450. \_org\_ Adelaide Tuition Centre

**From:** Sam Barry

**Subject:** Copyright Inquiry - Submission to DP 79

* To whom it may concern,
* We are educational publishers with more than 30 years’ experience in publishing Textbooks, Workbooks and other educational resources to schools and teachers throughout South Australia and Northern Territory. Our intellectual property rights are vitally important to us.
* We strongly object to the ALRC’s recommendation to repeal the statutory licences, particularly for education and government, because it is an attack on our intellectual property rights; it will inevitably erode our income and will create uncertainty regarding the use of our content.
* Our content is our property and we should be able to say how and when it is used.  The statutory licence offers a benefit to us and to large users, such as teachers, as it removes the administrative burden of seeking individual permissions and negotiating licences as well as the issue of monitoring for infringements and enforcement costs.
* We do not work for free and therefore do not give permission for our work to be copied and shared for free.
* A reduction in revenue for our company and our associates, including our authors, will lead to a significant long-term downgrade in the quality of South Australian educational resources for students, teachers and the broader community. The SACE market is already a poorly serviced market in regards to quality and range of educational resources which are written to the course standards; the removal of the statutory licenses **will** reduce the already limited financial incentive to produce educational resources in the SA & NT regions.
* At a time when education is becoming a key focus at all levels of government, the removal of statutory licenses will quite drastically reduce the quality and quantity of educational resources in SA & NT which is already poorly serviced (particularly at the Year 11 & Year 12 level).
* The only ‘winners’ in this equation will be the legal profession, who will be called on to prosecute breaches of copyright. As someone who is familiar with copyright permissions and the relevant intellectual property laws; it is an infamously 'grey' area of the law which in most cases comes down to interpretation. Ultimately, this will be a gold mine for the legal profession as publishers like ourselves will have no choice but to protect our revenue stream by taking legal action against schools and individuals who may inadvertently breach copyright. In all honesty, we have better things to do with our time and I'm sure the courts will have more pressing matters to attend to when we have a perfectly suitable statutory license arrangement to prevent these sorts of issues.
* In 2011, Australian copyright-based industries generated almost $100 billion in economic activity (7% of GDP), accounted for more than $7 billion in exports (3% of all exports) and employed almost one million people (8% of the nation’s workforce).
* The current statutory licensing system fairly remunerates content creators for the copying and sharing of their copyrightmaterial. If others, including schools, want to use our material, they need to pay for it.
* Do not repeal the statutory licences.
* Kind Regards,

Sam Barry | Director

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