Submission to Joint Standing Committee on Treaties on Trans-Pacific Partnership Agreement

April 2016
Copyright Agency | Viscopy supports Australia’s ratification of the Trans-Pacific Partnership Agreement, and in particular the provisions of the intellectual property (IP) chapter dealing with copyright.

The TPP’s objectives for IP are:

The protection and enforcement of intellectual property rights should contribute to the promotion of technological innovation and to the transfer and dissemination of technology, to the mutual advantage of producers and users of technological knowledge and in a manner conducive to social and economic welfare, and to a balance of rights and obligations.¹

The TPP requires each country to:

...endeavour to achieve an appropriate balance in its copyright and related rights system, among other things by means of limitations or exceptions that are consistent with Article 18.65 (Limitations and Exceptions), including those for the digital environment, giving due consideration to legitimate purposes such as, but not limited to: criticism; comment; news reporting; teaching, scholarship, research, and other similar purposes; and facilitating access to published works for persons who are blind, visually impaired or otherwise print disabled.²

We note the Australian government’s view (with which we agree) that the IP chapter does not require any changes to Australian law.

The chapter benefits Australian content creators by supporting future opportunities for the export of Australian content. It will facilitate the development of copyright systems that promote the consumption of content from legitimate sources, the development of licensing solutions and other mechanisms for the supply of content on terms that are fair to content creators, and the production of professional content for the longer term.

Copyright Agency | Viscopy is a not-for-profit copyright management organisation that manages copyright licensing arrangements for writers, artists and publishers.³ It collects and distributes more than $100M a year in copyright fees and royalties. It is affiliated with similar organisations in other countries, enabling the licensed use of foreign content in Australia, and revenue to Australian creators from the use of their content in other countries.

¹ Article 18.2
² Article 18.66
³ Copyright Agency and Viscopy are separate legal entities, but Copyright Agency manages all Viscopy services under a services agreement.