



Distribution Policy

December 2017

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1.	ABOUT COPYRIGHT AGENCY	3
2.	FACTORS AFFECTING DISTRIBUTION OF LICENCE FEES	4
2.1	External factors	4
2.2	Review by Copyright Tribunal	4
3.	OVERVIEW OF DISTRIBUTION PROCESS	5
4.	RECEIPT OF LICENCE FEES	6
4.1	Licence fees negotiated with peak bodies.....	6
4.2	Sources of licence fees	6
5.	CALCULATION OF DISTRIBUTABLE AMOUNT	7
5.1	Calculation method.....	7
5.2	Which revenue	7
5.3	Deductions.....	7
6.	SELECTION OF DATA	9
6.1	Attorney-General's Department Guidelines on data	9
6.2	Categories of data for distribution	9
6.3	Sources of indicative data	9
6.4	Factors influencing selection of data sources	10
6.5	Subsampling	10
6.6	Uses of non-members' works.....	10
6.7	Rightsholders in other countries.....	10
6.8	Uses excluded from allocation	10
7.	SCHEME OF ALLOCATION.....	12
7.1	Statutory licence fees.....	12
7.2	Non-statutory licence fees.....	12
7.3	Approval of schemes of allocation.....	12
8.	ALLOCATION TO RECIPIENTS.....	14
8.1	Calculation of pools	14
8.2	Information from sample of licensee class	14
9.	ENTITLEMENT TO RECEIVE A PAYMENT	16
9.1	Allocations to rightsholders in works	16
9.2	Relevant Rightsholders.....	16
9.3	Agents	16
9.4	Different rightsholders for different uses of same work.....	16
9.5	More than one rightsholder for same use of same work	16
9.6	Contractual entitlement to share of Copyright Agency allocation.....	16
9.7	More than one rightsholder: 'pay one to share'	17
9.8	Payment priority for 'pay one to share': 'creator first'	17
9.9	Allocations made by foreign collecting societies	17
9.10	Payments only made to members.....	17
9.11	Payments made in error	17
9.12	Disputes about entitlements	17
9.13	Discretionary payments.....	18
10.	INFORMATION ABOUT ALLOCATIONS.....	19
10.1	Obligation to notify allocations.....	19
10.2	Information to rightsholders about allocated payments.....	19
11.	LICENCE FEES HELD IN TRUST	20
11.1	Trust Fund	20
11.2	Allocation 'rolled over' on expiry of trust period	20
12.	QUALITY ASSURANCE AND AUDITS.....	21
12.1	Audits by external service providers	21
12.2	Recipients' sharing of payments with other rightsholders	21

1. ABOUT COPYRIGHT AGENCY

Copyright Agency is a not-for-profit copyright management organisation. We negotiate, collect and distribute copyright fees and royalties for the copying and sharing of text and images.

We have more than 35,000 members, who include writers, artists and publishers. In December 2017, Viscopy merged with Copyright Agency, resulting in additional artist members for Copyright Agency, and more streamlined processes for collection and distribution of licence fees.

We are also affiliated with similar copyright management organisations in other countries, enabling use of Australian works in other countries, and use of foreign works in Australia.

We are appointed by the Australian Government to manage statutory licence schemes in the Copyright Act. These schemes allow educational and government use of content without the permissions usually required, but subject to fair compensation to content creators.

We also license our members' works, and works represented by affiliated copyright management organisations, as their agent (e.g. for use in corporations, local governments and not-for-profit organisations).¹

We distribute the copyright licence fees we receive in accordance with our distribution policy. This document describes the main aspects of our distribution policy and practices.

¹ This document does not cover distribution of revenue from [LearningField](#) or the [artists' resale royalty scheme](#).

2. FACTORS AFFECTING DISTRIBUTION OF LICENCE FEES

2.1 EXTERNAL FACTORS

External factors affecting distribution of licence fees include:

- our [Constitution](#);
- [Attorney-General's Department Guidelines for Declared Collecting Societies](#);
- [Code of Conduct for Copyright Collecting Societies](#);
- [IFRRO Code of Conduct](#);
- [Copyright Act](#) and [Copyright Regulations](#);
- member entitlements under corporations law;
- agreements with members, including foreign copyright management organisations; and
- fiduciary obligations regarding money held in trust.

The external factors affecting distribution of fees paid under statutory licences are more extensive than those affecting fees from voluntary licensing.

2.2 REVIEW BY COPYRIGHT TRIBUNAL

Distribution arrangements for licence fees from statutory licences can be reviewed by the Copyright Tribunal, on application by Copyright Agency or by a member.

3. OVERVIEW OF DISTRIBUTION PROCESS

Our distribution schedule is [published on our website](#).

Distributions are calculated throughout the year, in accordance with a range of factors including:

- availability of data;
- extent of data research and analysis required;
- receipt of licence fees;
- commitments to members; and
- commitments to licensees.

Payments [are monthly, and may include allocations from more than one source of licence fees](#).

A distribution of licence fees usually involves:

- Receipt of licence fees
- Calculation of a distributable amount
- Selection of data sources to be used for allocation
- A scheme of allocation
- Receipt of the data to be used for allocation
- Research of the data, which can include:
 - exclusion of data relating to uses presumed to be outside the licence;
 - categorisation of content by source, content type and use type; and
 - application of presumptions regarding entitlement to receive payments.
- Apportionment of licence fees amongst classes of rightsholders ('pools')
- Allocation of each pool to rightsholders
- Confirmation by rightsholders that they are entitled to receive payment of an allocation to a work (where required)
- Payments

Licence fees may be received after a scheme of allocation is formulated, and/or after receipt and research of data.

4. RECEIPT OF LICENCE FEES

Copyright Agency receives licence fees from various sources throughout a financial year.

4.1 LICENCE FEES NEGOTIATED WITH PEAK BODIES

In some cases, licence fees are negotiated with a peak body for a particular sector. For example, licence fees for most schools are negotiated with the Copyright Advisory Group to the Council of Australian Governments Education Council (CAG), and licence fees for most universities are negotiated with Universities Australia (UA).

4.2 SOURCES OF LICENCE FEES

The following are the main sources of licence fees:

1. Statutory licences:
 - Schools represented by CAG
 - Universities represented by UA
 - TAFEs represented by CAG
 - Victorian TAFEs
 - Individually licensed educational institutions
 - Commonwealth, State and Territory governments
2. Voluntary licences:
 - Media monitoring organisations
 - Corporations
 - Not-for-profit organisations
 - Quasi-government organisations
 - Pay per use (transactional) licences
3. Licence fees collected by affiliated copyright management organisations

5. CALCULATION OF DISTRIBUTABLE AMOUNT

5.1 CALCULATION METHOD

The calculation of a distributable amount involves:

1. deciding which revenue forms the basis of the fund; and
2. deducting an administrative fee (a fixed percentage) or an amount based on projected operating costs (both of which include an allocation to Copyright Agency's Cultural Fund).

5.2 WHICH REVENUE

In most cases, a distributable amount is based on licence fees from a single source (e.g. universities), but can comprise licence fees from more than source.

A distributable amount usually comprises fees received in a given period, (e.g. a financial or calendar year). In some cases, a distributable amount includes all fees received since the previous distribution of that class of fees (which may not be reference to a set period).

5.2.1 Indemnity fees

Some non-statutory licence agreements include an amount for indemnity for certain uses made outside the licence. These indemnity payments are retained as a provision for any claims by licensees in reliance on the indemnity.

5.3 DEDUCTIONS

5.3.1 Deductions made when licence fees received

Deductions are made at the time licence fees are received, rather than at the time they are distributed.

5.3.2 Deduction of fixed administrative fee

There is a currently a fixed administrative fee for:

- Copyright Agency pay-per-use licensing (e.g. through RightsPortal): 15%;
- licence fees from digital press clippings licence: 10%; and
- fine art licences (formerly Viscopy licences): 25%.²

5.3.3 Deduction of operating costs

Non-fixed operating costs are calculated at the beginning of a financial year, based on budgeted revenue and expenses for all licence fees other than those with fixed deductions. The current methodology is based on a three-year weighted average. It takes into account the actual operating costs in the past two years, and the projected operating costs in the following year's budget.

The deduction is currently offset by interest on licence fees. In some cases, it is also offset by allocations that were not paid in four years and have been 'rolled over'.

The Board can decide that large one-off costs are amortised over a number of years, in accordance with the [Attorney-General's Department Guidelines](#).³

² The deduction for the artists' resale royalty scheme is currently 15% in accordance with the contract with the Australian government.

³ Article 24.

5.3.4 Deduction for Cultural Fund

Copyright Agency's Constitution entitles the Board to authorise an allocation of up to 1.5% of revenue for a period for our Cultural Fund.⁴ This allocation is included in the deductions for both operating costs and fixed administrative fees.

⁴ www.copyright.com.au/cultural-fund. The deduction does not apply to LearningField or the artists' resale royalty scheme.

6. SELECTION OF DATA

6.1 ATTORNEY-GENERAL'S DEPARTMENT GUIDELINES ON DATA

The [Attorney-General's Department Guidelines](#) (applicable to statutory licence fees) say:

- a scheme of allocation should specify the data to be used for allocating a distributable amount;
- the data should address the criteria in Copyright Agency's Constitution, directly or indirectly (having regard to the cost of collecting or obtaining the data);⁵
- there need not be a one-to-one correspondence between data and criteria;
- indirect correspondence may entail, for example, that copying is presumed, wholly or in part, to be in proportion to, for example, sales, library holdings or library lending;
- statistical 'smoothing' techniques can be used to even out extremes in samples which are assumed to represent random fluctuations;
- there does not need be exact correspondence between the statistical or record-keeping basis for assessing (agreeing or awarding) licence fees and the statistical basis for quantifying amounts to be allocated to those entitled;
- different weightings can be applied to different categories of material for allocation purposes, whether or not they are taken into account in assessing licence fees; and
- inadequacy in copying records can be a reason to apply fresh considerations to the allocation of licence fees.

6.2 CATEGORIES OF DATA FOR DISTRIBUTION

We broadly categorise data for distribution as:

1. transactional licence data (information about a licence for a single work);
2. full records (information about each use under a 'blanket' total repertoire licence);
3. survey data (information about usage by samples of licensees); and
4. indicative data (information from other sources about content available to a licensee class).

6.3 SOURCES OF INDICATIVE DATA

Sources currently used include:

- supply of digital press clippings;
- library holdings provided by the TAFE sector;
- library holdings and lendings collated and provided by Libraries Australia;
- information from members and other rightsholders about works available for copying.

Other sources could include:

- subscriptions;
- sales;
- website data such as subscriptions, searches, visits, hits, rankings, downloads, links to, favourites/bookmarks; and

⁵ Article 75(b) provides: 'Entitlements of persons to the Distributable Fund shall be determined in accordance with the scheme of allocation determined by the Directors in respect of each Accounting Period having regard to, but without limitation, the extent of copying of the relevant Copyright Material and the Company's obligations under arrangements with other copyright collecting societies, professional associations or similar bodies.'

Article 75(d) provides: 'In exercising its powers under this Article 75 the Directors must take all reasonable steps to ensure that any person's entitlement to a share of the Distributable Fund is determined equitably and accurately. The Directors shall be entitled to consider all relevant matters in making their determination under this Article including, but without limitation, the extent to which copying of relevant Copyright Material has occurred under the Statutory Licences as disclosed by: (i) records of copying; (ii) the results of independently conducted sampling; (iii) such other information obtained by the Company designed to ascertain the nature and extent of copying of relevant Copyright Material.'

- reading lists and citations.

6.4 FACTORS INFLUENCING SELECTION OF DATA SOURCES

Factors include:

- data quality:
 - types and amount of data available;
 - extent to which data indicates the material likely to have been used and/or available for use;
 - number and types of recipients; and
 - indicators of likely relative usage of the works of recipients.
- costs:
 - of acquiring the data;
 - of processing data; and
- time and resources required to process the data.

6.5 SUBSAMPLING

A random selection of data available for allocation may be made if the cost of processing each piece of data would entail unacceptably high operating costs. This is sometimes referred to as 'subsampling'.

6.6 USES OF NON-MEMBERS' WORKS

In most cases, we do not allocate for uses of non-members' works, but we retain data from the distribution process that is referable to non-members.

When selecting data for allocation, we include any retained data relating to rightsholders who have since become members.

We allocate and hold payments in trust for non-members:

- to whom another copyright management organisation has made an allocation;
- who have authorised a transactional (pay per use) licence;
- whose work has been used under a media monitoring licence; or
- whose work has been used under a statutory licence, where we receive full records.⁶

6.7 RIGHTSHOLDERS IN OTHER COUNTRIES

Copyright Agency's members include copyright management organisations in other countries. We presume that a rightsholder from another country is a member of a copyright management organisation in that country if the material used, and type of use, are of a type licensed by that society.

Usage relating to a rightsholder who is presumed not to be member of an affiliated copyright management organisation is retained, and can be used in a future allocation.⁷

6.8 USES EXCLUDED FROM ALLOCATION

The main reasons for an allocation not being made to a use of a work are:

1. Copyright has expired;

⁶ Currently, 'over the counter' sales of survey plans.

⁷ Except if the rightsholder is from a country in which there is a copyright management organisation with which we have a rights exchange (Type B) agreement (whereby each organisation is authorised to license the works represented by the other but retains any licensing fees).

2. Use is quotation or extract of three paragraphs or less;
3. Rightsholder is 'unidentifiable': there is no reasonable prospect of efficiently identifying a rightsholder;
4. Rightsholder is from a country to which a 'Type B' (rights exchange only) agreement applies;⁸
5. Published by US Federal government;⁹
6. Usage is outside the scope of licence, for example:
 - the Distributable Amount is for a voluntary licence scheme and the rightsholder has specifically excluded the work from that scheme;
 - work used is an advertisement (including a catalogue), logo or media release;
 - examination papers/materials if used for assessment purposes;
 - material created by the surveyed institution's current employees (e.g. teacher's own work);
7. The licensee has used the work under a direct licence from the rightsholder, for example:
 - the licensee has informed us that it has a direct licence;
 - the rightsholder has notified us that it has given a direct licence;
 - the rightsholder has applied an 'open' licence such as a Creative Commons licence to the work; or
 - the work is available on a website whose terms of use are presumed to allow free use of the work by the licensee.
8. The rightsholder does not want to receive payments.
9. The use is excluded under a Data Processing Protocol applicable to the licensee.

⁸ We have agreements with some copyright management organisations whereby each is authorised to license the works represented by the other but retains any licensing fees (sometimes referred to as a rights exchange or Type B agreement).

⁹ US government material is explicitly covered in [Data Processing Protocols](#) agreed with licensees. Uses of material published by other governments, such as the Commonwealth, are excluded in accordance with the terms of use for that material (e.g. if a Creative Commons licence applies).

7. SCHEME OF ALLOCATION

A scheme of allocation is a set of decisions that determine:

1. *who* is allocated a portion of a Distributable Amount; and
2. *how much* is allocated to each recipient.

7.1 STATUTORY LICENCE FEES

7.1.1 Criteria for a scheme of allocation

The main criteria are:

- rightsholders whose works were used, or are likely to have been used, under the licence;
- the likely extent to which each rightsholder's works were used; and
- Copyright Agency's obligations under arrangements with other copyright management organisations, professional associations or similar bodies.¹⁰

Other criteria can include:

- the nature of a use;
- the effect of a use on the value of, or the potential market for, the material; and
- where there is more than one rightsholder for a work, the relative contribution of each.¹¹

A scheme of allocation should provide for non-members for whom there is evidence of usage under the licence,¹² and should not arbitrarily exclude any rightsholders.

7.1.2 Members representing many rightsholders

If a member, such as a copyright management organisation or professional association, is entitled to receive allocations for many rightsholders, an aggregate allocation can be made to the member without apportionment to the rightsholders it represents.¹³

7.2 NON-STATUTORY LICENCE FEES

The Constitution provides broad discretion for the Board to allocate non-statutory licence fees 'in accordance with a method of entitlement to be fixed from time to time by the Directors'.¹⁴

7.3 APPROVAL OF SCHEMES OF ALLOCATION

In accordance with the decision of the Board in February 2016, Management seeks approval from the Board for high level schemes of allocation for:

- statutory licence fees where the distributable fund is more than \$500,000; and
- non-statutory licence fees where:
 - the distributable fund is more than \$500,000; and
 - there has been a material change in the sources of data, methodology and/or policy since the previous distribution of licence fees from the same source.

¹⁰ [Constitution](#) Article 75.

¹¹ [AGD Guidelines](#) Article 11.

¹² Since 2013, Copyright Agency has made provision for non-members by retaining usage and other data pertaining to their works, and including this data in future distributions after a person becomes a member.

¹³ [AGD Guidelines](#) Article 11.

¹⁴ [Constitution](#) Article 73.

The Board authorised Management to make any further decisions aimed at ensuring each distribution is as fair as possible, for the content creators whose works have been used under the relevant licence, with a reasonable allocation of resources.

8. ALLOCATION TO RECIPIENTS

When we do not have information about every use made under a licence, we apply a series of processes to apportion licence fees to rightsholders based on the best data available.

This is typically done by:

- dividing the distributable fund into pools for different types of content or use;
- calculating the extent to which each usage instance in the data is likely to be representative of the overall use by the licensees;
- apportioning each pool to works; and
- identifying rightsholders for each of the works.

8.1 CALCULATION OF POOLS

8.1.1 Reasons for pools

Under our current practices, there are three major bases for pools:

- to reflect, in the distribution, the relative proportions of licence fees for different types of:
 - works (e.g. images; poetry);
 - uses (e.g. in coursepacks; digital use); or
 - users (e.g. primary schools);
- to enable allocation to a class of rightsholders (e.g. journalists for photocopying of printed newspapers); and
- to enable the use of an available dataset for a particular class of rightsholder or use (for example, data about use of digital press clippings).

8.1.2 Pools for material types, use types and user types

Our current practice is to calculate pools for 'material types' and 'use types' taking into account:

- the number of 'pages' for the relevant material type or use type; and
- the relative value of that material type or use type for licence negotiations (if applicable).

Our current practice is to apportion licence fees from schools into pools for primary and secondary schools respectively, based on student enrolments.

8.1.3 Adjustments to relative proportions of pools

We may take historical data and other factors into account in calculating the relative proportions of a distributable amount allocated for a particular material type and/or use type, such as poetry, to provide greater consistency from year to year.

8.2 INFORMATION FROM SAMPLE OF LICENSEE CLASS

In general, we treat information provided by a sample of licensees as representative of all licensees in that class (e.g. schools).

8.2.1 Work unrelated to concurrent or previous usage

We do not treat a use of a work from a survey of a sample of licensees as representative unless there are concurrent or previous instances of usage in our database for that work, or for its author or publisher. Otherwise, we allocate on the presumption that the use only occurred in the single education institution that participated in the survey.

8.2.2 'Normalising' number of pages copied or number of copies

In some cases, a person participating in a sample survey can copy an unusually large number of pages from a publication and/or make an unusually large number of copies. In some cases, we take into account other instances of use for that type of work to assess the extent to which the use recorded in a survey represents use by the licensee class.

9. ENTITLEMENT TO RECEIVE A PAYMENT

9.1 ALLOCATIONS TO RIGHTSHOLDERS IN WORKS

In most cases, Copyright Agency's distribution process results in an allocation to the (to be identified) relevant rightsholder or rightsholders in a work.

We then identify who the likely relevant rightsholders are.

9.2 RELEVANT RIGHTSHOLDERS

A rightsholder is, in relation to the use for which an allocation is made:

1. an owner of copyright in the work;
2. an exclusive licensee; or
3. a trustee, executor or administrator.

9.3 AGENTS

A rightsholder's agent can be a member of Copyright Agency and receive payment on behalf of the rightsholder.

9.4 DIFFERENT RIGHTSHOLDERS FOR DIFFERENT USES OF SAME WORK

There may be different rightsholders for different uses of the same work. For example, a staff journalist may be entitled to receive allocations for photocopying from a printed newspaper, but not for scanning from the same newspaper.¹⁵

9.5 MORE THAN ONE RIGHTSHOLDER FOR SAME USE OF SAME WORK

More than one person may be entitled to receive an allocation for a work if:

- there are co-owners of copyright (e.g. the work has been jointly authored, or several heirs have jointly inherited a copyright); or
- the copyright owner and exclusive licensee have agreed to share Copyright Agency allocations (e.g. as part of a publishing contract).

9.6 CONTRACTUAL ENTITLEMENT TO SHARE OF COPYRIGHT AGENCY ALLOCATION

If we have information about contractual arrangements to share Copyright Agency payments allocated to a book, we can pay each person entitled to a contractual share provided all eligibility criteria are met.

A member may provide information about contractual shares if:

- we have informed the member that an ISBN (International Standard Book Number) in which the member has an interest is in the dataset for a forthcoming distribution;
- there are two or three people entitled to a contractual share; and
- each person is a member and has been informed of the contractual share information provided to us.

¹⁵ In accordance with section 35(4) of the Copyright Act.

9.7 MORE THAN ONE RIGHTSHOLDER: 'PAY ONE TO SHARE'

If there is more than one rightsholder for a work, but we do not have information about contractual arrangements between or among them, we pay the allocated amount to one rightsholder on their undertaking to on-pay any shares of the allocation due to other rightsholders within 60 days.

9.8 PAYMENT PRIORITY FOR 'PAY ONE TO SHARE': 'CREATOR FIRST'

Where there is more than member who could receive the payment to share, the member who is a creator has first option to receive and share the payment. If there is more than one, the creator member whose surname is first in the alphabet has first option.

9.9 ALLOCATIONS MADE BY FOREIGN COLLECTING SOCIETIES

Allocations by foreign collecting societies may be made:

1. to a particular person; or
2. to an unspecified rightsholder in a work presumed to be Australian; or
3. to unspecified rightsholders, presumed to be Australian, for a class of works.

If (1), we pay the allocated amount to the identified person. In some cases, the person entitled to receive a payment for the same use of the same work in Australia may be different (e.g. because the law and/or distribution policy in the country where the allocation apply differently).

In other cases, we determine who is entitled to receive the allocation as if the use occurred in Australia.

9.10 PAYMENTS ONLY MADE TO MEMBERS

A person must be a member to be paid an amount allocated to a work. This is partly so that the person abides by the terms of membership in relation to the payment. Membership is free.

Allocations made to works of non-members are held in trust until paid or for four years from allocation.

9.11 PAYMENTS MADE IN ERROR

Copyright Agency may seek a refund of an amount paid in error to a person who is not entitled to receive it. An amount can be refunded by deductions from future allocations.

9.12 DISPUTES ABOUT ENTITLEMENTS

If we are notified of a dispute between members about entitlement to receive allocations for a work, we hold any allocations already made in trust and encourage the members to resolve the dispute themselves. If they are unable to do so, we have a dispute resolution procedure which is described on our website.¹⁶

If allocations total less than \$2,000, or if we have not yet made any allocations, we may offer to refer the dispute to an independent expert. All parties to the dispute must agree to the referral and they must also agree to bear their own costs.

For disputed allocations of \$2,000 or more, we may offer facilitated mediation or expert determination.

A determination made as part of the dispute resolution procedure will only apply to entitlements to claim allocations made by Copyright Agency. It will not affect payments from any other source for use of those works.

¹⁶ <http://copyright.com.au/membership/payments/disputes-between-members/>

9.13 DISCRETIONARY PAYMENTS

Copyright Agency can make a discretionary (ex gratia) payment to a rightsholder who can establish that their work was substantially copied under a licence administered by us, but who received little or no payment from us for that use.¹⁷ The [Attorney-General's Department Guidelines](#) provide that ex gratia payments should be kept to a minimum.

¹⁷ See AGD Guidelines Article 20

10. INFORMATION ABOUT ALLOCATIONS

10.1 OBLIGATION TO NOTIFY ALLOCATIONS

As part of the membership terms, Copyright Agency undertakes to notify members of allocations to them. Notification can be made after an allocation has been paid.

10.2 INFORMATION TO RIGHTSHOLDERS ABOUT ALLOCATED PAYMENTS

We provide information about allocated payments in our notifications and remittance advices to members. Members with online accounts can also view information via their account.¹⁸

10.2.1 Information about payments to someone else

In some cases, we may inform a person about payments to someone else, in accordance with our privacy policy.

10.2.2 Information about the basis on which an allocation was made

We may, on request, provide information about the basis on which an allocation was made to a rightsholder's work.

In doing so, however, we do not disclose information that would identify a person or organisation that is providing, or has provided, information about usage (for example, under a survey of usage). This policy is intended to encourage licensees to provide as much information as possible about their usage.

10.2.3 Remittance advices

Remittance advices have two components: a [payment summary](#), and a [payment spreadsheet](#).

Our remittance advices to members display deductions from the licence fees we received. Deductions include operating costs or a fixed administrative fee, which include any allocation to the Cultural Fund.

The operating costs displayed on remittance advices will vary for each distribution. The main reason is that a distributable amount may include licence fees from a previous year from which a different cost percentage was deducted.

The Input Tax Credits (the GST charged on the amounts deducted for our costs associated with statutory licences) can also vary for similar reasons, so that they are not simply 10% of the costs deducted.

¹⁸ Members can login at <https://members.copyright.com.au>.

11. LICENCE FEES HELD IN TRUST

11.1 TRUST FUND

Licence fees allocated to rightsholders are held in trust until paid or expiry of the trust period (currently four years).¹⁹ We use our best endeavours to identify and locate non-members to whom payments have been allocated, to inform them of the allocation and invite them to claim it.

11.1.1 Money that is allocated but not paid

The Trust Fund includes money that has been allocated but not paid to a rightsholder. This includes allocations for rightsholders:

- who we have been unable to identify and/or locate;
- who have elected not to claim; and
- that, in aggregate, are less than the minimum payment.

11.1.2 Minimum payment

We hold allocations to a member until the total amount exceeds \$10, unless the member has overseas resident taxation status, in which case it is \$200.²⁰

11.2 ALLOCATION 'ROLLED OVER' ON EXPIRY OF TRUST PERIOD

On expiry of the trust period, an unpaid allocation is 'rolled over'. The Board determines how the allocated amount will be re-applied. Once an allocation has rolled over, a member has no further entitlement to claim it.

Currently, amounts rolled over are applied to maintain the indemnity fund, and to offset deductions for operating costs.

¹⁹ Copyright Regulations Copyright Regulations, Reg 23J(i) and Copyright Agency Constitution Article 83. (a) (ix).

²⁰ In most cases, payments are made by EFT. If a payment is made by cheque, we can hold allocations to a member until the total amount exceeds \$50.

12.QUALITY ASSURANCE AND AUDITS

We have internal audit and quality assurance processes that we apply to all distributions.

12.1 AUDITS BY EXTERNAL SERVICE PROVIDERS

12.1.1 Audit of data entry of usage data

The independent research company that manages the collection of usage data from surveys of licensees checks that the information from the usage records has been accurately entered into our systems.

12.1.2 Audit of distributions

In accordance with our risk management procedures, external auditors examine the calculation of distributable amounts and pools. They also review a random selection of allocated payments, to ensure the allocations were made according to the scheme of allocation.

12.2 RECIPIENTS' SHARING OF PAYMENTS WITH OTHER RIGHTSHOLDERS

We may request members who are obliged to share payments with other rightsholders to provide details of shared payments.

For example, we may ask a publisher who has undertaken to share a payment with a creator, or a creator who has undertaken to share a payment with a publisher, to provide details.