



# **Copyright Legislation Amendment (Technological Protection Measures) Regulations 2017**

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I, General the Honourable Sir Peter Cosgrove AK MC (Ret'd), Governor-General of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, make the following regulations.

Dated 14 December 2017

Peter Cosgrove  
Governor-General

By His Excellency's Command

Mitch Fifield  
Minister for Communications

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## 1 Name

This instrument is the *Copyright Legislation Amendment (Technological Protection Measures) Regulations 2017*.

## 2 Commencement

- (1) Each provision of this instrument specified in column 1 of the table commences, or is taken to have commenced, in accordance with column 2 of the table. Any other statement in column 2 has effect according to its terms.

Commencement information		
Column 1	Column 2	Column 3
Provisions	Commencement	Date/Details
1. The whole of this instrument	At the same time as Part 2 of the <i>Copyright Regulations 2017</i> commences.	22 December 2017

Note: This table relates only to the provisions of this instrument as originally made. It will not be amended to deal with any later amendments of this instrument.

- (2) Any information in column 3 of the table is not part of this instrument. Information may be inserted in this column, or information in it may be edited, in any published version of this instrument.

## 3 Authority

This instrument is made under the *Copyright Act 1968*.

## 4 Schedules

Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.

## Schedule 1—Amendments and repeals

### Part 1—Amendments

#### *Copyright Regulations 1969*

##### 1 Regulation 1

After “*Copyright*”, insert “(*Technological Protection Measures*)”.

##### 2 Regulation 2

Repeal the regulation.

##### 3 Subregulation 3(1)

Omit “(1)”.

##### 4 Subregulation 3(1)

Repeal the following definitions:

- (a) *address for service in Australia*;
- (b) *the previous Act*.

##### 5 Subregulations 3(2), (3) and (4)

Repeal the subregulations.

##### 6 Parts 2, 3, 3A, 4, 5, 5A, 6, 6A, 7 and 8

Repeal the Parts.

##### 7 Schedules 3, 3A, 3B, 4, 5, 8, 9 and 10

Repeal the Schedules.

##### 8 Schedule 10A (before table item 3)

Insert:

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2.2 An act by a person that does not infringe copyright because of Division 4 of Part IVA of the Act

2.3 Use by a person of a work (other than a computer game) or other subject matter that is not an infringement of copyright in the work or other subject matter because of subsection 200AB(1) of the Act because the use is covered by subsection 200AB(3) (use by body administering educational institution) of the Act

##### 9 Schedule 10A (before table item 4)

Insert:

3A	Access by or for persons with a disability	3A.1 Fair dealing with, or use of, copyright material other than a computer game by a person that is not an infringement of copyright in the material because of Division 2 (access by or for persons with a disability) of Part IVA of the Act
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##### 10 Schedule 10A (before table item 5)

Insert:

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4.4 An act by a person that does not infringe copyright because  
of Division 3 of Part IVA of the Act

**11 Schedules 11, 11AA, 11AB, 11AC, 11A, 11B, 11C and 12**

Repeal the Schedules.

## Part 2—Repeals

### *Copyright Tribunal (Procedure) Regulations 1969*

#### **12 The whole of the instrument**

Repeal the instrument.