



Creative Freedom Foundation

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Submission to the Commerce Committee (Youth Parliament) on the “Inquiry into copyright infringement is hurting New Zealand music - How can artists use new media to get their music sold rather than stolen”

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The Creative Freedom Foundation represents thousands of New Zealand artists including musicians, film makers, visual artists, designers, writers, & performers. The CFF currently has approximately 20,000 members, of whom more than 10,000 are artists.

This inquiry is investigating the affects (both positive and negative) that the internet is having on copyright in the New Zealand music industry. The title of this inquiry carries several assumptions, and raises the questions *Is copyright infringement hurting New Zealand music?*, *How are artists using new media to sell their music?* and *Is New Zealand music being stolen?*

I would like to make an oral submission to the committee on the following points:

- This isn't the first time, or the last, where technology changes will affect copying rights.
- Over the past century Copyright law has evolved drastically in favour of Copyright holders and against artist reuse through Fair Dealing.
- The goal of copyright law should be to create a balance of public (Fair Dealing) and private rights in order to promote the progress of art.
- In order to succeed, business models must adapt to new technologies. It is unsustainable for outdated private business models to rely Government intervention in order to survive.
- Independent studies have shown that the internet has brought many financial benefits to the music industry, contrary to the findings of unscientific industry studies.
- Independent studies have also shown that in cases of illegal downloads, where a copyright work is not legally available online there is not a strict correlation between illegal downloads and 'lost sales' (or, to use the inquiries terminology, “stolen”).
- Far from being hurt by copyright infringement, the New Zealand music industry is growing, and continues to announce record-breaking profits.
- The advent of computer technology and the internet has increased artists' profits by making it possible for musicians to independently handle their own recording, distribution, promotion, organise their own tours, etc.
- Many artists feel that obscurity is a bigger risk than piracy, and especially so due to New Zealand's geographical isolation. The internet is a valuable and vital resource for artists to distribute their work to new audiences, to connect with fans, and organise tours.
- Many New Zealand artists are now taking advantage of the internet's benefits to sell their music.