

APRA|AMCOS MUSIC ESSENTIALS

MUSIC AT YOUR EISTEDDFOD

Most eisteddfod organisers are aware of their obligations when it comes to performing music which is in copyright.

Music is protected by copyright law and as the vast majority of music performed during an eisteddfod is within APRA's repertoire organisers will require a licence from APRA (the Australasian Performing Right Association) to play either live or recorded music in a public setting.

ABOUT APRA

Established in 1926, APRA is a non-profit organisation which collects and distributes copyright royalties for composers, lyricists and music publishers. We have over 60,000 members in Australia and New Zealand representing all musical styles. Through reciprocal agreements with similar collecting societies around the world, we also represent the interests of at least two million overseas copyright owners. Rather than license businesses themselves, composers join APRA which collects licence fees on their behalf and distributes them as royalties.

COPYRIGHT

Australia, along with most other countries, protects and fosters the arts through copyright legislation. Under the Copyright Act 1968 (Cth), an Australian composer enjoys a bundle of exclusive rights from the time he or she commits an original work to a material form such as a manuscript, audio or video tape recording or any electronic or digital format. These are the rights to:

- reproduce the work in a material form
- publish the work
- perform the work in public
- communicate the work to the public
- make an adaptation or an arrangement of the work such as arranging the music or altering the lyrics or do any of the above in relation to the adaptation.

In most instances in Australia, copyright in a musical work lasts for the life of the composer plus 70 years. If, before the composer's death, a work has not been published, communicated or performed in public and recordings have not been offered for sale, then copyright lasts for 70 years from the date on which the first of these events takes place.

WHO OWNS COPYRIGHT?

The composer is usually the first owner of copyright in a musical work and the lyricist the first owner of copyright in the lyrics in a musical work. Copyright protects the intangible products of composers' creativity. It encourages the reproduction of musical works by enabling composers to receive a fair financial reward for the use of those works.

COMPLYING WITH COPYRIGHT

The permission of the copyright owner is required to use a musical work in any of the ways detailed in the adjacent list of rights, including public performances and communications by radio, television, film, CD player, live artists, music on hold, or any other means. APRA acts as a copyright collection agency on behalf of the vast majority of composers, authors and publishers, licensing the use of their music. APRA's licences cover the public performance and communication of music by both Australian and overseas composers who are members of APRA or an affiliated collecting society.

WHOSE RESPONSIBILITY IS IT TO OBTAIN A LICENCE?

The individual or organisation authorising a public performance of music is the one who should complete an APRA licence agreement. If you are organising an eisteddfod then it is your responsibility to obtain the necessary APRA licence. APRA offers an annual licence agreement for eisteddfod's which will authorise the public performances of copyright music used in the competition.

WHAT WON'T THE AGREEMENT COVER?

APRA's Eisteddfod licence agreement will only extend to cover performances as part of the designated eisteddfod. It will not cover grand right performances, musical works performed in dramatic context or showcase concerts promoted to the general public. If you hold a performance that falls outside the annual agreement you will need to contact APRA prior to each performance to discuss additional licence arrangements.

Grand Right Works will need to be licensed directly by the music publishers.

APRA acts as an agent for the music publishers for musical works performed in dramatic context and is able to act as a conduit between music users and the relevant publisher.

Licence fees for concert performances are assessed on an event by event basis and licensed on APRA's Concert Promoter or Casual Licence. Fees may be as little as \$55.00.

WHAT WILL THE LICENCE COST?

The annual fee for APRA's Eisteddfod licence is currently \$75.98.

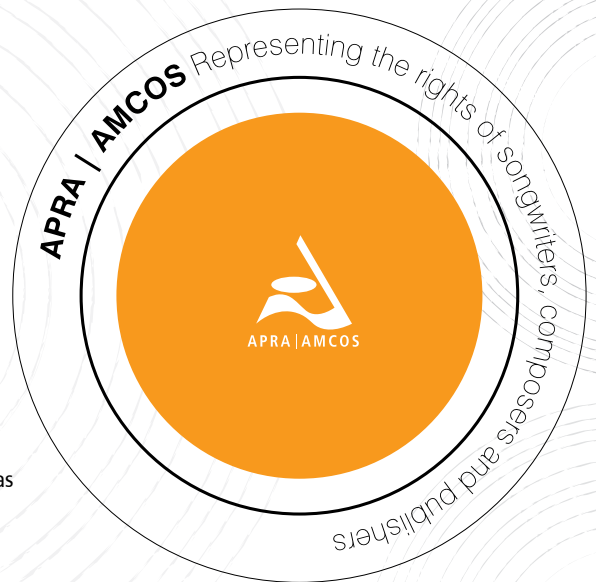
ARE THERE OTHER COPYRIGHT ASSOCIATIONS I SHOULD KNOW ABOUT?

APRA licenses the public performance and communication rights for copyright owners of musical works. Another collecting society, the Phonographic Performance Company of Australia (PPCA) represents the owners of copyright in sound recordings, namely record companies and their recording artists. In addition to your APRA licence, a licence may also be required from PPCA if you have music on hold or if CDs, tapes or video clips are played at your eisteddfod. For further information, contact the PPCA on 02 8569 1111.

WHERE CAN I GET MORE INFORMATION?

Additional information on APRA can be obtained from our website at www.apra-amcos.com.au.

Independent information on APRA is available from the Australian Copyright Council website at www.copyright.org.au



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