



28 November 2025

Committee Secretary
Senate Legal and Constitutional Affairs Committee
PO Box 6100
Parliament House
Canberra ACT 2600

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

Dear Committee Secretary,

Copyright Amendment Bill 2025

Australian Recording Industry Association Limited (**ARIA**) and Phonographic Performance Company of Australia Ltd (**PPCA**) thank the Senate Legal and Constitutional Affairs Committee for the opportunity to comment on the *Inquiry into the Copyright Amendment Bill 2025* (the **Bill**).

We request the passage of the Bill as drafted, and do not support any amendments to the Bill. Any proposed amendments that expand the rights of users and diminish those of creators should not be accepted.

The Bill is the result of extensive submissions, roundtable meetings and consultations spanning the past few years with stakeholders representing the creative industries and users of creative works. These consultations were lengthy and factored the competing interests of all stakeholders. The creative industries as a compromise agreed to these amendments on the understanding that no further amendments would be made to the Bill.

ARIA and PPCA are affiliate members of the Australian Copyright Council. We have read and support the submission made to the Committee by the Australian Copyright Council. However, we make a few supplementary comments below.

Section 28 – Remote Learning

We maintain our position that concerns raised by one part of the education sector regarding the interpretation and application of section 28 of the *Copyright Act 1968 (Cth)* (**Copyright Act**) were unwarranted, particularly as it had been the longstanding view that section 28 of the Copyright Act applied equally to online and in-person lessons.

However, to have this matter resolved and alleviate concerns from some members of the education sector, ARIA and PPCA, along with other members of the creative sectors agreed to the proposed



amendments to section 28 as set out in the Bill, for the purposes of clarification only, and on the clear understanding that there would be no further amendments or expansion of rights granted under section 28.

As we noted during the various consultation phases, ARIA and PPCA, together with APRA AMCOS, have in place various voluntary blanket music licences for schools, universities, TAFE and commercial education training providers. These joint blanket music licences have been the subject of negotiation and extensive consideration to meet the requirements of the various educational providers. We caution against any further amendments to the Bill that would erode these longstanding and well established licensing arrangements.

Orphan Works

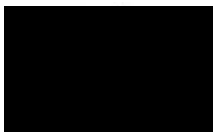
Similarly, in respect of the Orphan Works scheme, the drafting as set out in the Bill represents the agreed outcomes that resulted from the extensive consultations about this scheme. The creative industries agreed to these conditions to alleviate the concerns raised by the archives and library sectors.

As the drafting of the proposed Orphan Works scheme already represents a compromise by the creative sectors, we do not support any further amendments to this scheme.

We also note that subclause 116AAE(8) of the Bill provides a non-exhaustive list of matters the court may consider when considering whether a search has been conducted in a reasonably diligent manner and within a reasonable period – one of these matters is: *(f) any relevant industry guidelines*. As noted during the consultation phase, ARIA and PPCA are supportive of the formulation of industry guidelines produced by industry bodies and rights holder organisations (such as ARIA and PPCA) that are able to use their expertise to develop specific guidance.

If, following this review process, the Committee recommends amendments to the Bill, then we would be grateful for the opportunity to discuss this further with you.

Yours sincerely,



Annabelle Herd
Chief Executive Officer
Australian Recording Industry Association Limited
Phonographic Performance Company of Australia Limited



ABOUT ARIA

The Australian Recording Industry Association (ARIA) is a national industry association with more than 200 members representing major and independent record labels, manufacturers, and distributors. ARIA acts as an advocate for the Australian music industry, administers the labelling code of practice, and compiles industry information and research. It also produces the ARIA Charts every week and the annual ARIA Awards. Most importantly, ARIA supports Australian music and creates opportunities for it to be heard.

ABOUT PPCA

Phonographic Performance Company of Australia (PPCA) is a non-profit copyright collecting society that provides blanket licences for the use of recorded music in Australia. Revenue generated from licensing is distributed to registered record labels and artists so they can continue to make music for all of us to enjoy.

We acknowledge First Nations people as the Traditional Owners and sovereign custodians of the lands on which we work and live. We recognise their continuing connection to Country and their respective nations across this continent and pay our respects to their Elders past and present. We also celebrate the unique and inspiring creativity and songlines of the world's oldest living culture and give thanks for the immeasurable influence First Nations people continue to have over the music and art we all enjoy.