

# LICENCE FEES FROM SALES OF SURVEY PLANS: JULY 2020 DISTRIBUTION

## 1. Background

These licence fees are for sales of survey plans by state governments, and by commercial information brokers authorised by them. The licence fees are based on the number of plans sold in the licence period, and a [determination by the Copyright Tribunal](#) that set a royalty of 12.5% of the sale price.

The governments covered by this scheme of allocation are: NSW, Victoria, Queensland and South Australia. We also have an agreement with the Western Australia government and we are finalising arrangements with the government of Tasmania.

### Licence arrangements

The governments of NSW and Victoria pay us royalties for our current members. Those governments are required, under the statutory licence for governments in the Copyright Act, to notify other rightsholders whose plans they have sold, and come to terms with those rightsholders. They pay us for non-members for a small number of 'over the counter' sales, as the plans are provided as reproductions rather than by communication. The distinction derives from the provisions of the government statutory licence, which applies differently to reproductions and communications.

The governments of Queensland and South Australia pay us licence fees for all rightsholders, which relieves them of the obligations to notify rightsholders and come to terms.

## 2. Changes since previous distribution of licence fees from full-text databases

The amounts for NSW and Victoria include some small undistributed amounts from previous distributions: approximately \$12,000 for NSW and \$1,600 for Victoria.

## 3. Funds for distribution

Amount (approx.)		\$	Period
	NSW	149,088	July to December 2019
	VIC	76,589	July to December 2019
	QLD	73,410	October to December 2019
	SA	11,573	October to December 2019
Licence fee source	Licence fees from sales of survey plans by NSW, VIC, QLD and SA governments		
Licence type	Statutory		
How calculated	Licence fees received less deductions for anticipated operating costs and Cultural Fund: see <a href="#">here</a> .		

## 4. Distribution scheduled for

July 2020

## 5. Source/s of data for distribution

Each state provides slightly different data.

- NSW and Victoria provide data about plans that were *sold* in the licence period, which is used for both invoicing and distribution;

- Queensland and South Australia provide data about the number of plans sold, for invoicing, and lodgement data for distribution.

We also use data from members, including:

- plan numbers (which we can match to numbers in the data from the governments); and
- surveyors' employment history (to identify the relevant rightsholder).

## **6. Data excluded**

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Plans in which copyright is owned by the Commonwealth or a State government are excluded from distributions.

## **7. Minimum allocation**

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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.

## **8. Obligation to share payment**

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There are no obligations to share payments for survey plans.

## **9. Number of recipients**

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There are about 900 recipients.