

# Programs copied by Resource Centres



EnhanceTV and other resource centres copy programs to supply to educational institutions. This In Brief sheet explains how resource centres work, how they benefit program makers and how you can expect to be paid.

## What is a resource centre?

The Australian Copyright Act allows copies to be made from television or radio by or on behalf of an educational institution, provided the institution has agreed to pay a fee for this use. Although most institutions do their own copying, some order copies of programs through resource centres. Resource centres have been set up with the sole function of copying for educators at licensed institutions who request a particular program. Copies are provided at cost only and the resource centre must also have a Screenrights licence. There are several resource centres in Australia, including one operated by Screenrights through EnhanceTV. Resource centres have been running since 1990.

## Why has Screenrights set up the EnhanceTV resource centre?

Educational copying from film and television is now a substantial source of income for the film industry, with Screenrights collecting more than \$23 million a year for rightsholders. Screenrights is always looking to value add to the educational copying licence, as this not only benefits educators, it also benefits our members. Through its website, [www.enhancetv.com.au](http://www.enhancetv.com.au), Screenrights actively markets content to educational institutions across the country in order to facilitate educational copying. A comprehensive, independent survey of educators throughout Australia told us they wanted a resource centre that could supply them with copies of educational programs efficiently and in a cost effective manner. With our extensive reach into the educational sector, we saw this as an opportunity to further encourage educational use of television and radio.

## Who gave Screenrights the authority to set up the EnhanceTV resource centre?

Resource centres can be established under provisions in the Copyright Act. The decision to set up the resource centre was made by Screenrights' Board after extensive consultation with the industry. The Board is elected by Screenrights' members and comprises representatives from across the film and television sector.

## I never gave the EnhanceTV resource centre permission to copy my program, how can they do it anyway?

Educational copying from television and radio in Australia does not require permission from the copyright owner, whether the copy is made by the licensed educational institution, or on its behalf by a resource centre. Any program broadcast on television or radio can be copied by a resource centre under the provisions of the Copyright Act. Individual Screenrights members therefore do not need to give any rights to a resource centre, provided the resource centre only makes copies for the educational purposes of an institution with a Screenrights licence.

## How am I paid for resource centre copying?

All resource centres provide records to Screenrights of programs that they copy and supply to educational institutions, and Screenrights pays a royalty for each of these copies. The amount of the payment for each copy will depend on:

- the duration of the copy,
- the type of program (programs that are more likely to be kept as an ongoing resource - such as a documentary - will receive a greater payment than more ephemeral programs, such as news),
- the format of the copy (digital or analogue), and
- the type of institution to which it is supplied (for example, school or university).

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Screenrights also surveys educational institutions in order to determine what is being copied in each sector. Where a program is identified as having been copied in the survey, it receives a payment. This payment is considerably larger than a payment for a single instance of copying done by a resource centre. This is because the survey provides a representative sample, with each identified copy representing a much larger number of copies across the sector.

**What else is in it for me?**

Resource centres increase the exposure of your program to the education sector and also the likelihood of it being picked up in a sample and hence receiving payment.

**Do resource centres compete with other means of distributing DVDs of my program?**

Resource centres can only supply a copy of your program to licensed Australian educational institutions that have requested the copy for their educational purposes. Copies cannot be made available to members of the public, nor can they be sold or rented for a profit. Resource centre copying therefore does not prevent you from entering into other distribution agreements.

**For how long can a resource centre make and supply copies of my program?**

Once a resource centre has made a copy of your program it can continue to make further copies for educational institutions indefinitely. This prolongs the exposure of your program beyond the initial broadcast date, increasing your potential revenue from educational copying.

**Does a resource centre supply copies of my program outside Australia?**

No. Resource centres can only supply copies of programs to Australian educational institutions that have a Screenrights licence. The institution can only use the program for its educational purposes.

**Can anyone log onto the EnhanceTV resource centre to get a copy of my program?**

No. The EnhanceTV website can be accessed by anyone, but only licensed educational institutions can purchase a copy of a program.

**Is the Resource Centre making a profit on my program, which is not transferred to me?**

No. The prices for copies of broadcast television content are set so as to recover the cost of capture, archiving, duplication and delivery only.

**More information?**

If you would like more information about the EnhanceTV Resource Centre or resource centres generally, we are happy to help. Please contact Screenrights' Member Services.

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