

20 January, 2009

Parallel Importation of Books Study
Productivity Commission
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The Council of Australian University Librarians (CAUL) welcomes the opportunity to make a submission to the Productivity Commission's study into copyright restrictions on the parallel importation of books.

CAUL

CAUL is comprised of the university librarians or library directors of all Australian universities. CAUL's mission is to support its members in the achievement of their objectives, especially the provision of access to, and training in the use of, scholarly information, leadership in the management of information and contribution to the university experience.

CAUL's View on Parallel Import Restrictions

CAUL believes the parallel import restrictions are more about trade and distribution issues than intellectual property concerns. Addressing concerns about cultural protection or piracy should be addressed through other means than copyright.

Parallel import restrictions were removed from New Zealand copyright law in 1998. This removal has not been detrimental to the New Zealand publishing industry. There is evidence that the removal of restrictions led to lower book prices in New Zealand (<http://www.med.govt.nz/upload/11982/negc.pdf>).

Background

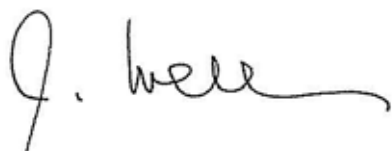
The provision of high quality scholarly information resources for research and teaching is a major responsibility for CAUL members. Nearly all of these information resources are published outside Australia and acquired from overseas suppliers. Expenditures on scholarly journals are significantly larger than those for monographs.

Over the last decade, the form of scholarly information provision has moved quickly from print to online. The vast majority of research journals are now acquired and delivered in online form only, with many university libraries adopting an 'electronic-preferred' policy for acquiring scholarly journals. The British Library has predicted that many scholarly journals will be available in electronic form only in the next decade and it will be in the publishers' economic interest to distribute them in that way only. Technological change has had profound effects on the acquisition and delivery of scholarly journals. The majority of academic staff and students have reacted positively to these changes. This also applies to course readings: students have access to digital course readings around the clock. These types of educational uses are enabled through statutory and publisher-negotiated licenses.

Technological change has not been as dramatic for books, but the trend suggest that changes are coming. University libraries continue to acquire printed scholarly monographs and textbooks. In the last two to three years, the acquisition of e-books has increased sharply. It is hard to tell if this has consistently replaced acquisition of printed books: in many cases, the e-book is offered in addition to the printed version. Some university libraries are adopting an 'electronic-preferred' policy for books. The high usage of e-books indicates that academic staff and students will accept this form of information provision. The development of portable reading devices will further encourage acceptance.

CAUL's Experience of Restrictions

In this changing environment, the parallel import restrictions have no effect on the operations and services of Australian university libraries, given that most publishers and suppliers are outside Australia. Academic libraries buy the scholarly literature, not that produced by the 'trade'. The parallel import restrictions may have increased prices for textbooks and other scholarly information resources. However, Australian university libraries buy very limited quantities of textbooks from their suppliers, whether Australian or overseas. While the effect of the restrictions on university libraries is negligible, the restrictions lead to increased prices for textbooks and other scholarly information resources that academic staff and students require. For this reason alone, CAUL expresses its support for the removal of the restrictions in the interests of an open and competitive market.

A handwritten signature in dark ink, appearing to read 'A. Wells', with a long horizontal flourish extending to the right.

Andrew Wells
President, CAUL