

7th August 2013



To whom it may concern,

On behalf of the Australian Cartoonists' Association, it is with great urgency that I put forth our concerns about the potential repercussions of a repeal of the statutory licence.

The repeal of the statutory licence will mean a higher administrative burden for teachers and schools, who currently do not have to check whether what they are copying and sharing requires copyright permission or payments. It will also create an environment of litigation as authors, publishers, artists, photographers and others fight against copyright breaches.

Without the statutory licence, our industry will shrink, incomes will be eroded and the education system will be faced with diminished quality local content which will be increasingly replaced by foreign material of a more generic nature.

The Australian Cartoonists Association is concerned for its members who will be penalised by this scheme with no recourse except for costly legal fees that will dissuade any individual from protecting his/her own work.

Australia's statutory licence system is fair for educators and fair for content creators.

Our system is unique in the world. For a minimal cost (less than \$17 per student), teachers can source, copy and share an incredible range of material without worrying about copyright permissions. This means Australian students have unparalleled access to high quality educational resources – and at the same time, our creators earn income which helps to drive the creation of innovative, quality educational content.

The statutory licence system is value-for-money and flexible.

Based on the Gonksi Report, depending on the sector, it costs between \$10,000 and \$13,600 per year to educate a school student (excluding capital expenditure): the copyright fee of \$60M for over 3.5 million school students represents approximately 0.1% of that cost. (i.e. one tenth of 1%) or less than 10 cents per school day per student.



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**Australian  
Cartoonists'  
Association Inc.**

PO Box 318  
Strawberry Hills, NSW  
2012 Australia

ABN 19 140 290 841

**1300 658 581**

[www.cartoonists.org.au](http://www.cartoonists.org.au)

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**ACA Board**

Patron  
**Vane Lindesay**

President  
**Jules Faber**  
[president@cartoonists.org.au](mailto:president@cartoonists.org.au)

Deputy President  
**Jason Chatfield**  
[deputy@cartoonists.org.au](mailto:deputy@cartoonists.org.au)

Secretary  
**Peter Broelman**  
[secretary@cartoonists.org.au](mailto:secretary@cartoonists.org.au)

Treasurer  
**Grant Brown**  
[treasurer@cartoonists.org.au](mailto:treasurer@cartoonists.org.au)

Membership Secretary  
**Grant Brown**  
[membership@cartoonists.org.au](mailto:membership@cartoonists.org.au)

**State Chapters**

[nsw@cartoonists.org.au](mailto:nsw@cartoonists.org.au)  
[vic@cartoonists.org.au](mailto:vic@cartoonists.org.au)  
[qld@cartoonists.org.au](mailto:qld@cartoonists.org.au)  
[sa@cartoonists.org.au](mailto:sa@cartoonists.org.au)  
[wa@cartoonists.org.au](mailto:wa@cartoonists.org.au)

Licence fees have remained stable over the last 10 years and under the recently concluded agreement for 2013–15, the rate per school student is fixed at the 2012 rate (\$16.93), but (unlike in previous agreements) without an annual increase for the Consumer Price Index (CPI). This means that, in real terms, the per-student rate will decrease over the next three years.

The statutory licence system has been modified numerous times to take into account changes in the way material is shared to ensure the system remains fair. The licences are negotiated every three-to five years, and at that time, Copyright Agency considers and negotiates education system requests for modifications to the system. In the event that negotiations fail, the rate and other licence terms can be set by the Copyright Tribunal. This has occurred rarely in the 30-year history of the statutory licence.

Australian cartoonists are world class and their products are highly valued.

We want the best for Australian children and this country's cartoonists, through their skill, time, money and effort, producing material to a very high standard. If these materials are highly valued, the cartoonists should be duly remunerated.

Just because material is online, does not automatically make it free. In fact, website copyright notices often state what can and can't be reproduced. Copyright enables the continued investment in high-quality Australian educational content.

Copyright enables a vibrant and viable cultural landscape, which extends to the education sector. All parents and teachers want their child to have access to the best Australian educational resources and the statutory licence system ensures content creators are fairly remunerated so they can continue to provide high-quality educational resources for students and the community.

Thank you for your time.

Regards,



Jules Faber

President,

Australian Cartoonists' Association (*Est 1924*)



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[wa@cartoonists.org.au](mailto:wa@cartoonists.org.au)