

8 July 2021

Dear Mr. Nkosi, Chair: PC on Trade and Industry,

I am happy to be able to comment on the Copyright Amendment Bill today. I am writing this email in my personal capacity.

I am a senior librarian with PG LIS/MA qualification. I have been working at Unisa, the largest distance university in Africa since 1873. I am also involved in international library work with the Africa Branch of our umbrella organisation, International Federation of Library Associations and Institutions (IFLA), South African association LIASA, sub-Saharan organizations - SCECSAL as well as with the African Library and Information Association (AfLIA).

I really welcome the copyright exceptions because our Copyright Act of 1978 is so outdated that it makes our lives as librarians extremely difficult. We have a mandate to provide access to information through our large collections and e-resources, but to do this, we always hit a big barrier, i.e. inadequate copyright law and restrictive licensing. We serve students right around the world and on our continent. Distance learners need material in print if they do not have access to the Internet or enough data. Many can access the Internet but are limited as to what they can access because copyright law determines what they can or can't have access to, have or not, unfortunately. However, not being able to provide course-packs to our students, without paying hefty copyright fees to the collection organisation, DALRO, is a huge burden on the universities' budget. Our institution has over 400 000 million students and thousands of academic and professional staff members. It clears copyright on a transactional licence as a blanket licence with DALRO, would be exorbitant. Some other universities that have around 38 000 students pay over R4 million a year for a blanket licence agreement. This is at public-funded universities. Trying to get permission to digitise, format-shift and convert into new formats is a nightmare. Rightsowners don't respond or decline or make certain conditions, so often we just leave the project.

I am happy to see the exceptions will enable digitisation, preservation, format-shifting, conversions, digital interlibrary loans, course-packs, fair use (especially to enable access to orphan works, and for our academics to do text and data mining for research). In fact, all the Sections 12 A, B, C, and D and Section 19 B and C are very welcome and I hope they will be passed very soon.

Thank you in anticipation

[signed]
Lindile I Nhlapo