



## **Submission to NSW Government on 'A New Look at Culture: Towards the State's first Arts, Culture & Creative Industries Policy'**

August 2023

Thank you for the opportunity to contribute to the New South Wales Arts, Culture & Creative Industries Policy.

We are a not-for-profit organisation with nearly 40,000 members, who are mainly writers, artists and publishers. We are appointed by the Australian Government to negotiate, collect and distribute copyright fees from the education and government sectors, and to manage the artists' resale royalty scheme. We also manage other copyright licensing arrangements as agent for our members (such as licences for the use of artistic works). We collect and distribute about \$100m a year in copyright fees and royalties, which contribute to the sustainability of Australia's creative industries. Those industries include educational publishing, which invest in and deliver Australian educational resources for Australian students.

The National Cultural Policy was warmly welcomed by our members, both for its initiatives and for its sentiment. Writers and artists felt recognised and valued for their contributions to Australian society. They also welcomed the clear commitment to it being a whole-of-government policy that will affect policy development and thinking in other portfolios such as education. We encourage the New South Wales Government to similarly frame its policy as a whole-of-government one, which influences policies in other portfolios such as education. For example, copyright fees paid by the Department of Education contribute to ongoing investment in Australian resources for Australian students, as well as providing broad access to teaching materials and reducing compliance requirements for teachers.

Our members have particularly welcomed the commitment in the National Cultural Policy to a well-functioning copyright system:

The Government is committed to maintaining a strong copyright framework that works in concert with other legal and policy mechanisms – including funding support for the creative industries, our broader intellectual property framework, the regulation of broadcasting and content industries, and celebration and protection of First Nations arts and culture – to support the success and vibrancy of Australia's cultural and creative sector.

Copyright payments are an integral contributor to the ongoing investment of money, time and expertise by people working in Australia's creative industries, including those working in educational publishing. While the legislation underpinning the copyright system is the Commonwealth Copyright Act, we encourage the New South Wales government to acknowledge its role in supporting Australia's creative industries. For example, the role of the copyright system has been highlighted in the current debates about the right policy settings for Artificial Intelligence (AI), particularly for writers and artists whose work have been used without permission and without payment for the development of AI products.