

**WRITTEN QUESTION TO THE MINISTER FOR ECONOMIC DEVELOPMENT
BY DEPUTY M.R. HIGGINS OF ST. HELIER
ANSWER TO BE TABLED ON TUESDAY 7th JUNE 2011**

Question

Can the Minister advise members whether the new copyright law is compatible with the 10 major recommendations made by Professor Ian Hargreaves to free-up restrictive intellectual property and copyright laws that 'obstruct innovation and economic growth in the UK' or will the Minister have to make amendments to the Jersey law to take them on board?

Answer

The independent report by Professor Ian Hargreaves, "Digital Opportunity: A Review of Intellectual Property and Growth", makes recommendations across all areas of intellectual property and not just in the copyright and related areas covered by the new law approved by the Assembly last December. Moreover, some of the recommendations are about non-legislative issues, such as improving the evidence base and better access to IP advice.

I do, however, recognise that a number of the recommendations proposed to better permit innovation and secure economic growth have relevance in Jersey, in particular to the Department's work to encourage diversification of Jersey's economy into areas such as e-commerce. In order to identify the best policies for Jersey, the Department will be considering the recommendations carefully as well as monitoring how the UK takes these recommendations forward.

The new law does anticipate some of the recommended legislative changes in the copyright area by specifically permitting amendments to the law by Regulations to, for example, adjust exceptions to rights, permit use of orphan works and further regulate copyright licensing. The Department will therefore work up suitable Regulations where appropriate to bring to the Assembly in due course.