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The Case
for
Australian
Authors
and
Artists



Presented by the Australian Journalists' Association.

AUSTRALIAN BOOKS

The Australian Journalists' Association, in association with the Fellowship of Australian Writers, is asking for:

The appointment of a Parliamentary Select Committee without delay to inquire into and report on the book publishing industry in Australia, having regard to the following aspects:

(a) The need for legislation to prevent the wholesale dumping in Australia of American mass produced books.

(b) Application of a quota system to ensure the purchase by bookshops—in their total annual purchase of books—of at least 20 per cent. new books by Australian authors, and the means to make the application of such a quota of practical advantage to Australian writers and artists.

(c) Possible need of a tariff to protect the Australian writing and publishing industry.

(d) Need for an excise, or some similar duty, on all imaginative books of overseas' origin printed or reprinted in Australia. Such duty to bring the cost of such books to the Australian producer up to a figure equal to the current rate paid to the Australian writer for an equivalent Australian book.

(e) Establishment of a basis for future co-operation among authors, artists, publishers, printers, distributors and retailers in the establishment and encouragement of Australian literature.

(f) Legislation against the importation of pulp fiction and back-dated magazines.

(g) The need for an effective control on the importation and reproduction here of American comic strips and comics.

(h) More generous application of the Commonwealth Literary Fund to encourage and assist on a worth-while financial basis Australian writers deemed capable of producing literary works of value to the nation.

(i) The need for a revision of the Australian Copyright Act, and a reciprocal copyright arrangement between the United States and Australia.

(j) The training of binders, and the effect of up-to-date overseas machinery on the post-war book-printing industry.

And such other matters as the Committee might consider necessary.

URGENT NEED.

The A.J.A. feels that Australian literature is worth protecting, and that its future development is a matter of the utmost importance to Australia. It feels also that the only effective way of giving that protection must be through a Parliamentary Select Committee, formed on similar lines to the Parliamentary Broadcasting Committee—a committee which can inquire into and deal impartially with the many perplexing problems associated with the industry, and which can report back to Parliament with some reasonable expectation of its recommendations being carried into effect.

Inquiries by the Australian Journalists' Association have clearly revealed one thing—that if action is to be taken to protect the Australian market for the Australian author then that action must be taken immediately.

The "boom" war-time demand for a product in short supply is now passing rapidly into a period of intense competition.

At the outset, it is agreed that there must not be any undue interference with the inflow to Australia of world literature—and all that world literature must mean to the future cultural standards of this country.

The Association does not desire an economic censorship for selfish ends.

CULTURAL HERITAGE.

The fact remains that:

Men and women of vision in this and other countries—Dr. Henry Sidell Canby, American literary critic, essayist and writer is a striking example—have stressed the fact that a "nation must have a decent, healthy and vigorous national

literature to be understood by other nations." Dr. Canby, who has been high in his praise of the Australian literary standard generally, says: "Australia must awaken to the significance of her own literature."—"Daily Telegraph," May 7, 1945).

A distinctive Australian culture is only possible if the Australian author and artist are given a real opportunity to compete in their own country with mass-produced literary works from overseas. This imposes a responsibility on authors and artists to aim for and maintain a standard at least comparable with the general overseas' standard; on publishers to treat sympathetically—and exploit fully the demand for—the works of all and individual Australian authors and artists; on distributors to see that Australian works are not unduly sidetracked in favor of more-glamorised overseas' works; on Australian retailers to display adequately, and if possible encourage the sale of Australian Works; and on organisations such as the A.J.A. and the Fellowship of Australian Writers to publicise in every possible way—and so create a demand for—Australian books.

Unless these things are done, Australian literature—and in consequence Australian culture—must suffer severely from the fierce post-war competition which is inevitable from the English and American publishing houses.

War has given us a heaven-sent opportunity to stabilise Australian literature, and it would be criminal folly for all those concerned—and this includes the Australian Governments—to fall down on the job.

FOREIGN OUTLOOK.

The attitude of the Australian Journalists' Association is not a selfish one, as there is little doubt that an unhampered inflow, and subsequent competition, from the American market would go a long way towards Americanising the Australian public.

This fact has been recently illustrated by the sale of American technical and educational books, which, naturally enough, tend, in many instances, to emphasise the American angle at the expense of the world outlook generally.

This is a subtle form of propaganda that can only be combated by building up within Australia an appreciation of Australian literature, competing with the imported product on something resembling an equal footing.

The Australian Journalists' Association has no quarrel with the importation of these technical and educational books to fill a definite war-time need, but it does foresee that these attractively produced American books, with varnished jackets so pleasing to the eye of Australians accustomed for years to austerity productions, throw the shadow of things to come in the field of fiction and general literature.

High Standard.

Finally, it must be kept in mind that we are not endeavoring to sell an inferior product. The present Australian literary standard is high, and Australian writers, in the field of fiction at least, have contributed many worth-while works to world literature.

Most Australian publishers have been so careful to gauge the Australian M.S. with the yardstick of the best in world standards that they have passed over many fine examples of workmanlike entertainment, while a large number of Australian readers and critics—who find no fault with the most “trashy” of overseas’ importation—have waxed caustic and contemptuous over what have been no more than technical errors on the part of their fellow Australians.

There is some indication that this prejudice—particularly in the pre-war years—was partly contributed to by certain sections within the trade. This prejudice is one of the most dangerous things that Australian authors and artists will have to guard against in the years to come.

WAR-TIME HISTORY.

War-time restrictions stemmed the flow of overseas works, and even allowing for the acute shortage of paper, manpower, materials, etc., gave Australia a real chance to compete for and capture popular fancy.

Australian books actually spelt “bread and butter” for many in the trade, but because of Australia’s intense preoccupation with the war and divided interests within the trade itself, that chance was not properly availed of.

Australian writers fell into a number of classes. They were:

(1) The successful writer, who, by publication of one or more books overseas, had gained entree to English or American publishers, and, in that way, the world market.

(2) The Australian writer, who made a name for himself or herself in Australia, was dependent on the Australian publisher, found his or her books going rapidly out of print, or found publication delayed by technical difficulties, and no serious attempt being made to meet the extraordinary demand for them.

(3) The author-publisher, who, with business foresight, obtained a paper quota, and subject generally to the approval of distributors, turned out considerable quantities of good selling material, ranging from light novels, digests, detective fiction, to the cheaper type of “quickie.” Some publishers—with a varying sense of responsibility to the Australian standard—cashed in quickly on this demand.

(4) The new writer and the battler, whose M.S.S.—if acceptable—began to clutter up the shelves of the publisher, awaiting on a low priority, the faint chance of future publication. Some of these M.S.S. are being returned after hold-ups ranging from six months to more than a year.

Books Out of Print.

In all cases, the shortage of paper, printers, binders and materials prevented any chance of a “get-together” within the trade, and with the sure knowledge that anything that could get between covers would sell, it became virtually a case of everyone for himself. No serious attempt was made to raise the standard of—and demand for—Australia literature. Anyone who attempted to buy outstanding Australian works last Christmas will realise the extent to which the drought had set in.

Last year there was an easing of the paper shortage, but the position, so far as the Australian writer was concerned, was worsened considerably by the decision of the Federal Government to permit certain overseas firms to reprint books in Australia on a generous quota based on pre-war sales.

The era of overseas reprints had set in on a big scale, and with it an intensified scramble for available printers and binders. The position was made even more acute by the flood of Government printing, which the Government printing offices could not handle, and which was, and is still being, farmed out on a high priority basis to printers who might otherwise be engaged on the production of Australian books.

OVERSEAS REPRINTS.

To the Fellowship of Australian Writers, which has compiled a report based on the Annual Catalogue of Australian Publications, Nos. 5 to 8, compiled under the direction of Kenneth Binns, Librarian of the Commonwealth National Library, and published by authority of the Library Committee of the Commonwealth Government Printer, Canberra, we are indebted for the following information:

“Most significant . . . is the increase in the number of reprints of overseas publications. Figures and percentages, in relation to the total output, for the eight years under review are as follows: 1936, 5 (1.28 per cent.); 1937, 7 (1.65 per cent.); 1938, 9 (2.12 per cent.); 1939, 8 (1.80 per cent.) and 1943, 31 (6.93 per cent.) A closer scrutiny of the figures, however, suggests that the total number and percentages of reprints may be much higher, since overseas reprints are grouped with other forms of imaginative literature, and it is possible that the figures refer only to reprints of imaginative literature. If this is so, the percentages in relating to imaginative literature would range from approximately five per cent. in 1939 to as high as 35.42 per cent. in 1942. Another analysis of the figures reveal some marked characteristics, i.e., in 1942, 32 of 75 works of general fiction and 16 of 28 detective stories were overseas reprints, while in 1943 25 of 55 works of fiction were overseas reprints.”

In passing, the Australian Journalists' Association desires to point out that whereas the 16 overseas detective stories mentioned in this report were probably of standard fiction size, the greater percentage of the remaining Australian works would come under the classification of small-sized, paper-covered novelettes. The Fellowship report continues:

“It will be noted that the number decreased in 1943; we have been informed, however, by the Commonwealth Library that the number of overseas works reprinted in Australia in 1944, for which full figures are not yet available, was approximately 105, excluding books reprinted in 1943, which were not in the 1943 catalogue, and which will be added to the 1943 figures in the 1944 catalogue. The fact that 105 books were reprinted in 1944 certainly does not indicate any decrease in the trend.”

Many in Field.

It is pointed out in the Fellowship report that, under the heading “book,” the Commonwealth National Library lists

any book or pamphlet complete in itself as a single publication, and containing five or more pages.

Most overseas reprints are issued in considerably larger editions than similar Australian works, and overseas reprints on the average contain more pages than books of local origin, so that actually, if the figures were examined in terms of paper consumption, it would be found that the proportion used in the production of overseas reprints would be considerably higher than the percentage of titles.

In the years 1939 and 1940, only one or two firms were engaged in the reprinting of overseas imaginative literature. More recently, however, Cassells and Collins have been turning out scores of English titles—some of a standard no higher than quickies—in cheap paper editions, the Australasian Publishing Co. has been producing the Guild books and publications by Harraps and other English publishers, Peter Huston has been reprinting American books, and the Lothian Publishing Co. has been handling the reproduction of the Penguin and Pelican stories.

Angus and Robertson Ltd.—a recognised field for the Australian author—has noticeably stepped up its reprinting activities, while others active in the same field include Dymocks, George Jaboor, and, to a lesser extent, other Australian publishers. This, in spite of the fact that one of Australia's most popular writers is said to have 32 of his 34 published titles out of print, and that a recent survey by the Fellowship of six leading bookshops revealed that the works of 54 Australian poets and 70 Australian fiction writers were unobtainable.

In passing, Collins should be congratulated on its reprinting of Eleanor Dark's “Return to Coolami” (in a paper-cover edition) and “The Timeless Land,” and “The Little Company” (in an excellent clothbound edition), but the fact remains that while Australian authors are unable to get their works published—ostensibly because of the printing and binding bottleneck—attractive cloth-bound editions of overseas works come off Australian printing presses with unflinching regularity.

American Interest.

Now, for better or for worse, has come evidence of increasing American interest in the Australian publishing business.

The present position is summarised by the American business journal, “Fortune,” which says: “Australian publishers are beginning to feel their oats. They do not want to

be tied to London for American copyrights. Some Americans believe the Australians are right, and despite pressure from the London houses have gone ahead and sold directly to the budding Australian publishers. To-day the Australian market . . . is small indeed, but its future is bright."

A special correspondent in "The Sydney Morning Herald" (May 18, 1945) quotes U.S. publisher, Bennett Cerf, as writing in "The Saturday Evening Post" to the effect that British publishers have gone so far as to refuse to publish in England a book of American origin that had been sold previously to an Australian publishing house for publication in Australia.

This, in the past, has been the attitude of English publishers to books of Australian origin previously published in Australia, so that there is little doubt as to the value that England places upon her book market in this country.

The American Book Publishers' Bureau recently appointed a mission, comprising Whitney Darrow, vice-president, Charles Scribners' Sons, and Edward Hamilton, president, John Wiley and Co., to visit Australia to investigate the book position here. Authors and artists have reason to believe that similar interest has been shown by independent American firms.

WHAT THE FUTURE HOLDS.

Maybe in the post-war years English and American interests will reach an agreement concerning the Australian market, but should American competition develop, the question is—What form will it take? It seems to the A.J.A. that there are two courses open to it.

(1) The increasing sale to Australian publishers of American titles, to permit, on a larger scale even than at present, the reprinting of American books in Australia.

(2) Development of a direct system of distribution to permit the importation to Australia of mass-produced American books for sale in competition with the Australian and the English product.

Conversations we have had with publishers indicate that some at least would like to see Government action taken to ensure the reproduction of American titles here, both to assist Australian publishers and at the same time to protect them from a possible inflow of the printed book.

This, no doubt, would be advantageous to the publisher, but unless some quota system were introduced that would make it obligatory on the publisher to produce a certain percentage of Australian titles, it would not be hard to see how such a trend could be made to react against the Australian creative writer.

The danger, naturally, would be that many Australian publishers might concentrate on the publicising and selling of the American and English article, while allowing the Australian production side to become more and more a subsidiary of the main business of handling overseas books.

Other Dangers.

Because of the competition that would develop there is little doubt that large numbers of titles would be bought and the obligation on publishers to reprint them might, in the opinion of the A.J.A., prove more a handicap to Australian writers than a blessing.

At the same time, it is admitted that the reprinting of overseas books here might help to build up publishers and so, in the long run, widen the field for Australians.

A more serious danger than the reprinting of overseas titles is the threatened dumping on the Australian market of the mass-produced American product. It is unlikely that this aspect will be overlooked by American interests in their examination of the Australian market.

Need for Quota.

There is little doubt that books can be produced more cheaply on a mass production basis in England and America and, for that reason, it is not quite clear at this stage to what extent the sale to Australian publishers and the reprinting of books by English firms in Australia will continue after the war. Consensus of opinion is that the English firms are here to stay.

Australian writers would have no objection to that, particularly with the operation of a quota system ensuring the publication of a certain percentage of Australian works.

With regard to American books, it has to be remembered that some American editions run as high as 500,000 copies. It is obvious, therefore, that a few extra thousands run off for distribution in Australia might be considered a more attractive proposition than the sale of the title.

American methods in the establishment of new markets have been, too often, to undercut competitors, and if America

really turns to Australia as a market for American-produced fiction and general literature, fierce competition—with Australian authors and artists on the chopping block—can be expected between American and British interests.

Divergent Interests.

It is regrettable that Australian publishers, with a few exceptions, have shown a marked disinclination to co-operate with us in our investigations. The Australian Journalists' Association appreciates that the interests of the Australian publisher and the Australian author are deeply interwoven, but it also realises that where the publisher is closely associated with overseas interests and with the retail trade there must be a divergence of opinion as to the best action to be taken.

It seems logical, however, in the interests of Australian culture, that protection should be given the Australian to ensure that mass production, international competition, or even the wholesale reprinting here of American books, does not sweep Australian literature almost completely from the bookshelves.

There exists Customs protection for stereotypers, typesetters, block makers and pictorial artists, all constituting a precedent for the Australian writer, who is practically the only creative worker whose output is totally unprotected.

Protection also exists for the Australian painter.

In view of the sharply divided interests in the book-publishing industry, the self-interest that is apparent in every section of it, and an overall atmosphere suggestive of conditions bordering on the chaotic, the Australian Journalists' Association has found the task of reaching an independent solution practically insuperable.

That is why it has been forced to the conclusion that a full inquiry is necessary by a body such as a Parliamentary Select Committee, empowered to gather evidence and examine witnesses.

SPONSORSHIP.

The Commonwealth Literary Fund has done an excellent job in encouraging the Australian author and helping him in a practical way, and the activities of the Book Sponsorship Committee, in making paper available from the Government pool for worthwhile Australian books under the sponsorship scheme, are to be commended.

So important, however, is the future of book publishing to the Australian author that the authors and artists again emphasise the absolute need for A.J.A. representation on the Book Sponsorship Committee. It cannot help but feel that the absence of an A.J.A. representative on this body is a reflection on the Australian author and artist, who depend upon the Australian Journalists' Association for their industrial protection.

It believes that the scope of the Commonwealth Literary Fund should be enlarged and that the fullest support should be given to the newly-formed Australian Book Society in Sydney, which has among its objectives the launching of an Australian Book of the Month programme.

Other Aspects.

Other aspects of the publishing problem that have been causing grave concern are:

(1) The possibility of post-war dumping of overseas magazines and fiction. It is realised that under Customs schedules for 1938 there is a general ban on literature that tends to over-emphasise sex or crime, but the A.J.A. feels that more effective measures should be taken to restrict the future importation of cheap sensational "pulp" literature from overseas. The A.J.A. also feels that, in fairness to the Australian magazine market, there should—and must—be some restriction on the wholesale dumping of the back numbers of American magazines whose sales have been restricted in Australia during the war years.

(2) Australian authors and artists also are concerned about the American copyright system which leaves any book published in Australia open to direct plagiarism by unscrupulous American interests. A case throwing some light on this problem was recently published in "The Pacific Islands Monthly." The Australian Journalists' Association feels that some reciprocal arrangement might be entered into between American and Australian Governments for the joint recognition in both countries of Australian and American copyrights. This, it feels, is a matter that could be considered by a Parliamentary Select Committee.

It feels also that, in view of statements contained in **Addendum A** to this report, that such a Committee should also investigate the Australian Copyright Act with a view to an amendment on the lines suggested.*

THE CASE FOR THE AUSTRALIAN ARTIST.

Imported Art matter falls into two categories: (a) Illustrations accompanying letterpress matter; and (b) Serial and comic strips, which comprise drawings arranged in continuity, narrating pictorially a series of imaginary adventures, comic or otherwise.

These imported goods, whether letterpress or illustrations, are usually introduced into Australia under the Post and Telegraph Act by persons, firms or companies carrying on business within the Commonwealth, who have acquired from the overseas authors and artists, or copyright holders, the exclusive Commonwealth rights of publication of this syndicated matter.

In some instances, a master copy or pattern of such goods is imported into and multiplied by mechanical process within the Commonwealth and the copies so made are sold within the Commonwealth, sometimes as a supplement to or as an integral part of newspapers, magazines, periodicals and journals.

The Australian industries injured by the importation of this cheap imported syndicated material includes the industry of journalism, book-publishing, short story and serial story writing, and literary and artistic work of all kinds produced for reproduction in newspapers, journals and periodicals circulating within the Commonwealth.

Australian goods affected comprise books, short stories, serials, articles, and literary and artistic work of all kinds produced by Australian cultural workers.

CHEAP SUPPLY.

The competition with Australian works of literature and art is unfair, in that the sole motive of the importers is to obtain cheaper letterpress and illustrative products.

Australian authors and artists can and are producing literary and artistic work at least equal, if not immensely superior, to that of most of the imported syndicated matter. This is a statement which can be easily and amply verified, although its veracity should be self-evident.

There is also one important industrial point here involved. The practice by which newspaper proprietors use cheap imported syndicated matter constitutes an evasion of the Awards obtained by the Australian Journalists' Association, because proprietors secure the right to publish such matter in Australia upon payment of a price far below the level of payment which the Industrial Arbitration Award prescribes must be paid for Australian goods of like character.

Prices paid for the imported syndicated matter by Australian newspaper proprietors and other users is but a fraction of the price originally paid for the imported goods in the country of their origin.

This means that newspapers, magazines, journals and periodicals published in Australia are filled with this cheap overseas syndicated matter, deprive Australian authors and artists of work which has in the past been available, and would otherwise now be available, to them.

SECOND-HAND GOODS.

On the subject of price, it cannot be too greatly stressed that the imported syndicated matter is usually "remnants" which have circulated in the United States or Great Britain until their initial news value and interest value is exhausted.

This contributes mainly to the great reduction in price when imported into the Commonwealth. It is really an importation of second-hand goods.

In addition, the importer into Australia usually obtains sole rights of publication of the cheaper imported syndicated matter, and then proceeds to sublet the syndicated matter to other Australian buyers at a still lower price.

Thus there are two aspects to the traffic in this regard. The imported material is cheap, because, before it reaches Australia, it has already been widely syndicated in the country of origin and elsewhere. Much of it is further cheapened to the user in Australia by further internal syndication within the Commonwealth.

READERS MISLED.

Some of the methods adopted by the importers or users of syndicated material do not commend themselves to Australians possessed of a national sentiment. Many newspapers take care not to disclose that the matter they are publishing is syndicated or that it originated overseas. This means that the

readers are misled into the belief that what they are reading is the work of Australian authors and artists.

The demand for imported goods is thereby unfairly created under false pretences. It is indeed a regular practice for users in Australia to delete, by some means or other, the identification marks of the country of origin.

On April 1, 1940, the Federal Government imposed a ban on imported syndicated artistic and literary material, following representations to the Minister, Eric J. Harrison, M.H.R., by the A.J.A., P.I.E.U.A., Teachers' Federation, Fellowship of Australian Writers and other bodies. Banned matter was set out in Table A of the Regulations:

TABLE A.

Comic Strips.

Pictorial Strips.

Pulls therefrom.

All Comics.

Western and Similar Fictions.

Love and Romantic Stories.

Motion Picture and Radio Magazines.

Illustrated Publications.

Back Dated Magazines and Periodicals.

Home and Fashion Publications.

Sundry Magazines and Periodicals of little merit and unnecessary to Australian Economy.

Children's Books, Fashion Plates, Photographs.

Drawings, etc., similar to Fashion Plates.

And Short Stories.

WARTIME BAN.

On August 4, 1941, the A.J.A. wrote to Mr. Harrison asking why the ban had not been enforced. His reply, dated August 13, stated that:

- (1) Licences are not issuable for the importation of comic strips of non-sterling origin. Australian newspapers are not, therefore, now able to obtain these articles from non-sterling areas.

- (2) Short and serial stories in printed, typewritten or other form are totally prohibited from importation when of non-sterling origin.
- (3) Comic strips of non-sterling origin were graded in the prohibited import category as from April 1, 1940. Special licences were issued after that date for the importation of a limited quantity of comic strips in order to provide sufficient time to arrange for similar strips to be produced by Australian artists.
- (4) The decision to prohibit the importation of comic strips from non-sterling areas was reaffirmed by Cabinet in March last and, in consequence, no further licences are being issued to enable such goods to be imported into Australia.
- (5) Departmental control ceases when goods imported into Australia have been cleared for home consumption through the Customs Department. The imported strips now being published are no doubt drawn from importations which have previously been legally made.
- (6) Any comic strips of non-sterling origin imported into Australia and not covered by a valid licence would be subject to seizure and forfeiture as prohibited imports.
- (7) The primary factors governing the imposition of total import prohibition on goods of non-sterling origin are conservation of non-sterling exchange resources and the relative unimportance of such goods from the national viewpoint in time of war.
- (8) The provision of dollar exchange in relation to comic strips imported on a credit basis is a matter for the Monetary Control authorities.

NOT ENFORCED.

It was hoped that, as a result of this import prohibition, syndicated imported comic strips previously obtainable from non-sterling areas would, in course of time, entirely disappear from Australian publications.

Through the years the A.J.A. had made innumerable complaints about the continued importation and use of this banned foreign material.

Recently, the attention of the Minister for Customs (Senator Keane) was drawn to the list of comic strips which

were appearing in newspapers at the time and which have continued to appear in defiance of the ban. These are:

- “The Daily Sun.”—“Blondie’s Family,” “Popeye The Sailorman,” “Tarzan.”
- “The Sunday Sun.”—“Speed Gordon,” “Popeye The Sailorman,” “Prince Vallient.”
- “The Daily Telegraph.”—“Henry,” “Brick Bradford,” “Nancy,” “Donald Duck,” “Joe Palooka.”
- “The Sunday Telegraph.”—“Brick Bradford,” “Henry,” “Buck Rogers,” “The Pussycat Princess,” “The Katzenjammer Kids.”
- “The Australian Women’s Weekly.”—“Mandrake The Magician.”
- “The Daily Mirror.”—“Jane” (of English origin).
- “Pocket Book.”—“Vignettes of Life.”

FLOOD UNCHECKED.

However, not only did this material still continue to appear, but new cartoon features were added in defiance of the Act. These were:

- “Sydney Daily Telegraph.”—“Barnaby.”
- “Sydney Sunday Telegraph.”—“The Sad Sack.”
- “Sydney Morning Herald.”—“Mr. and Mrs.,” “Penny.”
- “Melbourne Herald.”—“Tim Tyler.”
- “Melbourne Herald” and “Brisbane Courier-Mail.”—“Saturday Evening Post” cartoon.

As well as these, comic strip magazines were produced, which include “Donald Duck,” “Don Winslow,” “Alley Oop” and others, all of which were imported from America.

Also, “Smith’s Weekly” departed from its long-established custom of printing only Australian work by publishing “New Yorker” and “London Punch” cartoons and text.

The A.J.A. viewed with very deep concern the fact that the Government had done nothing to enforce the ban which was introduced by a non-Labor Government in 1941.

LIFTING OF BAN.

It augured poorly for the rehabilitation of our members on discharge from the Services that a regulation which would give protection for their livelihood had not been enforced. Latest information, however, is that these regulations had been introduced only as a wartime measure and that with the easing of restrictions on shipping space and dollar exchange the possibility was that they would be removed altogether.

Therefore, even this slender protection is apparently going by the board, and the prospects are that artists will face the future unfairly handicapped in their bread-and-butter fight against overseas interests—their avenues of employment in their own country shrinking as the flood of cheap imported material increases.

This matter has aroused deep concern among Australian artists, and it is a matter which should also cause concern to the Governments and the people of this country.

It is deplorable that our members who are in the fighting Services on returning to civilian life are finding that the columns of space in newspapers which their work would undoubtedly occupy are filled with foreign matter.

NEED FOR FORMULA.

One additional and gross ground of unfairness in the competition between work of Australian authors and artists and importations from overseas is that the Australian literary and artistic worker is forced to pay the prescribed customs tariff and primage duties in respect of the importation of material necessary to his work.

The imported goods are introduced free of such duty.

The Australian Journalists’ Association urges that a formula be arrived at which will give sufficient protection to the Australian to permit him to compete on an equal footing with his overseas rivals. It appears that such a formula can be arrived at only by the careful consideration of a Parliamentary Select Committee.

To summarise:

- (a) We suggest that the simplest and only satisfactory remedy is a tariff on the imported syndicated drawings so as to make the cost to each user in Australia equal to the amount fixed by the Metropolitan Dailies’ Award of the Com-

monwealth Arbitration Court for goods of Australian origin and like character, plus 50 per cent. of such an amount by way of additional protective tariff.

(b) Quota system by which at least 75 per cent. of strips in any journal should be by local artists.

It is a remedy that can have no possible point of detriment, while the advantage to Australia includes:

Increased Customs revenue.

Increased employment within Australia.

Improved cultural and national standards for the Commonwealth.

These are all matters which should be probed fully by a Parliamentary Select Committee. In the meantime there should be no interference with existing restrictions on the importation of non-sterling material.

ADDENDUM A.

THE COPYRIGHT POSITION.

The copyright acquired by an Australian author is copyright throughout the British Empire. However, it receives recognition abroad in the case of most foreign countries.

In 1886 an International Copyright Union was formed of countries prepared mutually to recognise copyright acquired in any one of them. By an International Convention, known as the Berne Convention, since modified and amplified at Berlin, Rome and elsewhere, publication in any of the countries of the Union automatically, and without any formality, gives an author copyright throughout all countries of the Union.

The United States of America is not a member of that International Convention. In order to secure copyright in the United States it is not sufficient to first publish a work there in the manner in which the obligation is understood in Australia and throughout the British Empire. The work, if a book, and if in the English language, must be printed from

typeset, or from plates made from typeset, or by photo-engraving process wholly performed within the United States, and the printing of the text and the binding of the book must be performed within the United States. The book, as a tangible product, must be in every respect wholly manufactured in the United States. The requirement applies to books of local as well as outside or "alien" authors.

If, however, a work has first been printed **abroad** it is possible to secure ad interim copyright in the U.S.A. if one copy of the foreign edition is sent, together with application on the appropriate printed form and a fee of two dollars, to the Library of Congress, Copyright Office, Washington, not later than sixty days after its publication abroad. Such ad interim copyright endures for 120 days, but within such period the work must be reprinted in the United States from type set therein, bound therein, and published with the notice of copyright and registered, in order to secure an extension of the copyright to the full first term of copyright in the U.S.A., which is twenty-eight years. This requirement of American "Manufacture" applies to all literary works such as books, short stories, articles, etc., and their accompanying illustrations, and even to lithographs and photo-engravures, but not to dramatic or musical compositions or photographs.

LITERARY PIRACY.

It is impossible, therefore, for an Australian author, without complying with this onerous local "manufacturing" clause, to protect his work from piracy in the United States of America, although that work be copyrighted throughout the British Empire and practically all civilised countries, excepting the United States and certain countries of Central and South America.

On the other hand, an American author acquiring copyright in the United States may, by mere "simultaneous publication"—that is, within 14 days offering copies to the public as above described, in, say, Canada, Newfoundland or elsewhere in the British Empire—thereby acquire copyright also throughout the British Empire, including, of course, Australia.

This anomalous state of affairs engaged attention at an Imperial Copyright Convention held in London in 1910, at which Australia was represented.

Following that Convention Great Britain, after lengthy negotiation, succeeded, on March 20, 1914, in securing the unanimous adoption by the countries of the International

Copyright Union of what has since been known as the "Additional Protocol of 1914."

Article 1 of such Protocol provides that nothing in the Convention is to prejudice the right of any country of the Union to impose restrictions on the copyright it accords to the works of authors of any country outside the Union which fails to give adequate copyright protection to the authors of any country of the Union.

Article 2 provides that the rights conferred by this Protocol upon contracting States belongs equally to each of their possessions beyond the seas.

Anticipating this Protocol, for which after 1910 Great Britain had been earnestly negotiating, the British Copyright Act, 1911, vested in his Majesty in Council authority to withhold copyright from the works of authors of any foreign country which does not give adequate copyright protection to the works of British authors.

By their subsequent Acts, New Zealand in 1913, South Africa in 1916, and Canada in 1921, each vested similar authority in its own Governor in Council, Minister and Executive respectively. And in 1927 the Irish Free State by Statute vested a like authority in its Governor-General.

Australia, alone of the self-governing Dominions, in adopting the British Act, 1911, omitted (seemingly by oversight) to substitute in this connection its own Governor in Council for his Majesty in Council.

The United States is, in the words of the Protocol, "a country outside the Union" and "fails to give adequate copyright protection to the authors" of Australia, which is a "country of the Union."

A slight amendment of the Australian Copyright Act repairing the abovementioned omission, to substitute the Governor in Council for his Majesty in Council, would put Australia, so far as this protocol authority is concerned, in line with the other Dominions and with Great Britain itself. It would enable Australia, in the matter of copyright reciprocity, to deal directly and immediately with the United States, as in trade matters it has been, and is at the present day, dealing with that and other countries.

The objective should be establishment and real reciprocity in the matter of copyright between Australia and the United States.

It would not be unreasonable for Australia to require the United States to accord Australian authors the same copyright

protection as United States authors enjoy in Australia, or, in the alternative, to be content with copyright in Australia for United States authors on like conditions to those imposed in the United States on Australian authors.

Acceptance of the first alternative would assure but mere justice for Australian authors. Its rejection, and consequent acceptance of the second alternative, could not fail to assure benefits incalculable to the publishing, printing and allied industries of Australia. For it would afford to Australia, as regards works of United States authors, the same privileges and opportunities as the present state of affairs affords to the United States in respect of the works of Australian authors.

Whichever the alternative adopted, real reciprocity would be established—and on terms of the United States' own choosing.

