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Digitisation and the copyright issue

In recent years, the message from the Australian government to libraries and archives has been clear: make your collections available online. The internet age has facilitated convenient and equitable access to a wide range of information and cultural content, and libraries are eager to make their content more accessible to the community. There are a few hurdles to be overcome for libraries to really tackle mass digitisation head on – money and staff resources being one; a stable digital format in a rapidly evolving technological environment for another; and looming in the background, copyright laws that permit mass digitisation (copying) and provision of access to content by libraries and archives.

Currently, there is no exception under Australian copyright law that readily facilitates mass digitisation. Flexible dealing, section 200AB of the Copyright Act, has some scope for digitisation, but it comes with conditions: digitisation of that content must not conflict with normal exploitation of the work by the copyright holder or unreasonably prejudice their interests, and must be a special case. What this seems to mean is that where a library is looking to make particular content available online that the copyright holder would also look to provide online (commercially-produced books, for example, transitioning from print to digital), a library won't be able to digitise under section 200AB. The 'special case' requirement also doesn't seem to lend itself to mass digitisation.

The Australian Law Reform Commission is currently undertaking an Inquiry into Copyright & the Digital Economy, and asks whether there should be some provision under copyright law to make enable mass digitisation by libraries and archives. It's a complex issue, with libraries and archives possessing a wide range of material in their collections spanning published books, AV content, government reports, community ephemera, old photographs, maps, and unpublished works. What might be a reasonable solution for commercial works may not be so reasonable for non-commercial works, and vice-versa. Any solution for mass digitisation will have to be flexible enough to account for the wide range of content in our collections, while recognising that libraries and archives serve a public interest purpose in preserving and providing access to our cultural heritage.

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VICTORIAN LIBTECHS ON TOUR: THE TASMANIAN EDITION

Twenty-two delegates from Victoria, NSW, and Tasmania met up on the Apple Isle recently to tour, talk, and taste. First: a visit to the LINC Tasmania facilities, which house the Allport Museum and Art Gallery, the State Library of Tasmania Reading Room, the Tasmanian Archive and Heritage Office History Room, and Hobart LINC. Guided by Sandra Harris and Lidia Foley, the delegates gained a fascinating insight into the operations of this unique information service. Thanks to Jo Beck who facilitated the visit.

The next day, delegates toured to the Museum of Old and New Art (MONA) Library. The Manager of the Library & Numismatics Collection, Mary Lijnzaad, outlined the history of MONA and spoke about the library's amazing collection of material. MONA is a fascinating place, so be sure to visit if you are close by. We can recommend travelling to MONA from the city via the ferry. It's absolutely wonderful on a bright sunny day. Thank you Mary for allowing us to visit.

And no trip to Hobart would be complete without some time to tour Salamanca Market. The weekend was full of fascinating visits, great company, and fabulous weather. Where will we tour next? Maybe somewhere tropical? You will have to wait and see!

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