

National Cultural Policy Submission

Australian Copyright Council

Submitted: On behalf of a not-for-profit arts organisation

About the Australian Copyright Council

The [Australian Copyright Council](#) (ACC) is a small, independent, not-for-profit organisation dedicated to promoting understanding of copyright law and its application. We work to foster collaboration between content creators and consumers, representing the peak bodies for professional artists and content creators working in Australia's creative industries and, Australia's major copyright collecting societies.

The ACC is a unique organisation:

- it is the only dedicated copyright expert organisation in Australia
- its focus is on copyright as it applies to all art forms
- it provides advocacy, advice and information on copyright issues, and
- it is a membership-based organisation, representing over a million creators.

The ACC has [25 affiliate member organisations](#), several of which are making separate submissions to this consultation. These affiliate members represent over a million writers, musicians, visual artists, designers, photographers, directors, performers, choreographers, producers, publishers, record labels and architects working in the Australian creative industries.

As part of its services, the ACC provides [free written legal advice](#) to those who fall within its guidelines including the staff of libraries and educational institutions.

What challenges and opportunities do you see in the pillar or pillars most relevant to you?

First Nations

The ACC supports the current copyright law framework and the promotion of respectful dealings with First Nations creators and groups which allows them to derive income from the proper exploitation of their works, as they wish. While there is no authoritative system of working with First Nations intellectual property, several organisations have developed guidelines on dealing with First Nations creators' material, including:

- AIATSIS's [Code of Ethics](#)
- Australia Council's [Protocols for using First Nations Cultural and Intellectual Property in the Arts](#)
- Australian Society of Authors' [More Than Words](#)
- IArtC's [Indigenous Art Code](#)
- Screen Australia's [Pathways & Protocols: A filmmaker's guide to working with Indigenous people, culture and concepts](#).

A Place for Every Story

The [2013 Creative Australia National Cultural Policy](#) (2013 Policy) identified the 'enormous potential' in sharing Australian stories internationally (see pp 37-38). This potential is reflected in the 2020 paper commissioned by the ACC, [PwC's The Economic Contribution of Australia's Copyright Industries](#) showing that copyright industries contributed \$124.1 bn to GDP and \$4.8 bn in exports (p4).

The Centrality of the Artist

Copyright is critical for creators being able to properly exploit their work in ways which they are able to control, allowing them proper remuneration. [Collecting societies](#) facilitate and support the avenues for proper remuneration whilst allowing for consumer access of creator works, e.g. [educational/vocational institutions](#) and government.

Strong Institutions

The ACC welcomes the establishment, promotion and support of strong institutions and is proud to advise on (and advocate for) the copyright needs of creators. [Collecting societies](#), professional networks and legal services also serve as strong support to creators in their enrichment of the Australian cultural landscape.

Reaching the Audience We support the education of Australian content creators to protect their work especially online, to combat piracy and to appropriately limit access to their work (including public lending). We also support the education of users of Australian creative work to understand the importance of fair remuneration for the continued access to, and encouragement of, Australian creative work.

Please tell us how each of the 5 pillars are important to you and your practice and why.

First Nations

Australia's copyright laws are currently the primary source of protection for the works of First Nations creators (and all creators) and provide a framework through which artists can benefit financially from their works. The ACC works to:

- assist individual creators by providing them with information and guidance on how copyright laws impact their work
- raise awareness and understanding of the importance (and limitations) of copyright laws as they apply to the work of First Nations artists.

A Place for Every Story

The ACC is proud to provide legal information and education to Australian creators and consumers as to their rights and obligations in the creation, exploitation and use of Australian stories. The importance of appropriate licensing frameworks in support of these stories is integral to the continued creation of cultural content.

The Centrality of the Artist

The ACC's charter is to serve and support members of the creative community, and advocate on their behalf, facilitating their ability to continue to create.

Strong Institutions The ACC recognises and supports the important work that collecting societies do in facilitating access to the work of creators while also ensuring that creators receive fair remuneration for the use of their work. The ACC stands with these institutions in support of the creator.

Reaching the Audience

Copyright grants exclusive rights to the copyright owner (usually the creator). These rights reinforce how their creation reaches their audience e.g. the rights to reproduce, perform and communicate.

Are there any other things that you would like to see in a National Cultural Policy?

Copyright is the bedrock of Australia's creative and cultural ecosystem. It allows Australian creators to derive income from their work.

The ACC would like to see:

- the acknowledgement of the centrality of copyright as a key plank in a National Cultural Policy.
- the strengthening of existing, and the development of, licensing regimes which support the fair remuneration to all creators.
- an acknowledgement that, in addition to the significant [economic contribution of Australia's copyright industries](#), the intrinsic importance of having a vibrant, Australian cultural sector and a commitment to the education of the broader public on the fair payment for use of copyright material.

Publication and attribution of this submission

This submission may be published.