

Your name and organisation

Name	
Organisation	none

The Privacy Act 1993 applies to submissions. Please check the box if you do not wish your name or other personal information to be included in any information about submissions that MBIE may publish.

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I do not want my submission placed on MBIE's website because... [Insert text]

Please check if your submission contains confidential information:

I would like my submission (or identified parts of my submission) to be kept confidential, and **have stated** my reasons and grounds under the Official Information Act that I believe apply, for consideration by MBIE.

Other issues: Copyright and the Wai 262 inquiry

1	<p>Have we accurately characterised the Waitangi Tribunal's analysis of the problems with the current protections provided for taonga works and mātauranga Māori? If not, please explain the inaccuracies.</p> <p><i>I believe the Waitangi Tribunal analysis is correctly characterised for the purpose of the review of the Copyright Act including that the concerns are best addressed in separate legislation.</i></p>
2	<p>Do you agree with the Waitangi Tribunal's use of the concepts 'taonga works' and 'taonga-derived works'? If not, why not?</p> <p><i>I agree with the concepts and recommendations. It should also consider some protections specifically for digitally archived taonga and digital copies of taonga. Certain organisations are uploading photos of original and derived taonga where copyright would have expired or does not apply. The physical misuse of those taonga is already protected by the Protected Objects Act 1975</i></p> <p><i>Some Iwi are currently in the process of digitizing their taonga for the purpose of preservation and access for research purposes. There needs to be some protection from commercial exploitation and misuse.</i></p>
3	<p>The Waitangi Tribunal did not recommend any changes to the copyright regime, and instead recommended a new legal regime for taonga works and mātauranga Māori. Are there ways in which the copyright regime might conflict with any new protection of taonga works and mātauranga Māori?</p>

*I agree that separate legislation is the best method moving forward. International agreements and international copyright law is important to consider when shaping New Zealand Copyright law. Intellectual property protection of taonga works and mātauranga Māori is better addressed by separate legislation. The recommendations from the Waitangi Tribunal can be shaped like the existing **Public Records Act 2005** where the chief archivist can prohibit publication and requires consent for copying and publication.*

4

Do you agree with our proposed process to launch a new work stream on taonga works alongside the Copyright Act review? Are there any other Treaty of Waitangi considerations we should be aware of in the Copyright Act review?

I agree that it is the best way forward.

5

How should MBIE engage with Treaty partners and the broader community on the proposed work stream on taonga works?

*There are a number of Iwi affiliated organisations that have already worked on **Wai 262** for the last 6 years. A number of Government departments have also been involved. It is important that due to the long time this has been in development that all prior contributors are notified and given an opportunity to provide their input.*