

# Fair use and schools - setting the record straight

Organisations such as the Copyright Agency/Viscopy continue to mislead their Australian author members by telling them that fair use would see their licensing payments coming to an end. This is simply not true.

<b>Fact</b>	<p><b>Australian authors will continue to receive payments when their works are copied by Australian schools.</b></p> <p>Australian schools spend upwards of \$700 million each year in purchasing educational content for students. Fair use will have <b>no</b> impact on this. Schools also pay approximately \$100 million each year on collectively negotiated copyright licences, including approximately \$65 million to Copyright Agency/Viscopy.</p> <p>The education sector at the highest levels (the State, Territory and Commonwealth Education Ministers, as well as the National Catholic Education Commission and the Independent Schools Council of Australia) has given repeated public assurances over a number of years that <b><u>these licences will continue to exist if fair use is introduced.</u></b></p> <p>Authors, poets, playwrights, song writers and artists will still receive royalty payments under the licences if fair use is introduced.</p>
<b>Fact</b>	<p><b>Australian schools currently spend millions of dollars of public funds each year for uses that no one ever expected to be paid for. Fair use will fix this.</b></p> <p>This includes use of freely available internet content and use of orphan works (ie works where the author is either unknown or not able to be located). For example, in recent years Australian schools have paid to use:</p> <ul style="list-style-type: none"><li>• take a screenshot of a yellow raincoat from a Bunnings catalogue;</li><li>• print a teaching resource from a blog allowing people to download “over 180 FREE speech therapy worksheets”;</li><li>• print entry forms for students to enter a computing challenge.</li></ul> <p>No reasonable person could suggest that the livelihood of Australian authors would be harmed if Australian schools could rely on fair use for these kinds of uses.</p> <p>Schools are <b>not</b> asking for fair use in order to avoid having to pay when they copy the work of Australian authors. Australian schools simply want to avoid this staggering waste of public funds, and ensure that copyright funds are directed appropriately - to Australian authors and publishers.</p>

<b>Fact</b>	<b>Australia's copyright laws are so out of date they don't deal with technologies such as cloud computing, text &amp; data mining or machine learning.</b>
	Fair use will ensure these technologies can be used in Australian schools when it is fair to do so – and will not impact on copyright owner licence payments in any way.