



Digital v Analogue: Battle Looms

The proposed switchover from analogue to digital as the standard for mobile phone services looks like presenting the Government with more headaches than it bargained for.

Some communications writers - the *Sydney Morning Herald's* Gareth Powell for instance - are calling for both systems to be maintained in tandem, pointing to the potentially disastrous economic and political implications of scrapping the analogue system to which many Australians are currently wedded.

Telecommunications regulator AUSTEL has now swung into the fray with a leaflet posing - but not answering - the question 'Which one is right for you?' While the leaflet sticks firmly

to stated Government policy of phasing out analogue services between 1996 and 2000, it nevertheless suggests that either system may be right for individual users, depending on their needs, calling patterns, business and budget.

The last of these considerations is clearly crucial for the domestic or small business user, with a potential outlay of \$500 plus required to connect to a system which could be obsolete within two years.

The leaflet also points to digital as the superior technology (eg on quality, security, battery life) but as Powell pointed out in a recent article, potential benefits have to be weighed against day-to-day realities like limitations of the digital network for at least the medium term.

AUSTEL's pamphlet concludes by advising people to contact the carriers - Optus, Telecom and Vodaphone - if they need further information about which system is right for them. *CU* wondered how impartial any advice from Vodaphone would be, given that its network is wholly digital.

The terms of reference for the Government's recently announced review of telecommunications policy and regulation do not refer specifically to the analogue-digital question. Nevertheless, there is plenty of scope for considering it, given that the review must have regard to such issues as 'efficient use and allocation of resources' and 'benefits to consumers in terms of prices and quality of service'. □

Copyright Roundup

Perhaps the one question on which everyone can agree in an environment of media globalisation and converging technologies is the centrality of copyright as an issue.

As Justice Minister Duncan Kerr recently commented, the 25-year-old Copyright Act was drafted in a very different technological environment and is 'in need of some rethinking' - in particular, in areas where the Act differentiates between the rights granted to copyright owners on the basis of particular means of delivery.

Currently the Act is very technology specific. The inadequacy of this approach is clear. Much discussion at the present time centres around the development of the information superhighway. Maintaining the technology-specific approach would be like having separate sets of rules for buses, trucks and cars on that highway. In fact, in the age following the information explosion, we

must concentrate 100 per cent on the message - the freight on the superhighway.....

[W]e need to ensure that our existing 'car, bus, truck' legal regime works as well as it can be made to, while we develop the intellectual and legislative framework for the new technology-neutral approach'.

Justice Minister Duncan Kerr, address to National Convergence Symposium, 13 April 1994.

Concern about copyright issues has been reflected in a number of moves over the last year, including:

- A joint announcement last August by the Minister of Arts and the Minister for Justice that the Government would move towards protecting the moral rights of artists, since 'the rapid technological advances which enable reassembly and reproduction of arts works has (sic) increased the vulnerability of

artists and heightened the need for moral rights legislation'. (For more on legislating for moral rights, see Helen Mills's story on computer manipulation of images in this issue).

- The establishment in January of a Copyright Convergence Group to consider the implications of convergence for existing copyright legislation. This group has produced an issues paper, and *CU* will report next month on a seminar held in late June to elicit public comment on this paper.
- The report by the Copyright Law Review Committee (chair, Mr Justice Sheppard) on *Journalists Copyright* (May 1994) in which a majority of members supported giving copyright in employed journalists' articles to the publishers alone. Paul Chadwick will comment on the implications of this report in the next issue of *CU*. □