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Mr Matthew Hall
Partner
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3 June 2003

Dear Matthew,

Review of Digital Agenda Act

Thank you for your invitation to the roundtable meeting on 5 June to discuss the review of Digital Agenda Act. I confirm that I will be attending.

From our point of view, the major issues for the review are:

- that the Digital Agenda Act amendments allow first digitisation of copyright material, contrary to the recommendations of the House of Representatives Legal and Constitutional Affairs Committee (paragraph (f) of the terms of reference);
- that the Copyright Act allows free use of copyright material by corporate libraries (paragraph (a) of the terms of reference); and
- the Digital Agenda amendments do not proscribe the use of circumvention devices and services, and allow the manufacture and supply of circumvention devices and services for “permitted purposes”.

There are, of course, a range of other issues that concern us as well, including many of the issues listed in your letter of invitation.

We enclose, for your information, two reports published by the Centre for Copyright Studies since the Digital Agenda Act was passed and relevant to the review:

- *The Three-Step Test, Deemed Quantities, Libraries and Closed Exceptions*
- *A Comparative Study of Library Provisions: From Photocopying to Digital Communication*

Yours sincerely,

Libby Baulch
Executive Officer