



THE NEW ZEALAND  
SOCIETY OF AUTHORS  
(PEN NEW ZEALAND INC) TE PUNI KAITIHI O AOTEAROA

## **Submission regarding the New Zealand Government Convergence Programme**

16 October 2015

The New Zealand Society of Authors (PEN NZ Inc.), established in 1934, is the principal organisation for New Zealand writers. The Society works to ensure that the professional interests of writers are strongly represented on all issues. We appreciate the opportunity to comment on the discussion paper *Exploring Digital Convergence Issues for Policy and Legislation*

Our comments on the issues raised are as follows:

### **Convergence issues impact on writers / authors / literary creators.**

- Writers are content creators
- Users access their content via the internet (e.g. downloading e-books and audio books, buying books online, downloading podcasts of books adapted into audio productions etc.)
- Books are part of the digital economy
- The publishing industry has been disrupted by technology which has created opportunities as well as problems for writers
- Writers can now be their own distributors
- E-readers are a device that can be added to your device list.

### **Content creation and standards**

With regard to the Films, Video and Publications Classification Act 1993, in a converged world distinctions between platforms is no longer appropriate.

### **GST: Cross-border services, intangibles and good**

GST on cross border services needs to be introduced at a rate that will capture book purchases. It is cheaper to buy a printed book from an overseas provider such as Amazon, than it is to buy from your local bookshop.

Alternatively, GST should be removed from books in New Zealand.

## **Study of the Creative Sector use of the copyright and designs regimes**

- The internet can be a global market place that allows users to license content easily and effectively.
- Offering a copyright regulatory mechanism that can be accessed by authors and other rights holders will deter the practice of online copyright infringement and make available to users lawful content use.
- We would like the Ministry of Business, Innovation and Employment and the Ministry for Culture and Heritage to ensure consumers / users do not have a disproportionate influence over policy and regulations compared to content creators.

Fair remuneration for creators, including literary creators, ensures their vital contribution to society, culture and the economy. However writers' incomes have dropped dramatically around the world. (For example in the United Kingdom the [typical earning of a professional author](#) has dropped 29% since 2005 - from GBP 15,450 to GBP 11,000 - and in Australia from AUD 20,000 to AUD 11,000). This is due to technological changes, disruption to the publishing industry, and piracy. These surveys show the typical writer has become poorer against society as a whole.

While the new technology and platforms provide opportunities for writers, major overseas online distributors are driving prices down and not paying a fair royalty for the books (in all formats) they distribute.

The NZSA would like to see the government promote greater respect for copyright in the online environment. The policy and legislation put in place around copyright and convergence can help ensure the industry of individual creators is not undervalued.

### **What barriers are you aware of that prevent you from benefiting from, or responding to convergence?**

Without any territorial restrictions, it becomes even more difficult for New Zealand's writers to develop and maintain sustainable careers, and for publishers to invest in writers. The result is fewer writers being backed by local publishers, fewer careers being launched, and fewer quality New Zealand stories contributing to our cultural wealth.



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on behalf of the New Zealand Society of Authors (PEN NZ Inc)