

Marrakesh Treaty Questionnaire – New Zealand

1. Please indicate the relevant provisions in your national legislation providing for or regulating the limitations and exceptions to facilitate access to published works for persons who are blind, visually impaired, or otherwise print disabled.

The Copyright Act 1994 section 69 – 69D.

2. Does your national legislation permit the cross-border exchange (i.e. exportation) of “accessible format copies”, as defined in Article 2 b)1 MVT? If yes, under which conditions?

Yes it does allow for cross-border exchange of “accessible format copies” under section 69A of the Copyright Act.

3. Does your national legislation allow the importation of “accessible format copies”, as defined in Article 2 b)2 MVT? If yes, under which conditions?

Yes it does allow for the importation of “accessible format copies” under section 69A of the Copyright Act.

4. Does your national legislation provide a definition of “authorized entity”, as defined in Article 2 c)3 MVT? If yes, please provide the reference.

The New Zealand Copyright Act 1994 provides a definition of “authorised entity” as a list format. Section 69 states: “An entity that is 1 or more of the following may undertake the activities set out in section 69A: (a) an educational establishment; (b) an educational resource supplier; (c) a prescribed library within the meaning given in section 50(1) and/or (d) a charitable entity that has a purpose consistent with making accessible format copies available to persons who have a print disability.” The authorised entity must also give notice to the Ministry of Business, Innovation, and Employment before beginning activities stated under New Zealand’s section 69A of the Act for the first time.

5. Please provide a list with contact details of entities that can operate as authorized entities in your territory, and any further information that you can provide, such as number of accessible titles in the catalogue of the authorized entity and the languages covered.

The list of authorised entities operating in New Zealand is publically available through the Ministry of Business, Innovation and Employment’s website. The following entities have notified the Ministry that they intend to begin activities under section 69A of the Copyright Act 1994.

- Ara Institute of Canterbury Limited
- Auckland University of Technology
- Blind and Low Vision Education Network NZ
- Dunedin Public Libraries
- Hamilton City Libraries
- Horizon School Library
- Ko Taku Reo Deaf Education New Zealand
- Royal New Zealand Foundation of the Blind Inc. (trading as Blind Low Vision NZ)
- University of Auckland
- University of Canterbury
- University of Otago
- University of Waikato
- Victoria University of Wellington

Information about the number of accessible titles in the catalogue of each authorised entity and the languages they cover is not collected by MBIE.