

BRANDL & SCHLESINGER



Parallel Importation of Books Study
Productivity Commission
GPO Box 1428
Canberra City ACT 2601

22 January 2009

Dear Jill Irvine,

Please find attached my submission on behalf of Brandl & Schlesinger P/L to the Parallel Importation of Books Study.

Brandl & Schlesinger, established in 1994, has developed a reputation as one of Australia's most renowned independent publishers. We publish and nurture first time authors, with many of their titles winning major literary awards. We have a diverse list of quality fiction and non-fiction, literary memoir and biography, academic journals, translations and a distinctive poetry list. As an independent publisher we are committed to publishing books that are often overlooked by the multi-national conglomerate publishers, and that appeal to both the national and international market. Our books are distributed in Australia by Macmillan Distribution Services.

Best wishes,

Veronica Sumegi
Director/Publisher

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Please find following Brandl & Schlesinger's objections to any changes to the *Copyright Act 1968* (the 'Copyright Act') that restrict the parallel importation of books.

Permitting 'parallel imports' on Australian published titles will have serious adverse repercussions for small independent publishers such as Brandl & Schlesinger. Established in 1994, we have developed a reputation as one of Australia's most renowned independent publishers. We have published and nurtured first time authors, (e.g. Emily Maguire; Jacob G. Rosenberg; Rhyll McMaster; Wayne Grogan) with many of their titles winning major literary awards. We have a diverse list of quality fiction and non-fiction, literary memoir and biography, academic journals, translations and a distinctive poetry list. As an independent publisher we are committed to publishing books that are often overlooked by the multi-national conglomerate publishers, and that appeal to both the national and international market. Our books are distributed in Australia by Macmillan Distribution Services.

The initial print run for books by first time authors is often very small, sometimes no more than 1500- 2000 copies for fiction and only 500 for poetry. Yet we have managed to sell overseas UK/USA rights for many of our first time authors and poets e.g. Rhyll McMaster; Emily Maguire; Gig Ryan. Authors receive 10% royalty on the RRP of Brandl & Schlesinger's published books but the royalties are less than half of that on books whose rights have been sold to overseas publishers and then on sale in Australia.

Brandl & Schlesinger has had a stand at the Frankfurt Book Fair for the last eleven years and has also attended several London Book Fairs as part of the Australian Publisher's Association. As a small publisher, attending book Fairs takes a large part of our annual budget. However we are very committed to selling our authors' works overseas, and thereby also helping to contribute to the exporting of Australian literary culture. We have had considerable success in selling overseas rights and rights sales contribute significantly to our survival as a small publisher. Our success in overseas sales is also a reason why many authors choose to submit their titles to us. But 'parallel imports' of our titles would mean that the overseas editions would compete with Brandl & Schlesinger's editions and considerably reduce the sales of our titles. Where the titles have been bought by large multi-national publishers, there would also be considerable pressure on local booksellers to stock their editions rather than ours.

The implications of this are significant.

1. The authors would receive considerably less royalties on the imported editions of their work.

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2. It is often small publishers, such as Brandl & Schlesinger, who take risks in publishing Australian literary fiction which may not have a mass market appeal and consequently would not be published by the larger publishing companies. However these titles make a significant contribution to Australian literary culture. They also appeal to overseas publishers as they are interested in quality Australian fiction which is different from the often more universal mass-market fiction. As the publisher, we spend considerable amount on editing, book design and especially promoting each title and the author. If our sales are reduced as a result of the importation of the overseas edition, it would not be financially viable for us to publish literary fiction of first time authors, many of whom then become well-known authors. The future of Australian literary life would be considerably poorer if mainly 'mass-market' titles would be published. Imported titles, particularly from the US, often change Australian words to their US equivalent to suit the US reader. This would create a demise of the unique Australian language, and it is foreseeable that American English would soon dominate over Australian English (as it is already happening in film and TV).
3. In our 14 years of publishing we have been committed to publishing Australian literary fiction of first time authors, 70% of whom have been short-listed or have won major Australian literary awards (e.g. Jacob G. Rosenberg; Ouyang Yu; George Alexander). However if sales of our titles were reduced through 'parallel imports' it is doubtful whether we would continue publishing.
3. In order to diversify our list, Brandl & Schlesinger also buys rights of overseas titles at book Fairs and then prints them in Australia for national distribution. Buying rights is often a reciprocal relationship. If we buy rights from a publisher or agent they are often more inclined to buy /sell rights of our titles. If the 'parallel imports' of these titles were also available in Australia it would not be financially viable for us to buy these rights, thus making the sale our titles much more difficult.
4. If 'parallel imports' will be permitted, fewer Australian 'risky' literary works will be published, many small publishers such as us- Brandl & Schlesinger, will be forced to close and Australian literary cultural life will be considerably diminished.

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Conclusion:

A solution to decreasing the price of books would be to eliminate the 10% GST from all national books. Australian produced books would then be the equivalent price or probably less expensive than imported books.