

To the Chairman, Productivity Commission,

Dear Sir,

May I comment on your proposed changes to Australian copyright in books.

The matter is pretty complex. The proposed changes will affect novelists, poets, children's or travel writers, historians, scientists and, say, science-fiction writers in different ways. Nor can the effects on each author be safely predicted. This means that your Commission is rowing into seas that are partly unknown.

May I offer a few words from my own experience. Since 1951 I have made my living mainly as an historian; and for half of that period I have relied mainly or solely on income from books. For the other half of that period I worked in a university, and so my income was supplemented by royalties from books. And yet I find it impossible to predict with any certainty what will happen to the income of people like me if these importation changes come in.

I am the sole author of some 36 non-fiction titles, and the part author of many more. In addition, about a dozen of the above titles have reappeared in much-altered, updated editions, sometimes one third of a century after the original edition. They are therefore almost separate books, for the purposes of this enquiry. All or nearly all of these works were published initially in Australia, and many were then published overseas, either in translation, or in English-language editions in Britain, USA and India.

The latter editions - and they will be most affected by your proposed changes - have been an important source of income. If, as a result of the proposed changes, overseas editions of my English-language books do enter Australia for the first time, one definite effect would be a reduction in my royalty income. Royalty rates or percentages paid on imports are always lower.

Will the proposed changes affect the willingness of Australian publishers to take on new Australian books, and especially those by new authors? Yes, to some degree. This question no longer affects me personally. It certainly would have in 1953, when my first book was accepted by a publisher. And it is still an important question for new Australian authors today.

Will the proposed changes affect my income - at present a welcome income - from those of my books, initially published in Australia but now on sale in many foreign languages? No.

But an Australian publisher may well argue that it will be harder, under the proposed law, to sell foreign translation rights for similar books by Australian authors. The first Australian edition is the test run for a book with global potential. Anything which impedes the success of that first Australian edition - and the proposed changes

could well be an impediment - will tend to lessen the prospect of selling the overseas rights to that book. In the calendar year 2008, I sold more than 50,000 copies overseas, predominantly in non- English-speaking lands; and yet each of those titles had originated solely as an Australian edition.

The proposed law might well dissuade a younger Geoffrey Blainey from using an Australian publisher for books with a potential international appeal. If some good-selling Australian authors decide for the first time to publish overseas as a place of first resort, that will hurt the Australian book-publishing industry and all the employees, mostly very skilled, who depend on it for a living.

I could be wrong but I see little merit in the compromise recommendation to protect Australian copyright for just 12 months. I am puzzled too at the very concept of not continuing to use the home market to protect Australian authors and publishers. Britain and the USA could better afford to undertake the experiment you have in mind. But even they are not experimenting, to the best of my knowledge. I doubt whether Australia with its much smaller home market can afford this risk. Of course there may be useful gains to Australian bookselling chains which import books under your proposed rule. But that gain is likely to be partly at the expense of Australian authors and publishers and their employees.

Book-writing in Australia has long been a risky profession except for the lucky few. Part of the risk, as you hint, comes from the relatively small population and the small home market. Risk also arises from the fact that English is a global language, and therefore rival books pour in here.

In 1973 , I chaired the federal committee that designed the structure of the Public Lending Right Scheme and recommended its adoption. The essence of the scheme, and its annual subsidies for Australian authors and publishers, is simple: in Australia this is a risky and not a startlingly remunerative industry. Indeed the Australian scheme, recognising this fact, was the first in the world to subsidise local publishers as well as authors.

It was also one of the pioneering PLR schemes for authors, the only predecessors being in Scandinavia with its small home market.

Of course, if more federal money were to be poured into PLR and its sister scheme ELR, any changes in the copyright rules would be more palatable. But there is no talk, no whisper, of the federal government increasing PLR in this economic turmoil.

Like many Australian authors I do not see the wisdom of abolishing copyright protection from the crucial home market at a time when similar authors in the USA, Britain and Canada - with their more powerful markets

- retain that protection.

Sincerely. Geoffrey Blainey