

'Educational use and the Internet – does Australian copyright law work in the web environment?'

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Australia is undergoing a period of radical review of its education, innovation and the digital economy policies.

This paper poses the question: are the Copyright Act's statutory educational use licences appropriate in the online world or is there another way?

Australia's unique statutory educational licences were created initially to deal with educational copying in an analogue world of photocopying books and videotaping television shows off air and aimed to balance the public interest in ensuring a free flow of information in education and the private economic interests of copyright owner.

In 2000, the statutory educational licences were made technology neutral to ensure that electronic and digital copying and communication of literary and artistic works and television and radio broadcasts were also covered.

Publishers and Creators of books, CD ROMs, eBooks would now receive copyright fees for educational use of their material. However the licence also extends to the millions of website owners in the world who put material on their websites for free public consumption with no expectation of receiving remuneration under a compulsory licence scheme in Australia.

No other country in the world requires educational institutions to pay to use for educational purposes material made available from publicly available websites.

The following questions are raised:

- Are the statutory educational licence schemes out of "whack" when applied to the internet?
- Should educational institutions pay for material made publicly available on the internet or educational institutions be able to freely use publicly available information on websites for non commercial educational purposes?
- How does the current statutory education licence schemes impact on the Governments Digital Education Revolution and Venturous Australia innovation and the Future Digital Economy Agendas?
- Is another way that the economic needs of those website owners who want remuneration can be addressed?