

# NEW AUSTRALIAN COPYRIGHT LAWS

## PRIVATE COPYING OF MUSIC

You are now allowed to make a copy of a sound recording that you own, such as a CD, solely for your private and domestic use.

### What does the new exception in s 109A allow you to do?

- You can use an earlier copy to make later copies for all the players you own regardless of format (eg you can copy a CD to two MP3 players).
- You can make sequential copies (eg you can copy a CD to a personal computer and copy the content again to an iPod).

### What are the limits to the new exception?

- You must own the original copy and it must not be a pirate copy.
- Any copy you make must be made solely for your own private and domestic use.
- Any copy you make must be made for use with a playing device you own (that playing device could be a CD player, portable device such as an iPod, car sound system, personal computer or home entertainment media centre).
- Any copy you make must not be made from a 'podcast' of a radio broadcast or similar program (unless the podcast is licensed for private use).
- You cannot sell, swap, lend or give away any later copy to someone else. However you can lend it to a member of your family or household.
- If you sell, swap, lend or give away your original copy of a sound recording you must not keep any copy you have made.
- A business cannot use this exception to make a copy of a sound recording for you unless they have the permission to do so from the relevant copyright owners.
- You are not allowed to upload a copy of a song to the Internet.
- The new exception does not authorise you to remove technological protection measures applied to the sound recording. However many CDs, and all vinyl records, do not have such protection.

**This fact sheet provides general information only and is not a substitute for professional legal advice.**



**Australian Government**  
**Attorney-General's Department**