

10 February 2012

Convergence Review Secretariat
Department of Broadband, Communications and the Digital Economy
GPO Box 2154
Canberra ACT 2601

By email: convergence@dbcde.gov.au
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Dear Sir/Madam

DISCUSSION PAPER: Convergence Review Interim Report

Screenrights is a non-profit copyright society representing rightsholders in film, television and radio. Screenrights has over 3,300 members in 59 countries.

Screenrights administers a range of collective licences relating to use of audiovisual material, including educational use of broadcasts, government copying of broadcasts and retransmission of free to air broadcasts.

Screenrights previously made three submissions to this inquiry in response to the Framing Paper and the Emerging Issues Paper and the Discussion Paper on *Media diversity, competition and market structure*..

In summary, these submissions rejected the need for a “must carry” regime for retransmission; noted the increasing carry of subscription television over the Internet, and proposed extending retransmission to the Internet; and, cautioned that any change to the definition of “broadcasting service” in the Broadcasting Service Act would have consequential effects in the Copyright Act.

Screenrights looks forward to the opportunity to make further submissions on these and other points of detail, when the Committee’s next report is published.

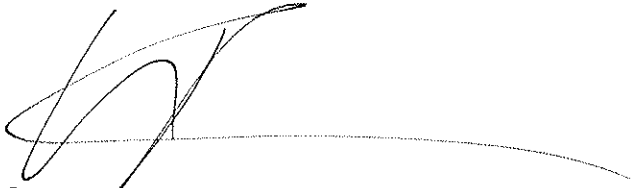
In this submission, Screenrights confines its comments to the proposal for a new media regulator. Screenrights makes no specific comment on the structure of the new regulator. Screenrights submits that it is important that the regulator’s role is focused on issues relating to broadcasting services, and does not cover matters relating to copyright. In particular, with regards to issues of valuation of content under collective licences, the Copyright Tribunal has developed years of experience and expertise in this area along with a well understood jurisprudence.

Screenrights submits that the Copyright Tribunal should retain its current role.

Screenrights would welcome the opportunity to meet with the Committee to discuss our submission.

We wish the committee well in their consideration of these complex issues.

Yours sincerely

A handwritten signature in black ink, appearing to be 'Simon Lake', written over a horizontal dotted line.

Simon Lake
Chief Executive