Copyright Legislation Amendment (Technological Protection Measures) Regulations 2017

I, General the Honourable Sir Peter Cosgrove AK MC (Ret’d), Governor-General of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, make the following regulations.

Dated 2017

Peter Cosgrove
Governor-General

By His Excellency’s Command

Mitch Fifield [DRAFT ONLY—NOT FOR SIGNATURE]
Minister for Communications
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1 Name

This instrument is the *Copyright Legislation Amendment (Technological Protection Measures) Regulations 2017*.

2 Commencement

(1) Each provision of this instrument specified in column 1 of the table commences, or is taken to have commenced, in accordance with column 2 of the table. Any other statement in column 2 has effect according to its terms.

<table>
<thead>
<tr>
<th>Commencement information</th>
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<tbody>
<tr>
<td><strong>Column 1</strong></td>
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<tr>
<td>Provisions</td>
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<tr>
<td>1. The whole of this instrument</td>
</tr>
</tbody>
</table>

*Note:* This table relates only to the provisions of this instrument as originally made. It will not be amended to deal with any later amendments of this instrument.

(2) Any information in column 3 of the table is not part of this instrument. Information may be inserted in this column, or information in it may be edited, in any published version of this instrument.

3 Authority

This instrument is made under the *Copyright Act 1968*.

4 Schedules

Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.
Schedule 1—Amendments and repeals

Part 1—Amendments

Copyright Regulations 1969

1 Regulation 1
   After “Copyright”, insert “(Technological Protection Measures)”.

2 Regulation 2
   Repeal the regulation.

3 Subregulation 3(1)
   Omit “(1)”.

4 Subregulation 3(1)
   Repeal the following definitions:
   (a) address for service in Australia;
   (b) the previous Act.

5 Subregulations 3(2), (3) and (4)
   Repeal the subregulations.

6 Parts 2, 3, 3A, 4, 5, 5A, 6, 6A, 7 and 8
   Repeal the Parts.

7 Schedules 3, 3A, 3B, 4, 5, 8, 9 and 10
   Repeal the Schedules.

8 Schedule 10A (before table item 3)
   Insert:

   2.2 An act by a person that does not infringe copyright because
   of Division 4 of Part IVA of the Act

   2.3 Fair dealing that:
   (a) is described in section 40, 41, 41A, 103A, 103AA or 103C of
   the Act; and
   (b) is by a student enrolled in a course of instruction provided by
   an educational institution; and
   (c) is solely for the purposes of completing that course

   2.4 Fair dealing that:
   (a) is described in section 40, 41, 41A, 103A, 103AA or 103C of
   the Act; and
   (b) is by a person who carries out research for an educational
   institution; and
   (c) is solely for the purposes of that research

   2.5 Use by a person of a work or other subject matter that is not
   an infringement of copyright in the work or other subject matter
because of subsection 200AB(1) of the Act because the use is covered by subsection 200AB(3) (use by body administering educational institution) of the Act

9 Schedule 10A (before table item 4)
Insert:
3A Access by or for persons with a disability
3A.1 An act by a person that does not infringe copyright because of Division 2 of Part IVA of the Act

10 Schedule 10A (before table item 5)
Insert:
4.4 An act by a person that does not infringe copyright because of Division 3 of Part IVA of the Act

Repeal the Schedules.
Part 2—Repeals

Copyright Tribunal (Procedure) Regulations 1969

12 The whole of the Regulations

Repeal the Regulations.