

Freedom, who cares?

IF THE Australian Post Office has done an efficient job you should be reading this the day before Australia goes to the polls to elect the next federal government.

This is an appropriate time to remind you about the present government's attitude to the Freedom of Information Bill.

Readers will be aware that *Incite* no 12 (18 July) reported that the Bill was due for debate in the August session of Parliament.

Amendments rejected

If you have been following the news recently you will know that both Government and Opposition Senators have openly criticised the government's rejection of many of the Senate Committee's proposed amendments to the Bill.



Senator Gareth Evans... 'we are not going to have freedom of information legislation of which we can be genuinely proud'. Photograph: News Ltd.

The Senate Standing Committee on Constitutional and Legal Affairs proposed 93 changes to the existing Freedom of Information Bill and another 13 to the Archives Bill. The basis of the Senate Committee's recommendations was to provide legal avenues of appeal against decisions made by ministers and public servants should they refuse to disclose information. The recommendations also tried to narrow down exemptions of classes of information and to give the right of access to existing documents.

The government has accepted some of the recommendations but has rejected those recommendations which were the heart of the legislation. They have not accepted recommendations which would lead the way to a more effective access of information held by government. The government has also refused to narrow the categories under which exemptions from disclosure could be claimed.

'Government fears Freedom of Information'

On 16 September, Senator Gareth Evans (Lab, Vic), told the Senate that 'the government fears the freedom of information legislation and is a prisoner of the most reactionary anti-democratic and self-protective elements of the public service.

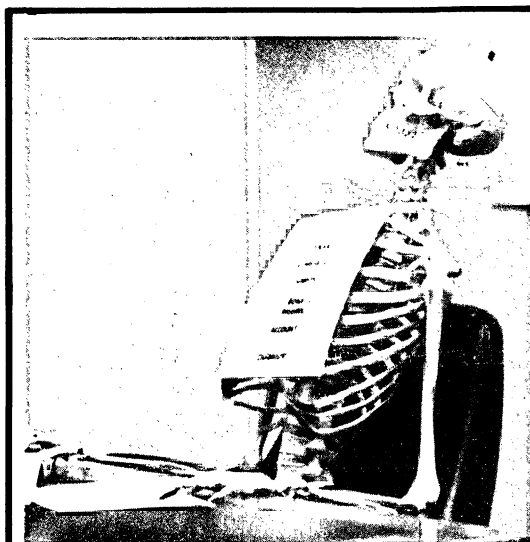
'We are not going to have freedom of information legislation of which we can be genuinely proud which will improve the quality of Australian democracy,' he said.

On the same day Senator Missen (Lib, Vic), Chairman of the Senate Standing Committee on Constitutional and Legal Affairs, walked out of the Senate during debate on the Bill after launching a strong attack on the 'divine right of ministers' to issue conclusive certificates which deny access to documents.

What now?

Should the present government be re-elected, their record to date would indicate that the chances of having effective freedom of information legislation are minimal.

Should Labor win the election, they can either follow the present government's policy of only accepting a few of the Senate Committee's recommendations or they can re-introduce the Bill with all of the Committee's recommendations.



A result of the government's decision...

Tas — severe cuts

IN THE PREVIOUS issue of *Incite* we reported that the Hobart Lending Library and the State Reference Library, Tasmania, had been forced to reduce their hours of opening because of cuts in government spending — we thought that was bad news.

The latest news we've heard from Tasmania is even worse, following the release of the State Budget.

The State Library will receive \$6,436,000 this year, compared to \$6,269,000 last year.

Laurie Brown, State Librarian, Tasmania, says that 'this represents a drop in real terms once inflation is taken into account.

'Our book purchasing budget has been cut by about 22.7 percent' he said, and because of the rise in the cost of books that means our purchasing power has been reduced by about 35 percent'.

Mr Brown has announced there will be drastic cuts in staff numbers.

A spokesman for the LAA Northern Areas Regional Group has expressed 'grave concern and apprehension at the anticipated deterioration of the public library service, which will be the inevitable result of cuts to the State Library's budget'.

The Group is anxious that as many Tasmanian library users as possible should demonstrate their concern by contacting their local members of State Parliament without delay.

Copyright changes coming

SUBSTANTIAL AMENDMENTS to the Copyright Act 1968 have been passed by Parliament. These amendments are expected to come into force in about six months time. When this happens it will mean changes in the way libraries work.

The Association is preparing a detailed report for members, but in the interim the following is an outline of some of the major changes in the legislation. We are indebted to Allan Horton, Librarian at the University of New South Wales for these notes:

1 A variation has been made in the law in order to protect a library in which an infringing copy is made on a user operated copying machine. The effect is that provided certain notices are displayed and other conditions are met, the library is not responsible for a user's action if he is in breach of the law. This is clearly a response to the Moorhouse case. (Section 39A).

2 The inclusion of a definition of 'reasonable portion' guides as to what portion of a book may be copied without a breach occurring.

The previous Act did not define this and it was left entirely to the judgement of the librarian. (Section 10).

3 Variation of the definition of 'fair dealing' so that it now becomes fair dealing to make a copy for the purpose of research or study, not just private study as previously. (Section 40).

4 Changes in the requirements relating to the making of copies for individuals by a library. In essence libraries must still obtain declarations in terms of the Act from each person who wants to make a copy. These must be filed in order by the date on which the copy was made. The library in which the copy was made and the date on which the copy was made will have to be on the copy. If this is on the platen of the copying machine used for such copying this would ensure that the declaration can be retrieved should it be required. (Section 49 and Section 203A(1)).

5 Libraries will be able to continue inter-library loans. But it will be necessary to file a copy of the inter-library loan request chron-

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News from the Divisions

NORTH QUEENSLAND REGIONAL GROUP

A VERY successful seminar was held by the Group on 12-13 September at Queensland Institute of Technology. The seminar, entitled 'Regional History' attempted to answer questions such as 'What resources are required by the regional historian?' 'How can those resources be collected, organised and preserved?'

Professor Ken Cable (Sydney University) gave an historical overview of local/regional history and said he felt collections will develop rapidly in coming years. He said the 'grey area' between librarians and archivists will become increasingly blurred. Librarians will need to consider how much they can assist researchers without influencing the results of the research.

The historical resources of Nth Qld were described by Anne Allingham and Noel Loos. Ann concentrated on her survey of the primary records and their location. This will soon be published as a bibliography. Noel recorded the trials of a pioneer history researcher in Nth Qld.

Ann Enderby, from Kuring-gai CAE, spoke about a practical approach to the organisation of regional history collections. She suggested types of finding aids that could be prepared and suitable methods of recording materials.

The role and functions of an archivist were outlined by the Qld State Archivist, Paul Wilson. He lamented that they were no longer able to provide a good service to researchers because of the tremendous increase in demand.

Brian Pump suggested simple and practical ways of establishing and maintaining photographic collections.

The Group hopes to have proceedings of the seminar published before Christmas.

Alex Byrne

NSW BRANCH

Visits of Leonard Wertheimer and Barry Totterdell

THESE distinguished librarians will be visiting Australia in November to take part in the Multiculturalism in Libraries conference to be held in Melbourne from 7-11 November. Arrangements are being made to bring both of them to Sydney. The Branch is co-operating with the PLD in the arrangement of Leonard Wertheimer's Sydney program, and with the PLD and Kuring-gai CAE for Barry Totterdell's visit. Evening meetings are being planned to give as many members as possible the chance to benefit from their expertise. Dates are still tentative but it is hoped that Leonard Wertheimer will address the Branch in the week of 3 November, and Barry Totterdell on 25 November. For further information call Marea Terry (02) 692 3508.

1981 Branch Council

In July 1980 nominations were called for positions of the Branch Executive and for Branch, Sectional and Regional Councillors. Only sufficient nominations were received to fill vacancies, with the exception of the

position of Riverina Regional Councillor for which an election is necessary. Ballot papers, voting instructions, and a statement of concerns from the candidates will be sent direct to all Riverina Regional Group members within the area of the NSW Branch. A list of all NSW Branch Council members for 1981 will be published in *Incite* No 20.

NT BRANCH

TIMETABLE for and notice of AGM and election of Officers, 1981.

The Annual General Meeting will be held in the Meeting Room, Casuarina Public Library, Bradshaw Terrace, Casuarina at 8pm on Thursday, 27 November 1980.

1 Call for nominations for office sent out by 2 October 1980.

2 Closing date for nominations 16 October

3 Ballot papers to be sent out by 23 October

4 Poll closes 20 November

5 Poll declared at AGM on 27 November
Bruce Turner

LAA/NZLA Post Conference Seminars

Music libraries seminar

This seminar has now been developed to become an exciting two-day seminar on Friday and Saturday, 23-24 January. Organised by the Australian and New Zealand Branch of the International Association of Music Libraries it is open to IAML members and non-members.

Delegates who register for the full conference or for the Friday post-conference seminars are eligible to attend all or part of this two-day seminar. Topics of interest in music library and archival work in Australasia will be discussed by a selection of expert speakers from New Zealand and Australia.

The lavish, highly successful film, *Notes on a landscape* (Australian composers and their environment) produced by the Australia Music Centre will feature in the program. For a copy of the full program write to Dr Brian Pritchard, School of Music, University of Canterbury, Private Bag, Christchurch. This seminar is not included in the registration form. If you plan to attend all or part of it please note this on your registration form.

Government publications workshop

A seminar on Australian government publications, organised by the LAA Government Publications Workshop Co-ordinating Committee, will be held on Friday, 23 January. The seminar will provide an introduction to users of Australian government publications, setting their background from inception to adoption, types of publication, and sources for locating them. Minimum number of participants required is 20, maximum 40, so early registration is advisable. For this seminar in addition to the conference registration fee there is a seminar fee of \$5, payable 'at the door' at the commencement of the seminar. For a copy of the full program write to Malvina Jones, National Library Centre, PO Box 1380, Christchurch, or to Max Borchardt, Australian Bureau of Statistics, PO Box 10, Belconnen, ACT 2617.

Planning for the other 12 seminars is progressing well. Several seminars will commence at 9am instead of 9.30am at the request of seminar conveners. If you require further information about the program for any seminar write to Mrs Malvina Jones, National Library Centre, PO Box 1380, Christchurch.

NB. Conference registrations close on 31 Oct 1980. Your registration form must reach Christchurch by that date.

Index gets reprieve

IT WAS RECENTLY feared that *Index to Australian book reviews*, which has been published by the Libraries Board of South Australia since 1965, would have to cease with the publication of the annual volume for 1979.

This well-respected index was a possible casualty of the South Australian Government's directive to departments to reduce expenditure. *Index to Australian book reviews* earns an income of only \$1800 from subscriptions, around a tenth of what it costs to produce — hence the problem.

A number of groups have expressed concern over its possible demise. There were moves to ascertain whether a number of other libraries would offer the Libraries Board indexing or other help in order to save the *Index*.

Euan Miller, the Acting State Librarian, has now announced that the Literature Board of the Australia Council will provide the *Index* with a \$5000 grant for one year, and the publication's future is more hopeful. Wider circulation will also help and now would be a good time to express your interest.

Index to Australian book reviews is published by the Libraries Board of South Australia, GPO Box 419, Adelaide SA 5001. It is published quarterly, cumulates with the December issue and costs \$12.00 per year

Copyright continued

ologically. (Section 50). (An article on how the Copyright Law amendments will affect inter-library loans can be found elsewhere this issue.)

6 Libraries will be able to copy manuscripts to preserve them or a damaged or lost publication to replace it. They must be unable to buy a new copy of the latter within a reasonable time at a normal commercial price for this to be legal.

Libraries may also make a single microform copy of a work held if the item is then destroyed. This is to allow libraries to save space. (Section 51A).

7 Libraries will have to keep records which the Act requires so that they may be inspected by the owner of the copyright or his agent within seven days of a request. (Section 203E).

Libraries in educational institutions have completely new rules for multiple copying.

8 Libraries in educational institutions will be able to make a copy or copies of the whole or part of a periodical article to place it in the collection (Reserve). But cannot copy more than one article in a serial issue at any one time unless the articles relate to the same subject matter. (Section 53D (1), (3) and (4)).

They may copy 'a reasonable portion' of a book one or more times. They may also copy a number of parts of a book, or the whole of a book, but can only do this if they cannot buy the book new in a reasonable time at an ordinary commercial price. (Section 53D (2), (3) and (5)).

Note however that for each copy made under this section a detailed record in specified form must be made and kept in order by the ISSN, or serial title if there is no ISSN, or by the ISBN, or book title if there is no number available. (Section 53D (5A), (5B) and (5C)).

9 Educational libraries may be required to pay a fee for making copies under Section 53D if the owner requests this in the prescribed period. There is also provision in the Bill for copying to be licensed for the owner of copyright. (Section 53D (6-8)).