

AUDIO-VISUAL COPYRIGHT SOCIETY LTD, trading as SCREENRIGHTS • ABN 76 003 912 310 ("Screenrights")

## ▶ ABOUT SCREENRIGHTS

Screenrights is a non-profit copyright collecting society. Screenrights collects royalties for the use of films and television programs under the Australian Statutory and International Voluntary Services it administers.

This document provides information about membership of Screenrights and the Services it offers to members.

The first part of the document contains information to help you complete the various forms necessary to become a member of Screenrights and to register your titles with us. This information is intended to explain the various forms you will need to complete – it does not form part of them.

The second part of the document contains answers to some frequently asked questions and explains how you can get further information.

## ▶ BECOMING A MEMBER AND REGISTERING YOUR TITLES

### 1. Membership Agreement - Form B

The Membership Application and Agreement (Form B) contains the basic terms of your membership of Screenrights.

By completing this Form you apply to join Screenrights. This is important, as by law you must be a member of Screenrights in order to receive any royalties that we collect under the Australian Statutory Services.

As a member you will be bound by Screenrights' Articles of Association. You should have received a copy of the current Articles with your membership kit and copies can be downloaded from Screenrights' website.

### 2. Warranty - Form C

Form C is a general warranty that only needs to be completed once. You need to complete the Warranty (Form C) using the information that will apply to the majority of programs you register with Screenrights.

The information that you provide on this form will apply to ALL films and television programs that you register with Screenrights unless you vary the information when completing a Title Registration (Form D) for a specific title (see further below).

In Form C you provide general warranties to Screenrights about the type of rights you own in the programs you will register and the percentage of funds you claim from the exercise of those rights.

In addition, you must also select the Services in which you wish to participate. Currently Screenrights offers the following Services to its members:

#### **Australian Statutory Services**

Screenrights is the declared collecting society for three separate statutory licences under the Australia Copyright Act. Under each of the following services Screenrights collects royalties for and on behalf of relevant rightsholders:

- **Australian Educational Copying Service** – This covers the copying and communication of broadcasts by educational and other institutions (Parts VA and VB Copyright Act);
- **Australian Government Copying Service** – This covers the use of copyright material for the Crown (Part VII Copyright Act); and
- **Australian Retransmission Service** – This covers the retransmission of free-to-air broadcasts (Part VC Copyright Act).

#### **International Voluntary Services**

Members may also choose to appoint Screenrights as their non-exclusive agent to collect royalties under any or all of the following Services:

- **New Zealand Educational Copying Service** - This covers the copying from television of titles by educational establishments (Section 48 of the New Zealand Copyright Act).

In addition, members may choose to register for the following international collection services in territories including Europe and North America:

- **Private Copying** of transmissions or recordings of titles;
- **Retransmission** of free-to-air transmissions of titles;
- **Other Copying** of transmissions of titles including educational copying.

### 3. Title Registration - Form D

Form D is a Title Registration form. You will need to complete a Form D for each title you wish to register with Screenrights.

Form D requires you to provide Screenrights with detailed information about particular programs – this information is necessary to allow Screenrights to register your titles and distribute royalty payments to you as soon as they become available.

Please note that you only need to vary the Rights and Services information section of this Form if the information provided on the general warranty (Form C) does not apply to the particular title you are registering.

### 4. Season & Episode Registration - Form E

Where you register a title (using a Form D) which consists of a number of seasons or episodes, Screenrights requires the additional information set out in Form E. You can either use the Form E to provide the information, or supply it in an alternative format.

## ► FREQUENTLY ASKED QUESTIONS

### **What is the difference between Australian Statutory and International Voluntary Services?**

The Statutory Services are created by the Australian Copyright Act. The legislation gives Screenrights the right to grant copyright licences and collect royalties on your behalf without the need to appoint Screenrights as your agent. However, you are required by law to become a member of Screenrights before the society can pay these royalties to you. You should also be aware that you remain entitled under the legislation to enter into direct licensing arrangements with educational institutions.

Under the International Voluntary Services you may choose whether to appoint Screenrights as your non-exclusive agent. Under this agency, Screenrights is authorised to grant copyright licences to, and to collect royalties from, third parties. The agreement between Screenrights and a copyright owner is regulated by the terms set out in the Membership Agreement, the associated Warranty and Title Registration Forms and Screenrights' Articles of Association.

### **Do I have to participate in all Services?**

No. The extent of your participation is up to you. You should be aware that in some cases you may not have sufficient rights to participate in all Services.

You may vary your participation, provided that you give Screenrights at least one month's notice to implement the change.

### **If I participate, can I continue to deal with my titles?**

Yes. You may continue to exploit your rights in the registered titles in traditional markets. However, you must inform Screenrights in writing of any dealings which are inconsistent with the rights that Screenrights is administering on your behalf.

### **Do I have to pay?**

No. Membership of Screenrights is free of charge.

### **How does Screenrights fund itself?**

Screenrights is a private, non-profit organisation.

Screenrights deducts only its administrative expenses from any moneys received in operating the Services.

### **What if I have further questions?**

You should contact Screenrights' Member Services department at [memberservices@screenrights.org](mailto:memberservices@screenrights.org) or by using the contact details listed below.

## ► CONTACTING SCREENRIGHTS

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Screenrights is the trading name of the  
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ABN 76 003 912 310

#### **New Zealand**

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