

15<sup>th</sup> April 2009

I am writing on behalf of Curtis Brown's 8 staff and 700 or so clients to urge the Productivity Commission to retain the current Parallel Importation regulations rather than introduce the ones outlined in their interim report.

As literary agents we consider that a crucial part of our job is managing the careers of our clients. They are mostly in the business of writing for the long haul, and we advise and support as far as we can not only with their actual writing but with their financial planning and budgeting. Many, many of our writers rely on 'backlist income' for their survival. This is income from sales of published books – often more than five years old, let alone one year old – rather than income derived from advances paid on books to be published in the future. Indeed for the first time in the forty-year history of Curtis Brown in Australia our backlist, or royalty, income has exceeded our income from advances for this financial year. To introduce a 12-month limitation on territorial copyright would seriously jeopardise this income.

An example: Markus Zusak's *THE BOOK THIEF* has been on the New York Times bestseller list for 18 months. It was first published here by Pan Macmillan Australia in September 2005, two years before the paperback publication of both US and UK editions. The sales in Australia to date have been 175,000 copies, a great success story for his local publisher, and generating significant income for the author and his agent. Should the new rules suggested in the Productivity Commission's Discussion Draft be introduced, copyright protection on this title would have been eliminated in September 2006, just as the sales in the US were really starting to take off. The US publisher's reprints are typically in the tens of thousands; how simple for them to whack another 50,000 copies on to supply the Australian market? After all, it'll bring their costs down. Do they care that Markus' income will be diminished in his home territory (since he'd be earning a royalty on net receipts rather than on published price)? Not a whit. And they certainly don't care about the Australian publisher's or

Under the suggested new rules, the few authors who are currently able to survive on revenue from their writing would find their living precarious to say the least. Many would be forced to take up other occupations – in a time of increasing unemployment – and Curtis Brown would almost certainly have to reduce the number of staff currently employed. Surely the recommendations fly in the face of the Government's pledge to do all it can to protect jobs? I urge the Commission to consider this along with the critical cultural ramifications outlined in my last and others' submissions.

Yours sincerely

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