



4 July 2018

The Director, Copyright Law Section
Department of Communications and the Arts
GPO Box 2154
Canberra ACT 2601

By email: copyright.consultation@communications.gov.au

Dear Director,

Copyright Modernisation Consultation Paper

The Phonographic Performance Company of Australia Ltd (**PPCA**) thanks the Department for providing PPCA with the opportunity to provide comments in relation to Copyright Modernisation Consultation Paper (**Consultation Paper**).

PPCA is a national non-government, non-profit Australian copyright collecting society which was established in 1969. PPCA operates on non-exclusive basis and grants licences for the broadcast, communication or public playing of recorded music and music videos. PPCA represents the interests of over 2,500 recorded music rights holders (licensors) and 4,000 registered Australian recording artists. PPCA's registered artists and record company licensors range from small independent artists and labels to world renowned artists and major label record companies. PPCA distributes the licence fees that it collects from the provision of the aforementioned licences to the record labels and Australian recording artists that are registered with PPCA.

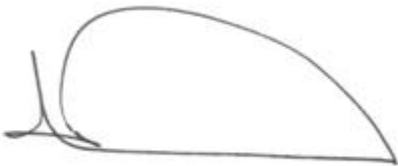
PPCA is a member of the Australian Copyright Council (**ACC**) and PPCA has consulted with the ACC and other members of the creative industries in relation to the issues posed in the Consultation Paper, including the Australian Recording Industry Association (**ARIA**) and Music Rights Australia (**MRA**). PPCA acknowledges the ACC, ARIA and MRA have provided submissions to the Department in relation to this review and PPCA supports those submissions. PPCA does not intend to restate the information included in those submissions nor restate PPCA's comments to previous government reviews of copyright (such as the ALRC review).

PPCA's position on the issues raised in the Consultation Paper has not changed since the ALRC review. PPCA is still of the view that the importation of 'fair use' exceptions into the Copyright Act 1968 (Cth) is fraught and diminishes the ability for creators of music to earn a livelihood from their creative endeavours. PPCA's licensor base is expansive and the majority of PPCA's licensors are small businesses that rely on strong copyright laws to sustain their livelihoods.

It is often argued that Australia's copyright law impedes 'innovation' which from PPCA's perspective is a misnomer. Strong copyright laws enhance innovation which is demonstrated by the range of digital music services that are available for consumers within the Australian market. These digital music services are licensed by PPCA's licensors via voluntary licensing models which provide music creators with protection and a means to be remunerated for the use of their creative work.

PPCA has nearly 50 years of experience in the licensing of sound recordings and music videos to a wide range of business ranging from commercial premises through to radio and television broadcasters and music streaming services. PPCA is well placed to provide further comments to the Department in relation to this review and we would be pleased to discuss this further with the Department if required.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Lynne Small', written in a cursive style.

Lynne Small
General Manager