

June 2015

F13/567-11

Dr Mark R Diamond

**Right to Know website:**

[https://www.righttoknow.org.au/request/copyright in my school website c#comment-973](https://www.righttoknow.org.au/request/copyright%20in%20my%20school%20website%20c%20comment-973)

Dear Dr Diamond

### Responding to your questions

I refer to our previous correspondence and your latest questions to the Australian Curriculum, Assessment and Reporting Authority (ACARA) posted on the Right to Know website on 14 May 2015 at ([https://www.righttoknow.org.au/request/copyright in my school website c#comment-973](https://www.righttoknow.org.au/request/copyright%20in%20my%20school%20website%20c%20comment-973)).

#### 1. Your questions

I note that your two (2) questions are as follows:

*"First, does ACARA claim that it holds copyright in all or any of the data presented on the My School website? Second, does ACARA have any objection, on the basis of a claim of copyright, to the public reproduction of any or all of the school-related information on the My School website?"*

#### 2. My response

ACARA objects to the reproduction of school-related information from the *My School* website by third parties in ways which the Education Council (or its predecessors) have directed ACARA to take reasonable measures to address – in particular the publication of simplistic league tables. In my letter to you dated 26 February 2015, published on the Right to Know website at the above weblink, I advised (at heading 6) that:

- a. ACARA relies on more than one area of law (including the Copyright Act 1968 (Cth)) to carry out this directive; and
- b. As part of these bundle of rights, ACARA relies on the *My School* Terms of Use, at (<http://www.myschool.edu.au/ContactUs/TermsOfUse>).

#### 3. Contact person

If you require clarification of any of the matters discussed in this letter, please do not hesitate to contact Peter Matheson, Board Secretary, by email [peter.matheson@acara.edu.au](mailto:peter.matheson@acara.edu.au) or by phone: (61 2) 8098 3116.

Yours sincerely



**Robyn Ziino**

**Director of Communications and Strategic Relations, ACARA**