

2020 DISTRIBUTION: LICENCE FEES FROM TAFE INSTITUTES

Background

There are two agreements covering the TAFE sector:

- one for the Victorian TAFE sector; and
- one with Copyright Advisory Group for the COAG Education Council (CAG) for the remainder of the states and territories ('National TAFE').

The data provided by the sector is more limited than that for schools and universities, and we supplement the limited actual usage data with 'indicative' (proxy) data, principally library borrowings.

Changes since previous distribution of this class of licence fees

There is a single pool for publications, which are mostly books on reading lists provided by the TAFE sector, as well as some titles from the 2016 survey data (used in the previous two distributions).

Funds for distribution

Amount (approx.)	\$2.8m (including amounts set aside for artist-owned images and writers in periodicals and collected works, for separate distribution)
Licence fee source	Licence fees from TAFE institutes
Licence type	Statutory
Licence period	Victorian TAFE: July 2019 to June 2020 National TAFE: January to December 2019
How calculated	Licence fees received less deduction for anticipated operating costs and the Cultural Fund: see further here .

Distribution scheduled for

June 2020

Source/s and selection of data for distribution

- library reading lists from TAFE institutes;
- some survey data from eight surveyed National and Victorian TAFE institutes in 2016;
- data 'carried forward' from previous TAFE distribution processes that relates to works of new members; and
- amounts set aside for writers and artists for separate distribution: information provided by artists and writers about publications containing their works, and past allocations to artists and writers from usage data

Data excluded

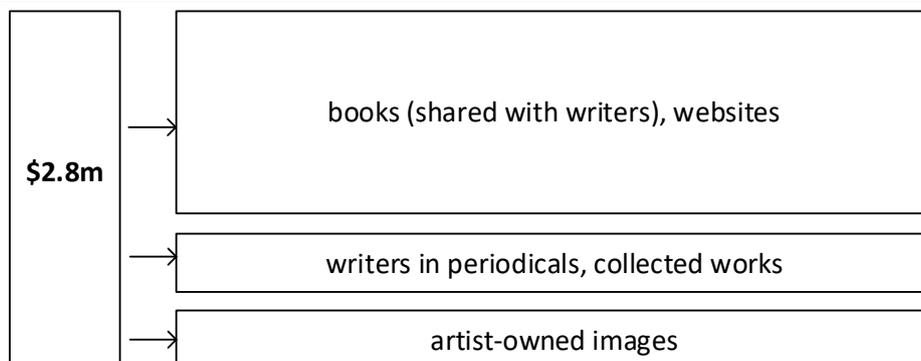
Data not used for distribution includes:

- material in which copyright is owned by a TAFE or a government;
- other material for which the copyright owner has asked us not to allocate;
- material from the internet copied under terms that allow use in TAFEs and similar education institutions; and
- copyright material that CAG advises has been directly licensed.

Selection of data

- Book titles from reading lists provided by the TAFE sector since 2016
- Content in the 2016 survey that:
 - has an ISBN; or
 - is a URL for company whose core business is sale of content, or not-for-profit entity that produces educational material.

Distribution Pools



Calculation of pools

The pools were calculated taking into account:

- past payments for writers for periodicals and collected works, and a consistent approach for setting aside an amount for this class of members for all sources of licence fees
- past payments for artist-owned images, and the results of UK research on artist-owned images

Data 'carried forward'

We make allocations to rightsholders that we have a reasonable prospect of paying. We hold data relating to other rightsholders, that can be used in future distributions if circumstances change (e.g. if a rightsholder becomes a member and provides bank details).

Minimum allocation

There is no minimum *allocation*, but we only make a payment to a member when all allocations (from all sources) aggregate to \$10 or more.

Obligation to share payment

In accordance with the Distribution Policy, recipients are required to share payments with others with a legal entitlement, unless they receive a 'direct' payment based on notified payment shares.

Number of recipients

In addition to the *direct* recipients of payments there will also be a significant number of *indirect* recipients who receive payments from direct recipients, such as publishers, agents and co-authors. There will also be additional recipients from the pools for writers in periodicals and c