

Copying for visually impaired people

'At the heart of the current work of the Wipo Standing Committee is a proposal from the World Blind Union for a treaty which would provide improved access to copyright protected works for blind, visually impaired and other reading disabled persons.'

There are two exceptions or permitted acts in the Copyright, Designs and Patents Act 1988 which deal with copying for people with a visual impairment:

- The 'one for one' exception (CDPA s31A) (Making a single accessible copy for personal use)
- The 'multiple copy' exception (CDPA s31B) (Making multiple copies for visually impaired persons)

The multiple copy exception does not apply to the making of an accessible copy in a particular form if:

- a licensing scheme operated by a licensing body is in force under which licences may be granted by the licensing body permitting the making and supply of copies of the copyright work in that form
- the scheme is not unreasonably restrictive and
- the scheme and any modification made to it have been notified to the Secretary of State by the licensing body.

There are licensing schemes in place both from the Copyright Licensing Agency and also from the Music Publishers Association. Under the two exceptions on visual impairment, copies can be made in any format (including digital) which renders them accessible to the visually impaired person

(VIP) provided that there isn't a suitable commercial edition available. If the master copy is in a copy-protected form, then any accessible copy made from it under this section must, so far as it is reasonably practicable to do so, incorporate the same, or equally effective, copy protection measures (unless the copyright owner agrees otherwise). Where an accessible copy is made in order to make the work more accessible to the visually impaired person any changes undertaken in order to make it more accessible must not infringe the right of an author not to have their work subjected to derogatory treatment (s80) and must be accompanied by a sufficient acknowledgement.

The definition of a 'visually impaired person'

What it does cover:

- 1 someone who is blind;
- 2 someone who has an impairment of visual function which cannot be improved, by the use of corrective lenses, to a level that would normally be acceptable for reading without a special level or kind of light;
- 3 someone who is unable, through physical disability, to hold or manipulate a book; or
- 4 someone who is unable, through physical disability, to focus or move his eyes to the extent that would normally be acceptable for reading (see section 31F(9)).

What it does not cover:

- 1 people with learning disabilities who may need 'easy to read' or illustrated versions of text;
- 2 people with disabilities such as dyslexia;
- 3 hearing impaired people who may wish to have subtitled or sign language versions of published material.

The Copyright Licensing Agency (CLA) offers two types of permissions in its licences covering persons suffering from a visual impairment or other disability impeding or preventing access to licensed material (see www.cla.co.uk/vip_licence.php). Firstly it has a licence for organisations representing visually impaired people. The

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licence is available to 'Approved Bodies' as defined by the VIP Act (these are either educational establishments or not-for-profit bodies).

Secondly CLA's standard licences to educational establishments, government departments and other public bodies, businesses and other organisations contain a clause which permits the licensee organisation to make, or have made, copies in a format accessible to those staff, students, pupils, employees or other members of their establishment where a visual impairment or other disability is preventing or restricting access to an original work within licensed material. Companies who wish to reproduce printed music using Braille or large print formats can do so by applying for a licence from the Music Publishers Association (www.mpaonline.org.uk/Music_Licensing/Copyright_Licensing_for_Visually_Impaired_People/index.html). The publishing industry has a set of guidelines for visually impaired people so that they can access books, magazines and journals without any risk of copyright infringement (see the details below).

One to watch

At the heart of the current work of the Wipo Standing Committee on Copyright and Related Rights is a proposal from the World Blind Union for a treaty which would provide improved access to copyright protected works for blind, visually impaired and other reading disabled persons.

Further information

Publishers Association 'VIP guidelines for publishers'

www.pls.org.uk/ngen_public/default.asp?id=154 January 2007

Study on Copyright Limitations and Exceptions for the Visually Impaired. Judith Sullivan. Wipo, 2008.

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The Public Library

David McMenemy

December 2008; 240pp; hardback; 978-1-85604-616-9; £3995 (£3196 to CILIP members)

Know It All, Find It Fast 3rd edn An A-Z source guide for the enquiry desk

Bob Duckett, Peter Walker and
Christinea Donnelly

October 2008; 496pp; paperback; 978-1-85604-652-7; £3495 (£2796 to CILIP members)

Drop into the CILIP stand at Umbrella to have a chat with the authors on 15 July, 13.45-14.15

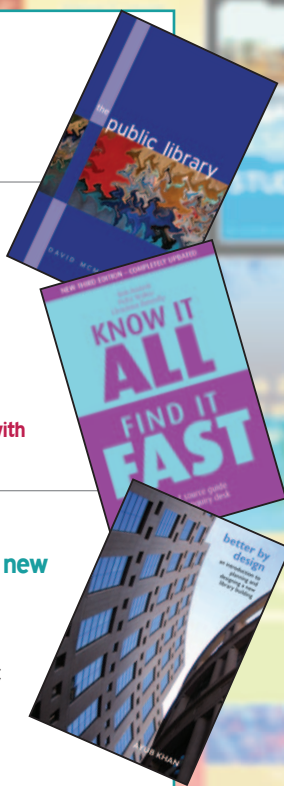
Better by Design

An introduction to planning and designing a new library building

Ayub Khan

December 2008; 224pp; hardback; 978-1-85604-650-3; £4495 (£3596 to CILIP members)

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NEWS

OCLC launches e-content starter pack

OCLC has introduced a new e-content 'starter pack' tailored to UK public libraries. This follows on from a study conducted last year in which 50 per cent of UK public library respondents indicated an intention to increase their collections of both e-books and e-audiobooks over the next 12 months. The starter pack is meant to offer a budget-friendly, convenient way to establish an e-content collection.' For a flat fee you get a collection of more

than 40 e-audiobooks and more than 150 e-books, in a variety of genres. Also included are marketing materials to promote the collection to users. For the e-book titles see: <http://tinyurl.com/kkgve9> For e-audiobook titles see: <http://tinyurl.com/mbunea> OCLC would like feedback on how closely the pack reflects UK public library needs. Email: stephen.taylor@oclc.org