

# FTA doubts after ISP protest

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THE passage of the US Free Trade Agreement enabling legislation has been thrown into doubt after the government agreed to an 11th hour review of key concerns outlined by the Internet Industry Association (IIA).

Concerned ISPs met today with Trade Minister Mark Vaile to outline their problems with Items 11 and 13 of legislation amending the Copyright Act. The amendments were required as a precondition for the free Trade Agreement coming into effect.

The ISPs also met with Attorney General Phillip Ruddock and Communications and IT Minister Helen Coonan, as a part of a last ditch campaign to have the additional copyright requirements amended.

While the purpose of the legislation was to "harmonise" Australian copyright law with that of the US, the IIA believes the bill to be put parliament this week is far more strict than US law.

The concerns are to be addressed tonight at a meeting of the Senate Legal and Constitutional Affairs Committee.

The enabling legislation must be passed by the parliament this week if it is to meet the Australia-US Free Trade Agreement scheduled start date of January 1.

The IIA claims the legislative changes would make possession of pirated materials a criminal offence, and could make internet service providers criminally liable for pirated material that exists on their systems. The IIA also believes the system of take-down orders proposed through the legislation would put an onerous administrative burden on its members.

While the IIA had been briefed by government on the impending legislation, it complained that it only became aware of the extent of the changes when the legislation was first made publicly available late last week.