

Appendix A

Written Submissions

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| 1 | Advance Australia Party | 25 September 1992 |
| 2 | Mr D Bates | 6 October 1992 |
| 3 | Mr Cole Buchanan | 8 October 1992 |
| 4 | The Daily Advertiser Group | 14 October 1992 |
| 5 | Mr Kenneth A Emerson | 17 October 1992 |
| 6 | Mr Larry Burns | 17 October 1992 |
| 7 | Mr Rik Kemp | 19 October 1992 |
| 8 | Mr Rory Ewins | 20 October 1992 |
| 9 | Mr Allan Burke | 20 October 1992 |
| 10 | Mr Hugh R.S. Stewart-Killick | 21 October 1992 |
| 11 | Ms Gaynor Cardew | 21 October 1992 |
| 12 | Mr Graeme Dazeley | 21 October 1992 |
| 13 | Talking Book Library, Royal Victorian Institute for the Blind | 22 October 1992 |
| 14 | Australian Black and White Artists' Club Inc | 22 October 1992 |
| 15 | MarkeTrak Pty Ltd | 23 October 1992 |
| 16 | Mr Wayne Wagenaer | 23 October 1992 |
| 17 | Combined Newspaper and Magazine Copyright Committee of Australia | 23 October 1992 7 May 1993 Supplementary |
| 18 | Australian Society of Authors Ltd | 24 October 1992 |
| 19 | Media Monitors Australia Pty Ltd | 26 October 1992 |
| 20 | Administrative Services Department (Qld Govt) | 26 October 1992 |
| 21 | Media Insight Pty Ltd | 26 October 1992 |
| 22 | Australian Media Research Industry Group | 27 October 1992 |

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| 23 | Media, Entertainment and Arts Alliance | 28 October 1992 12 February 1993 Supplementary |
| 24 | Australian Copyright Council | 29 October 1992 |
| 25 | Mr Paul Kelly, <i>The Australian</i> | 29 October 1992 |
| 26 | Communications Law Centre Ltd (on behalf of Media, Entertainment and Arts Alliance Members of the Parliamentary Press Gallery) | 30 October 1992 |
| 27 | Mr Bill Kelty, Secretary, Australian Council of Trade Unions | 4 November 1992 |
| 28 | Provincial Press Group Pty Ltd | 8 April 1993 |
| 29 | The AAP Group (Australian Associated Press) | 23 April 1993 |
| 30 | Royal Blind Society | 6 May 1993 |
| 31 | Country Press Australia | 7 May 1993 |
| 32 | Copyright Agency Limited | 14 May 1993 |
| 33 | Queensland Braille Writing Association | 28 May 1993 |
| 34 | “Hear a Book” Service (Tas) Incorp | 31 May 1993 |
| 35 | Association of the Blind of WA (Inc) | 1 June 1993 |
| 36 | Christian Blind Mission International | 10 June 1993 |

Appendix B

Oral Submissions at Public Hearing on 7 May 1993

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|-----------------------|--|
| Mr Charles Alexander | Combined Newspaper and Magazines |
| Dr David Nimmer | Copyright Committee of Australia |
| Ms Margaret Ryan | |
| Mr Gary Evans | |
| Ms Sandra Funnell | (ACP) |
| Ms Gail Hambly | (John Fairfax Group Limited) |
| Mr Tony Grimes | Media Monitors Australia Pty Ltd |
| Mr Bruce Chapman | |
| Mr Grantley Brown | Australian Associated Press |
| Mr John Radovan | |
| Mr David Sumnerland | Country Press Australia |
| Mr John Woodstone | Media Insight Pty Limited |
| Ms Lyn Woodstone | Australian Media Research Industry Group |
| Mr Richard Croll | |
| Mr John Croll | |
| Mr Michael Fraser | Copyright Agency Limited |
| Ms Caroline Morgan | |
| Mr Richard Croll | Croll's Press Clips Pty Limited |
| Mr Keren Muir McCarey | MarkeTrak Pty Ltd |
| Mr Christopher Warren | Media Entertainment and Arts Alliance |
| Ms Libby Baulch | Australian Copyright Council |

Appendix C

***Persons Present at inspections of Media Monitors
Australia, MarkeTrak Pty Ltd and John Fairfax Holdings
Ltd on 6 May 1993***

Mr Justice Sheppard (Chairman)

Ms Lyndsey Cattermole

Mr Chris Creswell

Mr Derek Fielding

Mr Michael Frankel

Mr Patrick Gallagher

Mr Michael Green (Chairman's Associate)

Ms Janice Luck

Dr Ian Reinecke (Committee Adviser)

Mr Bob Rodgers

Mr Peter Treyde (Committee Secretary)

Representatives from Media Monitors Australia

Mr Bruce Chapman (Company Chairman)

Ms Anne Milne (Manager, Press Services)

Mr Peter Newbold (General Manager NSW, Qld, ACT)

Representative from MarkeTrak Pty Ltd

Mr Keren Muir-McCarey

Representatives from John Fairfax Holdings Ltd

Mr Michael Hoy (Editorial Director, John Fairfax Holdings Limited)

Ms Gail Hambly (Legal Counsel/Company Secretary)

Ms Liz Sterel (Assistant Editor (Features), *Sydney Morning Herald*)

Mr Terry Gallagher (Computer Services Manager, Publishing)

Mr Garry Evans (Queensland Newspapers, Chairman, Combined Newspaper and Magazines
Copyright Committee)

Dr David Nimmer (Attorney)

Mr Charles Alexander (Attorney)

Appendix D

Persons Present at Inspection of John Fairfax Holdings Ltd on 17 November 1993

Mr Justice Sheppard (**Chairman**)

Mr Chris **Creswell**

Mr Patrick Gallagher

Mr Michael Green (Chairman's Associate)

Ms Janice Luck

Professor Dennis **Pearce**

Ms Marie-Louise Symons (Officer of the Attorney-General's Department)

Mr Peter Treyde (Committee Secretary)

Representatives from John Fairfax Holdings Ltd

Mr Charles Alexander (Legal Adviser to the Combined Newspaper and Magazines Copyright Committee)

Ms Gail **Hambly** (Legal Counsel/Company Secretary)

Representatives from the Media Entertainment and Arts Alliance

Mr Ban-y Porter (Journalist employed on the *Australian **Financial** Review* and member of the **MEAA**)

Mr Mark Ryan

Appendix E

Persons Present at Inspection of the Copyright Agency Limited on 18 November 1993

Mr Justice Sheppard (Chairman)

Ms Lyndsey **Cattermole**

Mr Chris **Creswell**

Mr Patrick Gallagher

Mr Michael Green (Chairman's Associate)

Ms Janice Luck

Professor Dennis Pearce

Ms Marie-Louise Symons (Officer of the Attorney-General's Department)

Mr Peter Treyde (Committee **Secretary**)

Representatives from the Copyright Agency Limited

Mr Peter Banki (Independent Director of the CAL)

Mr Michael Fraser (Chief Executive)

Ms Caroline Morgan (Senior Solicitor)

Mr Michael **Whalan** (Distribution Manager)

Appendix F

Part of Section 10(1) of the Copyright Act 1968

Interpretation

10(1) ***In this Act, unless the contrary intention appears:***

“artistic work” means:

- (a) a painting, sculpture, drawing, engraving or photograph, whether the work is of artistic quality or **not**;
- (b) a building or a model of a building, whether the building or model is of artistic quality or **not**; or
- (c) a work of artistic craftsmanship to which neither of the last two preceding paragraphs applies;

but does not include a circuit layout within the meaning of the *Circuit Layouts Act 1989*;

“dramatic work” includes:

- (a) a choreographic show or other dumb show; and
- (b) a scenario or script for a cinematography film;

but does not include a cinematography film as distinct from the scenario or script for a cinematography film;

“literary work” includes:

- (a) a table, or compilation, expressed in words, figures or symbols (whether or not in visible form); and
- (b) a computer program or compilation of computer programs.