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**From:** Josh Pallas  
**Sent:** Monday, 3 October 2022 10:30 AM  
**To:** Portfolio Committee 7  
**Subject:** Re: Aboriginal Cultural Heritage (Culture is Identity) Bill 2022 - Post-hearing responses - 23 September 2022{HIGH RISK}

Dear Emily,

Thanks for the email - I have one transcript amendment - on p 52, "tinkling" should be "tingling"

I also provide the following in response to the question that I took on notice:

NSWCCL does not, generally speaking, engage with matters of intellectual property law (but does engage with matters adjacent, like privacy and data protection). However, we are aware of general debates concerning law reform around intellectual property to better protect First Nations' intellectual property rights. Standalone cultural heritage laws are important for protecting past expressions of culture but reform to intellectual property law is required in order to protect ongoing expressions of culture and prevent commercialisation of First Nations culture against the interests of traditional custodians. As I expressed at the hearing, if we, as a society, are really committed to self-determination and reconciliation we need to listen to the voices of First Nations' people and communities with lived experience who can speak to the way intellectual property laws are deficient based on their experience, and adapt our laws to better meet their desired outcomes. In saying this, a lot of intellectual property protections are Commonwealth based, so state based solutions to remedy this may only be partial. I commend the APH's Indigenous Peoples and Intellectual Property Rights research paper to you for further more detailed information on this. It's accessible [here](#).

Kind regards,

Josh.