



DEPARTMENT OF JUSTICE
SOLICITOR FOR THE NORTHERN TERRITORY

Telephone: (08) 8999 7014
Facsimile: (08) 8999 7899

Our Ref: POL2003-388
Your Ref:

26 August 2004

Louise Gell
Director
Copyright Law Review Committee Secretariat
Attorney General's Department
Robert Garran Offices
BARTON ACT 2600

Dear Louise

COPYRIGHT LAW REVIEW COMMITTEE: CROWN COPYRIGHT DISCUSSION PAPER

I refer to your letter of 15 July 2004 to the Hon Peter Toyne MLA, Minister for Justice and Attorney-General for the Northern Territory.

As discussed today there are Northern Territory policies governing judgments and legislation. I have emailed copies to you. They are also attached to this letter.

In respect of the other issues, there is nothing that the Northern Territory wishes to add to the debate at this time. I am certain that your discussion paper will elicit the information necessary in order for a report to be drafted.

No doubt the Commonwealth Government will consult with State and Territory Governments when considering the implementation of any of the Committee's recommendations. I would expect the Northern Territory Government to make a formal submission at that time.

However, please let me know if you have any specific questions about the Northern Territory position on the issues.



Northern Territory Government

I reserve the right to make any further comments, within the time that your committee may make available for such late comments.

Yours faithfully

**SOLICITOR FOR THE
NORTHERN TERRITORY**

Robert Bradshaw

Enc (*)



DEPARTMENT OF JUSTICE
SOLICITOR FOR THE NORTHERN TERRITORY

Northern Territory Copyright policy concerning court judgments - as published in the Northern Territory Government Gazette, G48, 9 December 1998

NORTHERN TERRITORY OF AUSTRALIA

COPYRIGHT POLICY IN JUDGMENTS OF THE COURTS OF THE NORTHERN
TERRITORY

For the information of the public, the Northern Territory of Australia, and the Chief Justice and Chief Magistrate, on behalf of the Judges and Magistrates of the Northern Territory, have adopted the following policy in respect of copyright in judgments issued before or after the date of publication of this notice.

1. "Judgment" includes:
 - a written judgment, order or award of a Northern Territory court; and
 - the written reasons for any such judgment, order or award of a Northern Territory court or a member of a Northern Territory court that has been publicly delivered, made or given.

2. Permission is granted to any person to publish or deal with any judgment in accordance with the following conditions, and the Northern Territory, the Judges and the Magistrates will not assert rights of copyright in any such judgment where these conditions are met:
 - the publication must not indicate directly or indirectly that it is an official version of the material;
 - the arms of the Northern Territory must not be used in connection with the publication of the material; and
 - the material must be accurately reproduced in a context that does not mislead.

3. This authorisation does not apply to:
 - an oral judgment of a Court of the Northern Territory that has not been edited by the member or members of the court who made the judgment; or



Northern Territory Government

- any headnote, footnote, comment, case list, cross reference, editorial material or summary of a judicial decision or submissions prepared by or for the Northern Territory Council of Law Reporting Inc, except with the further authority of that Council.
4. The Northern Territory reserves the right to revoke, vary or withdraw its permission on reasonable notice, in general, or:
- in relation to specified publishers or classes of publishers; or
 - in relation to specified judgments or classes of judgments.

Requests to reproduce material for which the Northern Territory owns copyright, that is not covered by this policy or the copyright policy for legislation, should be sent to the Attorney-General or to the Northern Territory Attorney-General's Department. An applicant for waiver of copyright will generally be required to provide an undertaking that he or she will reproduce the material accurately and acknowledge that reproduction of the material is by permission of the Northern Territory.



DEPARTMENT OF JUSTICE
SOLICITOR FOR THE NORTHERN TERRITORY

Northern Territory Copyright policy concerning legislation -8 October 1996

1. Copyright in Northern Territory legislation is owned by the Northern Territory. The Attorney-General asserts copyright on behalf of the Northern Territory.

2. "Legislation" includes:

- Bills introduced by Ministers into the Parliament of the Northern Territory,
- Acts of Parliament of the Northern Territory,
- regulations, rules, by-laws, codes of practice and instruments of a legislative or administrative character made under an Act of the Northern Territory,
- any explanatory material published in connection with legislation.

3. The Northern Territory grants permission to any person to publish or deal with any legislation of the Northern Territory in accordance with the following conditions, and the Northern Territory will not assert rights of copyright in any such legislation where these conditions are met:

- the publication must not indicate directly or indirectly that it is an official version of the material;
- the arms of the Northern Territory must not be used in connection with the publication of the material; and
- the material must be accurately reproduced in a context that does not mislead.

5. The Northern Territory reserves the right to revoke, vary or withdraw its permission on reasonable notice, in general or:

- in relation to specified publishers or classes of publishers; or
- in relation to specified legislation of the Northern Territory or classes of such legislation.

5. Requests to reproduce non-legislative material, for which the Northern Territory owns copyright, should be sent to the Attorney-General. An application for waiver of copyright will generally be required to provide an undertaking that he or she will reproduce the material accurately and acknowledge that reproduction of the material is by permission of the Northern Territory.



Northern Territory Government