

COMMONWEALTH OF AUSTRALIA

*Copyright Act 1968*

IN THE COPYRIGHT TRIBUNAL

FILE NO. CT 2 of 2021

**COPYRIGHT AGENCY LIMITED (ABN 53 001 228 799)**

Applicant

**DEPARTMENT OF EDUCATION (QUEENSLAND) AND THE BODIES LISTED IN  
SCHEDULE A**

Respondents

**ORDER**

**TRIBUNAL:** JAGOT J (Deputy President)

**DATE:** 21 OCTOBER 2021

**WHERE MADE:** SYDNEY

**THE TRIBUNAL ORDERS THAT:**

1. By 5 November 2021, the Respondents provide the following to the Applicant:
  - a. Any correspondence between the Respondents (or their agent) and FujiFilm that details the development of the technology referred to in paragraph 56(a) of the Respondents' position paper.
  - b. The most recent draft of the business requirement document provided to FujiFilm.
  - c. The survey data (or a detailed summary thereof if available) relied upon for the purposes of paragraphs 42(a) and 42(b)(i) of the Respondents' position paper.
  - d. Copies of communications between the National Copyright Unit and others within the NSW Department of Education forming the consultations referred to in paragraph 59 of the Respondents' position paper.
  - e. Copies of the results of any of the investigations referred to in paragraph 41 of the Respondents' position paper.
2. Until further order, the Respondents and their agents provide to the Applicants fortnightly (other than during the period between 15 December and 15 January 2022) updates on the progress that has been made in dealings with FujiFilm and others within the NSW Department of Education in relation to the matters set out in paragraphs 56(a) and 59 of the Respondents' position paper.



3. If the Respondents claim privilege over any document required to be provided pursuant to these orders, the Respondents must notify the Applicant of the date and subject of any such document and the basis for the claim of privilege.
4. The Applicant file any position paper in reply by 19 November 2021.
5. The matter be listed for a case management hearing at 9:30 am (Sydney time) on 25 February 2022.
6. The parties have liberty apply on three days' notice.

Date stamped: 22 October 2021



## SCHEDULE A

Department of Education (New South Wales)  
ACT Education Directorate  
Department of Education and Training (Victoria)  
Department of Education Tasmania  
Department for Education (South Australia)  
Northern Territory of Australia (Department of Education)  
Department of Education (Western Australia)  
Catholic Schools NSW Limited  
Catholic Education Commission of Victoria Limited  
Trustees for Catholic Education Office Archdiocese of Canberra & Goulburn  
Catholic Education Centre (Catholic Education Office Tasmania)  
Catholic Education Office (South Australia)  
Catholic Education Western Australia Limited  
Catholic Education Office (Northern Territory)  
The Corporation of the Roman Catholic Bishops of Queensland (Queensland Catholic Education Commission)  
The Association of Independent Schools of New South Wales Limited  
Independent Schools Queensland Limited  
Association of Independent Schools of the A.C.T.  
Independent Schools Victoria Incorporated  
Independent Schools Tasmania Incorporated  
Association of Independent Schools of South Australia  
Association of Independent Schools of the Northern Territory  
Association of Independent Schools of WA Incorporated  
Seventh-Day Adventist Church (Australian Union Conference) Limited (Adventist Schools Australia)  
Christian Schools Australia Limited

