

Government plans to give consumers more copyright freedom

Thursday 20 December, 2012

UK Business Secretary Vince Cable has today announced a range of changes aimed at increasing the freedom of use in relation to copyrighted materials such as music, films, photographs, paintings and computer games while still providing a strong author protection license. The planned changes will upgrade the current copyright framework with a modern and flexible structure allowing certain things such as individuals the right to copy protexted works for individual use, parody and for the purposes of quotation.

The Government has consulted extensively on these proposals, through the process of the Hargreaves Review, a formal consultation and numerous discussions with stakeholders and industry representatives. It has considered all responses very carefully, which have helped develop and refine the proposals including the balance between exceptions and licensing, before finalising these measures.

Business Secretary, Vince Cable said:

"Making the intellectual property (IP) framework fit for the 21st century is not only common sense but good business sense. Bringing the law into line with ordinary people's reasonable expectations will boost respect for copyright, on which our creative industries rely.

"We feel we have struck the right balance between improving the way consumers benefit from copyright works they have legitimately paid for, boosting business opportunities and protecting the rights of creators."

In his review of intellectual property and growth, Professor Hargreaves made the case for the UK making greater use of these exceptions, which are allowed under EU law. In response to a consultation earlier this year, the Government will make changes to:

- Private copying - to permit people to copy digital content they have bought onto any medium or device that they own, but strictly for their own personal use such as transferring their music collection or eBooks to their tablet, phone or to a private cloud;
- Education - to simplify copyright licensing for the education sector and make it easier for teachers to use copyright materials on interactive whiteboards and similar technology in classrooms and provide access to copyright works over secure networks to support the growing demand for distance learning handouts for students;
- Quotation and news reporting - to create a more general permission for quotation of copyright works for any purpose, as long as the use of a particular quotation is "fair dealing" and its source is acknowledged;
- Parody, caricature and pastiche - to allow limited copying on a fair dealing basis which would allow genuine parody, but prohibit copying disguised as parody;
- Research and private study - to allow sound recordings, films and broadcasts to be copied for non-commercial research and private study purposes without permission from the copyright holder. This includes both user copying and library copying;
- Data analytics for non-commercial research - to allow non-commercial researchers to use computers to study published research results and other data without copyright law interfering;
- Access for people with disabilities - to allow people with disabilities the right to obtain copyright works in accessible formats where a suitable one is not already on the market;
- Archiving and preservation - to allow museums, galleries, libraries and archives to preserve any type of copyright work that is in their permanent collection which cannot readily be replaced; and
- Public administration - to widen existing exceptions to enable more public bodies to share proactively third party information online, which would reflect the existing position in relation to the use of paper copies.

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These changes could contribute at least £500m to the UK economy over 10 years, and perhaps much more from reduced costs, increased competition and by making copyright works more valuable.

In addition the Government will introduce a new, non-statutory system for clarifying areas where there is confusion or misunderstanding on the scope and application of copyright law. Copyright notices will be issued by the Intellectual Property Office (IPO). These notices are intended to clarify, but not make new law.

Notes to editors

These changes form part of the Government's response to the Hargreaves Review of IP and Growth, commissioned by the Prime Minister and published in May 2011. Professor Ian Hargreaves concluded that "The UK's current system is falling behind what is needed, especially in the area of copyright" and recommended that the UK needed "an approach to exceptions to copyright which encourages successful new digital technology businesses both within and beyond the creative industries".

The IPO is within the Department for Business, Innovation, and Skills (BIS) and is responsible for the national framework of IP rights, comprising patents, designs, trade marks and copyright.

Its role is to help manage an IP system that encourages innovation and creativity, balances the needs of consumers and users, promotes strong and competitive markets and is the foundation of the knowledge-based economy.

It operates in a national and an international environment and its work is governed by national and international law, including various international treaties relating to IP to which the United Kingdom is a party.

For further information

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For emergency media calls out-of-hours please contact the duty press officer at the Department for Business, Innovation and Skills on +44 (0) 20 7215 3505.

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