

All you need to know about copyright

At our May 2009 meeting, copyright expert Lucinda Edwards from CAL provided members with an informative presentation on the basics of copyright in Australia. 'Copyright 101' covered the rights involved in copyright, licensing and assigning copyright, and the fundamentals of copyright contracts.

Copyright is a form of intellectual property protection like trademarks, patents and designs. And just like real property, if you have an interest in an intellectual property item, you get certain rights along with that ownership. In Australia, copyright legislation is set out in the *Copyright Act 1968*. There have been quite a number of changes to the Act since then, particularly to reflect digital changes. The Act complies with Australia's International Treaty obligations. We have been a signatory to the Berne Convention since the 1920s. The TRIPS Agreement, which is monitored by the World Trade Organisation, does impact on copyright as well.

When Australia signed the US Free Trade Agreement in 2005 we had to amend the Copyright Act mostly to extend the copyright period of protection. Copyright used to last for the life of the creator plus 50 years but with the signing of the Agreement it was extended to 70 years. This was so that Australia could compete with US rights holders in the global economy. There

were some amendments in 2000 and in 2006 that dealt with digital use. Before the December 2006 amendments, it was actually illegal to copy TV programs onto your VCR and it was illegal to burn CDs onto your iPod. Those activities are not illegal now but there are still certain limitations.

The main misunderstanding about copyright in Australia is the belief that it requires registration. It does not. It is an automatic right. As soon as you draw a sketch, as soon as you write a novel, as soon as you publish a book, it automatically attracts copyright protection.

What does copyright protection involve?

Copyright grants two sets of rights. There are 'economic rights' which include the right to publication, reproduction and communication (emailing, digital use, scanning and uploading onto the internet). In 1999 moral rights were added to the Act. They are 'reputational' rights. This means that you have the rights to be identified as the creator of a work. So if your work is published, it needs to have your name on it. While this does not necessarily attract an economic

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Next meeting: Tuesday, 6 October 2009

Galley Club and Society of Editors: Production and Printing

The Galley Club of Sydney and Society of Editors (NSW) are holding a special joint meeting in October. Linda Watchorn, production manager at Random House Australia, in Sydney, and Michael Schulz, director of SOS Print + Media Group, will discuss production and printing. Linda will outline how the production department works and liaises with the editorial department, printers, repro houses and suppliers. Michael will look at new developments in printing technologies and their impact on production and editing.

Linda Watchorn has been with Random House for 15 years and has lectured for the UTS graduate program in Editing and Publishing. She works on a wide range of books from mono paperbacks and large reference books to children's picture books.

Michael Schulz is the Galley Club president and has been with SOS Print + Media Group for about 20 years. He has lectured for the Macquarie University postgraduate program in Editing and Publishing.

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Sydney Mechanics' School of Arts, 280 Pitt Street, 6.30 p.m. for 7.00 p.m. Drinks and light refreshments provided. Special rate of \$15 for all Society of Editors and Galley Club members and students; \$20 for non-members and those who do not RSVP; \$7 for holders of a current concession card or student card. Non-members who book and do not attend must still pay.

Please RSVP to (02) 9294 4999 (voicemail) or the email address <editorbruce@optusnet.com.au> by Friday, 2 October 2009.

November meeting: Tuesday, 3 November 2009

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benefit for you as a creator, if someone breaches that right then you can sue them for damages.

What does copyright protect?

Copyright will protect anything that is an original work. Original does not mean it needs to be the most high work of art. Basically, original means that something has not been reproduced or copied. It just needs to be new. The Act goes on to define different kinds of 'works' that are covered by copyright.

Literary work covers what you would expect: textbooks, novels, magazine articles, newspaper articles, but it also includes things that you might not expect like computer programming source code, television programs and telephone directories. Dramatic work covers plays, dance—even mime. Artistic work covers everything from high works of art to little doodles or sketches, cartoons, graphs, maps and charts. Musical works, like scores and sound recordings, are protected. So are film scripts, as well as the visuals of the performance and any background music.

What is not protected by copyright?

I think a lot of people believe that ideas are protected but they are not. It is the expression of those ideas, the writing down of those ideas, that is protected. Information is also not protected. This is a tricky one because phone directories and television programs are protected but not information. Under law it is not the facts that are protected but rather the way the facts are laid out.

Names, titles and slogans are not protected. They may be protected under the Trademarks Law but not

under copyright. They are generally considered to be insubstantial or too small to be considered copyright at all. And finally, people's likenesses are not protected either.

Who owns copyright?

The rule of thumb is that the copyright owner is the creator, the artist or the writer. That right can be varied and it is usually done by a contract. An employment contract will often vary it. Some commissions of artworks and any other commission work can often vary copyright ownership. Anything that is published or commissioned by the Government will be owned by the

'I think a lot of people believe that ideas are protected but they are not.'

Government as well. All of those can be varied by written assignment.

There is a special rule for journalists which was negotiated in the 1990s by their union. As a result of that journalists own the right to hard copy reproductions of their work and the inclusion of their work in a book publication but their publishers own the right to digitally reproduce, and every other right. That applies to employed journalists only. It does not include journalists working for a wire service like AAP.

Infringement of copyright

If you want to use someone else's copyright material, you need to seek permission or rely on some of the exceptions in the Act—or else you could risk infringing their copyright. There are several 'fair dealing' exceptions to Infringement. The first exception is for private research or study. There is an exception for criticism or review, which is really important for free speech. There is also an exception for reporting news and most journalists would rely on those exceptions. There is an exception for parody and satire that was introduced recently because it was generally considered that the review and criticism exception did not really cover parody and satire. And finally there is an exception for the use of material in court cases and the giving of legal advice as well. All of those exceptions are subject to what the Act calls insubstantial use. Generally

we accept that 10 per cent or less of the work is considered insubstantial. If you are dealing with a book it is one chapter or less.

Statutory licences

Statutory licences were introduced into the Act in the 1980s to give certain groups the ability to use material in certain ways. The groups that are covered include educational institutions such as secondary schools, primary schools, universities, TAFE and adult learning centres. Anyone can apply for a licence under the Act. Licences also cover institutions for persons with a disability and federal and state government bodies and agencies but not local governments.

The licence basically allows those bodies to use copyright material in ways that go beyond the fair dealing provisions but without the requirement of having to seek permission. In return for being granted those rights under the Copyright Act, they have to pay for the use of them. If you are relying on a fair dealing exception it is free. If you are relying on a statutory licence you have to pay. If you are licensing material you need to have a contract in place that covers all the terms that you need to use the material for.

Contract basics

What is a contract? It consists of four essentials. You need 'offer' and 'acceptance', which are self-explanatory. But you also need what is called 'consideration'. Finally, you also need the intention to create a commercial or legal relationship. Contracts can be valid if they are just verbal agreements. They do not need to be in writing and they do not even need to be signed but it is always best to have a written agreement in place.

Contracts and copyright: assignment or licence?

Probably the most common situation is when you use a contract to assign your work to a user. If you want to make use of the benefits that you have been given under the Act—that is the rights to publication, the right to reproduction—you can license or assign those rights to another party. Assigning those rights means that you are transferring the ownership and the copyright so you do not retain any economic rights to

NEW MEMBERS

Vivianne Alouan
Jennifer Tomlinson
Lorraine Neilson
Marion Newall
Michelle Starr
Linda Vergnani
Peter Jewell
Diana Harris

the copyright. You do not retain the right to communicate, to publish, to reproduce etc. You do, however, retain your moral rights. That can be waived by agreement but usually they will still have to stipulate you as the creator of the material in whatever use they are making of the work.

Alternatively, you might choose to license your material. You then keep your copyright rights but you are giving very specific rights to certain groups to do with that material which are stipulated in the contract. They can be exclusive or non-exclusive. The benefit of licensing is that at any one time you can license a number of different aspects of rights in your work to a number of different people.

Using third party material

If you want to use third party material there are certain things that you should be aware of. You may be able to rely on the fair dealing exceptions. I think the most applicable would probably be review and criticism and reporting news. But if you are a comedy writer you may be able to use parody and satire. The important thing to remember, is 10 per cent or less and you don't have to pay.

If you cannot rely on one of the fair dealing provisions then you will have to seek permission and clearance from the rights holder. That can involve paying a small fee depending on what the rights holder asks. When you are licensing material however, you need to ensure that the contract deals with everything that you want it to. The most important thing is to ensure that the person you are negotiating with has the rights to license to you. You should always make sure that your contracts stipulate the time period that you want to use the work for unless you are doing a publishing print run and you want 25,000 copies of something as an alternative.

Employment contracts and copyright

The other way that contracts affect copyright is the way that they affect ownership of copyright. As a creator you are usually going to own copyright in your work but if you are employed and your job involves creating material you really do need to check your contract—particularly people working in publishing and media and

advertising. Their contracts often have a clause which states that any material created by that employee in the course of their employment will be owned by the employer. Some contracts will even go so far as to say that any creative material created by that person will be owned by the employer, not just the works created in the course of their employment.

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It is always best to be sure what you are signing. That applies if you are freelancing as well. You may have a little more power to get a clause like that removed from your contract, depending on your negotiating position. Always check to see that sort of clause is in your contract. If there is not, as a freelancer, you will automatically retain the copyright in your work unless you assign it away. You may want to assign copyright because you may be able to get a better upfront cost if you are doing a commission piece or something similar.

To avoid confusion, make sure that your contract for employment, or commissions work, or freelance work, always includes stipulations about CAL payments as well to make things

clearer down the line. You can always challenge a copyright.

Managing your works in the digital environment

Since the Act was drafted in 1968 there have been many developments in the way we use and publish copyright material—from the invention of the photocopy machine, which allows people to reproduce artwork, to widespread publication and use of the internet. It does mean if you have a work that is published in any form, it will still attract copyright protection, so that means everything on the internet is subject to copyright. If you want to use any third party material in any of your online publications, you will have to follow the same procedures as for getting clearances for other types of work.

If you are a publisher and you are putting material on the internet, the best advice that I can give you is to make sure you have a proper notice on your website about how your material can be used. It will not necessarily stop people from infringing your material but at least you are stating what you think should be made of your material. If you are picked up under a CAL survey you may actually get payment for it, so it is important to think about it.

What should your notice say? It should always identify you as the copyright owner and it should usually include the date of first publication. It should also explain to anyone who is using or downloading the work on

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Workshops for regional members

Some regional members have asked us to consider running two workshops on successive days so they can get maximum benefit both from workshops and their trip to Sydney.

If you would like us to plan at least one pair of workshops like this for next year, can you please email the professional development coordinator at <education@editorsnsw.com>.

Please tell us:

- what workshops you would be interested in attending, both from workshops we have done in the past and others you would like us to do
- which days you would prefer (Friday–Saturday, for instance)

We would propose offering first choice to regional members for both days (enrolment by a set date), but of course also allowing all members to attend one or both days.

We will keep you informed of plans through *Blue Pencil*.

your site exactly what they can do with it and exactly what they cannot. It should provide your contact details should anyone wish to use the work in a way that is not stipulated by the licence because then you might choose to enter into a licensing or assignment relationship with that user. When you do that the same terms and conditions apply as we discussed.

Who is CAL?

Copyright Agency Limited is a copyright management company. We collectively license the copyright rights given to us by our members and license it out to different groups. The benefit of doing this is that it saves the user's time because they know they just come to us for a licence and it saves the member's time because they cannot necessarily contact all the users. At the moment we have over 13,000 members which include publishers, authors, journalists, literary agents, artists, teachers, educational publishers, newspapers and research organisations. We also have other copyright management companies from overseas.

Our primary function is to administer the statutory licences in the Act. We are also declared by the Copyright Tribunal as a collecting society to administer the government statutory licence. It basically gives government agencies the same rights as the schools. In fact it gives them more rights than the schools.

What does CAL do?

Apart from the statutory licences, when you become a member of CAL you have the option to join our voluntary licence scheme. The reason these are voluntary and not mandatory, as the statutory licences are, is because they are not found in the Act. Whereas the Act gives automatic rights to those users, you do not really have a choice about it. You do have a choice as to whether you license different kinds of groups and CAL has licences for corporate entities and for associations. We have a religious worship licence for churches and licences for press agencies like Media Monitors and AAP. We also do one-off licences as well so if you are looking for one particular piece of work and want to get clearance to use that one work, and the creator of that work is a member

of CAL and has signed up to our voluntary licences then you can apply for and be granted a licence to use that one work.

CAL's processes

We license the user to use copyright material. Using schools as an example we need to monitor what a school has copied or communicated. In the secondary school sector we have two surveys in place all year round, one for hard copy reproduction and one for electronic use reproduction. I think we go to about 100 schools a year and every school participates in our survey

'In the last year alone, that is 2007-2008, CAL paid out over \$90 million to all our members.'

every eight years. Every school in our photocopy survey participates for one term and in that term they have to let us know exactly what they have photocopied in that period of time. In the electronic use survey, schools participate for four weeks and during that time they let us know what websites they have used, what CD-ROMs they have downloaded from, and any other sort of digital use like scanning, printing or posting of their school internet webpage.

We collect all that data and that lets us know exactly how much has been copied so that we can invoice the schools. Last year our total page count was over a billion, not just from schools. You can imagine the sort of input that requires and the amount of work it involves. That directly affects how much we invoice the licensee for. So last year, schools paid over \$50 million to CAL's members, which is a huge benefit to them.

To distribute the earnings we have our records and a whole team of librarians and researchers in place. We consult our records, find who the copyright owner is and make sure that they get the money because their work has been picked in the survey. That is why it is really important to have a good licence term on your work if it is on websites, CD-ROMs, traditional book or magazine publishing, or any type of publishing, to ensure that you

are identified as the copyright owner so that you can get remuneration under the CAL licensing. In the last year alone, that is 2007-2008, CAL paid out over \$90 million to its members.

How can we help you?

CAL is a not-for-profit company, which means that we just deduct our administrative costs—the rest of our monies are distributed to members. For every dollar that we get in from licensees, we deduct 15 cents on average every year. To get paid as a member of CAL your works must come up in one of our surveys. While those are the main functions of CAL along with administering statutory licences, we do fulfil other important roles in the copyright community as well. We will lobby on behalf of certain members. In the past few years CAL has been involved in taking the NSW State Government to court on behalf of our surveyor members and plan writers. Last year we actually had our appeal heard by the High Court of Australia and they found in CAL's favour.

The main thing is to be aware of your rights and be clear if you want to license your rights to someone else. If you have any general interest in copyright, our website at <www.copyrightagency.com.au> has a lot of information sheets on different aspects of copyright.

The Australian Copyright Council's website which is <www.copyright.org.au> has literally hundreds of information sheets on many different aspects of copyright for many different interest groups. They also run seminars specific to user groups. They are a not-for-profit information group like CAL.

Lucinda Edwards is the Legal Officer at CAL. As part of her role Lucinda advises CAL on its various legal obligations, including copyright law, and contracts and other legal obligations such as privacy. Before joining CAL, Lucinda worked in the art publishing industry in London.

PLAIN Conference 15 – 17 October 2009



The Plain English Foundation is delighted to welcome the NSW Society of Editors as an official sponsor of the seventh Plain Language Association InterNational conference.

Benefits for members

Members can register for the conference at the discounted sponsor rate of \$450 for the main two-day event, which features over 40 sessions and 80 speakers.

International program

PLAIN 2009 presents a once-in-a-career opportunity to hear the biggest names in plain language share their experience of editing government, legal, finance, health and corporate documents. If you work in any of these sectors, this is a conference you won't want to miss.

Major international speakers

The final line up at PLAIN 2009 presents nearly 40 international speakers from 13 countries: the USA, Canada, the UK, Portugal, Sweden, Mexico, South Africa, Finland, Hong Kong, the Netherlands, New Zealand and Malaysia. These include:

- **Bill Lutz** (USA), author of *Doublespeak*
- **Martin Cutts** (UK), co-founder of the Plain English Campaign
- **Sandra Martin** (Portugal), founder of *Claro Portuguese*
- **Wessel Visser** (Netherlands), developer of the *Texamen* document assessment system
- **Lynda Harris** (NZ), founder of New Zealand's Plain English Awards
- **Professor Joe Kimble** (USA), redrafter of the US Federal Rule of Civil Procedure
- **Christine Mowat** (Canada), founder of *Wordsmith*
- **Anne-Marie Hasslerot** (Sweden), Deputy Director of the Ministry for Justice

Keynote event and anniversary celebration

As part of its sponsorship, the society is supporting the keynote address by President Pam Peters, who will speak about 'international trends in style'. We will also be celebrating our 30th anniversary at the cocktail reception on Friday night. Come along and say hello to our members in the conference exhibition space.

Major Australian speakers

A 40-strong Australian contingent will represent the best of communications practice down under, including:

- **Michael Kirby**, former High Court judge
- **Robert Eagleson**, pioneer of plain language
- **Moya Sayer-Jones**, novelist and popular columnist
- **Professor Peter Butt**, co-founder of the Centre for Plain Legal Language
- **Neil James**, Executive Director Plain English Foundation
- **Professor John Gibbons**, author of *Forensic Linguistics*
- **Professor Michael Meehan**, novelist and academic
- **The Hon. Nathan Rees**, Premier of NSW (opening address)

Conference sessions

Conference topics will offer something for everyone:

- Language and the global financial crisis
- The new plain language laws
- Developments in standards and accreditation
- The relationship between plain language and other fields
- Writing text for translation
- Practical workshops on forms, evaluation and document design
- The latest software for evaluating readability and usability
- Plain language and literacy
- Case studies in finance, government, law and information technology
- Plain language and literature
- Practical sessions on making the most of your software

For further details

See the full program and register through:
www.plainenglishfoundation.com

As conference host, the Plain English Foundation looks forward to welcoming Society members to one of the biggest communications conferences ever held in Australia.



IPEd notes

News from the Institute of Professional Editors Limited, September 2009

It is pleasing to report that the total membership of the seven societies of editors that are the members of IPed increased from 1,489 on 31 May 2008 to 1,645 on that date this year. That is a rise of more than 10 per cent. All the societies apart from Tasmania which, in any case, demonstrated in 2007 that cool-climate editors in a compact society play well above average, showed increased membership, with Queensland recording the biggest rise.

Congratulations are due to the Society of Editors (NSW), which celebrated its 30th anniversary in July. The event was marked with a special dinner at which the guest speaker was Dr Jeremy Fisher, currently the Executive Director of the Australian Society of Authors. Dr Fisher gave a fascinating

account of the history of the society, mentioning the many luminaries of editing and publishing—names that will be familiar to many—who have walked its path. It is well worth reading the transcript of his talk, which you can find online at <www.editorsnsw.com>, in the September issue of the society's newsletter, *Blue Pencil*.

The 4th IPed National Editors Conference, 8 to 10 October 2009 in Adelaide, is now almost upon us but, never fear, you can register right up to the time of the event. The program and an online registration form can be found at <www.editors-sa.org.au> or via the IPed website.

IPed affairs will be covered in two conference sessions. On Thursday 8 October, in the afternoon, the

Accreditation Board will outline its progress and plans, and honour our first accredited editors and distinguished editors. The conference program on Friday, 9 October will begin with IPed's annual general meeting, following which Virginia Wilton, the outgoing chair of the council, will outline what IPed has achieved to date and invite discussion on the challenges ahead. This is your chance to meet the councillors, old and new, hear what councillors and your fellow editors have to say about issues that affect us all and to express your views in a public forum. We look forward to seeing you there.

Ed Highley
Secretary
www.iped-editors.org

Tiered membership

The society's tiered membership system will work as follows:

Categories

This membership year (2009) the Society of Editors (NSW) Inc. will offer members the option of three categories:

1. Existing members (as at 31 December 2006) can remain an ordinary member at the current fee (\$70/75) with the current entitlements; or
2. Existing and new members can become a professional editor member at the current ordinary fee with the current ordinary entitlements, provided you have two years' experience in a paid editing role and can supply two letters confirming your experience; or
3. Existing and new members can become an associate member at a reduced fee (\$50) with reduced entitlements (an associate member cannot vote at an election, cannot become an office bearer and cannot be listed in the *Editorial Services Directory*).

Phasing in a new system

Before January 2011 all ordinary members will be asked to choose either:

1. Professional editor member status; or
2. Associate member status.

Four years should be sufficient time for those seeking professional status to gain professional experience if they do not already have it.

Experience

Professional editor members must have at least two years' in-house experience as an editor or the equivalent freelance or part-time experience. For example, if you worked half-time as an editor for four years (part-time or freelance) then that would be an acceptable equivalent to two years full-time work as an in-house editor. Professional experience must be in a paid editing role. As professional members may have had career breaks, there is no limit on how long ago the professional editing experience was obtained. Professional editor members will be asked to provide details of their experience and two letters (in English) that can be checked by a subcommittee appointed for this purpose. The subcommittee will simply confirm the statements supplied by the third parties. The letters can just be a statement of the years of experience in an editorial role. See the essential **Professional Editor Membership form** for more details about requirements.

Corporate Associates

A new category of Corporate Associates is also available. Publishing companies and other businesses and organisations that support the Society of Editors (NSW) Inc.'s aims can become Corporate Associates. For an annual fee of \$400, Corporate Associates of the society will receive five copies of *Blue Pencil* each month and two copies of the current *Editorial Services Directory*, five free admissions to each monthly meeting and two free admissions to one special event per year, such as the Christmas dinner. The usual member rates on professional development courses and workshops will apply for up to five attendees from the Corporate Associate organisation (a saving of approximately \$95 per person).

The Committee
Society of Editors (NSW) Inc.

Blue pencil gladiators

Anna Kassulke has a unique perspective on the accreditation exam. She is one of the 112 editors who gained AE status in the first exam in 2008. This year she helped formulate the 2009 exam.

The sun on my back was much more inviting than an examination room at Brisbane Grammar School. I lined up to register, holding my crutches, *Macquarie Dictionary* 4th edition and the *Style manual*. Today, Saturday, 18 October 2008, was judgement day. After years of working alone, devoid of contact with other editors, I was being put to the test with my peers. Name, tick, resources check, tick. The desks inside were lined up in rows, exactly as I remembered them at high school exams.

My mind did a back flip. Although I had taken many exams since then and held a doctorate I knew that today my editing skills would be scrutinised. Flashes of doubt crossed my mind. *Was I up to scratch? Had I missed out on anything over the years working as a (mostly freelance) editor?* I switched between wanting to be there and wanting to spend the day relaxing in the sun—it was the weekend after all! I was also quietly thrilled. I was there because I was firmly committed to accreditation. I knew of so many vulnerable writers exploited or poorly advised by sub-standard or unqualified editors. I was convinced it was time to weed out the charlatans. That was why I was not mowing the lawn today. I was a blue pencil gladiator.

I chose a desk at the back, as I would have done in grade 12. I dutifully marked my paper with my candidate number and read through the questions. I am someone who likes to get straight into it so I got a little frustrated during reading time. I had attended a pre-examination workshop and felt prepared, but when I read the questions I was impressed. The questions hid a variety of delicious tests that cohered with the Australian Standards for Editing Practice (ASEP). I could picture the exam writer, or writers, carefully constructing complex tests, planting potential slip-ups and it made me smile. The questions were each a feast in the editing sense...if that makes sense.

Over the years I had gained skills in my business (sometimes painfully)—plain English consulting, theses editing, ghost writing and manuscript

development. A lot of the questions seemed directed at me, but some I could not even think of attempting. I was impressed by the breadth and levels of testing in the exam. After rereading several times before it was time to start, I concluded that an editor with the right experience(s) should pass.

The examination itself went quite quickly, too quickly for me to rewrite my answers in pen. So the 2B pencil had to do. I had squeezed in an extra question—just because it needed to be answered, or rather I really wanted to answer it. I giggled out loud at one point (a symptom perhaps of working alone for so long). I was relishing this—but I had no idea whether I had achieved the pass mark. I looked around. People were still writing. I added a few bits and pieces to my responses until we were told time was up. All my sheets of paper were sealed in a plastic wallet and taken out of my hands.

I was proud when I found out I was an AE. There is no other way to describe it. I could not wait to try for the AAE! The Queensland Society of Editors held a presentation evening and I received a certificate as well a bottle of red wine (which went down well) and a kiss from Robin Bennett.

A few months later I saw an ad calling for co-writers and developers for the 2009 accreditation exam. I registered my interest immediately—who could resist being part of the process that had led to last year's first accreditation exam? Putting some questions together appealed to my experience and writing and research strengths. To be part of the team would be like being in the freemasons, wouldn't it? (As a woman that would ne'er be possible).

A member of the Accreditation Board rang to schedule a teleconference meeting. Some days later we talked about the exam requirements, the team's experience and how we might compose fresh tests based on our experience. I admit I was effusive about the exam I had sat. I thought the subject matter for the tests was entertaining and never dry. I crossed my fingers they would ask me to join the team of three. Working mostly on my own, it was rare

that I got opportunities to work in a team. I certainly was not doing it for the money!

After I was appointed I was sent a contract and copy of last year's exam for reference. I looked over it again, having forgotten the questions almost entirely. I relived those hours in the exam room and tried to remember my responses. I laughed aloud again. How on earth were we (was I?) going to replicate this?

The team consisted of Meryl Potter (lead writer), Janet Mackenzie (co-writer and developer) and me. All women, no freemasons and all blue pencil gladiators.

Meryl quickly put together a timetable and it was surprisingly tight. Each part, question and sub-question was itemised, although the content still had to be created. Meryl, Janet and I each developed different questions designed to test the prerequisites for professionals outlined in the ASEP. We timed how long it took us to answer all the questions. We rated them in terms of difficulty. We revised them, and then we revised them again. We geared some towards the obvious skills and others to the not-so-obvious. Over a period of months we wrote, revised, tested and retested. My email inbox had never been so full.

In many ways being on the other side—the dark examiners' side—made me feel like James Bond. Our mission was top secret—for our eyes only—and I often felt the heat (remember the scene when he was being burned alive in a coffin?). At no stage however did I feel that any of the exam writers, past or present, resembled Ernst Stavro Blofeld (the evil genius with the cat). We were all there, students, examiners and markers, and none of us had 'a view to a kill'—we are the blue pencil gladiators.

Anna Kassulke (AE) holds a PhD in literature, has published countless newspaper and magazine features, and one book to date.

Freelancers do lunch, 30 October

The next freelancers' lunch will be held at the Marlborough Hotel, 145 King Street Newtown, at noon on Friday, 30 October. Mains cost about \$10 to \$14. The pub is a five-minute walk from Newtown Station and is near the corner of King Street and Missenden Road.

The society organises these informal freelancers' lunches every second month or so. The invitation to lunch is cordially extended to other freelancers who work in the publishing industry.

There is no need to RSVP. See you there!

Discount for members, PLAIN Conference, 15 to 17 October

The PLAIN Language Association International (PLAIN) is holding its seventh biennial conference in Sydney from 15 to 17 October 2009 to be hosted by the Plain English Foundation. Members of the Society of Editors (NSW) Inc. are entitled to a discounted rate of \$450 (instead of \$495) for the two-day conference. Details are available at <www.plainenglishfoundation.com>.

Australian and New Zealand Society of Indexers Conference, 15 to 17 October, Sydney

The 2009 conference of the ANZ Society of Indexers will be held at the Citigate Central Hotel, 169-179 Thomas Street, Sydney. Information is available at <www.anzsi.org>.

New corporate members

Two organisations have recently joined the Society of Editors (NSW). We are pleased to welcome the Powerhouse Museum and the College of Law.

Institute for the Future of the Book

The Australian Institute for the Future of the Book was launched at the Melbourne Writers Festival. Known as 'if:book Australia', the Brisbane institute will promote new forms of digital publishing and explore ways to boost connections between writers and audiences.

It is only the third centre of excellence for digital literature, established after the institutes in New York and London.

The first project for if:book Australia will be a national seminar series delivered in 2010 called 'Writers and Digital Markets'. Supported and funded by the Literature Board of the Australia Council, the program will inform Australian writers about new opportunities to create and publish digital content.

if:book Australia will function as a 'think-and-do tank' and Queensland Writers Centre is seeking partners from across the publishing, education and media sectors who are interested in collaborative programs and research.

More information is available from the website <www.futureofthebook.org>.

Parallel importation update

A review commissioned by the Australian Publishers Association (APA)

entitled 'Restrictions on the Parallel Importation of Books', has prompted the Productivity Commission to issue a supplement rebutting the findings of the review. The APA review, written by economists Oswin Maurer and Markus Walzl, can be viewed at the Australians for Australian Books website <www.ausbooks.com.au>.

The Productivity Commission supplement can be viewed on the Productivity Commission website at <www.pc.gov.au/projects/study/books>.

ASA Mentorship Program

In the recently announced shortlist for the Australian/Vogel Literary Award, three out of the five authors listed are 'graduates' of the Australian Society of Author's Mentorship Program.

Dr Jeremy Fisher, executive director of the ASA said this was a clear indication of the success of the program.

The ASA offers mentorships each year for talented writers and picture book illustrators in the areas of fiction, non-fiction, poetry, young adult, graphic novels, children's writing and picture book illustration. Information for applicants for the 2010 round will be on the website early next year.

ESD 2009-10

The *Editorial Services Directory* 2009-10 will soon be available.

Members who have advertised their services in the *ESD* should receive their complimentary copy soon.

2009 Society Christmas Party

Tuesday, 1 December

Don't miss a special night of good food, good fun and good company. Put this not-to-be-missed date in your diary now. Please check the website and our next newsletter for more details.



8th International Conference on the Book, November 2010, Switzerland

The Eighth International Conference on the Book is to be held at the University of St. Gallen, St. Gallen, Switzerland from 6 to 8 November, 2010. Information is available from the website <booksandpublishing.com/conference-2010/>.



Follow the Society of Editors (NSW) on Twitter:

<http://twitter.com/SocEdNSW>

Copy deadline for the November issue of

Blue Pencil

Tuesday, 13 October 2009

Society of Editors (NSW) Inc.

PO Box 254, Broadway NSW 2007; Voicemail: (02) 9294 4999
<www.editorsnsw.com>.

Blue Pencil

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Assistants: Moira Elliott, Catherine Etteridge, Lachlan Jobbins, Julie Harders and Nicky Shortridge.

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Your comments and contributions are welcome. Mail them to the Editor, *Blue Pencil*, Society of Editors (NSW) Inc., PO Box 254, Broadway NSW 2007, or email the Editor at <bluepencil@editorsnsw.com>.

Copy deadline for the November issue is Tuesday, 13 October 2009.

The views expressed in the articles and letters, or the material contained in any advertisement or insert, are those of individual authors, not of the Society of Editors (NSW) Inc.

Advertising rates

Full page, \$375; half page, \$200 (horizontal only); one-third page, \$125 (vertical or horizontal); quarter page \$100 (horizontal only); one-sixth page, \$75 (half of one column). Inserts: \$200 per hundred for DL-sized or A4 pre-folded to DL size. Circulation: approximately 400. Please note that the committee reserves the right to decide whether advertisements are appropriate for this newsletter.

Membership

Membership of the Society of Editors (NSW) Inc. is open to anyone working as an editor for publication (print or electronic documents) and anyone who supports the society's aims. Membership is available in different categories.

Membership runs for a calendar year. The 2009 fees are \$70 for ordinary member or professional member renewals; \$75 for new professional members (\$45 if joining after 30 June); \$50 for associate member renewals or \$55 for new associate members. Interested organisations can become corporate associates for \$400 per year.

To obtain a membership application form go to the Society of Editors (NSW) website <www.editorsnsw.com>, phone 02 9294 4999 or write to PO Box 254, Broadway NSW 2007.

Listing in the *Editorial Services Directory*

The society's *Editorial Services Directory* is available online at <www.editorsnsw.com/esd>. New listings and updates can be added quarterly as follows:

- online only: July (deadline 30 June); October (deadline 30 September)
 - print and online: January (deadline 31 December); April (deadline 31 March).
- The cost is \$40 per year (\$20 for new listings received from April to September) in addition to the fee for membership of the society. New listings should be submitted using a template available from Cathy Gray at <esd@editorsnsw.com>.

Committee meetings

All members are welcome to attend the society's committee meetings, generally held on the second Tuesday of each month. Please contact a committee member for details if you wish to attend the next meeting.

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Catering officer: Nancy Shearer

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Regional members

Regional members living more than 200 km from Sydney may receive a 40 per cent discount on the cost of the society's workshops (excluding computer-based workshops).

Professional development

InDesign for Editors (CS4) MEMBERS ONLY

Date: Friday, 20 November 2009

Time: 9.00 a.m. to 4.30 p.m.

Presenter: Alpha Computer Consultants

Venue: Level 3, 123 Clarence Street, Sydney

Cost: Members only \$350 (lunch and refreshments included)

Editors are increasingly being asked to use InDesign for text revision and copy fitting, and may also find more opportunities available to them if they are adept in desktop publishing. This course is designed specifically for editors and will cover everything you need to know from creating a new document to outputting to PDF. The course will include:

- working with InDesign and setting preferences
- managing text and type
- importing Microsoft Word files and managing images and tables.

If you have no knowledge of design terminology or familiarity with design issues, we strongly recommend you read the relevant sections of part 3 of Snooks & Co's *Style manual*, 6th edition.

Special note: This workshop filled very quickly when last run, so we recommend early application, with payment, to secure your place. Reservations without payment will not be accepted.

We may also offer another workshop on Friday, 27 November if the first class fills quickly and there is sufficient interest. No registrations for the 27th will be accepted until the 20 November class has filled.

Please register by Thursday, 29 October 2009.

Regional members: Unfortunately we cannot offer our usual discount for regional members as the cost is set by the supplier.

PLANNED WORKSHOPS:

Manuscript Assessment and Reader Reports

Date: To be advised

Plain English

Date: To be advised

Punctuation

Date: To be advised

Advanced copy editing

Date: To be advised

Payment for workshops

To secure a place in a workshop you must send payment with your registration form. Registrations will only be confirmed when we receive payment and if payment is not received your name will be waitlisted. Our workshops fill very quickly and we often have people on a waitlist who miss out on a place when people who have registered but not paid do not show up on the day. Please contact the treasurer if your company needs an invoice.

To register for workshops use the enclosed form or download one from the website. Please note that workshops require a minimum of 10 registrations by the closing date to go ahead.

For more information about the workshops, email Meryl Potter at <education@editorsnsw.com>.