17 July 2018

The Honourable Ms. J Fubbs
Chairperson
Portfolio Committee on Trade and Industry
Parliament of the Republic of South Africa
CAPE TOWN

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Dear Ms. Fubbs

ENDORSEMENT OF THE COMMENTS BY UNIVERSITIES SOUTH AFRICA (USAf) ON SPECIFIC CLAUSES OF THE COPYRIGHT AMENDMENT BILL (B13-2017) AS SUBMITTED ON 17 JULY 2018

The Library and Information Association of South Africa (LIASA) would like to place on record our endorsement of the comments and recommendations made by Universities South Africa (USAf) regarding the specific clauses of the Copyright Amendment Bill (B13-2017).

LIASA has been recognised by SAQA as the accredited professional body for Library and Information Services (LIS) in South Africa according to the National Qualifications Framework Act 67 of 2008 and as such, the Associate represents all library and information practitioners including those in the academic sector. In this arena - academic libraries and librarians – we are responsible for providing and facilitating physical and digital access to, as well as making students and academic staff aware of the appropriate use of, information and knowledge resources in support of the teaching, learning and research mandates of universities.

We believe that appropriate and balanced copyright legislation is critical to the acknowledgment and preservation of existing knowledge, and also is needed for as new knowledge is generated through the creative, intellectual and research processes core to the operations at universities. We note with regret that text and data mining, which is very important for research and other forms of knowledge production, is not addressed in the Bill despite it being recommended by many stakeholders in submissions and at public hearings in August 2017.

As a critical partner to teaching, learning and research in higher education, we engage on a daily basis with the pervasiveness of technology and the impact of the digital domain on the use of knowledge resources.
Therefore, we wish to commend the Committee for recognising both the urgency and the importance of including fair use provisions; as well as exceptions for education, research, libraries, archives, museums, galleries; and for persons with disabilities, which will ensure alignment with international treaties and especially support national policies pertaining to Open Science.

We respectfully request that the comments and recommendations made by USAf, and which are supported by LIASA, on the specific clauses will be considered accordingly.

We wish you, the Portfolio Committee and the Technical Team well with your deliberations.

Yours sincerely

Mr Mandla Ntombela
LIASA President