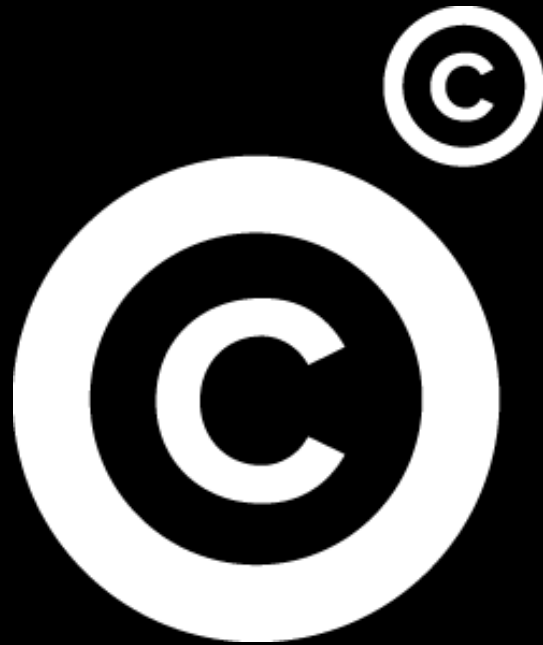


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National Implementation of the MVT: Perspective of
Authors and Publishers

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Support by authors and publishers for rights of visually impaired

- Authors and publishers support access to books by the visually impaired
- IPA, IFRRO and other stakeholders have worked with the World Blind Union and others to facilitate access for this community including through the WIPO Stakeholder Platform
- Australian publishers have a long history of supplying accessible format copies as required

Position of authors and publishers on MVT

- Authors and publishers took an active role in negotiations on MVT
- Concerns of publishing community:
 - respect for rights of authors and publishers and consistency with existing copyright treaties
 - commercial markets protected
 - security for master file and accessible copy
 - risk management of cross-border exchange
 - accountability of authorised entities

IFRRO's position on the MVT

- The *overall message in this Treaty*, from IFRRO's point of view, is that *copyright is balanced* and that it can be effective in both preserving the legitimate rights of rightholders and *ensuring access to culture for a specifically defined group of users*: persons who are blind, visually impaired, or otherwise print disabled

IFRRO's position on the MVT

- The Treaty is an *exceptional treaty*, providing access to specifically defined beneficiaries. In IFRRO's view, it is an *access treaty* rather than an exceptions and limitations Treaty.

National implementation

- The Treaty leaves it to *the individual country to decide whether* to make the exception or limitation *subject to remuneration*
- It has the *flexibility* to allow countries at different speeds or stages of development to take into account the level of commercially available offerings

Important Principles

- Role of *Authorised Entities*
- Importance of collaboration
- Importance of stakeholder developed services in co-operation with WIPO
- Balance and flexibility

Implementation of MVT

RRO engagement

- IFRRO encourages RROs to respond positively to requests from authors and publishers to facilitate the making and cross-border exchange of accessible format copies
- IFRRO has developed tools to facilitate RRO engagement:
<http://www.ifrro.org/content/access-persons-print-disabilities>
- Countries in which RROs administer statutory licences in respect of accessible format copies will maintain such arrangements

Accessible Books Consortium

- Accessible Books Consortium (ABC) aims to increase the number of books worldwide in accessible formats and to make them available to people who are vision impaired
- ABC is a multi-stakeholder partnership comprising WIPO, organisations serving those with print disabilities and organisations representing publishers and authors
- IFRRO's CEO, *Olav Stokkmo*, on the ABC Board

Accessible Books Consortium

- ABC operates the TIGAR service which sets out conditions for the exchange of content by participants
- TIGAR requires that permission be granted by copyright holders in order to allow the cross-border exchange of electronic files of accessible books that have already been produced legitimately by an institution under a national copyright exception or licence

Other initiatives

- Two licensing options offered, by rightholders directly or via RROs (repertoire and/or case-by-case licences, depending on mandate):
 - Depending on the agreement with authors and publishers, acquiring mandates via opt-in or opt-out
- RROs currently involved:
 - DALRO (South Africa); Jamcopy (Jamaica); Kopinor (Norway); ProLitteris (Switzerland); CLNZ (New Zealand) + other RROs have been approached

Other initiatives supporting implementation

- IFRRO tools established to assist:
 - ✓ Mandate for alternative format licensing
 - ✓ Print Impaired Licence
 - ✓ Annex to agreements between RROs
 - ✓ Template for seeking a licence

Implementation case study: Australia

Implementation in Australia: a case study

- Australia has had specific provisions in its Copyright Act for the visually impaired since 1981:
 - A statutory licence for organisations
 - Exception for individuals and activities not covered by statutory licence
 - “Master Copy Catalogue” - an online catalogue of copyright works in alternate formats for people with print disabilities

Statutory licence

- Institutions assisting people with a print disability may make sound recordings, Braille versions, large print versions, photographic and electronic versions of copyright works
- Copyright Agency is approved by the Australian Government to administer the scheme
- Notice and record keeping requirements apply but Copyright Agency does not seek payment under the licence

s200AB Copyright Act

- Section 200AB is a free exception which allows a person with a print disability or someone else on their behalf to make a reproduction or copy of a work in another form
- Use must not be for commercial advantage or profit

Copyright Agency Master Copy Catalogue

- The Master Copy Catalogue is an online catalogue of copyright works in alternate formats for people with print disabilities

Copyright Agency Master Copy Catalogue

- The catalogue enables users to easily upload information and search for works
- Users of the service can request the alternative format from an institution that holds it, avoiding duplication of effort
- There are plans to include publisher files and to make the catalogue available to a wider community

Implementation in Australia

- Australia signed the MVT in June 2014
- In November 2014 the Government released an Issues Paper with proposals for implementation and invited comment
- Publishers and authors support the implementation and favour non-legislative solutions to fill any gaps

Implementation in Australia

- Australia is working towards ratification of the MVT in 2015
- Given the existing provisions, no changes to Australian law are required
- The government is considering some amendments to streamline the existing provisions
- These arise from consultations following the 2014 Discussion Paper

Implementation in Australia

- Australian Publishers Association: “Australia’s objectives in the negotiations were to promote an outcome that:
 - provides greater accessibility for persons with a print disability by reducing unreasonable barriers in copyright law that inhibit effective participation in society and culture; and
 - ensures treaty proposals are consistent with existing copyright treaties which provide for economic and moral rights of copyright owners.”

Implementation in Australia

- Australian Society of Authors: “... we have supported the Marrakesh Treaty, which will eventually allow greater international access by the visually impaired to works by Australian authors”

Implementation in Australia

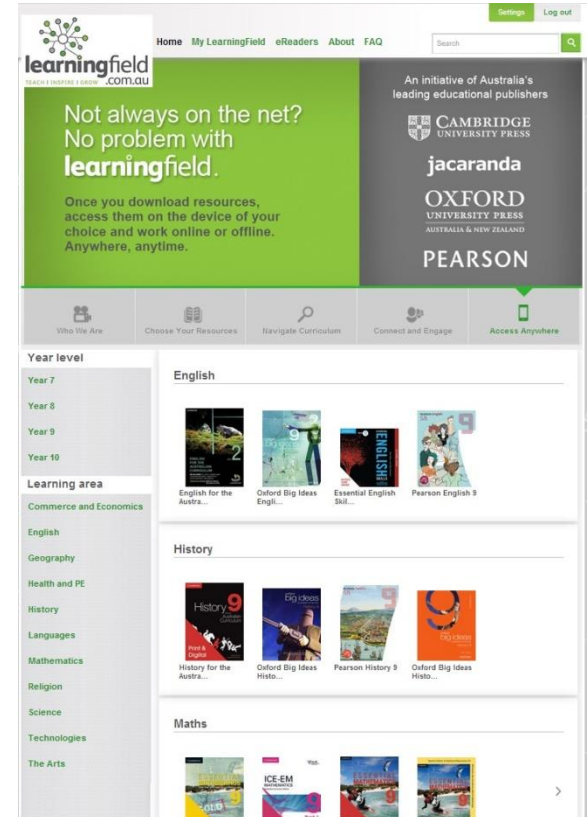
- Copyright Agency, on behalf of authors and publishers, is supporting implementation by:
 - Assisting institutions access to files: standardised requests and process
 - Facilitating clearances through the TIGAR service
 - Opening the Masters Catalogue to New Zealand
 - LearningField

What is LearningField?

“A digital subscription which puts all the students’ textbooks on their portable device”

It provides:

- **Single log-in:** to access resources quickly and easily
- **Choice:** Unlimited access to resources from a range of educational publishers
- **Anywhere-anytime access:** to resources on multiple devices (PC ,iPad, Android, Mac)
- **Collaboration Features:** Note taking, discussions and other collaboration features



Questions?



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