



screenrights

23 February 2011

Mr Andrew McGowan
Inquiry Secretary
Standing Committee on Infrastructure and Communications
PO Box 6021
Parliament House
Canberra ACT 2600

Via Email: ic.reps@aph.gov.au

Dear Mr McGowan

Thank you for the opportunity to make comments on the *Inquiry Into The Role and Potential of The National Broadband Network*.

If you would like any further information on Screenrights or our following submission, please do not hesitate to contact me.

Yours sincerely

Simon Lake
Chief Executive

screenrights

INQUIRY INTO THE ROLE AND POTENTIAL OF THE NATIONAL BROADBAND NETWORK

INTRODUCTION

Screenrights is a non-profit copyright collecting society administering the statutory licences in Part VA and VC, and section 183 of the Copyright Act, 1968. These licences allow for:

- Educational copying of television and radio, and communication of these copies over internal networks (Part VA)
- Retransmission of free to air broadcasts (Part VC)
- Government copying of television and radio (section 183)

In all cases a royalty is paid to the rightsholders (producers, writers, distributors and other copyright owners) for the use of their work.

In 2002 Screenrights established a wholly owned subsidiary, EnhanceTV (www.enhancetv.com.au), to provide better access to television and radio and to promote its use in educational institutions. EnhanceTV delivers weekly educational TV guides, study guides and feature articles to schools, TAFEs and universities across Australia. It also delivers broadcast material to educational institutions by VHS and DVD, and since 2006, by digital file.

OUR SUBMISSION

Screenrights would like to take this opportunity to comment briefly on the following Terms of Reference:

The capacity of the National Broadband Network to c) improve the educational resources and training available for teachers and students

Screenrights and EnhanceTV see the rollout of the NBN as providing exciting opportunities to improve access to audiovisual educational resources for all schools, TAFEs and universities, and is already working with key partners to maximise these benefits.

Educational institutions can copy broadcast material under the Part VA licence or they can obtain copies from a licensed resource centre such as EnhanceTV. EnhanceTV has an extensive archive of educational broadcast television content (in excess of 4,500 hours of digital files, and 3,500 hours of content stored on DVD that could supplement the digital archive). Each week, EnhanceTV adds a further 65 hours of educational programming from broadcast television to this archive. The archive also is supported by more than 600 professionally produced study guides, many of which are produced by ATOM (Australian Teachers of Media).

EnhanceTV has been holding discussions with senior officials at the Department of Education, Employment and Workplace Relations to look at how we can best make this extensive content available over educational networks and, via the NBN, to individual institutions and students.

We have also been working with Education Services Australia to ensure content is selected and classified in the most relevant way for educators. To date, content is classified using generic learning areas (eg Science, History, Media Studies). We are seeking to build a partnership with ESA that will ensure content selection and classification operates in conjunction with the National Curriculum and SCIS (Schools Catalogue Information Service).

In developing these partnerships, Screenrights and EnhanceTV are committed to maximising the benefits of the NBN in delivering broadcast content to schools, TAFEs and universities. We believe this will bring real value to educators and a fundamental change to how educators and students use and interact with film and television in this new environment.

i) The optimal capacity and technological requirements of a network to deliver these outcomes

Screenrights administers the Part VC licence in the Australian Copyright Act, allowing for the retransmission of free to air broadcasts by another service, such as pay television, provided a licence fee is paid to the rightsholders in the material being retransmitted.

Screenrights currently has licences in place with all pay television operators, and with various other retransmitters including Internet Service Providers, mobile phone companies and new housing developments.

Screenrights believes the Part VC provisions are operating effectively and fairly for both retransmitters and the rightsholders in the works that are being carried. Screenrights considers that retransmission over the NBN is legally possible under existing legislation and that it is not necessary to amend the enabling legislation.

Furthermore, we do not see any need for the mandated carriage of any retransmitter services over the NBN in light of the effectiveness of this statutory licence, and would be concerned that any 'must carry' provisions would hinder the optimal capacity of the NBN.

FURTHER INFORMATION

If you would like further information about this submission or other aspects of our operations, please contact:

Mr Simon Lake
Chief Executive, Screenrights