

DISABILITY SERVICES CHANGES TO THE COPYRIGHT ACT

WHY IS THE ACT CHANGING?



Disability access provisions have been simplified to ensure more equitable access to copyright material.



Introduction of Fair dealing for the purpose of access by persons with a disability.



Use of copyright material by organisations assisting persons with a disability.

REFORMATTING OPTIONS?



Copyright material can be converted into the most accessible format available and with appropriate features.



Examples include scanning a book for use with assistive technology, providing audio descriptions,



making adjustments to size and colour, and converting books into easy English.

ACCESS BY PERSONS WITH A DISABILITY

A person with a disability is anyone who suffers from a disability that causes them difficulty in reading, viewing, hearing or comprehending copyright material in a particular form.

A person with a disability, or a person acting on their behalf, can make a copy or upload/download a copy of copyright material if it is for the purpose of providing



an accessible version to a person with a disability and the dealing is fair.

WHEN IS THE DEALING FAIR?

Four 'fairness' factors are used to determine if reuse of copyright material is fair

- (i) **The purpose and character of the use:** Assisting a person with a disability to access copyright material satisfies this factor.
- (ii) **The nature of the material:** Is the material in print and available? Is it published or unpublished?
- (iii) **The effect of reuse on the commercial interests of the copyright holder:** Reuse must cause substantial market harm for it to be unfair.
- (iv) **The amount of material reused:** The more content reused the more likely it is to be unfair. However a copy of the whole material may be required for conversion into an accessible format.

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HOW THE ACT IMPACTS ON UNIVERSITIES



Curtin University is now able to provide accessible format copies to assist persons with a disability.



Reuse of copyright material in this manner is only acceptable if the material is not commercially available in the format required.



This replaces the current provisions in the University's statutory licence (Part VB of the Act).

WHEN IS MATERIAL COMMERCIALLY AVAILABLE?



Copyright material is commercially available if it can be obtained within a reasonable time at an ordinary commercial price.



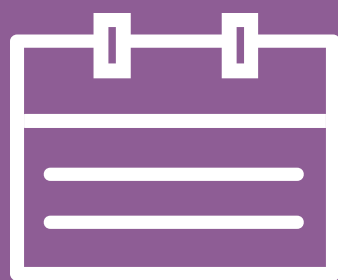
This requires making a reasonable search of authoritative sources.



Organisations are required to purchase a copy if it is commercially available in a suitable format.

WHEN DO THE CHANGES COMMENCE?

The new disability provisions take effect on 22 December 2017.



NEED MORE INFORMATION?



If you have any questions regarding the new disability provisions, please contact:



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Curtin University