



27 June 2017

Ms Joanmariae L. Fubbs,
Chairperson: Portfolio Committee on Trade and Industry

For attention: Mr. A. Hermans, ahermans@parliament.gov.za

SUBMISSION FROM UNIVERSITIES SOUTH AFRICA (USAF)

Universities South Africa (USAf) is an umbrella organisation of all 26 public universities in South Africa. It acts as a voice of the sector and engages the state on policy reforms and policy changes. It plays an advocacy role as well.

South Africa's public universities are by far the largest producer of research and creative works and it is important therefore the universities engage these new policy proposals. We have engaged with a number of other institutions with regard to this and much of the formulation here is drawn from those engagements.

1. The Marrakesh Treaty

Alongside the recommendation made by other institutions we support the ratification of the Marrakesh Treaty as soon as possible to ensure that reciprocal cross-border sharing is guaranteed. This will allow the provisions of this Bill to be effective.

2. Limitations and exceptions for libraries and archives and persons with disabilities in the Copyright Amendment Bill

USAf supports the recommendations made by the DAC and NCLIS regarding the abovementioned matter. While the new Bill is a great advance on the existing one, Fair Use provisions must ensure that the provision of materials for the disabled needs to be open-ended rather than itemising specific uses of material.

3. Orphan Works

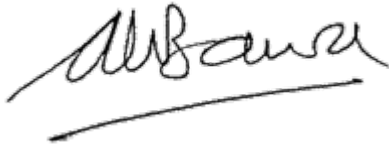
We support the idea that orphan works be dealt with under Fair Use provisions rather than the provision that they remain indefinitely under the control of the state.

4. Provisions for Digitisation, Preservation and Digital Curation

The new Bill must support provisions for digitisation, preservation and digital curation for libraries and archives and for legal deposit. Many library projects have been hampered by restrictive copyright laws.

Further to the above, we support the detailed recommendations made by NCLIS in terms of rewording, reworking the Copyright Amendment Bill.

Yours sincerely

A handwritten signature in black ink, appearing to read 'A Bawa', with a horizontal line underneath it.

PROF AHMED BAWA
CHIEF EXECUTIVE OFFICER