

The Chairman
Gary Banks
The Productivity Commission
GPO Box 1428
Canberra ACT 2601

Dear Mr Banks

Re: Submission on copyright restrictions on the parallel importation of books

I am an Australian children's author who has contracts with both Australian and overseas publishers. I am writing to you because I have grave concerns about the proposed changes to the copyright restrictions on the parallel importation of books. There are significant disadvantages to both writers, and the community in general, if these provisions are adopted. I urge the Commission to reject the proposed changes for the following reasons:

1. Books are more than just objects to be consumed. They help shape a person's sense of self. They help a community define, explore and develop its cultural identity.

For many years, books available to Australian children were published in Britain and featured only British children. With only a few exceptions, Australian children were deprived of reading stories about characters just like them; characters who had experiences they could relate to. In more recent years, this trend has changed for the better. Books written by Australians, about Australians, are published in greater numbers, thus giving Australian readers the opportunity to read about their own culture.

It appears to me that under the proposed new copyright provisions, Australian publishers would have a significantly harder time remaining financially viable if they have to compete with cheaper overseas editions. If Australian publishers suffer, less books with Australian content will be published. This can only be bad for Australia's cultural life.

2. Under the terms of the proposed changes, overseas editions may be sold in Australia at the same time the Australian edition is on sale (or even before). I personally receive a lower rate of royalties for books that have been published overseas. Like many full time writers, I struggle to support myself financially. I cannot afford to lose any royalties.

3. Overseas publishers tend not to be interested in books with Australian content. In my own experience, I have had to modify my books to meet the requirements of the US market, thus removing that quintessential 'Australianness', something that will not benefit Australia if these are the majority of books published.

4. I am published because I was initially signed by an Australian publishing house. They went on to secure me several international contracts. Had I not been published by an Australian publisher, it is unlikely I would ever have acquired an overseas contract. Australian publishing houses produce quality literary products and need to be protected (in the best sense) by Australian laws, not undermined.

5. Competition is about increasing choice for consumers. However, if there are fewer books available with Australian content, where is the choice? There may be demand for these books but if they aren't available, the Australian consumer misses out. The availability of cheap books does not outweigh the great disadvantage of less choice and potentially poorer quality books.

6. Even if a subsidy is made available to local creators and publishers to offset the decrease in income caused by parallel importation, such a subsidy would most likely be in place in the short term only. What is to happen in the long term?

In summary, I lodge my objection to the changes to the parallel importation of books because of the effect on Australia's literary culture and on the certain loss of income I, and many others in the local publishing industry, will experience.

Thank you for taking the time to consider my submission.

Yours sincerely,

Marianne Musgrove
Children's Author
19 January 2009