

SUBMISSION TO MBIE
Copyright Act
October 2026

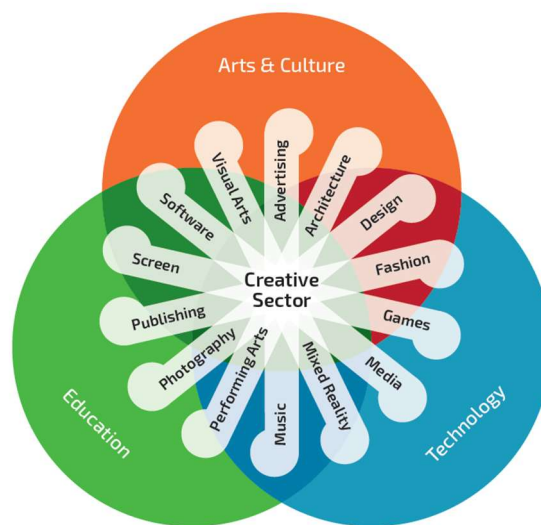
BACKGROUND

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

The creative economy is an ecosystem, as reflected in the image below. All of these industries are digital to some extent - whether it's how their products and services are made, marketed, distributed or consumed. The market for digital creativity is constantly evolving, with generative Artificial Intelligence (AI) being the latest technology development to present both risks and opportunities for our creative sector.

The creative sector contributes an estimated \$18.5b to New Zealand's GDP (4.3%) and generates \$4.1b+ in exports, making it the country's fifth-largest export earner and one of its fastest-growing. Our creative economy could be worth \$25b to New Zealand by 2030, capturing a greater share of the global creative market, which is projected to be worth US\$4,146b by 2030¹.

OUR ABILITY TO SECURE THIS GROWTH RELIES ON IP OWNERSHIP IP IS WHAT WE SELL TO THE WORLD



WeCreate supports the [CISAC Shared Declaration for Human Creativity](#) :

1. Creativity is a fundamental human endeavour and must be actively protected
2. Innovation must strengthen – not weaken – creative value
3. Collective Management is essential to a fair and sustainable creative ecosystem
4. Governments and decision-makers must act to safeguard the future of creativity

WeCreate calls for copyright law that is fit for purpose for in the digital world that creative professionals and creative businesses are operating in.

¹ [Entertainment And Media Market Share Analysis Report 2026-2030](#)

SUBMISSION

We welcome the opportunity to provide input to MBIE's current work on the Copyright Act. This submission draws on and reflects the positions of WeCreate's member organisations.

For the past decade, the creative sector has **been calling for New Zealand's 1994 Copyright Act to be updated to reflect the realities of the digital environment and markets in which we operate**. In 2016 MBIE undertook engagement that resulted in the report [copyright-and-the-creative-sector-december-2016.pdf](#). In June 2017 the Minister of Commerce and Consumer Affairs announced a review of the Act, and in 2018 an Issues Paper was published. Submissions on this closed in April 2019. Next steps on the Review were deprioritised during the pandemic.

In 2025 Minister Simpson conducted a series of stakeholder roundtables on copyright, but nothing substantive has progressed since, in spite of the fact that New Zealand has commitments under both the EU and UK Free Trade Agreements to amend our domestic legislation. A recent announcement from Minister Brewer listed a number of planned amendments to the Act, in addition to MBIE's work on copyright and AI.

Term of Protection

WeCreate and our members have been advocating for the harmonisation of copyright term for many years. While the implementation of this continues to be delayed, **living artists are losing their right to earn from their own work**. The term extension required by the FTA updates should be implemented as soon as possible to ensure our artists can continue to earn from the use of their work.

Digital Locks, GLAM Updates, Website Blocking, Infringing File Sharing, First Distribution Right

We support the submissions of our members in relation to these aspects of the Act.

Parody & Satire

We recently submitted to the Select Committee that was reviewing the Member's Bill on Parody & Satire. A copy of this submission can be read [here](#).

Collective Enforcement

Enabling CMO's to take action on behalf of multiple copyright owners in certain circumstances is one mechanism that would address the significant shortcoming in effective enforcement of copyright for both individual creators, and for the significant number of creative businesses that are SMEs. We note that the creative sector has double the number of freelancers and contractors of any other sector of the New Zealand economy, making **collective enforcement highly relevant to the sector's needs**.

Commissioning Rule

We support the proposal that copyright ownership, by default, is given to the creator of the work, unless otherwise contracted.

Ngā mihi maioha,

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WeCreate

GROWING OUR CREATIVE SECTOR

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