

SUBMISSION TO THE
AOTEAROA NEW ZEALAND PUBLIC MEDIA BILL
September 2022

BACKGROUND

WeCreate is the alliance of Aotearoa’s major creative industry associations and organisations (representing 30,000+ Kiwi creators, support people, and creative businesses – please see below), which was founded in 2014 to propel growth in the sector and increase its contribution to New Zealand’s social and economic wellbeing.

Our creative industries include our public media, and the sector tells or represents the stories of Aotearoa New Zealand at home and around the world.

In 2016 WeCreate commissioned NZIER to produce a valuation of the creative sector which estimated its **contribution to GDP at \$17.5bn and employment at 131,000 people** – one third of whom work outside the creative industries.

1. As the new public media entity is created there is a unique opportunity to ensure that it plays a more productive and valuable role in telling our stories, growing the Aotearoa New Zealand cultural and creative ecosystem, and sustaining the careers of the people who work in it.
2. As currently drafted the **objectives** in the legislation do not explicitly include this role and, without this specificity, the entity’s potential to get more New Zealand cultural and creative content in front of New Zealand and global audiences, educate the next generation through our own stories, and sustain the careers of Kiwi creatives and creative businesses, may be lost. We submit that the new entity should have an objective that is **specifically about local content**, and that it be required to demonstrate and measure how it is delivering on that purpose, including through feedback to the responsible agency, Manatū Taonga.
3. We submit that the objectives of the entity should be explicit in relation to its role in the **creation, distribution, amplification, promotion and celebration** of all forms of Aotearoa New Zealand culture and creativity.
4. There are references throughout the Bill to the entity making the majority of its content available for free. This must not be allowed to happen at the expense of content creators. **Fair remuneration policies and practices** (a local example is the Creative New Zealand Remuneration Policy¹) must be developed and adopted, including the inclusion of current market terms for licensing agreements. The scale of the entity must not be allowed to disadvantage independent creators or small creative businesses that make up the majority of the local culture and creative industries.
5. There is a content-related reference in the **functions** for material that *“is predominantly and distinctively of New Zealand”*. We submit that this does not provide the necessary clarity and certainty to ensure that

¹ [20220209 remuneration policy for artists and arts practitioners.pdf \(creativenz.govt.nz\)](https://www.creativenz.govt.nz/20220209-remuneration-policy-for-artists-and-arts-practitioners.pdf)

content made by New Zealanders is prioritised, within the boundaries of the law, and international agreements to which New Zealand is a signatory.

6. We submit that it should not be left to the management of the new entity to determine the priority for local content. It should be unequivocally clear in the highest level of the entity's Charter and be an aspect of its operation that its **Responsible Minister has clear accountability for**.
7. We note the difference that an **intentional approach** to prioritising and including locally produced content can make to local cultural and creative industries.
8. A New Zealand example of this is music. Commercial radio stations in New Zealand, in conjunction with the local music industry, operate a **code for local music** and the outcome of this intentional approach to growing the proportion of New Zealand music played on air is greater awareness of local music with New Zealand audiences, and a more sustainable New Zealand music industry.
9. It is also worth noting that this amplification of local content has the added benefit of achieving a greater impact from the **government's own² investment in local content**.
10. In the publishing industry, an example from Australia is informative. *Better Reading* has a focus on homegrown authors and Australian stories and, through podcasts in particular, has grown a large audience for the stories behind, and about, Australian books that **supports the local book publishing ecosystem (authors, publishers and the like)**.
11. A government-funded entity such as the one being created by this Bill might, working with the local cultural and creative industries, develop similar programmes which would support the sustainability of local content creation which is equally as **important for local audiences as it is for local creators**. This would have greater certainty of being achieved if the requirement to do so were included as part of the entity's Charter.
12. We support the inclusion of a requirement for the entity to undertake audience research. We anticipate that this report would be required to be made available to the public. The data provided in such a report would be beneficial to many in the Aotearoa New Zealand cultural and creative industries where **access to data, insights and analytics, particularly relating to digital content, are rare**.
13. We submit that the Board should include a **designated position for a member with understanding of the local cultural and creative industries**. While the Board will, of course, sustain good governance practices, the inclusion of a member who understands the issues and opportunities of the Aotearoa New Zealand cultural and creative sector will help to ensure the strategic direction of the entity is informed by and connected to, those industries.

Ngā mihi maioha,

² [Local music on radio hits highest peak since records began | NZ On Air](#)

Victoria Blood

Victoria Blood

Leader

Phone 027 272 7989

c/- PO Box 331488, Takapuna

Auckland 0740, New Zealand

WeCreate

GROWING OUR CREATIVE SECTOR

www.wecreate.org.nz



WeCreate's Members and Friends are:

- | | |
|--|-----------------------------------|
| Advertising & Illustrative Photographers Assn | APRA AMCOS NZ |
| Tātaki Auckland Unlimited (formerly ATEED/RFA) | Australia & NZ Screen Association |
| Christian Copyright Licensing International | Commercial Communications Council |
| Copyright Licensing NZ | Creative NZ |
| Design Assembly | Designco |
| Directors & Editors Guild NZ | Equity NZ |
| Home Entertainment Association NZ | Independent Music NZ |
| Māori Music Industry Coalition | Music Managers Forum NZ |
| NZ Comedy Trust | NZ Film Commission |
| NZ Game Developers Association | NZ Institute of Architects |
| NZ Institute of Professional Photography | NZ Music Commission |
| NZ On Air | NZ Society of Authors |
| NZ Writers Guild | Playmarket |
| Print Media Copyright Agency | Publishers Association of NZ |
| Recorded Music NZ | SAE Institute |
| Screen Industry Guild Aotearoa NZ | Script to Screen |
| Screenrights | Sky Network Television |
| Screen Production and Development Association | TVNZ |