

**2018 DISTRIBUTION OF LICENCE FEES FROM TAFES**

April 2018

<p>1. BACKGROUND</p>	<p>There are two agreements covering the Technical and Further Education (TAFE) sector:</p> <ul style="list-style-type: none"> <li>• one for the Victorian TAFE sector; and</li> <li>• one with Copyright Advisory Group for the COAG Education Council (CAG) for the remainder of the states and territories ('National TAFE').</li> </ul> <p>We combine the licence fees from both agreements for a single distribution.</p>										
<p>2. CHANGES SINCE PREVIOUS DISTRIBUTION OF TAFE LICENCE FEES</p>	<p>In accordance with our five-year agreement (for 2014–18), CAG provides us with different types of data in different years. In 2016, we received data about library borrowings in a sample of TAFEs in 2015. In 2017, we received data from a survey in a sample of TAFEs on their use of content in 2016 (e.g. photocopying, availability from learning management systems). In each case, we 'processed' the 'raw' data to extract the information relevant to distribution: principally to link content to rightsholders and, for the 2016 survey, to exclude activities that were not done under the licence (such as uses directly licensed by rightsholders).</p> <p>The 2018 distribution uses both the 2015 and 2016 data from National TAFE, as well data from a survey in a sample of Victorian TAFEs.</p> <p>We have applied the same 'value' to all content and uses. In previous years, we applied the relative values used in universities (for example, to content used in course packs) to survey data from TAFEs.</p>										
<p>3. DISTRIBUTION AMOUNT</p>	<table border="1"> <tr> <td>Amount (approx.)</td> <td>\$2.5m</td> </tr> <tr> <td>Licence fee source</td> <td>Licence fees from TAFE institutes</td> </tr> <tr> <td>Licence type</td> <td>Statutory</td> </tr> <tr> <td>Licence period</td> <td>Victorian TAFEs: July 2017 to June 2018 National TAFEs: January to December 2017</td> </tr> <tr> <td>How calculated</td> <td> <ul style="list-style-type: none"> <li>• Licence fees received, less amount for artist-owned images for subsequent distribution, and deduction for operating costs and Cultural Fund.</li> <li>• Operating costs are offset by interest on licence fees and allocations unpaid after four years.</li> </ul> </td> </tr> </table>	Amount (approx.)	\$2.5m	Licence fee source	Licence fees from TAFE institutes	Licence type	Statutory	Licence period	Victorian TAFEs: July 2017 to June 2018 National TAFEs: January to December 2017	How calculated	<ul style="list-style-type: none"> <li>• Licence fees received, less amount for artist-owned images for subsequent distribution, and deduction for operating costs and Cultural Fund.</li> <li>• Operating costs are offset by interest on licence fees and allocations unpaid after four years.</li> </ul>
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<p>4. PAYMENTS BEGIN</p>	<p>April 2018</p>										
<p>5. SOURCES OF DATA</p>	<ul style="list-style-type: none"> <li>• data on usage in 2016 from surveys in eight TAFE institutes</li> <li>• library loan registers for 2015 from TAFEs in six states and territories</li> </ul>										
<p>6. DATA EXCLUDED</p>	<p>Data not used for distribution includes:</p> <ul style="list-style-type: none"> <li>• material in which copyright is owned by: a TAFE, or by a government;</li> <li>• material that CAG advises has been directly licensed;</li> <li>• other material for which the copyright owner has asked us not to allocate; and</li> <li>• material from the internet, where the website's terms of use allow use in TAFEs.</li> </ul>										
<p>7. APPORTIONMENT OF DISTRIBUTION AMOUNT</p>	<p>A small proportion (1%) was set aside for artist-owned images, for payment in June 2018 (together with amounts set aside from other sources of licence fees). Of the remainder, 50% was apportioned using the 2015 library borrowings data, and 50% was apportioned using the 2016 usage survey data.</p>										
<p>8. NON-MEMBERS</p>	<p>We retain data about works in which copyright is not owned by a member so that it can be included in future distributions if the rightsholder becomes a member.</p>										
<p>9. OBLIGATION TO SHARE PAYMENTS</p>	<p>Recipients are obliged to share payments with any others with a legal entitlement, having regard to the content for which an allocation is made. For example, where an allocation was made for a book, there may be an agreement between the author and publisher to share Copyright Agency payments.</p>										