



AUSTRALIAN
DIGITAL ALLIANCE

Copyright Consultation
Copyright Law Section
Content and Copyright Branch
Department of Communications and the Arts
GPO Box 2154, Canberra, ACT, 2601

To whom it may concern

I write on behalf of the Australian Digital Alliance to provide comments to the Review of the Online Copyright Infringement Amendment.

As you are aware, the ADA is a non-profit coalition of public and private sector interests formed to provide an effective voice for a public interest perspective in copyright policy. It was founded by former Chief Justice of the High Court of Australia, Sir Anthony Mason, in February 1999. ADA members include universities, schools, disability groups, libraries, archives, galleries, museums, technology companies and individuals.

The members of the ADA do not currently seek amendments to the [Copyright Amendment \(Online Infringement\) Act 2015 \(Online Infringement Amendment\)](#) or its operation.

However, we would like to take this opportunity to state that we would be concerned if the scheme were to be amended in ways that would adversely affect our members or the public interest. In particular, we would be concerned with any amendments that:

- Seek to extend the application of the scheme beyond ISPs to other intermediaries, including libraries, universities, schools, cloud services and online platforms;
- Seek to extend authorisation liability or apply greater obligations to intermediaries, including libraries, universities, schools, cloud services and online platforms;
- Reduce judicial oversight, transparency or checks and balances in the scheme;
- Remove the burden of proof from the rights holders to establish the evidentiary threshold; or
- Negatively impact upon consumer protections currently included in the scheme.

We thank you for the opportunity to comment on the scheme.

Yours sincerely

Derek Whitehead
Chair
Australian Digital Alliance