

Care of the collection

Preservation and administrative purposes

There are two specific exceptions which allow libraries and archives to make preservation copies of materials in their collections. These exceptions do not require payment, but they are subject to restrictions:

- [Key Cultural Institutions](#) (libraries and archives set up under Acts or Regulations) may make up to three preservation copies of manuscripts, artistic works or published works providing the works are not commercially available and are of cultural or historical significance.
- Other libraries and archives may make a copy of a manuscript to preserve it against loss or deterioration or a copy of a published work if it is lost, stolen, damaged or destroyed.

All libraries and archives may also copy material in their collections for administrative purposes. This covers, for example, copying materials as part of catalogue use, for valuation and for official reporting. There are no other restrictions in this exception.

For preservation or administrative activities that fall outside of the specific exceptions, the flexible dealing exception s200AB may be used.

FAQs

[We have a box of floppy disks that apparently contain 'local history'. We can't read these disks on our equipment, can I contract someone to format shift the disks into a digital form so that we can find out what is on them?](#)

In order to format shift the disk you would need to work out if the use is covered by the [s200AB exception](#) (the format shifting exception only applies to individuals and the preservation copyright exception doesn't cover format shifting). s200AB covers use by or on behalf of a library or archive, so you can contract an external party to shift the formats. You will however run into a problem if the disks have a digital lock (a technological protection measure) on them as neither the library/archive nor the contractor is able to break that lock for s200AB uses. In that case your only legal option would be to get the permission of the copyright holder, probably an impossible task.



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Further resources

[Galleries and Museums: an introduction to copyright](#) Australian Copyright Council

The [Australian Libraries Copyright Committee](#) is the primary policy body for the discussion of copyright issues affecting libraries and archives in Australia. For more information and resources on copyright for libraries, including regular training opportunities throughout Australia, see the <http://libcopyright.org.au>.