

COPYRIGHT RESTRICTIONS ON THE PARALLEL IMPORTATION OF BOOKS

Supplementary submission from Wild & Woolley / Fast Books and Pat Woolley, director,
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We do not support the Productivity Commission's recommendation to allow parallel importing after 12 months of first publication in Australia. In a most insidious manner, it wittles away an author's and publisher's ownership of its creations.

Appendix C of the draft discussion paper showed that the tangible impact on prices of books in New Zealand following the ban on parallel imports in 1998, had been small. The benefits which were shown in NZ were realised in Australia in its 1991 reforms. Imports of books to NZ were up, nearly 100%. NZ publishers ceased to exist, and the open market of 1998 constrained growth in promotion of local titles. Is that what we want to see in Australia? No.

New Zealand Trade & Enterprise claimed continued strength in producing locally authored works, but 2 of the 3 works they cited were first published in the 80s, before the impact of parallel imports. I suppose they could only find 1 book to cite in the nine and a half years since. 33%.

And of the 5 children's book authors noted, only 1 was first published after 1998. 20%.

Is that the model for future Australia? I hope not.

Appendix D provides examples and charts of price differences - Australia, UK, US - in some sort of like-for-like tabulation, with the result that books are more expensive in Australia. One missing piece is any consideration of how an Australian bookseller will apply its greater profit if it can parallel import.

In my own company's experience, when a bookseller imports a title and benefits from a lower cost, **it does not lower its selling price to the customer**. It takes a bigger piece of the pie. I provided a well-known example of this practice, which was that of a major Australian independent bookseller, in my initial submission.

Dymocks and its supporters for parallel imports want a bigger piece of the pie. They won't share much of the pie with their customers.

I have often pondered on Wild & Woolley's publishing history. As an agent for overseas publishers between 1974 and 1990, we achieved a greater economy of scale with a wider range and number of new titles, and that provided the means for us to do our own national distribution, as well as the distribution of other Australian lists.

However, there were times when the time we spent on overseas titles could have impacted negatively on the time we spent nurturing local authors. But could we have afforded to nurture them without the overseas turnover?

Those were the days before the introduction and impact of computers and computerised stock control. Now, important newer publishers such as Scribe, Black Inc and Text take up rights to overseas titles and at the very same time, they maintain and grow their Australian lists, exporting them around the world, in English as well as translated editions.

As agents, Wild & Woolley believed we had closer association and contacts with overseas publishers, which gave us a competitive advantage over those who had no connections. But rarely did any of our overseas publishers buy rights to a title from us. Remember, though, the decades were the 70s and 80s, when there was no interest in Australia at all except with shrimp on barbies.

The discussion draft notes that publishers of Australian-authored works would have the option of extending the effective period of protection from parallel imports by **holding back release in foreign markets**.

This suggestion would be ludicrously destructive to the business which publishers, authors and agents have created over many years. The US and UK book industries - and US and UK citizens - don't give a rat's ass about Australian writers. They can and will do without them.

On my latest transit through terminal 3 at Heathrow, I surveyed the 3 bookshops. Only 1 Australian title was on sale, in one of the shops: *Killing Jodie*, by Janet Fife-Yeomans, and it was selling at a higher price than in Australia. None of the shops had anything by Tim Winton or Tom Keneally or Peter Carey.

If the draft recommendations are implemented, I believe there will be a tremendous and immediate impact on the three major book printers, Ligare, Griffin, and MacPhersons, with loss of jobs, perhaps even loss of communities.