

Gayle Milnes

12 January 2007

Mr Peter Baxter
First Assistant Secretary
North Asia Division
Department of Foreign Affairs and Trade
John McEwen Crescent
Barton ACT 0221

By facsimile: 6261 1571

Dear Mr Baxter

RE: Australia – Japan Free Trade Agreement

Thank you for your letter of 20 December 2006 inviting submissions on the forthcoming Australia-Japan Free Trade Agreement (FTA).

Screenrights is a non-profit copyright collecting society for rights holders in film, script, music, sound recordings of music and artistic works in film, television and radio programs. Screenrights administers copyright royalties collected under provisions in the Australian and New Zealand Copyright Acts.

Screenrights has been declared by the Attorney-General to collect educational royalties under Part VA and VB of the Copyright Act and has been declared by the Copyright Tribunal to collect royalties for government copying under s183 of the Copyright Act. Screenrights has also been declared by the Attorney-General to collect equitable remuneration under Part VC of the Copyright Act in respect of the retransmission of free to air broadcasts by pay television providers.

As a declared society, our operations are overseen by the Attorney-General who tables our Annual Report. Screenrights also adheres to the voluntary Code of Conduct for Collecting Societies. If the Japan FTA Task Force would like to know more about these aspects of our operations I would invite them to visit our website www.screen.org.

Since its commenced operations in 1990 Screenrights has distributed approximately AUD\$537,000 in royalties to Japanese members, who are regularly paid for the educational copying of their works, and Screenrights will shortly be distributing further royalties to those members for the retransmission of their programmes by pay television operators in Australia.

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Conversely, Screenrights has not received any royalties on behalf of its members for the educational copying or retransmission of their programmes in Japan. It would therefore be advantageous to have reciprocal agreements with the relevant audio-visual copyright collection societies in Japan to redress this imbalance.

Thank you for the opportunity to comment on the issues for negotiation for the Australia-Japan Free Trade Agreement.

We would welcome being part of the consultation process as the negotiations proceed.

Yours sincerely



Simon Lake
Chief Executive

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