

Rue du Prince Royal 85,
1050 Brussels
Belgium

PRESIDENT
Rainer JUST

CHIEF EXECUTIVE & SECRETARY GENERAL
Olav STOKKMO

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IFRRO ASIA PACIFIC COMMITTEE RESOLUTION OPPOSING THE PRODUCTIVITY COMMISSIONS DRAFT RECOMMENDATIONS ON COPYRIGHT IN AUSTRALIA

The Asia Pacific Committee of the International Federation of Reproduction Rights Organisations (IFRRO) brought together 21 representatives of 10 countries in the Asia Pacific region at its Annual Meeting 22-23 August 2016 in Sydney, Australia. Represented countries included: United States of America, United Kingdom, Singapore, China, Hong Kong, Japan, Korea, Vietnam, New Zealand, and Australia.

The Committee noted with concern the Productivity Commission's Draft Recommendations on Copyright in Australia, and passed the following Resolution in the event that the final report reflects the draft recommendations:

Copyright is vital to the global creative community and to its various audiences. In these days of globalisation and homogenisation of culture, a country's creative community is a rich wellspring which should be protected and nurtured.

The Asia Pacific Committee of IFRRO therefore urges the Australian Government to reject the findings of the Productivity Commission report in three respects:

- 1) The recommendation to introduce the US doctrine of Fair Use should be rejected. Unlike the USA, Australia does not have the case law background for the introduction of fair use in the Australian legislation; its introduction is therefore likely to be costly and dependent on case laws in countries outside Australia.
- 2) The recommendation to abolish territorial copyright should be rejected. Australia would be out of step with other major English language countries who have territorial copyright in place. Abolishing this right would provide those countries with a commercial advantage in terms of selling Australian books to Australians.
- 3) Finally, the suggestion that the term copyright should be between 15-25 years, while not a formal recommendation, represents a serious gulf in the Commissioners' understandings of the copyright industries and the role they play in shaping a country's culture over centuries.