

Wise Music Pty Limited

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Wise Music New York
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Chester Music London
Novello & Co London
Campbell Connolly & Co London
Première Music Group Paris
Edition Wilhelm Hansen Copenhagen
Bosworth Music Berlin
Unión Musical Ediciones Madrid
KK Music Sales Tokyo
Wise Music Sydney



26 May 2021

Committee Secretary
Senate Standing Committees on Environment and Communications
PO Box 6100
Parliament House
Canberra ACT 2600

By email: ec.sen@aph.gov.au

Dear Secretary

Broadcasting Legislation Amendment (2021 Measures) Bill No.1 2021

We refer to the legislation above and welcome the opportunity to make a submission to the Committee's inquiry into the Bill. Our comments are restricted to Schedule 1 of the Bill, relating to the New Eligible Drama Expenditure (NEDE) Scheme for subscription television.

Wise Music Pty Limited is the Australian arm of the Wise Music Group, an international, family-owned, independent music publishing group. The Wise Music Group was founded in New York City in 1930 and its Australian company was established in 1972 by Ted Albert and the current chairman Robert Wise. We offer a wide range of international publishing services, including licensing rights, synchronisation services, audio library resources, copyright administration and business and legal affairs.

Wise Music owns and controls a vast catalogue of musical works varying in genre and style. We have long-standing relationships with the industry's leading music supervisors and screen producers. We license our musical works into screen productions, with the respective synchronisation fees flowing to the relevant songwriters.

Wise Music Pty Limited does not support Schedule 1 of the Bill and the halving of Foxtel's relatively modest requirement to invest in Australian drama.

The halving of the obligation to spend 10% of drama channels' program budgets on Australian drama will cause substantial harm to Foxtel customer's access to Australian stories, will damage the local independent production sector and will impact negatively on the potential financial income flowing to songwriters as a result.

The scheme has generated such notable and award-winning titles as Top of the Lake, Hacksaw Ridge, Lion, Love My Way, Wentworth, Devil's Playground, Deadline Gallipoli, Fight Season, Mr Inbetween, Picnic at Hanging Rock, Secret City and Tangle.

We are very concerned that a reduction in the obligation will almost certainly result in less investment in Australian drama, a reduction in local employment and reduced cultural outcomes for Australian viewers of subscription television.

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We note that the Government is currently considering measures to ensure popular new streaming services make a proportionate contribution to Australian content through its Media Reform Green Paper process. This is a critical decision for the future of Australian screen culture and the comparative balancing of regulation across different platforms.

We submit that if the NEDE scheme is to be reviewed, its future should be determined with reference to the final decision of the Green Paper process regarding streaming platform regulation. At that time the scheme should be subject to a thorough review that considers whether it should be extended to cover other genres of Australian programming which are vulnerable to market failure.

We are also concerned that the Bill proposes to cancel the existing requirement to make-up any shortfall in expenditure that occurred before 1 July 2021. Given the generous deregulation included in the Bill, this seems excessive, and all previous regulatory obligations should be required to be honoured.

Thank you again for the opportunity to provide a submission.

Yours sincerely

Jane English
Managing Director