**Dear Ms. Joanmariae L. Fubbs, Chair: Portfolio Committee on Trade and Industry, Parliament**

**Attention: Mr. A. Hermans –** **ahermans@parliament.gov.za**

**Re: SA Copyright Amendment Bill 2017**

**Our organisation represents 24 teachers and 210 learners in South Africa. We wish to thank the Department of Trade and Industry for drafting the new Copyright Amendment Bill 2017.**

**We are particularly pleased with the limitations and exceptions in the Bill for teaching and learning, libraries, archives, museums and galleries, and for people with various disabilities. The current Copyright law is so restrictive and outdated. These new provisions will facilitate access to information in South Africa and improve our teaching and use of copyright material in the future. We are also glad to see the introduction of ‘fair use’ but notice that there is a limited list of permitted acts. We believe that ‘fair use’ should be open to allow for unforeseen uses and technological changes in the future. Also, the provision for quotation in Section 12 needs to be open. The current provision in the Bill is very limiting and will have a negative impact on writing, research, teaching, language studies, expression, speeches, newsletters, etc., and production of knowledge in general. We also believe that ‘orphan works’ need to be addressed under ‘fair use’ provisions. They should not be owned or controlled by the State. The impractical and expensive process suggested in the Bill will make the use of orphan works virtually impossible for schools and their libraries. It would be unfortunate to lock up a whole treasure of knowledge because of the cost or process involved to get copyright clearance. These works are no longer exploited by the authors or publishers, so should be addressed under ‘fair use’.**

**We hope that our recommendations will be given due consideration.**

Regards

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