environment which respects those rights, but does not inhibit investment or production.

The negotiation of the consent clause shows that the Australian production industry does not have to follow the pattern of antagonism and resentment which has marred the debate in other common law countries.

We are confident that we have forged a better path than that.

INDUSTRY ACCORD ON PROVISIONS WHICH BY CONSENT MAY BE INCORPORATED IN CONTRACTS

(Terms beginning with capitals are as defined in the *Copyright Act*)

The Producer recognises that the Author(s) has Moral Rights in the Cinematograph Film. The Author(s) consents to material alterations to the Cinematograph Film, for the benefit of the producer its licensees and its assignees, subject to reasonableness and industry practice for the following purposes:

A. Consents
1. To edit a Cinematograph Film to meet TV time slots.

2. To incorporate advertisements into a Cinematograph Film to be broadcast on television or transmitted on a diffusion service

3. To meet the legal requirements of broadcasting authorities.

4. To ensure that the proposed program meets any legal requirements or classification requirements or to avoid a breach of law.

5. To make foreign language versions by way of dubbing or subtitling the cinematograph film.

6. To make inflight versions of the Cinematograph Film.

7. To use excerpts of the Cinematograph Film for the purpose of promotion of the cinematograph film including by way of, teasers, advertisements and excerpts for promotion of copies.

B. Consent to material alterations not described in clause A
In the event that consents (which shall not be withheld unreasonably) are required to any material alterations other than those referred to in Clause A:

1. The producer will contact the Author(s) to seek consent by making every reasonable effort in writing to contact the Author(s) to inform them that

a request is being made for material alterations possibly outside Clause A;

2. To assist in contacting the Author(s) a copy of the notification will be lodged at the Australian Writers' Guild or the Australian Screen Directors Association.

3. The Author(s) have 5 working days from receipt of the producer's notification to notify the producer in writing that the Author desires to be consulted with reference to the proposed use or material alteration.

4. After receiving notice from the Author(s) within the notice period specified in clause 3, the producer will nominate a time and place for such consultation at which the Author may express views with regard to the proposed use or material alteration.

5. The Author(s) services for the consultation will be provided at no cost to the producer.

Simon Lake is the Executive Director of The Australian Writers' Guild.

1. Moral rights have three elements. The right of attribution, the right against false attribution and the right to protect the integrity of the work. They are founded on the idea that both an artist's reputation and an artist's work are valuable. Since artists rarely own the copyright in their work they need some other form of protection that floats above copyright ownership. In 67 countries that protection is moral rights.

Building a Better Internet: Things to Look for in a "Killer Application"

John Collette pinpoints the 3 attributes which contribute to a successful application - media, networking and processing

In the last two issues of the CLB I have discussed the difficulty of creating a new creative culture around the engineering base of the internet, and the reasons why "video on the net" is a bad value proposition for the foreseeable future. In this issue I would like to address some of the things to plan for in a good internet application.

OLD MODELS ON THE NEW MEDIA

The case of video on the internet is a good place to start, because it typifies the

imposition of "old media" models on the new media. People are slow to adapt to new ideas, and in the quest for the killer application that will turn the streams of data into a stream of revenue, the urge to understand what is new in the light of what has gone before extends so far as to turn a networked media environment into a replication of the "dumb terminal" model that is the broadcast receiver. While people may argue that the provision of video as a media type extends the capabilities of the network, the limitations with bandwidth and quality pale into the background behind the big

question of who will choose to put video on the net, instead of one of the existing high quality distribution formats - broadcast, cassette and even CD ROM which has, at worst, a bandwidth 100 times that of a modem connection.

The recent rush of hyperbole about "push" technology arose from the same type of thinking - that computers would ultimately function as a "screen" for content that was pre-packaged. After downloading Pointcast, and overcoming the initial gee whiz factor at the graphic quality, all you are left with is a computer

which becomes a moving billboard as soon as it starts the Pointcast screensaver. The idea that a user's choice in the provision of content is diminished to the simple yes or no binarisims of selecting stock quotes, sports and news options offers a minimal rehash of a number of existing media models under the guise of "tailored" content.

Imagine if a telecommunications company was so prescriptive about the traffic carried on a voice network - who would use it?

The dichotomy here is between two ways of looking at the network - broadcasting and broadgathering. The broadcasting model "edits" content for delivery to an audience, usually over a given terrestrial footprint. Even print media follows this model to some extent, where the media has to be put into contact with the audience, in a top down relationship. Broadgathering, by contrast, acknowledges the agency of the user as an active determinant in the collection of content from different sources, without terrestrial boundaries. The fact that a user moves to content on the internet through a constant process of editing, choice and negotiation is the opposite of the media-to-user model of broadcasting.

This is the fundamental difference in the way that publishing might be approached in the new media - the idea that the user engages with the totality of the network, rather than a single location - is a more profound form of "interactivity" than the point and click requests for feedback from a single site that are often used to define the term. Beyond publishing, there are completely unique forms of mediated experience that the network offers - such as chatrooms, newsgroups, and MUDs and MOOs which offer something which has its antecedents in other aspects of telecommunications, but extend the possibilities in novel ways.

Similarly, the ability to query databases remotely and on demand is a unique attribute that computers bring to the idea of media.

With this in mind, there are three attributes that contribute to a successful application. They are media, networking and processing.

MEDIA

Media is the first and most obvious attribute, as it underpins the very nature of telecommunications. Voice traffic is a form of audio media, facsimile a basic form of imaging, and even data streams of proprietary networks need to be resolved into useful media - text, images or even machine code. Digitisation has incorporated all known media types - text, sounds, still and moving images (as well as the creation of three dimensional representations which are inherently digital), and this has established the computer as the Esperanto of media - a device which can utilise, store and manipulate the substance of communication. This has led to the invention of the term "multimedia" which signifies in the main nothing that does not mimic existing media such as books, games or linear media re-presented in digital form. While there are new genres emerging through digital representation, consider games, where beyond the idea of "interactivity" and "immersion" the metaphor underlying most examples is developed around navigation through space or the contact between a cursor and a point in space - essentially nothing that can't be found in chess, billycarts or table tennis.

We have always had different types of "multimedia", and the rapidly disappearing novelty associated with digitisation of media means the we could call it simply "media".

NETWORKING

Added to media is networking, and this is where the possibilities expand. Networking underpins the accepted utility of telecommunications - the fact that you can talk to someone almost "on demand" across the world, even by cellular communications, is still pretty amazing when you stop to think about it. The extension of this by the internet so that the sharing of media can be simultaneous through multiple users and can potentially accommodate different types of media extends the possibilities greatly.

The creation of communities of dispersed yet specific members through chatrooms and newsgroups allows both distance and time to be shifted aside in the pursuit of the exchange of ideas, and moreover, ideas which are generated by the users of the network. Voice telephony depends on the users for content - and is successful because of it. The support networks for people with rare diseases, the specialist interest groups that "meet" online, online romances - all of these are ways in which the network extends even simple media like text into being relevant and often irreplaceable experiences which are specific to and compelling on an individual basis.

PROCESSING

The last aspect, processing, is the ability of computers to manage and sort data - often large amounts of it - through intelligently querying databases, or by processing media through specialist algorithms. This is a quality that doesn't exist in the "dumb terminal" model, where media "appears" in a given form. The fact that your host on the network might be able to query a massive database to provide a requested response, or that data sent to your terminal can be arranged into a useful form at the user end, and that the ability to do this can be updated through the addition of software components, separates computer based networks from their broadcasting antecedents.

CONCLUSION

If an application can contain these three elements to some extent, it becomes a better utilisation of the technology available than something that doesn't. Sure, it might have been called "multimedia" but what does that term really mean? The time is here when we simply accept it as media, with a culture of its own and reasons why it is broadgathered rather than broadcast.

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