

8 May 2012

Education and Science Committee
New Zealand House of Representatives
Parliament Buildings
Wellington
New Zealand

Dear Sir/Madam

Inquiry Into 21st Century Learning Environments And Digital Literacy

Screenrights

Screenrights is a non-profit copyright society representing rightsholders in film, television and radio. Screenrights has over 3,300 members in 59 countries including 305 members in New Zealand. These members include independent producers, broadcasters, music rightsholders, and other underlying rightsholders.

Screenrights administers a range of collective licences that allow for the use of audiovisual material in circumstances where obtaining individual copyright clearance is difficult or impossible. These licences include the educational use of broadcasts in New Zealand schools and tertiary institutions. This licence is offered to educational institutions under section 48 of the *Copyright Act, 1994*.

Our submission concerns the operation of this licence in 21st learning environments, in particular the need to improve equity of access to this important resource.

The television and radio licence and the digital environment

Screenrights has been licensing New Zealand schools to use television and radio since 1998.

The licence allows copying from television (pay and free to air) and radio. It also allows schools to copy audiovisual material legally made available online. In addition, schools can make copied programs available to staff and students online, via an intranet or email.

The licence has the potential to be an important cornerstone for 21st century learning environments and digital literacy, and Screenrights congratulates the Parliament for ensuring the flexibility of this licence in the face of changing technology.

Programs can be copied in any format, and made available online. Importantly, the licence also enables schools to store, share and download programs using digital systems such as electronic whiteboards, Clickview and eTV. This provides ease of access to this important resource, as well as the potential to build up a considerable library of programs for current and future students.

The licence also allows schools to copy programs legally made available online, considerably broadening the range of content available to teachers and students.

Equity of access

Although the Screenrights licence has been available to schools since 1998, only 30% of schools are licensed and only these licensed schools are able to copy programs, store and play them using digital systems. The rest of New Zealand schools cannot take advantage of this important resource without potentially infringing copyright.

In contrast, Screenrights administers a similar licence in Australia. This licence covers all government schools, all Catholic schools, and nearly all independent schools, giving almost universal equity of access to audiovisual resources in the 21st century learning environment.

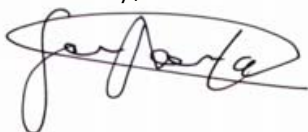
There are some differences between the legislation in both countries, however the key difference in terms of the disparity between equity of access is due to the how the licence is administered. In Australia, the licence is taken out and paid for by the relevant "peak bodies" on behalf of the schools they administer – the education departments from each State Government, the Catholic Education Offices and the Associations of Independent Schools.

However, in New Zealand, the onus to take out a licence, and pay for it, falls on each school. Individual schools are frequently unaware of their copyright obligations and have failed to budget for a licence. Issues surrounding the use of copyright in schools can raise complex legal questions which the schools do not have the resources or expertise to manage. Schools may find themselves in the position of being unable to use audiovisual material and the accompanying content management technologies without infringing copyright.

Our experience in administering television and radio copying licences in Australia and New Zealand has consistently shown us how important this resource is in teaching. New digital systems for managing, playing and sharing content has made this an even more exciting and useable resource for schools, and one that all schools could readily take advantage of if the licensing system were to be administered on a blanket basis.

Thank you for the opportunity to make a submission on this issue.

Sincerely,

A handwritten signature in black ink, appearing to read 'Simon Lake', enclosed within a hand-drawn oval shape.

Simon Lake
Chief Executive