

Screenrights is a non-profit company which administers copyright licences in Australia and New Zealand and collects similar royalties from Europe and North America for its 2,600 members from 54 countries.

July 2008

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Feature: Screenrights International – A decade of collecting overseas royalties

This year, Screenrights International clocks up ten years of collecting overseas royalties for rightsholders in film and television. **Off the air** talks to International Rights Manager Maha Ismail about what's involved in tracking down royalties from across the globe.

Over the last ten years, content producers have become more aware of the importance of "back-end" royalties for secondary uses of their program, such as retransmission or private copying, recouped after the sale of the initial broadcast rights into a foreign territory.

"This money is generated because the laws in many territories allow for these secondary uses, provided a royalty is paid to the rightsholder," Ismail said. "It's similar to the situation in Australia where our copyright laws allow for retransmission and educational copying provided the rightsholder receives payment."

Screenrights International was originally set up in 1998 to provide a simple means of helping Screenrights members manage the collection of these global returns.

"Money for these later uses is collected at source by societies that are similar to Screenrights," Ismail said. "They require registration of certain information by specified deadlines before they pay out the royalties to the rightsholders."

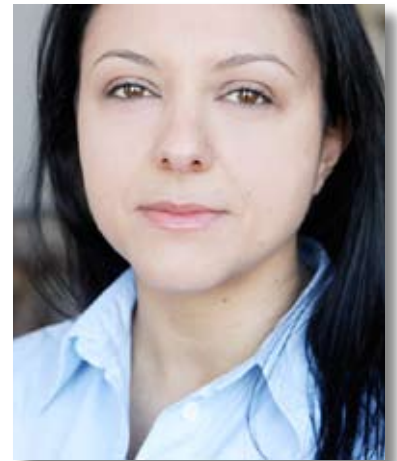
"Screenrights International was established to provide a one-stop shop for global registrations," she said. "Members simply give us the requisite details once and then we make sure this information is supplied to each society in the form they want and by the date they want – taking all the hassle out of tracking down overseas returns."

Screenrights' first registrations were with European societies, including AGICOA, the peak organisation for retransmission collecting societies in Europe. This was followed by agreements with societies in the United States, Canada and, more recently, South America and Africa.

"We register titles on a regular basis, so the best way for members to make sure they don't miss out on royalties is to simply provide all the necessary information to us as soon as they complete a production," Ismail said. "We're now asking rightsholders to do this for Australian retransmission royalties, so it's obviously a very simple step to make this registration global. There will be no need to provide additional information about the title, it will just be a matter of letting us know that you want your titles to be registered internationally, and where."

Ismail said that the majority of returns have traditionally come from retransmission in Western and Northern Europe. In recent years, through the collective lobbying and negotiation of regional societies, this pool has expanded to include a sizeable segment of Central and Eastern Europe.

Aside from retransmission, Screenrights International has also been collecting private copying and educational royalties wherever provisions are in place.



Maha Ismail,
Photographer: Paolo Busato

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"More recently we began to collect group television royalties in The Netherlands, and we are always on the lookout for new sources of income generated on behalf of rightsholders wherever they arise," Ismail said. "We anticipate the imminent receipt of royalties from South Africa, and encourage rightsholders who have sold their programming into these territories to register with Screenrights. Additionally, agreements covering Latin America are being finalised."

Being part of the international network of collecting societies has also helped Screenrights develop services in Australia.

"Interestingly, it's not only been ten years since we first started registering titles overseas, its also been ten years since Screenrights formed the Retransmission Coalition, a group of film industry organisations that lobbied the Australian Government to introduce provisions in our copyright law that allow for the retransmission of free to air broadcasts by other services, such as pay television, provided rightsholders are paid," Ismail said.

"Retransmission was a huge part of the European copyright landscape, and we could see the same thing happening here with pay television and now other services, such as mobile TV. We wanted to make sure that content producers didn't miss out on payment for this use of their work here, and our knowledge of what was happening in Europe helped us to put an effective case to Government."

With retransmission already reaping over AUD \$14 million in payment for rightsholders, it's been an important development.

Along with the advantage of providing all information to Screenrights once (with Australian retransmission registrations), Screenrights International has always been a very cost effective service, Ismail said.

"We're non-profit, so we only charge members for the administrative cost of collecting royalties on their behalf, and with our international service, this is capped at 11%," she said. "If you choose to go with another agent and register all your titles with them, including registering for Australian retransmission royalties, you run the risk of having the agent take out their fee on top of the original Screenrights administrative charge for collecting the Australian royalties."

To find out more about Screenrights International, visit our website www.screenrights.org/rightsholders/collection/international.php, or contact Maha Ismail directly: maha@screenrights.org

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More than 99% of educational royalties distributed

With only 0.66% of 2002 Australian educational royalties remaining, Screenrights has achieved a new distribution record in paying this money to members before the deadline.

Under its Articles of Association, Screenrights has six years in which to pay educational royalties to members. After this, any undistributed money is rolled over into the next year's pool.

For the first time, the team managed to get the undistributed funds below 1% of the total (the previous record was 1.03%).

The distribution of 2002 New Zealand educational royalties also exceeded the official target of 3%, with only 1.4% of the total pool remaining at the end of June.

The 2002 distribution year was also the first year in which royalties collected for artistic works incorporated in copied programs were in a separate pool, with the end of June 2008 being the deadline for distributing this money.

The team distributed 99.7% of royalties collected for artistic works from the Australian Educational Service and 97.5% from the New Zealand Service. This left a total of \$980 undistributed from both pools combined, which rolls into general revenue for the 2008 distribution year.

From travelling toasters to global warming

Entries are closed and this year's EnhanceTV ATOM Awards hopefuls span topics as diverse as the environment, a travelling toaster and surfing.

Of the almost 600 entries, 250 came from students.

For the first time the awards have a separate category for middle school entrants, ensuring that the younger secondary students no longer have to compete with those in years 11 and 12.

The award with the most number of entries is the Best Documentary category in the general section, followed by Best Secondary Fiction.

Winners will be announced at a gala presentation in Melbourne on 24th October. For more information visit www.atomawards.org

Tickets are now on sale at www.ticketek.com.au

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\$4 million in retransmission royalties distributed

Screenrights has distributed more than AUD \$4million in retransmission royalties for the period 21 December 2007 to 30 June 2008.

In Australia, retransmission royalties are generated when the pay television companies (cable networks) pick up a free-to-air broadcast signal and provide it as part of their service. When a program is broadcast on a channel that is retransmitted, royalties are generated for that program.

Chief Operating Officer for CTC Productions Mark Fawcett welcomed the payment saying: "CTC Productions has been making much loved Aussie programs like **Burke's Backyard** and **Backyard Blitz** for the best part of 20 years. The retransmission payments we receive from Screenrights help us to fund more great programs for Australians to enjoy."

Screenrights Member Services Executive Emma Rogers said: "We're distributing royalties back from 2001 through to 2007, with more royalties being released in December each year. If you have programs broadcast on the television you should register them with Screenrights."

For more information, visit: <http://www.screen.org/rightsholders/retransmission.php>

Eight out of ten teachers use recorded TV

Television is playing a big part in teaching, according to research from the Australian Broadcasting Corporation, with figures showing that 80 per cent of teachers use recorded television programs in the classroom.

Speaking to the CCI International Conference on Creating Value, Broadband Innovations and the Creative Economy, held on June 26, ABC Director of Television Kim Dalton said that the research also showed that teachers were using online resources. This included podcasts and vodcasts, with educators expecting to double their use of this technology within the next 12 months.

Under the current Screenrights licence, teachers can not only copy broadcasts, they can also copy podcasts and vodcasts of programs made available online by the broadcaster.

The licence also allows for the use of new technologies, such as Clickview, to store and access copied resources and to share them with other licensed schools.

"The online use of audiovisual resources is constantly expanding," Screenrights Licensing Executive James Dickinson said. "We are working with educators, the film industry and technology suppliers to ensure that our licence works in the current and future digital environment."

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Report into private copying tabled

The Attorney-General's Department has tabled its report of the review of the private use format-shifting provisions in the Copyright Act for photographs and films.

The Department has recommended that no change be made to section 110AA, which allows for the copying of films into a different format for private use, subject to certain conditions.

The report also recommends a re-examination of public awareness material and consumer information on the meaning of the format-shifting exceptions, to assist people in understanding their rights and obligations under the Copyright Act 1968.

In addition, the Department will continue to monitor the relevant markets to determine if new products are introduced as anticipated by the film industry.

The report is available on the website of the Attorney-General's Department at www.ag.gov.au/copyrightexceptions

Screenrights submission can be viewed at www.screenrights.org

Absolutely Wild footage

Further to last month's feature on footage sources, Screenrights member, Absolutely Wild Visuals, specialists in stock footage on travel, worldwide locations and nature, have received the FOCAL International award for 'Best Use of Wildlife and Natural History Stock Footage' in a production in London.

The winning series, **Animal Crackers**, was produced solely using stock footage sourced from the Absolutely Wild Visuals library.

AWV offers a fully searchable online database, or you can browse its HD, 35mm and S16mm collection. High resolution digital clips can be delivered the same day worldwide. For more information, visit www.absolutelywildvisuals.com