



Dr Narelle McGlusky
Committee Secretary
Joint Standing Committee on Treaties
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Dear Dr McGlusky

RE: National Interest Analysis [2015] on the implementation of Marrakesh Treaty

The Australian Publishers Association (APA) welcomes the opportunity to provide comment on the National Interest Analysis [2015] (NIA) relating to the implementation of the Marrakesh Treaty in Australia.

The APA is the peak industry body in Australia for publishers of books and journals, hard copy and electronic publications. Established in 1948, the APA represents all Australian publishers large or small, commercial or non-profit, educational or popular, locally or overseas owned. The Association represents over 90% of the industry based on turnover.

The Marrakesh Treaty is an important step towards making the world of the written word accessible to those with vision and perceptual impairment. Australian publishers have a proud tradition of making publications in accessible format and of making master files available to organisations working with the print handicapped community.

Australian copyright law already facilitates accessibility. We, therefore, support the views presented by both the Copyright Council and the Copyright Agency, and those expressed in the NIA, that the Treaty does not require changes to the Copyright Act in order to be implemented in Australia.

The ratification of the Marrakesh Treaty is an opportunity to further develop the commercial market for accessible format publications. The intentions of the Treaty will be fully realised if the enterprise of accessible format publications is economically sustainable.

Advances in technology in accessibility have revolutionised the lives of millions of print handicapped persons. The rapid changing technology has provided many accessibility solutions but keeping up with those changes also represents a challenge to legislators and publishers. The investment and infrastructure involved in making publications accessible is significant. The changeability of the field adds commercial risks that can act as a disincentive for publishers to enter the commercial market.

Existing and potential commercial markets should not be undermined by the 'non-commercial' elements of the Treaty. What constitutes 'commercial availability', of an accessible format publication has had insufficient attention in both the Treaty and the NIA.

The commercial market for accessible format publications needs greater interrogation by all stakeholders. We posit the following to be the characteristics of what a commercial market should be for accessible format:

- Easy
- Fast
- Affordable
- Profitable.

The APA and its members are working to develop a framework for industry that will promote a commercially viable market. To this end, the APA has been promoting the current metadata codes available through our TitlePage database which allows booksellers to know instantly if a title is available in accessible format. Consumers, and particularly students, should not have to wait unreasonable periods of time to receive titles in their preferred format. Accessible format should be affordable to consumers to buy and for publishers to produce. And fundamentally, accessible format should be profitable to ensure economic sustainability and continued industry investment.

The APA looks forward to engaging in further dialogue with the Government on achieving the aims of the Marrakesh Treaty.

Yours sincerely,

Michael Gordon-Smith
Chief Executive