Copyright Licensing New Zealand
Submission on UK Free Trade Agreement Legislation
August 2022

Copyright Licensing Limited (CLNZ) is a collective management organisation (CMO) and not-for-profit company owned by New Zealand authors and publishers through representative organisations, Te Puni Kaituhi o Aotearoa / NZ Society of Authors and Te Rau o Tākupu / Publishers Association of NZ. This submission is made on behalf of all three organisations.

CLNZ is part of a global network of copyright collectives that provide centralised licensing services for the reproduction of extracts from books, magazines, newspapers, journals and visual art works. Centralised licensing makes it easier for users of copyright works to legally reproduce copyright works, while generating a valuable revenue stream for content creators.

The New Zealand publishing and visual arts industries tell our stories in a way that has significant economic, cultural, social and wellbeing value for Aotearoa. It is long overdue for this contribution to be recognised by the New Zealand government in policy and legislation that supports the creative and cultural ecosystem in equal measure to the support that other sectors, such as dairy and agriculture, have benefited from for decades.

Submission

1. We welcome the inclusion of a 70-year copyright term in the UK Free Trade Agreement and the Artist Resale Royalty.

2. We note the New Zealand, a country that has a strong international reputation for its creativity and unique cultural heritage, is lagging behind all other OECD countries in respect to the term of rights to their creativity that is given to our creative practitioners.

3. *Climate change is a matter of urgency for our country and the New Zealand publishing and visual arts industries, along with other creative industries that monetize intellectual property (IP), are critical to the Government's plans to diversify the economy away from a reliance on primary products.*

4. We note that harmonised copyright terms make it easier for both creators and users of creative content to engage in the use and licensing of copyright works. Harmonisation is a goal of FTA's and there's no reason why harmonising trade in IP should be seen any differently to harmonisation of trade for other sectors of the economy.

5. We look forward to further steps being taken by New Zealand to better recognise and support the rights of Māori in traditional knowledge and traditional cultural expressions.

6. The value of a strong local publishing industry is not purely economic. It is difficult to imagine how New Zealand schools could effectively teach our children about their own country and culture without access to content that is written and published here. There are significant wellbeing benefits for all New Zealanders from the creation of books, stories and art by New Zealanders, both for New Zealand and for the world.

7. We fully support the implementation of an Artist's Resale Royalty scheme that will give Aotearoa artists the opportunity to benefit from the increasing value of their work in the secondary market, including in overseas markets through this FTA and reciprocal agreements that will be able to be negotiated once the New Zealand scheme is in place.

8. We acknowledge the concerns raised by some stakeholders in the GLAM sector during the Select Committee stage of considering the UK FTA. Some of the issues raised, such as access to orphan works, could be improved via constructive stakeholder engagement and development of best-practice processes. We do not agree that harmonising New Zealand's copyright term with our trading partners requires any "rebalancing" of copyright in Aotearoa.

9. We continue to be frustrated by the government's refence to economic modeling on copyright term extension. This work is not only more than a decade old, it was proven at the time to be comprehensively inaccurate.

Submitted By: Paula Browning, Chief Executive, Copyright Licensing New Zealand

E : paula@copyright.co.nz

P O Box 331488, Takapuna, Auckland 0740