

APRA|AMCOS MUSIC ESSENTIALS

MUSIC AT YOUR FILM FESTIVAL

Once you have finalised the film line up for your festival, there's one organisation you still need to contact before the music begins: APRA (Australasian Performing Right Association).

Music is protected by copyright law and you require a licence from the APRA to publicly perform either live or recorded music, including musical works contained within a film soundtrack.

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 69,000 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 Australian 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.

WHO IS RESPONSIBLE FOR OBTAINING A LICENCE?

The person authorising a public performance of music is the one who should complete an APRA licence agreement. Many venues have licences that will authorise some performances of copyright music, however if you are promoting a film festival or any other event that uses music, it is your responsibility to contact APRA prior to the event to ensure the appropriate APRA licence is in place.

HOW MUCH DO I HAVE TO PAY?

Film festivals or events with a box office (ie. ticket sales) are generally licensed on a percentage of gross box office receipts. A condition of the APRA licence is that the festival must provide a statement of box office takings along with a list of films screened at the event so that APRA can identify the composers who should receive royalty payments.

FREE EVENTS

If your film festival is free to the public and does not charge an admission fee, you will still require an APRA licence to play copyright music. The licence fee can vary depending on the event, and will have a minimum fee of \$60.17.

WHO GETS THE MONEY?

Composers represent some of Australia's smallest businesses and they rely on APRA to provide a significant part of their income. APRA distributes the licence fees collected back to the copyright owners whose works have been used, employing a number of different procedures to analyse music usage. The only deduction is for administrative costs of approximately 13% per annum.

ARE THERE ANY OTHER COPYRIGHT ASSOCIATIONS I SHOULD KNOW ABOUT?

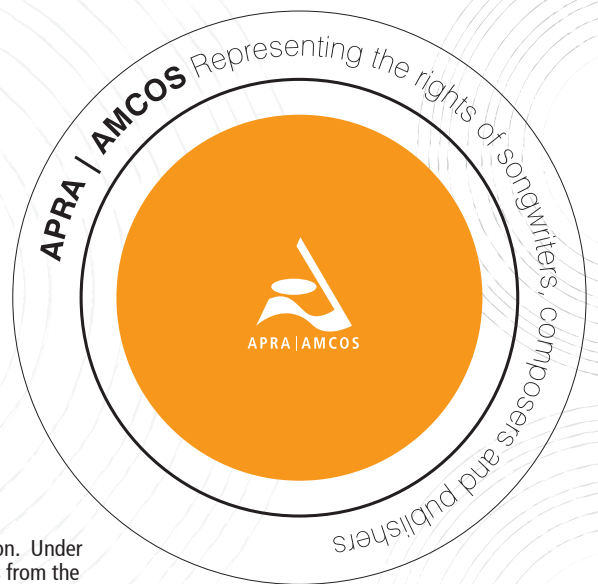
APRA licenses the public performance and communication rights for copyright owners of musical works. Another collecting society, the Phonographic Performance Company of Australia (PPCA) represents the owners of copyright in sound recordings, namely record companies and their recording artists. In addition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

HOW DO I APPLY FOR A LICENCE?

Simply complete the on-line application form located on the APRA website at www.apra-amcos.com.au or contact the APRA office in your state. Once we have received the details of your event the appropriate licence will be forwarded to you for signature.



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