

2nd June, 2016

Submission to the Productivity Commission Draft Report (April 2016) –
Intellectual Property Arrangements

To the members of the Productivity Commission:

I am writing to strongly object to the recommendations made in your draft report on Intellectual Property Arrangements, which was released on 29 April 2016.

As an emerging Australian author, mother, grandmother, and avid reader, I find these proposals deeply troubling. At a fundamental level they debase the idea of a 'fair go', the foundation of our cultural identity. More broadly, they exhibit an almost Orwellian contempt for our culture, national creativity, and our right to artistic expression.

My major concerns are as follows:

1. Term of Copyright

While I am aware that it is not possible for Australia to reduce the term of copyright to 15-25 years, due to a range of free trade agreements, the recommendation was nonetheless extremely disturbing to me as an author. I have the right to retain ownership of my work in the same way that any individual may maintain ownership of any other business that they have built. It is very concerning that the belief underpinning your report is that this should not be permitted.

2. Parallel Importation Rules

Your draft report also proposes a change to Australia's parallel importation rules for books. I believe, however, that the current system has enough safety nets in place to protect the interests of the consumer, while still allowing myself and my fellow authors to retain control of our rights, and income, and enjoy a level playing field with our fellow authors in the UK and USA.

3. Fair Use

Territorial copyright helps publishers manage risk and support the creation of new Australian stories. Without these rules, I, as an author, would lose valuable revenue, (and the government its associated income tax), along with the support of a vibrant local publishing industry.

Australian law currently sets out a series of clear exceptions to copyright restrictions under "fair dealing". This is a fair arrangement that works well for all parties, including authors. If this were to change to the American-style system of fair use, however, I would not only lose valuable income, but I would also have to pay the litigation costs if I discovered free copying that I considered to be unfair

usage. This would certainly be beyond my means and beyond the means of most authors.

I, along with thousands of Australian authors, am deeply concerned that these changes will affect my ability to continue to write, earn a living, and find a publisher.

I respectfully ask that you seriously reconsider your position.

Kind regards,

Margret Best