enable the institution to exercise this legitimate exception. HRLACA referred to this situation as "egregious" and a "lamentable and inexcusable flaw".⁷

CAG understands from discussions with the Attorney-General's Department that this problem identified by HRLACA is not so much a flaw as a 'design feature' of the Free Trade Agreement. CAG was extremely pleased to see that the Government has attempted to alleviate some of the harm of this 'flaw' by ensuring that people and institutions with the benefit of exceptions under the TPM scheme such as educational institutions are able to manufacture and import circumvention devices for their own use to ensure they can still use the exception they have been legally granted by TPM laws.

CAG submits however, that there is one aspect of the Bill as introduced into Parliament that will have the effect of making the 'flaw' identified by HRLACA even more serious and significant in practice.

Proposed sections 116AO, 116AP, 132APD and 132APE of the Bill make it a civil or criminal offence to manufacture and distribute a circumvention device or offer a circumvention service for the purposes of supplying that device or service to another person. This is the case even if the person manufacturing and distributing the device has done so with the express permission of the copyright owner.

This is in stark contrast to proposed section 116AN(2) of the Bill, which provides a defence to the circumvention of a TPM if the circumvention is done with the permission of the copyright owner or exclusive licensee.

CAG submits that the absence of this permission exception for sections 116AO, 116AP, 132APD and 132APE is perplexing and concerning. Consider the practical result of this failure to include a permission exception for the prohibition on manufacturing and supplying a circumvention device:

A teacher wants to make a copy of an electronic textbook to use in class. The textbook is protected by a TPM and the teacher has no access to that work in hard copy form. The teacher can use an exception to the TPM provisions to legally circumvent the TPM to make the copy for class.

However, the teacher does not have a circumvention device and does not know how to make one.

The State Education Department knows that this is a common problem. The Department also knows that a teacher at another school has been able to make a circumvention device for

⁷ *Review of technological protection measures exceptions*, Final Report of the House of Representatives Standing Committee on Legal and Constitutional Affairs, February 2006 at pp86-90
 ME_70083163_1 (W2003)

that TPM. However, it would be an offence for the teacher who has made the device to give it to the teacher who needs to make the copy for class.

The Department approaches the copyright owner, who grants permission for the circumvention device to be circulated among Departmental schools in order for teachers to access the work for educational purposes.

The teacher who made the circumvention device would still be civilly and/or criminally liable for distributing the circumvention device – even though that activity has occurred with the express permission of the copyright owner.

CAG submits that this example illustrates the need for a permission exception for sections 116AO, 116AP, 132APD and 132APE. In every other area of copyright law it is not an infringement to do an act with someone's copyright work where that act is permitted by the copyright owner or exclusive licensee. CAG cannot see why this should not also be the case in relation to the TPMs used to protect copyright works, particularly when the absence of this permission exception has the practical effect of making the exceptions to TPMs in the Bill very difficult – if not impossible – to use.

CAG requests that this Committee recommend that a permission exception similar to proposed section 116AN(2) be also introduced for proposed sections 116AO, 116AP, 132APD and 132APE.

CAG thanks the Committee for the opportunity to make this submission and would be pleased to attend a public hearing or provide any further information that would assist the Committee in its inquiry.

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ATTACHMENT A

'RESEARCH OR STUDY' FAIR USE OR FAIR DEALING IN FOREIGN JURISDICTIONS

Canada	New Zealand	United Kingdom	United States
<p>Fair dealing is not an infringement of copyright if the use is for the purpose of research or private study.</p> <p>Numerous factors are considered in deciding if the use is fair, such as the purpose, character and amount of dealing, the alternatives to the dealing, the nature of the work and the effect of the dealing on the work.</p> <p>There is no percentage cap on what may be considered fair.</p> <p>In addition, to the best of CAG's knowledge there is no percentage cap in relation to any exception in Canadian copyright law.</p>	<p>Fair dealing does not infringe copyright and includes copying for private study, research, criticism, review and news reporting.</p> <p>A number of factors are considered in determining whether copying for research or private study is fair dealing, such as the purpose and nature of the work, the effect on the potential market or value of the work, the amount copied in relation to the whole work and whether or not the work could have been obtained in a reasonable time at an ordinary commercial price.</p> <p>There is no percentage cap on what may be considered fair.</p> <p>In addition, to the best of CAG's knowledge there is no percentage cap in relation to any exception in New Zealand copyright law.</p>	<p>Fair dealing is a major exception and describes acts which are permitted to a certain degree.</p> <p>Use for private and research study (being non-commercial research) is considered a fair dealing.</p> <p>Individuals may make a single copy of a reasonable portion of literary, dramatic, musical and artistic works for 'research and private study'.</p> <p>There is no percentage cap on what may be considered fair.</p> <p>In addition, to the best of CAG's knowledge there is no percentage cap in relation to any exception in UK copyright law.</p>	<p>The fair use of copyright work is not an infringement.</p> <p>The determination of fair use is based on four factors, namely the purpose or character of the use, the nature and amount of the work used and the effect of the use on the potential value of or market of the work.</p> <p>To the best of CAG's knowledge there is no percentage cap in relation to any exception in US copyright law.</p>

Switzerland	Singapore	France	Germany	The Netherlands	Spain	Sweden	Czech Republic
<p>There is no broad exception for fair use or fair dealing.</p> <p>However, it is not an infringement of copyright for personal use or use by a teacher for teaching a class.</p> <p>To the best of CAG's knowledge there is no percentage cap in relation to any exception in Switzerland's copyright law.</p>	<p>A certain amount of copying for legitimate purposes like research or education, provided it is fair dealing, is allowed.</p> <p>The factors to be considered in determining whether the use is a fair dealing are the purpose and nature of the work, the effect on the potential market and value of the work, the amount copied in relation to the whole work and the possibility of obtaining the work within a reasonable time at an ordinary commercial price.</p> <p>There is no percentage cap on what may be considered fair.</p> <p>In addition, to the best of CAG's knowledge there is no percentage cap in relation to any exception in Singapore's copyright law.</p>	<p>There is no broad exception for fair use or fair dealing.</p> <p>However, it is not an infringement to use material in certain circumstances, including the making of copies for private use and educational purposes.</p> <p>To the best of CAG's knowledge there is no percentage cap in relation to any exception in France's copyright law.</p>	<p>There is no broad exception for fair use or fair dealing.</p> <p>However, it is not an infringement to use material in certain circumstances, including to make copies of small parts of material in teaching in non-commercial institutions to the extent necessary and in the quantity required.</p> <p>To the best of CAG's knowledge there is no percentage cap in relation to any exception in Germany's copyright law.</p>	<p>There is no broad exception for fair use or fair dealing.</p> <p>However, it is not an infringement to use material for use for teaching purposes, and limited copying is permissible for the sole purpose of personal practice or private study.</p> <p>To the best of CAG's knowledge there is no percentage cap in relation to any exception in The Netherlands' copyright law.</p>	<p>There is no broad exception for fair use or fair dealing.</p> <p>However, it is not an infringement to copy fragments material in limited situations, including for teaching or research purposes.</p> <p>To the best of CAG's knowledge there is no percentage cap in relation to any exception in Spain's copyright law.</p>	<p>There is no broad exception for fair use or fair dealing.</p> <p>However, there are limited exceptions to infringement.</p> <p>To the best of CAG's knowledge there is no percentage cap in relation to any exception in Sweden's copyright law.</p>	<p>There is no broad exception for fair use or fair dealing.</p> <p>However there is a broad ability to exclude from copyright protection works that have a 'public interest'.</p> <p>There are also limited exceptions to copyright infringement.</p> <p>To the best of CAG's knowledge, there is no percentage cap in relation to any exception in Czech Republic's copyright law.</p>