Report of Review of Copyright Collecting Societies' Compliance with their Code of Conduct for the Year 1 July 2024 to 30 June 2025

The Hon K E Lindgren AM, KC

1 November 2025

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Report of Review of Copyright Collecting Societies' Compliance with their Code of Conduct for the Year 1 July 2024 to 30 June 2025

A. INTRODUCTORY OBSERVATIONS

1. This report of the Code Compliance Reviewer, the Hon K E Lindgren, AM, KC, is the twenty-first annual report of an assessment of the compliance by the following collecting societies with their voluntary Code of Conduct (**Code**): Australasian Performing Right Association Limited ("**APRA**"), Australasian Mechanical Copyright Owners Society Limited ("**AMCOS**"), Phonographic Performance Company of Australia Limited ("**PPCA**"), Copyright Agency Limited ("**Copyright Agency**" and in places "**CA**"), Audio-Visual Copyright Society Limited ("**Screenrights**"), Australian Writers' Guild Authorship Collecting Society Limited ("**AWGACS**") and Australian Screen Directors Authorship Collecting Society Limited ("**ASDACS**"). This "Compliance Report" assesses that compliance during the period 1 July 2024 to 30 June 2025 (the **Review Period**).

2. AMCOS is administered by APRA. Therefore, the practice is adopted of referring to APRA and AMCOS collectively as "APRA AMCOS" except where it is necessary or convenient to distinguish between them. Although APRA and AMCOS are distinct legal entities, they have furnished a single joint report on their compliance with the Code. It is therefore sometimes convenient to conceive of the number of collecting societies as six rather than seven.

3. For the purposes of the review, each society reported to the Code Compliance Reviewer in respect of its compliance with the requirements of the Code during the Review Period. In some cases, their reports were accompanied by documents which provided the evidence for the statements made in the text of their reports (**Accompanying Underlying Documents**).

4. The review and the opportunity to make submissions relevant to it were advertised: see **Appendix A** to this Report for the notice of the review and for details of the publication of the notice.

5. Certain organisations and individuals who were known or understood to have, or to be likely to have, an interest in the review were individually notified of it by the Code Review Secretariat. The Secretariat has prepared and holds an alphabetical list of them. It is available for inspection on request. It is so voluminous, however, that in the interests of convenience it is not attached to this Report.

6. Historically, a significantly revised version of the Code was adopted with effect from 1 July 2019. This implemented recommendations of a review of the Code that was carried out by the Bureau of Communications and Arts Research (**BCAR** and **BCAR Review**) in the Department which is now called the Department of Infrastructure, Transport, Regional Development, Communications and the Arts.

7. In addition, following the Triennial Review of the Code in 2025, by the Triennial Code Reviewer, The Hon Alan Robertson AM SC, an amended version of the Code came into effect in May 2025.

8. The practice is now adopted, in accordance with the terminology used in the Code as amended, of distinguishing between the person who is the Code Compliance Reviewer and the person who is the Triennial Code Reviewer (prior to 1 July 2019 the one person performed both functions and was called simply the "Code Reviewer").

9. In implementation of a recommendation made in the BCAR Review, there is now a dedicated website for the Code with information and links to documents and information relevant to the Code, including "for publication" versions of each of the societies' Annual Compliance Reports to the Code Compliance Reviewer. That website can be visited at www.copyrightcodeofconduct.org.au.

10. At my suggestion made some time ago, the societies' reports on compliance are structured by reference to the obligations imposed on the societies by clauses 2, 3 and 4 of the Code. Clause 2 is headed "OBLIGATIONS OF COLLECTING SOCIETIES", Clause 3, "COMPLAINTS AND DISPUTES", and Clause 4 "PUBLICITY AND REPORTING". This structure of the reports directs the attention of the societies to all of the obligations imposed on them by the Code.

11. The Code applies to all collecting societies, but Clause 2.9 applies only to declared collecting societies, namely, Copyright Agency and Screenrights. Clause 2.9 was introduced in March 2017 following the issue on 28 October 2015 of a report that was supplementary to my triennial report dated 30 September 2014.

12. As mentioned in previous years, often in the Report I have used words that make it clear that I am giving an account of what the particular collecting society asserts. It would be tedious for me, and for the reader, if I were to remind the reader of this in association with every statement

made in the Report. It should be understood, however, that in describing what the collecting societies do, I am inevitably relying entirely on their reports to me. I do not conduct an independent investigation of them. In saying this, I do not imply that I have reason to doubt the accuracy of what they report to me, but it is inescapable, and should be frankly acknowledged, that my paraphrasing of the societies' reports gives them an opportunity of self-promotion. This does not apply so much to the "COMPLAINTS AND DISPUTES" section, because, in that section, I am able to test the account given by the society against the correspondence, file notes and other Accompanying Underlying Documents relating to the complaints or disputes.

13. As from 1 July 2019 APRA and PPCA introduced their "OneMusic Australia" (**OneMusic**) licence. It is convenient to note the background. The copyright in a musical work includes the exclusive right to perform the work in public and to communicate the work to the public: see s31(1)(a)(iii) and (iv) of the *Copyright Act 1968* (Cth) (the ***Copyright Act***). That right is the concern of APRA. The copyright in a musical work also includes the exclusive right to reproduce a work in certain circumstances: see s31(1)(a)(i) of the *Copyright Act*. That right is the concern of AMCOS.

14. The copyright in a sound recording includes the exclusive right to make a copy of the recording, to cause the recording to be heard in public and to communicate the recording to the public: see s85(1)(a), (b) and (c) of the *Copyright Act*. These rights are the concern of PPCA.

15. Consistently with their respective concerns, the members of APRA and AMCOS are composers, authors and publishers of music, whereas the licensors of PPCA are recording companies and recorded artists.

16. In the absence of an opt-out by the copyright owner, APRA and AMCOS have the exclusive right to license the use of the musical works that

constitute their repertoire. PPCA is a non-exclusive licensor of sound recordings: it is open to a person to seek a licence directly from the owner of the copyright in a sound recording rather than from PPCA.

17. In the case of a live performance, a licence from APRA alone is required. But in the case of the playing of sound recordings in public, as in shopping centres, cafes, restaurants and gymnasia, prior to the advent of OneMusic, a person needed to have a licence in respect of the music itself from APRA AMCOS and a separate licence in respect of the sound recording from PPCA or the rights owner.

18. Understandably, small businesses, in particular, commonly failed to understand the need for two licences and complained about it. Indeed, having obtained a licence from either APRA AMCOS or PPCA, they would often resist attempts to persuade them that it was necessary for them to obtain a further licence from the other collecting society.

19. This explains the existence, as from 1 July 2019, of OneMusic, a joint licensing initiative of APRA, AMCOS on the one hand and PPCA on the other, the aim of which is to provide a single licence from a single source in respect of both the musical work and the sound recording—a one stop shop.

20. More will be said of this below when I address the reports from APRA AMCOS and PPCA.

21. I again record my thanks to Kylie Cooke who constitutes the Code Review Secretariat for her considerable help to me in bringing this Report to a conclusion.

B. COMPLIANCE WITH CODE REQUIREMENTS OTHER THAN THOSE RELATING TO COMPLAINTS AND DISPUTES

22. This section of the Report, structured society by society, addresses significant events, changes and developments during the Review Period by reference to the relevant clauses of the Code.

Australasian Performing Right Association Limited ("APRA") and Australasian Mechanical Copyright Owners Society Limited ("AMCOS")

General

23. APRA AMCOS's report on their compliance with the Code was furnished to me on 4 August 2025.

24. APRA AMCOS's joint corporate website is at https://www.apraamcos.com.au/ .

25. As noted at [2] above, APRA administers AMCOS, and has done so under an arrangement between the two societies since 1 July 1997.

26. APRA AMCOS have previously provided details of the history and constitution of each of them, as well as a history and copy of each licence scheme offered by them.

Legal Framework (Code, Clause 2.1)

27. APRA AMCOS report that they have not changed any of the principal characteristics of their membership structures during the Review Period.

28. The APRA Board has six writer directors, elected by the writer members, and six publisher directors, elected by the publisher members.

29. The AMCOS Board is elected by the members of AMCOS.

30. Being directly elected by the membership, the Boards of both societies are representative and accountable. A list of the current directors on the APRA and AMCOS Boards is available on their joint corporate website.

31. Access to the following documents relating to, or becoming available in, the Review Period was provided by APRA AMCOS:

- APRA AMCOS "Year in Review" (an annual summary of both societies' performance, achievements and initiatives) for the 2023-24 financial year, by way of a link on the website;
- APRA Statutory Accounts for the 2023-24 financial year;
- AMCOS Statutory Accounts for the 2023-24 financial year;
- An organisational chart showing the overall management structure as at 30 June 2025;
- The Constitutions of both APRA and AMCOS; and
- The APRA AMCOS Privacy Policy.

32. As at 30 June 2025, APRA AMCOS had 412 [2024: 400] employees (including casual compliance staff) in Australia and 37 [2024: 36] employees in the APRA AMCOS New Zealand office.

33. Neither APRA nor AMCOS is a declared collecting society under the *Copyright Act* in respect of any of the statutory licences. Accordingly, neither is required to comply with the requirements of the Attorney-General's Guidelines for Declaration of Collecting Societies. In practice, however, they report that they satisfy many of those requirements.

Members (Code, Clause 2.2)

34. As at 30 June 2025, APRA had 128,837 [2024: 124,308] Australian and New Zealand members, comprising composers, authors and publishers. Of these, 124,824 [2024: 120,436] were local writer members, and 587 [2024: 582] were local publisher members. In addition, APRA had 3,405 [2024: 3,270] overseas resident writer members and 21 [2024: 10] overseas resident publisher members. Most Australian and New Zealand composers and publishers of music are members.

35. As at 30 June 2025, AMCOS had 34,923 [2024: 32,491] members, of whom 33,495 [2024: 31,153] were local writers and 533 [2024: 529] were local publishers. In addition, AMCOS had 873 [2024: 800] overseas resident writer members and 22 [2024: 9] overseas resident publisher members.

36. As at 30 June 2025, APRA had 2,256 [2024: 2,133] and AMCOS had 601 [2024: 530] Aboriginal and Torres Strait Islander (**ATSI**) members, which represented an increase in APRA membership of 5.77% [2024: 8.77%] and AMCOS membership of 13.40% [2024: 17.26%] during the Review Period. APRA AMCOS report that they remain committed to increasing awareness through their national indigenous membership strategy, overseen by their Director, National Aboriginal and Torres Strait Islander Music Office (**NATSIMO**).

37. APRA AMCOS state that their relationship with their members remains at the core of their operations, that communication with members is frequent, and that their Member Services staff are expert in advising members on their relationship with APRA AMCOS and on the music business generally. Members continue to be able to interact freely with APRA AMCOS, having direct access to all levels of management.

38. Members, overseas affiliates, the Board's Directors and the media are able to log in to a secure section of the APRA AMCOS website which provides a number of online services. In addition, APRA AMCOS produce a large volume of written material for members, all of which has been provided in previous reports to the Code Reviewer.

39. Royalty queries to the Membership Department are logged in that Department's customer relationship and case management system which is used to record and track activities relating to interactions with members. This system ensures that complaints made by members are also logged and brought to the attention of the relevant departmental Director and divisional Head.

40. During the Review Period, the Writer Services and Publisher Services Departments engaged in a high volume of written and phone communication directly with writer and publisher members regarding all manner of enquiries, and also issued email broadcasts to the membership, which contained information including event notices, payment advices and APRA AMCOS publications.

41. APRA AMCOS reports that as part of their commitment to supporting members during times of crisis, support was offered to APRA AMCOS members during the Review Period, impacted by floods on the mid-north coast of New South Wales and fires in Los Angeles.

International relations

42. APRA AMCOS's International Department is responsible for the reciprocal representation agreements with other collecting societies administering performing and mechanical rights around the world.

43. The International Department undertakes the following activities:

- overseas royalty distributions for performing and mechanical rights to members;
- administration of the non-exclusive mandates granted to APRA AMCOS in respect of certain publishers' repertoires for multi-territory digital services on a Pan Asian basis;
- monitoring the use of the APRA repertoire overseas;
- making claims for missing payments and researching members' notifications and enquiries relating to overseas use and payments; and
- acting as the conduit for communications between APRA AMCOS and their respective affiliated societies, the umbrella representative bodies International Confederation of Societies of Authors and Composers (**CISAC**) and the Bureau International des Sociétés Gérant les Droits d'Enregistrement et de Reproduction Mécanique (**BIEM**), as well as dealing with the World Intellectual Property Organisation (**WIPO**).

44. In the most recently audited financial statements (which are for the 2023-24 financial year), APRA collected an amount of approximately AUD$82.3M [2024: AUD$66.9M] for the use made of Australian and New Zealand repertoire overseas. AMCOS collected over AUD$3.7M [2024: AUD$3.3M]. These amounts do not include revenues collected from APRA AMCOS's licensing of certain publishers' repertoires to multi-territory digital services,, as that revenue is included in the APRA AMCOS digital revenue results.

45. During the Review Period, APRA distributed approximately $117.6M [2024: $61M] in performing right distributions from affiliate societies to APRA members over 12 monthly distributions. This amount was made up of 801 [2024: 263] individual distribution records from 47 [2024: 34] affiliate societies. AMCOS distributed $2.4M [2024: $3.2M] in mechanical distributions from affiliate societies to AMCOS members across 4 quarterly

distributions. This amount consisted of 22 [2024: 47] individual distribution records from 6 [2024: 8] affiliate societies.

46. In addition, during the Review Period, the International Department was involved in a number of regional and international activities.

Opt Out and License Back

47. APRA continues to provide members with the opportunity to 'opt out' and to request that their entire repertoire be assigned to them for all territories, in respect of all or particular usages, or to 'license back' specific works for specific usages in Australia and/or New Zealand.

48. During the Review Period, APRA received and approved 24 (2024: 18) license-back applications and no opt out applications. A copy of all information and forms relating to opt out and license back are available on the APRA AMCOS website.

49. For digital music services that operate internationally, AMCOS members are offered the flexibility to withdraw their digital reproduction rights specifically in relation to nominated services, rather than for all services within particular categories of use, as was previously the case. Put simply, upon giving AMCOS sufficient notice, members can elect to negotiate directly with particular international digital music services.

Member Benefits Program

50. APRA AMCOS have developed an extensive resources and benefits program for its members that can assist with their careers as songwriters/composers, including information, advice, services and benefits. Information on the members' program is provided on the website.

Licensees (Code clause 2.3)

51. APRA AMCOS have a large Music Licensing department dedicated to liaising with licensees and potential licensees. The two main areas of licensing operations are: OneMusic and Media Licensing.

52. As noted previously, OneMusic is a joint licensing project of APRA, AMCOS and PPCA which aims to provide a single licensing solution for music and recordings in Australia and was launched on 1 July 2019.

53. Collectively, OneMusic and Media Licensing administered approximately 129,000 (2024: 122,000) businesses and events in Australia and New Zealand during the Review Period.

54. The fees paid to APRA AMCOS by licensees vary according to the licence scheme applicable to the particular circumstances of use.

OneMusic

55. OneMusic licenses the rights of APRA, AMCOS and PPCA under single licence structures to general businesses that use music including for example, nightclubs, hotels, fitness centres and retail stores.

56. Licensees have access to 'plain English' Licence Information Guides and Fee Methodology Guides tailored to their industry type and are able to get a quote and obtain a licence online via the OneMusic website. Licensees can also complete licence applications by submitting information for processing by the OneMusic licensing department. Links to each Licence Information Guide and Fee Methodology Guide can be found on the OneMusic website - https://onemusic.com.au/licences/.

57. Information on other licences administered by APRA AMCOS can be accessed on its website.

58. During the Review Period, 5,142 (2024: 5,088) clients obtained new licences.

59. In November 2024, OneMusic implemented a new customer relationship management system and upgraded eCommerce system to strengthen engagement with existing and prospective licensees. Enhancements include an improved online portal experience for customers, a new monthly billing option for most licensees and a new platform for staff to document interactions with customers and manage and track related tasks.

60. APRA AMCOS report that during the Review Period, OneMusic has been active in two separate consultation processes as follows:

    (a) Live Music Industry:. The consultation and negotiations that have taken place between APRA AMCOS and Live Performance Australia (**LPA**) concluded in the Review Period, resulting in the new licence scheme detailed below at [76].

    (b) Major Sporting Codes: The consultation and negotiations with the Coalition of Major Professional and Participation Sports in relation to use of music represented by OneMusic at major sporting events concluded in the Review Period resulting in the new licence scheme detailed below at [77].

61. During the Review Period, OneMusic engaged in a high volume of written and telephone contact with licensees or prospective licensees regarding all manner of enquires

Media Licensing

62. The Media Licensing Department covers three key areas of licensing: Broadcast Licensing; Partnerships and Digital Licensing.

63. **Broadcast Licensing** includes commercial and community radio, the ABC and SBS and subscription and commercial television. In total, approximately 711 [2024: 718] licensees were administered by the Department during the Review Period.

64. The Department also administers "**Production Music**" (AMCOS- controlled Production Music is music specifically written and recorded for inclusion in all forms of audio and audiovisual productions). There were 616 [2024: 567] Australian and New Zealand production music clients licensed during the Review Period.

65. **Partnerships (which used to be classified "Recorded Music Licensing" and "Key Industries Licensing")** includes licensing for schools, universities, TAFEs and colleges, state and federal government, airlines and luxury cruise lines. Approximately 10,115 (2024: 11,368) such licensees were administered during the Review Period. In addition, Partnerships administered approximately 281 Cinemas and Film Festival licensees, 370 Dramatic Context licensees and 223 Recorded Music licensees, which include CD and vinyl record sales, and videographers.

66. **Digital Licensing** includes video on demand services, digital subscription music services, UGC (social media) services, music downloads, online fitness, ringtones and general websites. In total, approximately 592 [2024: 470] licensees of this category were administered during the Review Period.

67. Clients of the Media Licensing Department are, for the most part, aware of their copyright and licensing obligations.

Information provided to Licensees

68. APRA AMCOS's website contains a music licences section with information in relation to the various licences and with contact details for the relevant Licensing Department, including links to public performance licences now being administered through OneMusic: https://www.apraamcos.com.au/music-licences

69. APRA AMCOS state that information made available to licensees and potential licensees differs according to the nature of the particular licence. For example, sophisticated national broadcasters, major online service providers and telecommunications companies generally require less information than small business operators who have less exposure to copyright law and limited access to specialist legal advice. The level of information provided takes these factors into account.

APRA AMCOS relationship with relevant trade associations

70. APRA AMCOS report that they continue to work hard to maintain relationships with various bodies representing major licensee groups, including television and radio broadcasters, record companies, online service providers, small businesses, hotels, restaurants, fitness centres and educational institutions.

71. In addition, APRA AMCOS consult regularly with relevant trade associations in relation to the introduction of new licence schemes or material variations to existing licence schemes. APRA AMCOS note that this approach is demonstrated by the successful negotiation of new licence schemes with relevant industry bodies.

Tariff Reviews

72. APRA AMCOS have previously provided detailed information in relation to the history and development of all significant existing licence scheme tariffs.

73. The following tariffs were introduced, re-negotiated or phased-in during the Review Period and details of the new or amended schemes were provided to the Code Compliance Reviewer:

74. **OneMusic Australia licence for Dance and Performance Instructors and Dance Schools** As anticipated, the revised scheme came into effect on 1 October 2024.

75. **OneMusic Australia licence for Fitness Centre & Fitness Wellbeing Instructors** OneMusic varied its Fitness Centre & Fitness Wellbeing Instructors licence in response to feedback from certain fitness providers that OneMusic's scheme did not adequately address a new business model in the fitness sector that involved a high volume of fitness classes alongside low membership numbers. The variation enables the licence fee under the All-Inclusive Rate to be capped at 100 members per year for fitness businesses meeting certain eligibility criteria.

76. **OneMusic Australia licences for Concerts & Festivals** As noted earlier, during the Review Period, the previously reported negotiations with Live Performance Australia were finalised and OneMusic implemented the agreed licence scheme for Ticketed Music Events and Eligible Temporary Music Events, effective from 1 January 2025 for concerts and festivals held on or after that date.

77. **OneMusic Australia licence for Sporting Codes** During the Review Period, the previously reported negotiations with the Coalition of Major Professional and Participation Sports were also finalised and OneMusic implemented the agreed revised licence scheme for Sporting Events,

effective from 1 January 2025 for eligible sporting events held on or after that date.

Multi-Territory Licensing

78. The aim of APRA AMCOS's Multi Territory Licensing is to co-operate with music publishing rightsholders in order to establish a simple one-stop shop for multi territory licensing schemes for digital, online and mobile usage, covering the largest number of territories for the largest possible repertoire of musical works.

79. Rightsholders give APRA AMCOS non-exclusive rights in certain repertoire of its musical works. APRA AMCOS then licenses that repertoire to digital service providers in its mandated territories and undertakes the ongoing invoicing, processing, claiming and distribution for online service types.

80. APRA AMCOS's Multi Territory Licensing commenced across the Asia Pacific region in July 2013 and currently represents Universal Music Publishing, Warner Chappell Music Publishing, Hillsong Music Publishing, Concord Music Publishing, Mushroom Music Publishing, Downtown Music and Songtrust Music, Origin Music Publishing, Cooking Vinyl, Ultra Music Publishing and STIM (APRA's Swedish affiliated society).

Disaster Relief

81. APRA AMCOS report that during the Review Period OneMusic has continued its policy regarding Disaster affected licensees.

82. OneMusic's actions, intended to alleviate financial pressure on affected businesses, include deferring licence fee renewals, providing extension of payment periods, and making corporate donations to relief appeals.

83. OneMusic staff use online, print and broadcast media sources to remain actively aware of possible areas that may be affected by disaster and monitor events closely to establish the appropriate course of action.

84. In January and February 2025 bushfires impacted parts of New South Wales, in March 2025, Tropical Cyclone Alfred affected parts of New South Wales and Queensland, and between February and April 2025, Queensland experienced significant rainfall which flooded parts of the State. OneMusic implemented a policy to cease proactively licensing in areas affected by these disasters for a period up to 6 months after the disaster occurred. OneMusic Customer Support staff were on hand to assist existing licensees in impacted areas, including cancelling or adjusting accounts as needed.

Distribution of Remuneration and Licence Fees (Code, Clause 2.4)

85. The most recently audited financial statements for the year ended 30 June 2024 show that APRA AMCOS's total combined net distributable revenue for that year was $634.1M (2023: $595.2M).

86. APRA and AMCOS distribute royalties quarterly, with royalties for some music uses distributed monthly.

Distribution Rules and Practices

87. APRA and AMCOS maintain, and make available on its website, comprehensive Distribution Rules and Practices. APRA and AMCOS have published 'plain English' information guides summarising its Distribution policies, including how undistributed funds are dealt with.

88. APRA and AMCOS update their Distribution Rules and Practices from time to time, in accordance with their respective Constitutions. APRA AMCOS regularly consult with their Boards and other key industry groups

in relation to changes to Distribution Rules and Practices, considering the views of each membership, objective data regarding performances, and the approaches of affiliated societies to the process and methods of distribution.

89. The **APRA Distribution Rules** were updated in the Review Period to:

- *Concerts*: Added details about headliner/support splits.
- *Royalty Distributions*: Generally updated details regarding capped administrative rates.
- *Entire Document*: Various formatting and numbering changes.

90. The **APRA Distribution Practices** were updated in the Review Period to:

- *Distributable Events*: Added details about headliner/support splits and provided clarity regarding set list collection.
- *International Payments*: Included details about the distribution of Non-Data Payments.
- *Community Radio*: Modified data collection methods to incorporate Music Recognition Technology. Include rules regarding Pay-as-Received for International payments;
- *Educational Licences*: Updated references to sources of data and revenue allocation.

91. The **AMCOS Distribution Rules** were updated in the Review Period to:

- *Royalty Distributions*: Added a section providing details regarding Production Music in AMCOS distributions

92. *The* **AMCOS Distribution Practices** were not updated in the Review Period.

93. APRA AMCOS have a large Membership Department whose staff are trained to deal with members' (and others') enquiries, including in relation to distribution. The Boards of APRA and AMCOS both have a Membership and Distribution Committee that continue to deal with, among other things, requests by members for distributions in relation to "unlogged performances". These committees also deal with complaints from and disputes between members. Members are strongly encouraged to resolve disputes between themselves using Resolution Pathways, APRA AMCOS's external independent Alternative Dispute Resolution facility.

Investment in Systems Development

94. APRA AMCOS reports that investment in Systems Development has been a cornerstone of their strategy, focusing on continuous innovation and rapid delivery of new services to meet the demands of writers, publishers, and industry stakeholders. This approach has led to the successful implementation of major strategic business initiatives across various domains, including routine operations, automation, business processes, critical business functions, and digital services, all contributing to a substantial long-term value proposition.

Automation

95. Extensive work has continued to be undertaken and APRA reports that efforts have been significant to streamline repetitive, resource-heavy tasks, pinpoint and address inefficiencies in business processes, and devise policy and automation strategies to mitigate these inefficiencies.

Large strategic projects

96. Key strategic projects being worked on and overseen by APRA AMCOS'

Executive Leadership Team during the Review Period include:

- Distribution NextGen (Anytime Distribution)
- Repertoire Management (Advanced Data Management)
- Ingestion & Matching (Fast, Scalable Works Matching)
- Tango (D365 CE, FO, Sales, Marketing and Product and Pricing, E-Comm Website AU/NZ)
- Amplify
- International Data Processing
- Publisher Portal
- Writer Portal
- Member Earnings and Insights Portal
- Production Music Portal
- Clearance Facility Portal
- Cue Sheets Portal
- Security
- Business Continuity & Disaster Recovery

97. APRA AMCOS report that all member facing projects have received positive customer feedback and provide valuable, feature-rich services to its members

Cyber Security

98. In addition to the cyber security initiatives that have been reported on previously, the following additional initiatives occurred during the Review Period:

- Implementation of a 24/7 Security Operation Centre, managed by an external strategic partner.
- Regular security penetration testing.
- Development of a data governance framework.

Business Continuity & Disaster Recovery

99. APRA AMCOS previously reported on a range of Business Continuity and Disaster Recovery initiatives. These remained a central focus for APRA AMCOS during the Review Period.

Collecting Society Expenses (Code, Clause 2.5)

100. The APRA accounts show that its operating expenses continue to be deducted from total gross revenue.

101. Commission on revenue pays AMCOS's expenses. The commission rate depends on the source of the revenue.

102. According to the most recent audited financial statements, for the year ended 30 June 2024, APRA AMCOS achieved a group expense to revenue ratio of 14.32% [2023: 13.80%].

Governance and Accountability (Code, Clause 2.6)

103. The Annual Report of each of APRA and AMCOS contains the matters set out in clause 2.6(e) of the Code.

104. The relationship between APRA and AMCOS and their respective Boards of Directors is governed by each company's Constitution and Charter of Corporate Governance. The Boards have both established Audit, Risk & Culture Committees, which continue to meet at least six times a year and which focus exclusively on issues relating to Corporate Governance.

105. The APRA AMCOS Chief Executive and Executive Leadership Team meet regularly to discuss matters relating to corporate governance and the day to day operation and management of the two societies. The

Executive Leadership Team also deals with policy setting and other matters relating to Human Resources and Industrial Relations matters, risk management, infrastructure, general administration, and regulatory compliance.

106. APRA AMCOS have an internal "Staff Code of Conduct" and a "Service Provider Code of Conduct", both of which complement the Code: the Staff Code of Conduct sets out the standards according to which staff are expected to treat one another; the Service Provider Code sets out APRA AMCOS's commitment to shared professional standards.

107. In addition, APRA AMCOS have the following policies in place:

- a whistleblower policy, detailing how APRA AMCOS receives and investigates Reportable Matters and protects whistleblowers;
- a Modern Slavery Statement pursuant to the *Modern Slavery Act* 2018, which explains APRA AMCOS' commitment to having effective systems and controls in place to safeguard against any form of modern slavery taking place within its business or supply chains; and
- a Child Protection Policy intended to protect and empower children and young people who are vital and active participants in APRA AMCOS programs.

108. APRA and AMCOS maintain complete financial records which are audited each year, and a statement by each company's auditor is included in its Annual Report.

109. During the Review Period APRA AMCOS prepared additional detailed information at an anonymised or aggregate level about the accounting and distribution of licence revenue and reporting of expired undistributed funds. The APRA and AMCOS 'Transparency Reports' for

the financial year ended 30 June 2024 were provided to the Code Compliance Reviewer.

Australian Competition and Consumer Commission (ACCC) Authorisation

110. As previously reported, APRA's membership, licensing, distribution and international arrangements are all the subject of an "authorisation" by the ACCC.

111. APRA's most recent conditional authorisation was granted on 13 July 2020 and came into force on 4 August 2020 for a period of four years. In granting this and previous authorisations, the ACCC confirmed that the conduct and arrangements for which APRA sought re- authorisation are likely to result in a public benefit and that the public benefit will outweigh the likely public detriment.

112. As previously reported, on 6 February 2024 APRA lodged its application seeking re- authorisation for a period of 5 years.

113. Given that the re-authorisation assessment process is ongoing, on 19 June 2024 the ACCC granted APRA interim authorisation on the same terms as the existing authorisation until such time as it is revoked or the new authorisation is granted. This interim authorisation remained in effect throughout the Review Period.

114. APRA considers that its authorisations by the ACCC forms a vital part of APRA's governance and accountability framework.

Staff Training and Development (Code, Clause 2.7)

115. APRA AMCOS report that their staff at management level continue to be comprehensively trained regarding the Code.

116. The Executive Leadership Team meets several times a week to discuss matters relating to policy and strategy development and assessment. At these meetings issues relating to service and staff performance and training are regularly addressed.

117. In addition, the wider senior management team meets monthly, providing a cross-departmental opportunity to discuss interaction with stakeholders and wider communities and of reviewing company policies. At these meetings, the Code (including the complaints procedures and the review process) is regularly discussed.

118. Senior Manager, Manager and Team Leader forums are held at regular intervals throughout the year at which the Chief Executive and Executive Leadership Team address the middle and frontline management teams. They provide an opportunity for the latter to raise or escalate any concerns, suggestions or initiatives directly with the senior leadership, and for the Chief Executive to share information about business and membership trends and concerns, and to set performance expectations. In addition, other members of the senior management team are invited to address these groups.

119. The Music Licensing and Membership divisions usually hold staff training conferences at least once per year.

120. All departments in APRA AMCOS conduct regular departmental staff meetings which provide important opportunities to discuss Code related topics, including client service, conflict management, time management and the procedures for identifying and dealing with complaints.

121. APRA AMCOS also hold company-wide staff briefings on a monthly basis. The briefings focus on the respective needs and expectations of general

staff, middle and senior management and also of the organisation. The focus of the training sessions has in the past covered the Code, the ACCC authorisation, as well as performance within and between departments and with external stakeholders.

122. APRA AMCOS have provided details of the induction and training sessions that the People & Culture division provides for staff. The Code and Staff Code of Conduct are included as part of the induction program that all new staff attend when they join the company. As well as the induction sessions, roles with a high level of client and/or member contact also receive additional training from within the relevant departments in relation to handling complaints and the complaints procedure.

123. APRA AMCOS have developed and continue to maintain a "brand blueprint" which further outlines their purpose, values and "personality".

124. APRA AMCOS report that their website and that of OneMusic continues to include a "live chat" facility so that responses to urgent enquiries can be provided in real time. The staff who respond to live chat enquiries are required to attend training sessions to understand the live chat service guidelines and to ensure that the highest level of customer service is offered via this mode. A copy of the guidelines has been provided previously. As previously reported, digital chat assistance technology 'bots' implemented within these live chat facilities, has resulted in up to 75% of APRA AMCOS and 50% of OneMusic queries being handled in real time by this technology during the Review Period.

125. APRA AMCOS claim that they continue to be committed to taking a proactive approach to staff training, development and wellbeing, with such internal programs including:

- Learning Grants Program

- Hub Course Catalogue
- Essential Learning
- Leadership Development Program
- Mentoring Program
- Buddy Program
- In-house Training Programs
- AIM Access Training
- Employee Assistance Program
- Purchased Leave Scheme
- Career Development Support

126. During the Review Period, APRA AMCOS remained a host organisation for the Ripple Program, which is delivered through a partnership between peak NSW arts and disability organisation, Accessible Arts and Diversity Arts Australia. This involves supporting and hosting an intern who wants to gain insight and experience within the creative sector and to provide a report on how the host organisation could improve with accessibility. The written report resulting from the program serves as a resource for APRA AMCOS on improving policies and procedures for staff and members with a disability.

127. APRA AMCOS had previously reported on its 2021–2023 Equity Action Plan and Community Engagement Principles developed as part of its ongoing commitment to equity, inclusion, and cultural safety, which continued to inform APRA AMCOS' business operations and engagement with members and licensees during the Review Period. APRA AMCOS has now commenced development of the next edition of its Equity Action Plan to build on lessons learned and support a more inclusive and representative music industry

128. Having successfully completed a 'Reflect' level Reconciliation Action Plan (**RAP**), APRA AMCOS commenced work in the Review Period on the

next stage of the RAP process, with planning underway for an 'Innovate' level RAP, including development of an Indigenous Employment Strategy.

129. APRA AMCOS continue to provide an Employee Wellbeing Program that includes education seminars on resilience, stress management, work-life balance and dealing with change.

130. Pursuant to the *Workplace Gender Equality Act 2012* (**WGE Act**), APRA AMCOS continues to submit an annual report to the Workplace Gender Equality Agency (**WGEA**) outlining its performance against a set of standardised gender equality indicators. A copy of the most recently filed report can be read here. As required by the WGE Act, APRA AMCOS notify staff and members of this report each year.

131. APRA AMCOS's internal "Wiki" facility continues to be a key information source for all APRA AMCOS staff on business processes.

Education and Awareness (Code, Clause 2.8)

132. APRA AMCOS report that they continue to devote "considerable resources" to the education of members, licensees, industry associations and members of the public, regarding the matters set out at Cl 2.8 (a) of the Code. APRA AMCOS have provided a list of the numerous organisations and associations with which they have an ongoing relationship.

133. APRA claims that, as Australia's oldest and largest collecting society (incorporated in 1926), it is in a position to have developed extensive materials and expertise in relation to education and awareness matters. APRA AMCOS participate and contribute to the following education and awareness initiatives:

- Various Grant Programs, Sponsorships, Competitions and Promotions
- National Aboriginal and Torres Strait Islander Music Office (NATSIMO)
- Mentorship Programs
- Member Events
- SongHubs and SongMakers programs
- Sounds Australia
- Live Music Office
- Various industry related organisations and programs
- Seminars and public forums

134. Since July 2020, the collecting societies that adhere to the Code have maintained a consolidated online portal for the public dissemination of governance, financial and data information, including all documents relating to the collecting societies' compliance with the Code. The website continues to be maintained and can be viewed at https://www.copyrightcodeofconduct.org.au/.

135. In their report, APRA AMCOS provide updates and information on their educational activities in detail under the headings "Member Education", "Licensee Education", "Government Relations" and "APRA AMCOS Website & Social Media".

136. A summary of these initiatives is provided here:

- *Member Education* – 250 events conducted and attended in person and online by local and overseas members;
- *Licensee Education* – attendance at approximately 148 industry association functions, events and awards ceremonies and production of a large volume of written material for licensees;

- *Government Relations* – continued to develop their profile with State and Federal governments, oppositions and departmental staff both to increase the general awareness of APRA AMCOS's breadth of operation and to lobby on specific relevant issues; and
- *Social Media* – Facebook, Instagram, LinkedIn, TikTok and YouTube: all with increased activity; all platforms enable greater and more time-sensitive means of communications.

137. As previously reported, the APRA AMCOS website provides broad information about the services provided to members and licensees. The website is at the heart of the digital communications strategy and also provides information of interest to the wider public. The site contains a vast amount of information about copyright in general, and the activities of the two societies in particular. Among other things, members of the public can search the website to check composer details of particular works within the APRA repertoire.

138. During the Review Period, the APRA AMCOS website had 339,374 [2024: 375,838] users, 627,348 [2024: 577,390] sessions and 1,001,642 [2024: 929,799] page views. Users spent an average 1:20 [2024: 1:27] minutes on the site

139. The OneMusic website (https://www.onemusic.com.au/) contains general information about OneMusic, an FAQ section, plain English guides to each of the licence schemes, downloadable licence agreements and the opportunity for licensees to obtain a quote for many of the licence schemes online. The website also links to the OneMusic eCommerce portal, which enables all licensees to pay their licence fees and manage their licence account online and some licensees (according to their industry) to obtain their licence through the portal at a time of their convenience.

140. During the Review Period, the OneMusic website had 222,692 [2024: 513,724] users, 299,301 [2024: 777,541 sessions and 652,346 [2024: 1,296,310] page views. Users spent an average of 1:24 [2024: 0:49] minutes on the site.

141. The Communications Department is responsible for the maintenance and ongoing development of the APRA AMCOS and OneMusic websites.

Complaints and Disputes (Code, Clause 3)

General

142. Individual complaints made during the Review Period are dealt with in a separate section, "COMPLAINTS AND DISPUTES", below.

143. As can be seen there, APRA AMCOS reported on two member complaints and ten licensee complaints made during the Review Period.

144. APRA AMCOS designated the Member Complaints CM01 and CMU01, and the Licensee Complaints, CL01 – CL010. "CM" indicates a complaint by a Member, while "CL" indicates a complaint by a Licensee or prospective Licensee. "CMU01" is a special case: it means "Member Complaint Updated" and is an updating report on a complaint that was made in the previous review period.

145. The APRA AMCOS Complaints Policy and Procedure can be read at https://www.apraamcos.com.au/about/governance-policy/policies-procedures/complaints- procedure.

146. For the purposes of this review, APRA AMCOS has applied the distinction between Complaints and Disputes consistently with the definitions of those terms at clause 6.1 of the Code.

147. APRA AMCOS has included all documents and correspondence that have been dealt with as complaints during the Review Period in in the materials provided to the Code Compliance reviewer. APRA AMCOS request that the names of the complainants and other information that might identify them be kept confidential.

148. Member complaints, together with related correspondence and documentation, were provided to the Code Reviewer. There was one (1) new member code complaint during the Review Period. There was one (1) member complaint carried over from the previous Review Period.

149. There were ten (10) new licensing code complaints received during the Review Period. There were no licensing complaints carried over from the previous Review Period. The majority of licensing complaints can be categorised as below and which were neither surprising in nature (given the increased outreach in OneMusic licensing during the Review Period), nor difficult to resolve:

i. potential licensees that were contacted by OneMusic enquiring whether they required a licence, but denied that they used music as part of their business; and
ii. existing licensees complaining about billing issues or the quantum of licence fees.

150. For the purpose of the review, and internally, APRA AMCOS have adopted a broad approach to the definition of complaint. That said, where APRA AMCOS are unsuccessful in their attempt to license a user of music and the matter is referred to APRA AMCOS' external solicitors, these matters are not characterised as complaints unless a complaint regarding the actual conduct of an APRA AMCOS employee, representative or APRA AMCOS's external solicitors is received.

151. As at 30 June 2025, there were 62 ongoing general compliance matters under the management of APRA AMCOS's Legal department, with 42 of these matters under the management of APRA AMCOS's external solicitors. More information regarding the activities of external solicitors (including litigation commenced during the Review Period) is available on request.

152. Where a licensee refuses to pay invoices issued by APRA AMCOS, the matter is pursued by the Credit Team or external payment reminder service provider and then referred to APRA AMCOS's external mercantile agent to manage and, if necessary, pursue through debt recovery proceedings. As at 30 June 2025, 409 clients were under the management of APRA AMCOS's Australian external mercantile agent and 258 were under the management of APRA AMCOS's New Zealand external mercantile agent. These matters are not characterised as complaints unless a complaint regarding the conduct of the Credit Team or the debt collectors has been made. Any such complaints during the Review Period are included in the complaints reported at **Volume 2 Tab 2**. More information regarding the activities of APRA AMCOS's external mercantile agent or external payment reminder service provider is available on request.

Alternative Dispute Resolution (ADR)

153. APRA AMCOS funds an independent ADR facility for licensees and members called "Resolution Pathways". Details are available at http://www.resolutionpathways.com.au/

154. APRA AMCOS's independent ADR facility assists with the resolution of disputes between APRA AMCOS and their licensees (or potential licensees), between APRA AMCOS and their members and also disputes between APRA AMCOS members.

155. APRA appoint Shirli Kirschner of Resolve Advisors as the Independent Dispute Facilitator to administer its ADR scheme. Ms Kirschner worked with APRA's management and the ACCC to establish a prescribed governance framework for the independent ADR facility, with the fundamental feature of this framework being the appointment of a Consultative Committee, made up of an equal number of Member and Licensee representatives. The Independent Dispute Facilitator must consult with the Committee on matters such as monitoring the operation of the Scheme, including the costs of the Scheme; receiving feedback on the Scheme; and in consultation, making a recommendation about budget for operation of the Scheme.

156. The ADR facility is publicised on the APRA AMCOS and OneMusic websites, in materials released to the public, and in legal correspondence. APRA AMCOS's external solicitors also have a standing instruction to make the existence of the facility known to parties prior to commencing legal proceedings and negotiations.

157. APRA AMCOS strongly encourage their members to resolve disputes among themselves by way of ADR. Where APRA AMCOS are notified of a dispute among members, or involving members of an affiliated society, as to the allocation of shares in a work administered by it, APRA AMCOS may, at their discretion, if they are satisfied that it is appropriate to do so in all the circumstances, place all or any of the performance credits relating to the work in suspense until the dispute is settled by agreement between the parties or resolved by a Court or alternative dispute resolution. APRA AMCOS's policy in this regard is set out at Rule 13 and Rule 8 of APRA's and AMCOS's respective Distribution Rules.

158. During the review period, APRA AMCOS finalised a new Disputed Claims Process for disputes between members, aligned with CISAC Best Practice Guidelines. The process commenced effective 1 July 2025 and can

apply to disputes regarding the royalty share in, authorship of, or entitlement to represent, a musical work.

159. Under the terms of APRA's authorisation from the ACCC, the ADR facility's independent Resolution Facilitator is obliged to submit an annual report to the ACCC detailing those disputes notified to her under the ADR facility. The ADR facility's independent Resolution Facilitator also submits quarterly or periodic reports. Copies of the most recent quarterly report for the quarter ended 30 June 2025 and annual report for the 2023/24 financial year were provided to the Code Reviewer.

Other matters

Ongoing Copyright Tribunal Proceeding

160. APRA AMCOS have previously advised of the matter before the Copyright Tribunal of Australia (**Tribunal**) with respect to a proposed licence scheme for Subscription Video on Demand (**SVOD**) services. The matter remains ongoing with hearings held during the Review Period and the parties moving to the final stages of the proceedings. APRA AMCOS anticipate that the Tribunal will hand down its determination in early calendar 2026. Any determination handed down by the Tribunal will be backdated to 1 April 2021 or such other date as is determined by the Tribunal.

Publicity of the Code and Reporting of Compliance with it in the Annual Report (Code, Clause 4)

161. APRA AMCOS report that they have kept their members and licensees updated with information regarding the Code, in particular by maintaining relevant information including a copy of the Code on their website.

162. As reported elsewhere in this Report, the collecting societies continue to maintain a new standalone website for the Code (https://www.copyrightcodeofconduct.org.au/)

163. Societies now publish their compliance reports, with any confidential material (such as correspondence between a society and a complainant) removed. Compliance reports are available at https://www.copyrightcodeofconduct.org.au/annual-compliance.

164. In addition, on their own website APRA AMCOS invite any interested party to make submissions to the Code Reviewer as part of the annual compliance process.

165. Of course, APRA AMCOS's annual report to the Code Compliance Reviewer is itself directed to its compliance with the Code.

Monitoring, Review and Amendments (Code, Clause 5)

166. APRA AMCOS report that they constantly explore opportunities for obtaining more accurate information of music usage in an attempt to improve the accuracy of distributions made to writers, publishers and affiliates.

167. The Business Operations Department receives music performance reports from radio and television stations, streaming and download services, concert promoters, members and many other types of users of copyright music.

168. Further, APRA AMCOS continue to invest significantly in music recognition technology, with the cooperation of licensees and industry associations, to ensure accurate distribution of royalties for the performance of music in retail and hospitality settings.

169. Music recognition technology continues to be rolled out in select areas across the fitness, retail, hospitality, hotel, dance school and nightclub industries, and efforts to expand its use are ongoing.

170. APRA AMCOS utilise this technology at licensed venues and music festivals where recorded music is featured, to facilitate the reporting of the music played at those venues or events at no additional cost to the licensee or event promoter.

171. APRA AMCOS also use music recognition technology for identifying music used in television and radio advertisements. An audio upload function of the writer and publisher portals is used to upload audio files directly to APRA AMCOS's database, which is then supplied to the music recognition technology providers' databases so that the audio can be recognised and matched with music used in the advertisements.

172. APRA AMCOS also utilise music recognition technology for identifying music broadcast on community radio stations in cooperation with the Community Broadcasters Association of Australia. One hundred stations across metropolitan and regional Australia in genres such as Aboriginal and Torres Strait Islander, Christian, Fine/Classical and General are included in this analysis. This reduces the administrative need for staff at those stations, who often volunteer their time, to _report music use manually.

Copyright Agency Limited ("Copyright Agency")

173. Copyright Agency's report on its compliance with the Code was furnished to me on 30 July 2025.

174. Copyright Agency's website is at https://www.copyright.com.au.

175. Copyright Agency merged with Viscopy on 1 December 2017. Prior to that merger, it had managed Viscopy's services under a services agreement since 2 July 2012. Since the merger, Viscopy members have been members of Copyright Agency, and Copyright Agency has been the licensor for the artwork licences that it previously managed for Viscopy.

General

176. Copyright Agency is a company limited by guarantee and has more than 41,000 members. They include writers, artists, surveying firms, publishers and other collecting societies.

177. In its report to the Code Compliance Reviewer, Copyright Agency has categorised its operations as follows:

> "• in accordance with its appointments by the Australian Government:
>
> o management of the statutory licences for educational and government use of text, images and print music, including negotiation, collection and distribution of fair compensation for content creators; and
>
> o management of the artists' resale royalty scheme; and
>
> • in accordance with the authority of its members, and with the oversight of the Copyright Tribunal, formulation and management of 'voluntary' licensing arrangements, principally for the business sector."

178. Copyright Agency reports annually to the relevant Minister (currently the Attorney-General) in accordance with statutory obligations in the *Copyright Act* and to the Minister for the Arts in accordance with statutory obligations in the *Resale Royalty for Visual Arts Act 2009* (the **Resale Royalty Act**). Its annual reports are tabled in Parliament and are available on the Copyright Agency website.

179. As a declared collecting society, Copyright Agency also operates in accordance with the Attorney-General's Guidelines for Declared Collecting Societies.

Legal Framework (Code, Clause 2.1)

180. Copyright Agency states that during the Review Period it complied with its obligations under the legislation and other documents referred to in clause 2.1 of the Code.

181. On its website, Copyright Agency publishes the following documents related to governance:
   - Constitution;
   - Privacy Policy;
   - Dispute Management Procedures;
   - Complaints Management Procedures;
   - the Code;
   - the Australian Government Guidelines for Declared Collecting Societies;
   - the Attorney-General's Declaration of Copyright Agency for what is now Div 4 of Part IVA of the Copyright Act; and
   - the Copyright Tribunal's Declaration of Copyright Agency for Div 2 of Part VII of the Copyright Act.

182. Copyright Agency's in-house legal team continues to oversee compliance issues, including the implementation of any necessary or desirable changes to its policies or practices, and monitors relevant legal and regulatory developments.

Members (Code, Clause 2.2)

Paragraph (a): eligibility for membership

183. Membership of Copyright Agency is free and is open to all eligible creators, owners and controllers of copyright in Works and Published Editions of Works (as defined in the *Copyright Act*).

184. Applications for membership can be made online and are approved by the Senior Management Team, under delegation from the Board, and are reported to the Board.

Paragraph (b): treatment of members

185. Copyright Agency states that it continues to adopt a range of policies and processes aimed at ensuring that its members are treated fairly, honestly, impartially, courteously, and in accordance with its Constitution and membership agreements. This includes induction training for new staff and periodic updates for all staff on the requirements of the Code.

Paragraph (c): transparency of dealings with members

186. In its report to the Code Compliance Reviewer, Copyright Agency gives details of its communications with its members and potential members about membership arrangements, distributions of licence fees and payments, including:

- information on the Copyright Agency website;
- broadcast and one-on-one communications about changes to membership, distribution or payment arrangements;
- responding to enquiries in an effective and timely manner;
- providing secure online member accounts which enable members to review their membership, distribution and payment details; and

- information in its annual reports, which are published on the website.

Paragraph (d): availability of Constitution

187. Copyright Agency advises that its Constitution is available to the public, and to new and potential members, on its website.

Licensees (Code, Clause 2.3)

Paragraph (a): treatment of licensees

188. Copyright Agency reiterates in similar terms what it has said in relation to members as recounted above, substituting "licensees" for "members" and "licence agreements" for "membership agreements".

Paragraph (b) transparency of dealings with licensees

189. Information on the Copyright Agency website about licensing includes:
    - plain English guides for different types of businesses;
    - plain English guides for pay-per-use licences;
    - information for media monitoring organisation customers;
    - data processing protocols; and
    - information in annual reports.

Paragraph (c) Information about licences and licence schemes

190. Information is published about licences and licence schemes on the corporate website and on the RightsPortal website (rightsportal.com.au) and via other channels, including seminars, trade shows, trade publications and in response to specific enquiries.

191. The terms of the licence agreements are reviewed regularly to ensure that they are written in plain language, correspond with Copyright Agency's mandate, and reflect feedback from licensees.

Paragraph (d): setting of licence fees

192. For the statutory licences for education and government, Copyright Agency mostly deal with bodies or departments representing a class of licensees such as Universities Australia (UA) for universities; Copyright Advisory Group to the Australian Education Senior Officials Committee (CAG) for most schools and TAFEs; and the Attorney General's Department for the Commonwealth government; rather than with individual licensees.

193. Copyright Agency reports that in 2022, Copyright Agency reached agreement with CAG on the copyright licence fees payable by the school sector for 2023 to 2025 under the Education Statutory Licence, with an option to extend to 2026. The parties have agreed on that extension.

194. In February 2023, Universities Australia and Copyright Agency reached agreement on copyright fees from 2023 to 2026, and on the balance of fees payable for 2019 to 2022.

195. Copyright Agency also has individual licence agreements with more than 1,000 other education providers, such as registered training organisations, and with licensees for its voluntary licences. In 2023, it introduced a new rate card for this sector, following a consultation process.

196. Copyright Agency has non-statutory (voluntary) licences for the business sector, including for media monitoring organisations (**MMO**s). Following proceedings in the Copyright Tribunal and the settlement of subsequent legal proceedings, Copyright Agency entered into a new agreement with Isentia in 2022, while Meltwater is operating under a licence ordered by the Tribunal. Copyright Agency has agreements in place, or is in negotiations, with other media monitoring organisations.

Paragraph (e): acknowledgement of industry associations

197. Copyright Agency acknowledges the role of industry associations with which it has dealings, including Communications and Public Relations Australia, Australian Local Government Association, Association of Corporate Counsel, Early Childhood Australia, Independent Tertiary Education Council Australia (ITECA), Independent Higher Education Australia (IHEA), and English Australia.

Paragraph (f): consultation with industry associations

198. During the Review Period, Copyright Agency worked with Association of Regulatory and Clinical Scientists to the Australian Pharmaceutical Industry (PHARMA) regarding rights granted under its licences.

Paragraph (g): response to requests for licence fee methodology or factors

199. Copyright Agency reports that where licensees requested further information in connection with negotiation of licence fees, that information was provided.

Paragraph (h): request for ADR

200. In the Review Period, Copyright Agency reports that no requests for ADR were received.

Distribution of Remuneration and Licence Fees (Code, Clause 2.4)

Paragraph (a): distribution policy

201. On its website, Copyright Agency publishes:

- Its Distribution Policy;
- Its Distribution Schedule;

- Its Payment Timetable (when payments are made to members' bank accounts);
- information sheets about individual distributions;
- deductions before distribution; and
- articles in its online Help Centre on a range of distribution-related issues.

Paragraph (b): distribution in accordance with distribution policy and Constitution

202. Copyright Agency distributes payments in accordance with its Constitution and Distribution Policy.

203. Copyright Agency informs members of proposed and recent changes to distribution policies and processes via a range of channels, including one-on-one communications, broadcast emails, group meetings, the corporate website, and information sheets for all major distributions.

Paragraph (c): licensee requests regarding rights payments

204. Copyright Agency reports that during the Review it published information on its website regarding distributions of licence fees received from the school and TAFE sectors, following communications with CAG.

Paragraph (d) (i): consultation with members

205. There were no substantive changes to distribution policies in the Review Period. Copyright Agency's information sheets on all major distributions continue to outline any changes since the previous distribution.

Paragraph (d) (ii): Plain English guidelines

206. Copyright Agency's Distribution Policy, and information sheets about individual distributions, are in plain English.

Collecting Society Expenses (Code, Clause 2.5)

Paragraph (a): expenses of managing and operating the society

207. Copyright Agency reports that the operating costs associated with managing the statutory and voluntary licence schemes continue to be met from its revenue. In a few cases, the deduction is a fixed percentage but in most cases it represents the actual and projected costs relevant to the particular licence scheme.

208. Members receive itemised information about deductions with each payment. In addition, it publishes information about expenses, including the expense to revenue ratio for each financial year, in its Annual Report.

209. Copyright Agency's Board of Directors approves the society's annual operating budget and reviews the budget at each Board meeting.

Paragraph (b): other amounts

210. Copyright Agency's Constitution allows it to deduct up to 1.5% of revenue for application to cultural or benevolent purposes. Its Board approves the amount to be allocated for these purposes. Copyright Agency publicly invites applications for cultural support. The Board approves the successful applications following a recommendation process by a committee of the Board.

Governance and Accountability (Code, Clause 2.6)

Paragraph (a): Board accountable to members

211. Under Copyright Agency's Constitution, its Board comprises directors elected by author, artist and publisher members respectively: directors appointed by the Australian Society of Authors and the Australian Publishers Association and up to four independent directors appointed by the Board. The current directors and the capacity in which they were elected or appointed appear on Copyright Agency's website.

Paragraph (b): maintenance of financial records

212. Copyright Agency reports that it maintains proper and complete financial records, including providing detailed reports to the Board and to its Audit, Finance & Risk Committee.

Paragraph (c): audit of financial records

213. The Society's financial statements are audited annually. Information about revenue, expenses and distribution of licence fees is included in each Annual Report, together with the auditor's report, and is made available to the public, as well as to members and to the Minister, on Copyright Agency's website,. In addition, the Annual Report is tabled in Parliament.

Paragraph (d): information to members

214. On request, Copyright Agency provides reasonable information to members about entitlements to payment, in accordance with privacy and confidentiality obligations.

Paragraph (e): information in annual report

215. Copyright Agency's annual reports provide information about:

- total revenue for the period;
- total amount, and nature of, expenses;
- total amounts allocated and paid to members, including breakdowns by licence sectors;

Paragraph (f): information in annual publications

216. Copyright Agency's annual reports provide information about the accounting and distribution of licence revenue, including:

- classes of Licensees from whom licence revenue was received;
- classes of Members to whom licence revenue was paid;
- categories of copyright material for which licence revenue was received; and
- relative proportions of domestic and international payments of licence revenue

Paragraph (g): information about expired undistributed funds

217. Copyright Agency's annual reports provide information about expired undistributed funds, including:

- the reason/s why funds remain undistributed to rightsholders;
- the steps taken to locate rightsholders and to distribute funds; and
- information on the allocation and use, or proposed use, of the funds

Staff Training (Code, Clause 2.7)

218. Copyright Agency's procedures for making its staff aware of the Code include:
    - training for existing and new staff on the Code requirements;
    - policy documents implementing those requirements on the society's intranet; and
    - periodic updates for all staff on the requirements of the Code.

Education and Awareness (Code, Clause 2.8)

Paragraph (a): activities to promote awareness

219. Education and awareness activities conducted by Copyright Agency for its members, licensees and other stakeholders include:
    - information on the Code website, including communications to members, licensees and other stakeholders about that website;
    - information on the corporate website and other websites managed by Copyright Agency;
    - emails to members
    - eNewsletter (*Creative Licence*)
    - social media channels
    - presentations at Copyright Agency events and other events;
    - engagement with industry and professional associations that represent members and licensees; and
    - mainstream and specialist media (such as industry magazines and newsletters).

220. Copyright Agency also uses the above channels to provide information about:
    - matters relating to membership, including eligibility, benefits, responsibilities, policies and procedures; and

- matters relating to licensing, including benefits, responsibilities, obligations under copyright law, policies and procedures.

221. Information on the website relating to membership includes:
    - membership terms and conditions;
    - information about distributions, including distribution policy, information about each distribution (such as the data used), and forthcoming distributions;

222. Information on the website relating to licensing includes:
    - licences available for various sectors (e.g. business, not-for-profit, education);
    - pay-per-use licences;
    - plain English guides;
    - works excluded from voluntary licences;

223. Copyright Agency also creates awareness of its role through sponsorships and the publicity associated with grants from the Cultural Fund. For example, in the Review Period, it supported the Educational Publishing Awards Australia (**EPAAs**) AATE/ALEA National Conference (for literacy educators), and writers' festivals.

Paragraph (b): factors affecting activities to promote awareness

224. Copyright Agency claims that its activities to promote awareness are proportionate to the number of its members and licensees, and its revenue.

225. Copyright Agency liaises with other Collecting Societies and some activities are done jointly from time to time. The Collecting Societies jointly support the services provided by the Australian Copyright Council, including information, advice and training on a large range of copyright issues.

Paragraph (c): particular information about membership and licensing

226. Information on the website relating to membership includes:
- a 'Join Us' webpage, with information about eligibility, benefits of membership and how to join;
- membership terms; and
- policies and procedures affecting members, including those relating to distributions and disputes.

227. Information on the website relating to licensing includes:
- benefits of obtaining a licence, including for individually licensed education institutions and businesses;
- information for licensees about their responsibilities, which is also provided in training sessions, for example, guidelines for online teaching; and
- policies and procedures affecting licensees, including those relating to applying for a licence (including where this can be done online).

Paragraph (d): guidelines about expired undistributed funds

228. There is a webpage about unpaid allocations on Copyright Agency's website.

Paragraph (e): online portal for Code

229. With other collecting societies, Copyright Agency launched a website for the Code which is jointly maintained by the societies.

Reporting by Declared Collecting Societies (Code, Clause 2.9)

230. As noted earlier, clause 2.9 of the Code deals specifically with reporting required by Declared Collecting Societies, of which Copyright Agency is one.

Paragraph (a): information in annual reports

231. Copyright Agency's annual reports provide the information set out in clause 2.9(a).

Paragraph (b): information about licensee classes and expired unpaid allocations

232. The annual reports also provide information regarding:
    - classes of recipients of licence fees received from the schools, universities and government sectors respectively;
    - allocations unpaid after four years from the education sector and government sectors respectively, the reasons the allocations were unpaid, and the proportion of unpaid allocations attributable to each reason.

Complaints and Disputes (Code, Clause 3)

233. With reference to paragraphs (a) to (d) of clause 3 of the Code, Copyright Agency reports as follows:
    (a) It has developed procedures for the management of complaints and disputes that comply with clause 3 and those procedures are described on the Copyright Agency website;
    (b) those procedures are applied to any complaint about a matter covered by the Code in a manner that adequately identifies the nature of the complaint and the identity of the complainant;

(c) the procedures identified in (a) comply with the requirements of Australian Standard 150 10002 *Customer Satisfaction*; and

(d)Copyright Agency regularly reviews its complaint handling and dispute resolution procedures to ensure that they continue to comply with the Code.

234. Individual complaints made during the Review Period are dealt with in a separate section, "COMPLAINTS AND DISPUTES", below.

Publicity of the Code and Reporting of Compliance with it in the Annual Report (Code, Clause 4)

Paragraph (a): publicising the Code

235. The Code is available on the Code website, as is information about the annual review of compliance with the Code, the Code Compliance Reviewer's reports, and the Code Reviewer's reports. The Copyright Agency website has a webpage devoted to the Code and contains a link to the Code website.

236. Copyright Agency alerts members and other stakeholders to the Code and to the annual compliance review and triennial Code review in a number of ways including on its website.

Paragraph (b): statement about Code compliance in annual reports

237. Copyright Agency includes reference to its compliance with the Code in its annual reports.

238. Of course, Copyright Agency's annual report to the Code Compliance Reviewer is itself directed to its compliance with the Code.

Paragraph (c): notification of contraventions

239. There have not yet been any findings or notifications of contravention of the Code by Copyright Agency.

Audio-Visual Copyright Society Limited ("Screenrights")

General

240. Screenrights' report on its compliance with the Code was furnished to me on 31 July 2025.

241. Screenrights' website is at https://www.screenrights.org.

242. Audio-Visual Copyright Society Limited, trading as "Screenrights", was established in 1990 to be the declared collecting society for purposes of the statutory licence for the copying and communication of broadcasts by educational and other institutions under the then Pt VA (now Pt IVA Division 4) of the *Copyright Act*. Under those provisions, Screenrights also represents the owners of the copyright in sound recordings and cinematograph films (and works included in sound recordings and cinematograph films) for the purposes of the statutory licence in favour of educational institutions.

243. In addition, Screenrights is the sole collecting society for the collection of equitable remuneration for the retransmission of free-to-air broadcasts under Pt VC of the *Copyright Act*.

244. Finally, Screenrights has also been declared to be the collecting society in respect of television, radio and internet broadcasts under the

government copying scheme under s183 of the *Copyright Act* (Copyright Agency is also declared for that purpose).

245. As at 30 June 2025, Screenrights had 5,385 members [2024: 5,296] (Members are rightsholders in film and television programs, including producers, directors, scriptwriters, artists, production companies, distributors, sales agents, commercial collection agents, broadcasters and other collecting societies) and 1,426 licensees [2024: 1,684]. It collects royalty payments from schools, universities, vocational training bodies, government agencies, TAFEs, resource centres, retransmitters and New Zealand schools and tertiary institutions, as shown in the following table:

Entity Type	**Number**
Screenrights Members	5,385
Licensees	1,426
Schools -- Government, Catholic Systemic, Independent -- Peak Bodies	26
Schools - Individual Independent	10
Higher education including universities	54
Private Vocational Education/Training Organisation (inc ELICOS, U3A)	23
Government Agency (including Departments representing multiple agencies)	193
TAFE (including individual institutions and Departments representing multiple institutions)	12
Resource Centre	5
Retransmitter	4
NZ -- Tertiary	27
NZ – Schools	1,070
NZ – Resource Centre	2

Legal Framework (Code, Clause 2.1)

246. Screenrights reports that during the Review Period it has complied with the legal framework governing its operations.

247. A copy of Screenrights' key governance documents, including the Constitution, Corporate Governance Statement, Privacy Policy which is in compliance with Australian Privacy Principles, Distribution Policy and Competing Claims Resolution Procedures (**CCRP**) can be accessed on its corporate website.

248. The Screenrights Board is elected by the members in accordance with the Constitution and the Board includes on an ongoing basis up to eight General Directors, three Authorial Directors (Screenwriter, Screen Director and Screen Composer) and at least one New Zealand Director. A list of current directors and the Screenrights executive team is available on the corporate website.

Members (Code, Clause 2.2)

249. Membership of Screenrights remains open to all eligible rightsholders. Membership increased in the Review Period from 5,296 to 5,385 Members.

250. Screenrights states that it adopts policies, processes and practices to ensure that members are treated fairly, honestly, impartially and courteously in accordance with its Constitution and the Membership Agreement. This includes staff training, such as a comprehensive induction process and Code of Conduct training.

251. The Screenrights Member Services team engages in frequent communications with members via phone, email, MyScreenrights (the online membership portal) and the Screenrights App. The

Member Services team also assists Members via an online Live Chat feature which allows real-time support.

252. Screenrights adopts a continuous improvement approach to information management and information systems. It reports that it undertakes ongoing initiatives each year to improve the quality and handling of information, and to simplify member engagement with Screenrights. The Society also undertakes initiatives to streamline information processing within its in-house systems to deliver efficiencies to royalty distribution which informs how Screenrights reports to Membership and the wider public.

253. Some of the key initiatives in the Review Period include:

- Continuous implementation of improvements to the security of Member information including multi-factor authentication and a Customer Identification: Know Your Customer (**KYC**) review, with a view to strengthening associated procedures; and
- Updates to simplify Screenrights' CCRP.

Licensees (Code, Clause 2.3)

254. Screenrights reports that it adopts policies, processes and practices to ensure that licensees are treated fairly, honestly, impartially and courteously in accordance with Code.

255. Screenrights' approach to licensees is built on respect for their needs with the goal of ensuring that they receive fair value while maintaining equitable remuneration for members. Most negotiations of licence agreements are conducted with peak bodies, except in the case of retransmission where the individual licensees are substantial commercial organisations.

256. Screenrights' corporate website contains a Screenrights Licences section where information is provided about the licences available, and what uses are covered by the licences. Further, in relation to the Australian educational statutory licence, information is provided for educators on accessing educational content.

257. For the educational statutory licence, Screenrights generally negotiates remuneration agreements with bodies that represent a group of licensees such as Universities Australia (**UA**) and the Copyright Advisory Group to the Australian Education Senior Officials Committee for schools and TAFES (**CAG**).

258. The educational scheme agreement covering 98% of Australian schools was renewed in 2021 and continues until 31 December 2025. A new agreement for 2026 onwards is currently under negotiation.

259. For the government statutory licence, Screenrights deals with the Commonwealth Attorney General's Department and with a designated agency within each of the States and Territories. Copying agreements to include internet copying have been executed by the State of Victoria, the Australian Capital Territory, Tasmania, the Northern Territory and the State of New South Wales. The remaining State agreements are in the process of being finalised as at the end of this reporting period. In 2025, Screenrights and the State of New South Wales entered into a new Remuneration Agreement with an initial term to June 2028.

260. In relation to the retransmission statutory licences, the agreement between Foxtel and Screenrights entered in 2021 will extend for a further 12 months on 31 December 2025, and Screenrights also has agreements with three other retransmitters.

261. A primary transparency factor in dealings with licensees is the availability of usage data, which forms a key part of licence negotiations. Screenrights provides all relevant usage data to the licensees on request. This is the same data that Screenrights uses for its distribution purposes.

262. Detailed usage data for Australian schools is provided on a quarterly basis to the National Copyright Unit to Schools in line with the current Remuneration Agreements

263. Detailed usage data for each university is provided to UA annually as required under the current Universities Agreement. The usage data is a component in determining the amount of equitable remuneration payable and is provided by UA to all Universities for transparency.

Distribution of Remuneration and Licence Fees (Code, Clause 2.4)

264. In the Review Period, Screenrights distributed payments in accordance with its Distribution Policy and Constitution.

265. A copy of the Distribution Policy can be accessed on Screenrights' corporate website. Screenrights has published 'Plain English' guidelines on the Distribution Policy which set out in detail how royalties are calculated. These guidelines are also available on the corporate website.

266. With the exception of royalties in dispute, all undistributed royalties from the 2021 distribution year have been rolled over to the 2025 distribution year. Any royalties still in dispute from the 2021 year have moved into the Competing Claims Fund (**CCF**), which allows Members an additional 12 months to resolve their competing claims to those royalties.

Collecting Society Expenses (Code, Clause 2.5)

267. Screenrights reports that its Board continues to approve the annual operating budget. An updated financial report which compares actuals to budget is reviewed at each Board meeting.

268. Screenrights' expenses for the Review Period were approximately 16.75% (2024: 15.19%) of gross revenue, subject to audit review. The audited figure will be in Screenrights' Annual Report.

269. Screenrights' operating costs associated with its licensing schemes are met from revenue. In some cases, a fixed percentage is deducted, but otherwise the deductions are generally based on actual costs. Members receive itemised reports about deductions along with their payments.

270. Detailed information on Screenrights' expenses including the expenditure to collections ratio for the year ended 30 June 2025 will be found in Screenrights' Annual Report, where a comparison with the year ended 30 June 2024 will be shown. This report will be made available by the end of November 2025.

Governance and Accountability (Code, Clause 2.6)

271. Screenrights reports that it has complied with the requirements of Clause 2.6 during the Review Period. Screenrights' Board has acted in accordance with the Constitution and Corporate Governance Statement in being accountable to members. The current directors on the Board are listed on the society's website.

272. The Audit, Risk & Governance Committee of the Board met four times during the Review Period. Its principal functions are to ensure

that accounting records are maintained in accordance with statutory requirements, to ensure that financial controls are sufficient, to review the operational and strategic risk assessments, and to review the financial statements and consult with the external auditors.

273. Screenrights maintains complete financial records every year. Where requested by a member, Screenrights provides information about the member's entitlement to payment from Screenrights consistent with its obligations under privacy law and any applicable duties of confidentiality.

274. Screenrights' Annual Report for 2025, including the audited accounts as at 30 June 2025, will be available in late November 2025.. Each Annual Report of Screenrights contains the matters set out in clause 2.6(e) to (g) of the Code including revenue, expenses and distribution of payments to Members.

275. Annual Reports are published on the corporate website and presented to the members in preparation for the Annual General Meeting. A copy is provided to the relevant Minister and is tabled in Parliament.

Staff Training (Code, Clause 2.7)

276. Staff training on the Code is conducted annually. Amongst other things, Screenrights' Code of Conduct training session familiarises staff with complaints handling procedures, Screenrights' alternative dispute resolution procedures for disputes between (a) Screenrights and Licensees; (b) Screenrights and Members; and (c) Members and

Members. The importance of compliance with the Code is also emphasised to staff in induction training.

277. During the Review Period, emphasis was placed on informing employees of Screenrights' obligations, Constitution, Distribution Policy and CCRP, as fundamental policies and processes to assist employees in explaining these documents to Members, Licensees and the public.

278. During the Review Period, training further focused on Code review mechanisms, including the 2025 Triennial Review, with the intention to assist employees in understanding the ability of the Code to adjust to appropriately meet the needs of Members, Licensees and the public. The minor amendments to the Code resulting from the 2025 Triennial Review were also communicated to staff.

Education and Awareness (Code, Clause 2.8)

279. During the Review Period, Screenrights continued to provide information about its services and royalty distribution schemes, policies and procedures on its website, which is reviewed and updated regularly. Screenrights continued to provide animated explainer videos to support the communication of this information. Screenrights' governance, financial and data information is also available on the corporate website

280. A 6 part webinar series which includes information about Screenrights' services is also available free of charge.

281. Screenrights participated in a panel discussion at the Australian International Documentary Conference (**AIDC**) in March 2025 (in addition to its sponsorship detailed below).

282. Screenrights continued to promote its role and function as a copyright collecting society by sponsoring and participating, either through speaking engagements, digital/online representation or providing

attendees with communications material about Screenrights at the following events in the Review Period:

- Australian Directors' Guild (**ADG**) Awards, November 2024;
- Australian Writers Guild AWGIES Awards, February 2025;
- Screen Production and Development Association (**SPADA**) Screen Industry Awards, October 2024;
- Screen Forever (run by Screen Producers Australia), May 2025;
- Australian International Documentary Conference, March 2025;
- Asia Pacific Screen Forum, November 2024;
- Women in Film & Television (**WIFT**) NZ Seminar Series, various dates 2024-25;
- Melbourne International Film Festival (**MIFF**) 37° South Market, August 2024;
- Screenworks Regional to Global Screen Forum, June 2025; and
- Australian Children's Content Summit, August 2024.

283. Screenrights also continued its Cultural Fund competitive grant program in 2024 and 2025. The Cultural Fund was established in 2018 to support innovative projects that foster the creation and appreciation of screen content in Australia and New Zealand. The Fund awards up to $50,000 per initiative. Screenrights promotes the Cultural Fund on the corporate website and through a dedicated marketing and communications campaign.

284. Screenrights has published plain English guidelines on how its undistributed funds are allocated in compliance with Clause 2.8(d) on the corporate website.

Reporting by Declared Collecting Societies (Code, Clause 2.9)

285. Screenrights' Annual Report provides the information required by clause 2.9(a) of the Code, including in an Annexure to that report.

Complaints and Disputes (Code, Clause 3)

286. Screenrights received no complaints in the 2024-2025 period.

287. In 2024-2025, Screenrights made changes to its CCRP to further refine, clarify and improve the changes introduced in 2023. The changes were implemented following consultation with Members. Details of the changes and the updated CCRP are available on the Screenrights' website.

288. In the year ended 30 June 2025, Screenrights received over 83,000 claims to royalties, bringing total Member claims to over 2 million. Over the same period, Screenrights opened competing claims involving 518 series and 946 one-off programs and notified Members of these competing claims via direct communications and the MyScreenrights portal.

289. Over the review period, a total of 3,368 competing claims progressed through the Assisted Resolution Process (**ARP**). The figures below outline the resolution rate of the ARP phases over the period:

(a) 54% of competing claims were resolved under Phase 1 of the ARP;

(b) 55% of competing claims not resolved under Phase 1 were resolved under Phase 2 of the ARP; and

(c) 38% of competing claims that remained unresolved at the closure of Phase 2 were resolved under Phase 3 of the ARP.

Publicity of the Code and Reporting of Compliance with it in the Annual Report (Code, Clause 4)

290. Screenrights publicises the Code and its undertaking to be bound by it, by referring to that fact and making the Code available on Screenrights' corporate website. It also communicates about the Code via its e-newsletters and news items that are linked from the homepage of the website.

291. In the reporting period, Screenrights published its 2023-2024 Annual Compliance Report to the Code Reviewer on its website. Past Code of Conduct Compliance Reports and Triennial Reviews of the Code of Conduct are also published on the website for Members and Licensees and other interested stakeholders.

292. Screenrights' corporate website also links to the Code of Conduct website, where a copy of the Code can be accessed centrally.

293. The Society includes a statement in its Annual Report (under "Governance") on its compliance with the Code.

294. Of course, Screenrights' annual report to the Code Compliance Reviewer is itself directed to its compliance with the Code.

Monitoring, Review and Amendments (Code, Clause 5)

295. As reported previously, in 2021-22 Screenrights initiated a multi-year digital transformation project to transition its proprietary systems for managing royalty claims to the cloud. This project continued in 2024-2025.

296. Key platform features released in 2024-2025 include enhancements to the streamlined payout release engine to optimise all payments for Members; automated usage record preparation to bring efficiencies to ensure that Screenrights can handle new data scales; workspace management for updating account details; and reporting access for Members to download statements. The new systems are being released in stages and will deliver a modern user experience, significantly increased performance capability and improved security.

297. Screenrights continues to use AI technology to assist with data matching and processing. Data management systems are being improved by developing in-house tools that can apply AI technology to additional data processing activities.

298. In 2024-2025, Screenrights introduced its first in-house machine learning algorithm for matching reported usage against broadcast data. These initiatives continue to introduce efficiencies in an environment of increasing data volume.

Phonographic Performance Company of Australia Ltd ("PPCA")

299. PPCA's report on its compliance with the Code was furnished to me on 31 July 2025.

300. PPCA's website is at http://www.ppca.com.au.

Legal Framework (Code, Clause 2.1)

301. PPCA states that during the Review Period, it met its obligations as set out in clause 2.1 of the Code, including, but not limited to, complying with its

obligations under the *Corporations Act 2001* (Cth), the *Australian Privacy Principles* and the *Privacy Act 1988* (Cth).

302. PPCA is governed by its Constitution which provides the framework for the governance of PPCA.

303. PPCA reports that its Constitution was not updated during the reporting period.

304. During the Review Period, PPCA's Privacy Policy was amended to provide greater detail on personal information collected by PPCA and how PPCA uses online tools, including cookies, pixels and analytics on its website and online services . These are used for the purpose of improving the user experience and to assist PPCA to better understand user behaviours and preferences on PPCA's online platforms.

305. PPCA and its staff also adhere to several policies, including:

- PPCA Code of Conduct;
- Privacy Policy;
- Distribution Policy; and
- Complaints Handling and Dispute Resolution Policy; and
- a range of other policies covering such matters as equal opportunity, diversity and inclusion, anti-discrimination, bullying, harassment and whistleblowing.

306. Copies of all external facing policies including the PPCA Constitution, are available on the PPCA website.

Members (Code, Clause 2.2)

307. PPCA reports that during the Review Period it met its obligations under clause 2.2.

308. PPCA is a limited company with shares being held in equal numbers by three founding record company members who do not receive dividends from PPCA's revenue and are only entitled to receive payments from PPCA on the same basis as non-shareholder Licensors.

309. PPCA does not have "Members" but instead it has Licensors. PPCA's Licensors are copyright owners or exclusive licensees of sound recordings and music videos for Australia who have granted rights to PPCA on the terms set out in PPCA's Input Agreement. PPCA's Licensors include record companies (spanning small independent labels through to multinational ones), and individual artists through to rights management organisations.

310. It is the PPCA Input Agreement (as opposed to the PPCA Constitution) that sets out the terms of PPCA's arrangements with each Licensor. Under the PPCA Input Agreement, Licensors grant PPCA a non-exclusive right to sub-license their sound recordings (and music videos if applicable) under blanket public performance licences and other licensing schemes within Australia. As PPCA is granted non-exclusive rights by each Licensor, it remains possible for Licensors to license their repertoire directly to licensees. PPCA does not take an assignment of rights from any Licensor.

311. In accordance with the PPCA Input Agreement, Licensors must have a direct licensing policy available. PPCA has worked with, and provided funding support to, the Arts Law Centre of Australia to assist it to provide free and independent resources to Licensors to assist with the development of their own direct licensing policy.

312. The PPCA Input Agreement was not updated during the reporting period

313. PPCA's Artist Direct Distribution Scheme (**ADDS**) allows Australian artists featured on sound recordings and music videos to receive a direct payment from PPCA of a share of the net income collected by PPCA from

the licensing of those recordings and music videos. ADDS is offered by PPCA on an ex-gratia basis. Artists can participate by applying to be a PPCA " Registered Artist" and the artist does not need to hold copyright in the sound recording or music video.

314. As at the end of the Review Period on 30 June 2025, PPCA had approximately 4,615 Licensors [2024: 4,170] and the number of Registered Artists was 5,947 [2024: 5,642].

Engagement

315. PPCA states that it engages with its Licensors and Registered Artists through a variety of means, including

- *Direct enquiries and communications* via phone or email. Licensors and Registered Artists are able to communicate directly with the PPCA Distribution team who treat each enquiry in a timely and courteous manner. PPCA staff also regularly meet with Licensors and Registered Artists.

- *PPCA Website* – provides access to registration forms for potential Licensors and Registered Artists, PPCA's Constitution and Policies, list of Lost Licensors and Artists whom PPCA has not been unable to contact, and other relevant information, FAQs and guides.

- *PPCA Portal* – allows Registered Artists and Licensors (and authorised representatives) to view annual distribution statements and other financial documents and to update their payment and other details. This portal provides Registered Artists and Licensors with transparency about their financial statements and the information held by PPCA.

- *Newsletters and social media* – provide regular updates on PPCA activities and opportunities.

- *Industry Events* – including BIGSOUND 2024, Indie Con 2024 and ROAR Fest 2025.

Licensees (Code, Clause 2.3)

316. PPCA claims that during the Review Period it met its obligations under clause 2.3.

317. PPCA continues to offer broadcast, communication, and public performance licences including:

- radio broadcast licences and simulcast licences for commercial radio broadcasters;
- radio broadcast and simulcast licences for members of the Community Broadcasting Association of Australia (**CBAA**) and non-CBAA member community radio stations;
- on demand catch up streaming licences for radio broadcasters;
- broadcast and communication licences for subscription television operators;
- communication licences for subscription video on demand (**SVOD**) services;
- licences for ABC and SBS;
- broadcast, simulcast and other digital licensing for commercial television broadcasters;
- public performance licences for theatrical productions;
- communication licences for linear and semi-interactive music streaming services;
- live-streaming licensing for religious institutions; and
- communication and broadcast licences for background music

services that provide music and/or music video services to commercial premises.

318. Applicants can apply for licences by contacting PPCA through email or the online application form which is available from the PPCA website. Upon request, PPCA makes available to potential Licensees information about the particular licence schemes offered by PPCA, including the terms and conditions and licence fees applicable to the applicant.

319. The PPCA website provides information about PPCA's various licences, and contact details about how to contact PPCA with any queries or how to make an application. PPCA seeks to ensure that all Licensees and potential Licensees are treated equally, fairly and courteously. The PPCA Business Affairs team handle all licensing queries, and they are cognisant of their obligations under the Code, including the obligation to respond to all queries they receive in a courteous and timely manner.

320. As previously reported, as a part of PPCA's drive to continuously improve its dealings with Licensees, in 2023, PPCA reviewed and updated its standard form licence agreements to ensure PPCA's licences are drafted to be plainly understandable to all Licensees. The licences are accompanied by practical explanatory material to assist the Licensee with its assessment of the licence. Existing Licensees were transitioned onto the updated licence agreements by 1 July 2024 and were given an extensive period of time (up to one year) to consider the new licence terms.

321. PPCA also provides licensing through a number of joint licensing agreements, some of which are administered through OneMusic Australia. They include:

- Early learning providers with ARIA, APRA AMCOS, Copyright Agency and Viscopy;

- Eisteddfodau with ARIA and APRA AMCOS;
- Funeral directors and associations with ARIA and APRA AMCOS; and
- Tertiary education agreements with ARIA and APRA AMCOS.

322. In addition, PPCA, continues to collaborate with APRA AMCOS on delivering more joint licensing schemes via OneMusic. As previously reported, since mid-2019 OneMusic has been responsible for the administration of PPCA public performance licences. Where previously businesses would have typically needed to acquire a licence from PPCA and a separate licence from APRA AMCOS, OneMusic offers a single blanket licence. PPCA no longer directly manages public performance licensing for businesses and venues.

323. The day-to-day operations of OneMusic are administered by APRA. More information regarding OneMusic's licences and activities can be found in APRA AMCOS' 2025 Code Compliance report

Distribution of Remuneration and Licence Fees (Code, Clause 2.4)

324. PPCA states that during the Review Period it met its obligations under clause 2.4.

325. PPCA reports that it continues to make a single annual distribution for the financial year ending 30 June on the following 31 December. Licensors and Registered Artists who have registered (including track titles and music video registration) before 31 August are eligible for that year's distribution and receive a distribution statement detailing their earnings via the PPCA Portal, or in some cases via post. Statements are also available to be emailed or posted on request.

326. Reminders to register all sound recording and music video details for the annual distribution are sent directly to Registered Artists and Licensors

throughout the year, and published in PPCA's newsletters, website and social media channels. PPCA's Distribution team are available via phone and email to answer questions about PPCA's distributions, registrations and payments

Artist Direct Distribution Scheme

327. PPCA's ADDS is an ex-gratia scheme offered by PPCA. Under the ADDS, Australian artists who have featured on sound recordings and music videos can register to receive payments directly from PPCA, regardless of whether they have retained copyright in the sound recording or music video.

Distribution Policy

328. The annual distribution is conducted in accordance with the Distribution Policy. A copy of the policy is available on PPCA's website and on the Code of Conduct website.

329. The Distribution Policy details how licence fees are allocated into distribution pools and paid to Licensors and Registered Artists. It explains the reporting sources PPCA uses to determine distributions, what expenses PPCA incurs, how the net surplus is calculated, and how PPCA treats funds it is unable to distribute (for example, where PPCA cannot locate a Licensor or Registered Artist). Plain English guides providing a simplified explanation of the distribution process are also publicly available on the PPCA website.

330. The Distribution Policy was updated during the reporting period, to reflect the following key changes, to take effect from 1 July 2024:

- Clarified that recordings and music videos created using AI may only be registered with PPCA if a human is the primary creator, and their contribution is substantial and meaningful.

- Discontinued the process of seeking audited sales submissions from Licensors seeking to participate in the separate "classical" distribution exercise, due to improved data sources (including use of streaming information, which has detailed metadata). This change eased the administrative and financial burden on those particular Licensors

- Removed the Artist Payment Threshold (formerly $5) so that distribution allocations are now credited to the accounts of Registered Artist without the requirement to achieve a threshold. Allocations will accumulate in each Registered Artist's PPCA account, and will be remitted to the artist once the amount reaches $20.

- Changed the deduction for charitable, education and like purposes of 2.5% of earnings from the Local Distribution Pools to no more than 1% from the Local Distribution Pools and the International Distribution Pools (i.e. the overall distributable surplus).

- Changed the % allocation for the IFPI (International Federation of the Phonographic Industry) subscription expense so that it is apportioned consistently across all earnings, in the same way as other general expenses.

- Removed references to the PPCA Performers Trust Foundation Allocation, which had from time to time benefitted from the charitable, educational and like purposes pool.

331. These changes were made in accordance with the terms prescribed in the PPCA Input Agreement. Along with the explanatory materials, the changes were communicated to Licensors and Registered Artists via email or post, depending on the communications preference of the recipient.

Explanatory documents setting out the key changes were also published on PPCA's website.

332. During the Review Period, PPCA reports that it ceased the administration of the PPCA Performers' Trust Foundation. The Distribution Policy was updated to remove references to the PPCA Performers' Trust Foundation. Any grant allocations are now considered in line with PPCA's allocations made for charitable, educational and like purposes as set out in the Distribution Policy.

333. Additionally, during the Review Period, PPCA announced to its Licensors and Registered Artists that PPCA will be moving to a new IT system for processing distribution data and calculating distribution payments. This systems change will be rolled out in the next review period with the aim of increasing efficiency of PPCA's distribution process and providing Licensors and Registered Artists with increased control and transparency over the registration and management of their repertoire with PPCA.

Collecting Society Expenses (Code, Clause 2.5)

334. PPCA states that during the Review Period it met its obligations under clause 2.5.

335. PPCA deducts its expenses from the gross revenue (comprising licensing fees collected by OneMusic on behalf of PPCA as well as licence fee income collected via PPCA directly). The net surplus is then distributed to international and local Australian Licensors, as well as artists registered under ADDS, pursuant to the Distribution Policy.

336. PPCA's Annual Report for the year ended 30 June 2024 (published during the Review Period) showed that the expense to revenue ratio was 22.1% [2023: 15.4%]. The distributable surplus was slightly lower than the previous year, as a consequence of PPCA's investment in two key Copyright

Tribunal matters (see *COMPLAINTS Section below*). As set out in the PPCA Annual Report, PPCA's expense to revenue ratio for the 2024 financial year, excluding expenditure on those two Copyright Tribunal matters, would have been just over 14%.

337. The Annual Report is available from the PPCA website.

Governance and Accountability (Code, Clause 2.6)

338. PPCA claims that during the Review Period it met its obligations under clause 2.6.

The Board of Directors

339. PPCA's Board of Directors comprises eight directors: three are Shareholder directors (representing the three shareholding record companies), two are elected by non-shareholding Licensors, two are elected by PPCA Registered Artists, and a further director is appointed by the Board from the Artist Management sector.

340. In line with the Constitution, elections are held each year in respect of the Licensor and Registered Artists positions. PPCA has two Board-appointed committees which meet on a regular basis – the Copyright Committee (which meets on a quarterly basis) and the Finance Committee (which meets on a monthly basis).

341. During the Review Period, PPCA again offered the position of "Board Observer", where a Registered Artist or employee of a PPCA Licensor could attend and observe PPCA Board meetings in a structured training program administered by the Observership Program. The aim of this Board Observership opportunity is to provide eligible Licensors and Registered

Artists with the opportunity to learn more about governance, and to build capabilities and diversity of Boards within the music industry

342. The Directors' Duties Guideline is supplied to all Directors. Directors are also obliged to comply with PPCA's Competition and Consumer Compliance Guidelines, and other PPCA policies including, for example, the PPCA Code of Conduct and Whistleblower Policy.

Financial Records and Annual Reports

343. PPCA reports that it continues to maintain complete and proper independently audited financial records including in relation to the collection and distribution of Revenue, and PPCA's expenses.

344. PPCA's Annual Reports are publicly available from the PPCA website. As well as an overview of PPCA's activities during the year, the report includes financial details including information regarding PPCA's revenue, expenditure and total distributions to Licensors and Registered Artists.

PPCA Management

345. The PPCA Management Team continues to meet each week to discuss a wide range of matters related to the operation of PPCA.

346. Staff meetings are also held, where key issues related to PPCA and the broader music industry are raised with staff.

Information about Distribution Entitlements

347. Consistent with PPCA's obligations under the *Privacy Act 1968* (Cth), PPCA's Privacy Policy and Distribution Policy, PPCA provides to its Licensors and

Registered Artists via the PPCA Portal, post and/or email, a distribution statement detailing their entitlements to receive a payment from PPCA's annual distribution. Information is also available on the PPCA website.

Staff Training (Code, Clause 2.7)

348. PPCA states that during the Review Period it met its obligations under clause 2.7.

349. PPCA reports that all new staff members continue to receive copies of all internal policies as part of their orientation in addition to a copy of the Code. This includes a copy of the PPCA Code of Conduct, Privacy Policy, Complaints Handling and Dispute Resolution Policy, the Whistleblower Policy, the Diversity and Inclusion Policy, and the Data Breach Response Plan.

350. The PPCA Code of Conduct sets out the expected standard of conduct of PPCA's staff, management, Board members and contractors, as well as members of PPCA's committees, advisory groups and panels. Staff members are encouraged to regularly review PPCA's policies and are notified of any significant changes to policies.

351. Staff are frequently reminded of their obligations to Licensors, Registered Artists, Licensees and the general public, and the correct procedures for handling Complaints and resolving Disputes. The members of PPCA's management team are provided with copies of all complaints pertaining to their respective departments. These complaints are examined and discussed during team meetings with the aim of improving customer service and internal processes.

352. In addition, PPCA staff receive periodic training regarding the Code. The training sessions explain the purpose of the Code, staff's obligations

under it (especially when dealing with Licensors, Artists and licensees), and how complaints should be handled. Staff are also reminded of their obligations under the Privacy Policy and the Data Breach Response Plan during these sessions.

Education and Awareness (Code, Clause 2.8)

353. PPCA states that during the Review Period it met its obligations under clause 2.8.

354. PPCA states that it continues to engage with its Licensors, Registered Artists, licensees and members of the public through several mediums about the importance of copyright and the role and functions of PPCA and other Collecting Societies in administering copyright.

Frequently Asked Questions (FAQs)

355. Visitors to the PPCA's website can find a suite of free comprehensive resources including FAQs, policies and plain English guides relating to copyright in sound recordings, licensing and the role and history of PPCA.

356. Information regarding PPCA's licences is also available, as well as information about OneMusic and its role in administering public performance licences.

News and Society Media

357. PPCA uses its website, email newsletters and social media channels to communicate about events and relevant music industry matters to its Licensors and Registered Artists, as well as to members of the public.

358. In the News section on the website, PPCA regularly posts updates on PPCA activities and other relevant matters, such as the awarding of grants, advocacy updates and changes in relevant legislation.

359. PPCA publishes an email newsletter, '*On The Record*', available from the website and sent to staff, Licensors and Registered Artists. The newsletter contains updates on the activities of PPCA, reminders about registration and grants, and other relevant news items regarding copyright and matters in the music industry. For example, during the Review Period, PPCA informed Licensors and Registered Artists through its newsletter about the effects of the Comprehensive and Progressive Agreement for Trans-Pacific Partnership (**CPTPP**') entered into by countries including the UK and Australia, which entitles Australian performers to royalties for the public performance and broadcast of their sound recordings in the UK.

360. PPCA posts news about its activities, as well as relevant news items, across several social media platforms, including Facebook, X (formerly Twitter) and Instagram.

Outreach and Support of the Music Industry

361. PPCA enhances public and industry awareness of its role by offering support, opportunities and recognition to Australian artists, frequently collaborating with organisations in the music industry and creative sector.

362. As set out in the PPCA Distribution Policy, PPCA makes financial and in-kind contributions for charitable, education and like purposes. One charitable organisation to which PPCA provides a contribution is Support Act Limited (**SAL**). SAL is a national charity established to provide assistance to Australian musicians, composers and associated music industry workers who are experiencing a crisis. PPCA is represented on the

Board of SAL and supports SAL's aim to provide crisis relief and mental health and well-being support for participants in the music industry.

363. PPCA collaborates with, and provides funding support to, several organisations that champion Australia music, such as Sounds Australia, the Copyright Council of Australia, and the Arts Law Centre of Australia. Additionally, PPCA has supported the Australian Independent Record Label Association (**AIR**) and the Association of Artists Managers (**AAM**). PPCA offers significant support to Support Act, which provides both counselling, mental health and wellbeing support programs and crisis financial assistance to all members of the Australia music industry.

364. In addition, PPCA sponsored awards at the 2024 ARIA Awards (Best Independent Release) and 2025 AIR Awards (Breakthrough Artist of the Year), AAM Awards recognising the achievements of new and independent Australian recording artists. PPCA also partnered with Collarts and 4ESydney to present industry events and education sessions during the reporting period.

Advocacy

365. During the Review Period, PPCA engaged with state and federal government and industry bodies, advocating for the rights of copyright holders in sound recordings through submissions and consultations relating to AI, commercial radio quotas, and opportunities in the live music industry.

366. PPCA reports that in the lead up to the 2025 Federal Election, it supported the cross-industry Vote Music 2025 campaign, spotlighting music's role in creating jobs, growing exports, and strengthening communities across the country. Among other issues, PPCA called for the Federal Government to protect copyright and ensure AI transparency, remove outdated radio

caps, secure Music Australia's future and increase prominence of Australian music – for the benefit of Licensors and Registered Artists.

Transparency

367. PPCA provides information on its website about the eligibility criteria and benefits of registering as a PPCA Licensor or Registered Artist, as well as the benefits to Licensees of obtaining a licence from PPCA.

368. As PPCA's rights are non-exclusive, PPCA also makes it clear in all of its communications to potential Licensees that there is also the option to obtain licences directly from the relevant rights holder.

369. The website also includes a link to all policies and codes of conduct applicable to Licensors, Registered Artists and Licensees.

370. As stated earlier, PPCA's Distribution Policy, available on PPCA's website, provides plain English guidelines including a guide to the distribution process and another guide as to how expired undistributed funds will be allocated by PPCA.

Complaints and Disputes (Code, Clause 3)

371. PPCA reports that during the Review Period it complied with cl 2.9 of the Code. Its approach is guided by its *Complaints Handling and Dispute Resolution Policy* (**Complaints Policy**). The Complaints Policy details the process by which complaints may be made and the procedure that will be followed to resolve them.

372. Individual complaints are dealt with in a separate section, "COMPLAINTS AND DISPUTES", below.

Other Legal Matters

Review of the Commercial Radio Broadcast Licence Scheme

373. PPCA previously advised of the referral to the Copyright Tribunal of a proposed scheme for the broadcast of sound recordings by commercial radio broadcasters (represented by Commercial Radio & Audio), following the failure of the parties to reach agreement through negotiation.

374. The hearing spanned three weeks (from 28 April 2025 to 16 May 2025). Closing submissions were made in June 2025. The matter remains ongoing, with the Tribunal's final determination expected during the Code's next reporting period .

375. Whilst a final determination is being made, the Tribunal previously made orders in respect of interim arrangements, such that licensees can continue to exercise the rights granted under the pre-existing licence, subject to payment of licence fees as ultimately ordered by the Tribunal.

Review of the Scheme applicable to Free TV Members

376. PPCA previously advised of the referral to the Copyright Tribunal by Free TV of a proposed scheme for the broadcast and online activities of Free TV's members. The matter remains ongoing, and is currently expected to be heard before the Tribunal in October 2025.

377. Agreed interim arrangements are in place until a new scheme can either be agreed or ordered by the Tribunal.

Publicity of the Code and Reporting of Compliance with it in the Annual Report (Code, Clause 4(a))

378. PPCA claims that during the Review Period it met its obligations under clause 4(a).

379. PPCA maintains a dedicated page on its website for the Code, containing information about the Code, including an explanation of the Code's purpose, a copy of the Code, and copies of past Code Reviews and PPCA Compliance Reports. The link to this dedicated page is in the footer of every page on the PPCA website.

380. Staff undergo annual training to understand PPCA's obligations under the Code to answer questions about the Code, as well as to direct Licensors, Registered Artists and licensees to the dedicated page for further resources (whether PPCA's own Code page or the Code of Conduct website).

381. During the Review Period PPCA published the Notice of the Call for Submissions to the report on its website as well as a news article to alert all visitors to the website about the upcoming annual review.

382. Of course, PPCA's annual report to the Code Compliance Reviewer is itself directed to the issue of its compliance with the Code.

Monitoring, Review and Amendments (Code, Clause 5)

383. PPCA states that during the Review Period it met its obligations under clause 5(c) of the Code.

384. PPCA reports that it constantly reviews and updates its processes and systems to improve its efficiency and data handling.

385. During the Review Period, PPCA utilised music recognition technology services to facilitate increased and improved data capture in relation to the use of sound recordings within selected PPCA licensee venues (with their approval) and also in respect of a free to air commercial television broadcaster.

386. PPCA reports that it is also undertaking steps to upgrade its IT distribution system, with the aim of improving its business practices by increasing the efficiency of its distribution process and processing of data. PPCA will be moving to a new Distribution system, with the migration of data due to commence in stages during the next review period.

387. PPCA also continued to discuss with all key licensees and also with APRA AMCOS, opportunities to acquire data on actual usage, to improve distribution accuracy,

Australian Writers' Guild Authorship Collecting Society Ltd ("AWGACS")

General

388. AWGACS's report on its compliance with the Code was furnished to me on 30 July 2025.

389. AWGACS's website is at https://www.awg.com.au/awgacs.

390. AWGACS is not a declared society under the Copyright Act, but elects to submit voluntarily to the Code of Conduct for Collecting Societies.

391. AWGACS continues to be a member of the International Confederation of Societies of Authors and Composers (**CISAC**) and therefore submits to the international best practice Professional Rules for dramatic, literary and audio-visual guidelines. AWGACS's procedures continue to be subject to CISAC review and extensive reporting on an annual basis.

392. AWGACS confirms that it does not license the use of its members' works and that it only collects and distributes secondary royalties.

Legal Framework (Code, Clause 2.1)

393. As previously reported, in December 2023, the ACCC authorised AWGACS to amend its constitution to make an assignment of rights a condition of membership. In June 2024, members voted in favour of amendments to the constitution which came into effect in July 2024.

394. Since the implementation of the assignment amendment on 1 July 2024, 727 AWGACS members have signed rights assignments.

Members (Code, Clause 2.2)

395. The number of members of AWGACS at 30 June 2025 was 2,543 [2024: 2,454], an increase of 89 since the last report.

396. As noted above, all current and future members must assign their rights to secondary royalties to AWGACS. Members have responded positively to the change and an extensive education plan has begun which involves members, agents and various industry stakeholders in its planning and rollout. This plan continues as AWGACS seeks to ensure members sign an assignment.

397. AWGACS membership is accorded consistent with the AWGACS constitution. The majority of members are screenwriters, but membership also includes those who have engaged in sufficient 'authorship' as to attract secondary royalties in a territory and are considered fit to be a member.

398. In 2024, AWGACS began recruiting screen editors to its membership. In some territories, these editors have performed sufficient 'authorship' to have attracted a secondary royalty payment, and AWGACS receives these payments from its sister societies. Accordingly, these editors were recruited to membership to allow the payment of their royalties.

399. AWGACS's constitution is available to all members and potential members upon request and on the AWGACS section of the Australian Writers' Guild (**AWG**) website.

Licensees (Code, Clause 2.3)

400. Clause 2.3 of the Code does not apply to AWGACS because AWGACS is not a licensor of copyright material.

Distribution of Remuneration and Licence Fees (Code, Clause 2.4)

401. For the same reason as reported above, AWGACS does not recover licence fees for distribution.

402. AWGACS distributes to its members monies collected from partnered societies. This is in accordance with its Constitution and is governed by its Distribution Policy as determined by the Board.

403. The Distribution Policy is made available to AWGACS's members upon request and is also published on the AWGACS section of the AWG website.

404. In the financial year ended 30 June 2025, AWGACS collected $1,971,396.67 [2024: $3,106,919] for distribution in 2025 and distributed $2,012,472.27 [2024: $956,831] from prior year collections.

Collecting Society Expenses (Code, Clause 2.5)

405. AWGACS states that it deducts from each year's royalty collections, its operating costs for that year.

406. AWGACS also deducts 5% of gross royalties received as a “cultural levy” to be directed towards appropriate activities in support of its members.

407. AWGACS sponsors the Annual AWGIE Awards for scriptwriters, which is run by the AWG.

408. In addition, AWGACS continues to invest, as resources permit, in pursuing new sources of royalties from new societies.

Governance and Accountability (Code, Clause 2.6)

409. The Board of Directors of AWGACS comprises five directors, of whom two are elected by the Board of the AWG (which itself is democratically elected by, and from, writers who are members of the AWG); two are elected by the AWGACS members from among the AWGACS membership; and one is, ex-officio, the AWGACS/AWG Group CEO or AWG Executive Director.

410. During the Review Period, AWGACS was audited and presented the audited accounts, as of 30 June 2024, to the members at an AGM, including:

- Total revenue during the period;
- Total amount and general nature of expenses;
- Allocation and distribution of payments to members.

411. AWGACS voluntarily submits to the extensive governance and accountability reporting measures and reviews of CISAC.

Staff Training (Code, Clause 2.7)

412. AWGACS reports that existing employees are aware of the Code and of its requirements and in particular of the Society’s Complaints Handling Procedure.

Education and Awareness (Code, Clause 2.8)

413. As a small society, AWGACS focuses on the education of scriptwriters and relies on larger societies and the Australian Copyright Council (**ACC**) to contribute to the promotion of the importance of copyright and of making information about the roles and functions of collecting societies in general accessible to the general public.

414. Internationally, the Society's membership of CISAC is directed to accomplish the same purposes.

415. AWGACS seeks to increase awareness among its members and the scriptwriting community via sponsorship of the Annual AWGIE Awards.

416. In addition, AWGACS continues to promote awareness of scriptwriting royalties to its members and industry stakeholders via electronic bulletins, social media and an accessible and regularly updated website.

417. Similarly, all of AWGACS's foundation documents are available to international collecting societies via the CISAC online portal, and domestically via the AWGACS website.

418. AWGACS continues to provide an advice service to members and to industry stakeholders on copyright and related issues.

419. AWGACS responds individually to all telephone and email enquiries from members, potential members and the general public about the society's purposes and practices.

420. In respect of the newly amended Constitution, AWGACS has prepared a range of educational events, including workshops with the industry's top literary agents, a webinar hosted by the ACC and ASDACS, a "Lunch

Break" hosted by the AWG and a membership-specific webinar in Australia and New Zealand.

Complaints and Disputes (Code, Clause 3)

421. AWGACS reports that its Complaints Handling Procedure and Dispute Resolution Procedure were developed in line with the requirements of the Code, the requirements of the International Confederation of Societies of Authors and Composers (**CISAC**), and the Australian Standard AS4269-1995 (Complaints Handling).

422. During the Review Period, AWGACS received no requests from members for these documents.

423. The matter of individual complaints is dealt with in a separate section, "COMPLAINTS AND DISPUTES", below.

Publicity of the Code and Reporting of Compliance with it in the Annual Report (Code, Clause 4)

424. The Code is posted on the AWGACS section of the AWG website and is made available to members and potential members upon request.

425. Of course, AWGACS's annual report to the Code Compliance Reviewer is itself directed to the issue of its compliance with the Code.

Monitoring, Review and Amendments (Code, Clause 5)

426. Calls for submissions are made available on the website.

Australian Screen Directors Authorship Collecting Society Ltd (“ASDACS”)

General

427. ASDACS’s report on its compliance with the Code was furnished to me on 30 July 2025.

428. ASDACS’s website is at https://asdacs.com.au.

429. ASDACS was incorporated as a company limited by guarantee in 1995. ASDACS collects and distributes secondary royalty income for audio-visual directors, which arise from the screening of their work both internationally and domestically.

Legal Framework (Code, Clause 2.1)

430. ASDACS reports that there were no changes made to its Constitution during the Review Period.

431. ASDACS’s Privacy Policy, Annual Accounts, and Constitution are available on the ASDACS website.

432. ASDACS has four staff members. The staff list is available on the ASDACS website.

433. As has been previously noted, ASDACS is not a declared collecting society under the Copyright Act and is therefore not required to comply with the Attorney General’s Guidelines for Declared Collecting Societies. Nevertheless, ASDACS’s constitutional rules are largely modelled on these guidelines.

Members (Code, Clause 2.2)

434. By the end of the Review Period, the membership had grown to 1,668 [2024: 1,559], an increase of 7%. ASDACS reports that 78% of members were Australian, 15% New Zealander and 7% were international residents.

435. In addition to its Constitution, the ASDACS website features a FAQ section with information sheets aimed to provide members with easy access to information and resources.

436. All staff are trained to respond to members' queries and complaints in accordance with its complaints policy also available on its website.

Licensees (Code, Clause 2.3)

437. ASDACS does not grant licences to use copyright works.

Distribution of Remuneration and Licence Fees (Code, Clause 2.4)

438. ASDACS does not collect licence revenue, but instead collects royalties generated from secondary rights. Secondary royalty income for the 2024-2025 financial year period totalled $2,128,194 [2024: $1,865,171].

439. A total of $106,847 bank interest [2024: $96,300] earned on ASDACS income over the 2025 financial year will be distributed evenly to its members in accordance with its constitutional rules.

440. ASDACS distributes domestic and international income collected in the prior financial year to members on an annual basis. During the Review Period, secondary royalties collected in the 2023-2024 financial year were distributed to the members.

441. In accordance with ASDACS's constitutional rules, after four years, undistributed funds are transferred into a development fund and applied for the benefit of the members.

442. During the year,expired distributions were allocated to the development fund. ASDACS utilised these funds toward IT/database development, marketing/promotions (website upgrade & promotional video) and a copyright campaign to improve the copyright of directors. The final breakdown of figures will be made available in ASDACS's audited annual report.

443. As reported previously, the ASDACS distribution rules and practices were updated in June 2019 to include requirements as per the Code of Conduct changes introduced 1 July 2019. In particular, the guideline maintains that the membership will be consulted prior to the making of any substantive changes to its distribution rules and practices and affirms that a detailed report on undistributed funds will be made available to its members. A plain English distribution rules and practices guideline is also available on the ASDACS website.

Collecting Society Expenses (Code, Clause 2.5)

444. ASDACS's members received the full amount of gross royalties that ASDACS received from reciprocal collecting societies internationally for their works, less the following amounts:

- **Administrative fee:** administrative fee of 17%, which covers ASDACS's operational expenses.;
- **Membership fee:** membership fee of 10 per cent, waived for members of the Australian Directors Guild (**ADG**), the Directors and Editors Guild of New Zealand (**DEGNZ**), beneficiaries and retirees; and
- **Cultural and Charitable Purposes Fund:** cultural and charitable

purposes fund fee of 4%. In the Review Period, $85,169 was transferred to the fund and granted to the Australian Directors Guild (ADG Awards and ADG National development Program), as well as the Directors and Editors Guild of New Zealand (Directors Masterclass).

Governance and Accountability (Code, Clause 2.6)

445. At its Annual General Meeting, seven members were appointed to the ASDACS Board in accordance with its constitutional rules. The list of the board members appointed is available on the ASDACS website.

446. As mentioned previously, the 2024-2025 audited ASDACS Annual Accounts will be made available on the ASDACS website and include details on collections, administration expenses, distributed funds and undistributed funds.

447. ASDACS continues to be a member of CISAC and abides by CISAC professional rules and standards, including the submission of an annual finance declaration and completion of a professional rules questionnaire and Asia-Pacific Committee Territory/Society Reports.

Staff Training (Code, Clause 2.7)

448. During the Review Period, all staff were made aware of the Code and were given further training on ASDACS's complaints handling procedure, as outlined in the ASDACS complaints policy.

Education and Awareness (Code, Clause 2.8)

449. The ASDACS website continues to promote the importance of copyright and makes detailed reference to the nature of copyright as

administered by societies in Australia and overseas, addressing the functions and policies of ASDACS in particular.

450. ASDACS continued to send to its members a quarterly e-news and used social media (Twitter, Facebook and LinkedIn) to keep members informed and aware of its work and progress.

451. ASDACS reports that it continues to promote fair remuneration for screen directors. This is in line with the broader CISAC 'Audio-visual campaign', which is aimed at gaining an unassignable and un-waivable right to remuneration for audio-visual authors across the globe.

452. ASDACS continues to be a member of the Asia-Pacific Audio-visual Alliance for Writers and Directors, aimed as a platform for audio - visual creators to share, connect and communicate, advocate for stronger copyright protections and further their interests in the Asia-Pacific.

453. Plain English distribution rules and practices guidelines, as well as information sheets on retransmission rights, undistributed funds and distribution practices are available to members on the ASDACS website.

454. ASDACS also makes its documents available on the Code of Conduct for Copyright Collecting Societies website introduced as from 1 July 2019.

Reporting by Declared Colleting Societies (Code, Clause 3)

455. As previously noted, ASDACS is not a declared Collecting Society under the Act.

Complaints and Disputes (Code, Clause 3)

456. Any complaints received by ASDACS during the Review Period would be

identified in a specific Complaints Register, separate from the record of other general interactions with members. The Review Period covers the distribution period of 1 January 2023 – July 2024 for royalty income.

457. The matter of individual complaints is dealt with in a separate section, "COMPLAINTS AND DISPUTES", below.

Publicity of the Code and Reporting of Compliance with it in the Annual Report (Code, Clause 4)

458. ASDACS publicises the Code and its adherence to it on its website and in all relevant information documents provided to members and potential members.

459. The Code is posted on the ASDACS website where those interested can also find:

- the Code Reviewer's latest Report on Compliance with the Code;
- the Triennial Code Reviewer's Triennial Review Reports of the Operation of the Code; and
- the 2025 Call for Submissions.

460. Of course, ASDACS's annual report to the Code Compliance Reviewer is itself directed to the issue of its compliance with the Code.

Monitoring, Review and Amendments (Code, Clause 5)

461. As previously reported, in order to improve the capture and exploitation of data to achieve better business practices, ASDACS has upgraded its database to allow the transfer of its repertoire of members works to the International Documentation on Audio-visual Works (**IDA**) database: https://www.ida-net.org. IDA is a non-profit international audio-visual rights management system, owned by CISAC, which Authors' Societies

consult to get accurate information on audio-visual works and rights owners. ASDACS continues to update and add new works to IDA on a regular basis.

C. COMPLAINTS AND DISPUTES AS REPORTED BY THE COLLECTING SOCIETIES

Australasian Performing Right Association Limited ("APRA") and Australasian Mechanical Copyright Owners Society Limited ("AMCOS")

Complaints by Members

APRA AMCOS Complaint 1 – CM01

462. APRA AMCOS categorised CM01's complaint as threefold – a Delay Issue, an Account Query and a Notification Issue.

463. In November 2024, CM01 noticed that although his account with APRA AMCOS showed that an amount of royalties had been paid to him, no amount had been credited to his bank account. The Writer Services Representative at APRA AMCOS advised the complainant that the November 2024 royalty payment was sent to the bank account that APRA AMCOS had on file for him and she recommended that he reach out to his bank for clarification.

464. CM01's enquiries revealed that a person not known to him had opened an account in his name at another bank. He wrote to APRA AMCOS asserting that either it had changed his bank account details or he had been hacked or his system had reverted to an old bank account.

465. In an email to both banks, CM01 explained that on 28 June 2024, his banking details had been changed in the APRA AMCOS online system, but not by him. The amount in question was $1,548.72.

466. CM01 said that he had been using his account at Westpac for the past 20 years. He acknowledged that when he was in Japan on 28 June 2024, he had logged on to his APRA AMCOS account but maintained that he had not changed his bank account details recorded at APRA AMCOS.

467. The Team Leader, Writer Representative at APRA AMCOS described the case as "a very strange case" of a kind that she had not seen before.

468. In January 2025, CM01 suggested that APRA AMCOS bear the loss having regard to the fact that he was a freelance individual with no actual permanent job.

469. On 21 March 2025, CM01 repeated that suggestion and expressed disappointment that the matter had not been resolved, notwithstanding the time that had passed. APRA AMCOS replied on the same day advising that his matter was still with its legal team.

470. On 30 May 2025, CM01 made a formal complaint, noting that he had been a member of APRA since 1984 and that he found it totally unacceptable that an organisation of the size of APRA did not resolve the issue within a couple of days.

471. On 13 June 2025, the Head of Membership at APRA wrote to CM01 apologising for the delays and offering payment of $590.52 in royalties. CM01 replied on 19 June 2025 expressing his deep disappointment with APRA's decision but noted that he felt that he had no choice but to accept its offer.

Code Compliance Reviewer's comments (if, and to the extent, called for)

472. I consider that the handling of CM01's complaint was unsatisfactory. The reason why APRA AMCOS would not pay the full amount of $1,548.72

was that its investigations revealed no fault or shortcoming within the APRA AMCOS system. Yet, as CM01 pointed out, the "hacker" was able to get $813.63 of the money the hacker had misappropriated after November 2024 when the member had alerted APRA AMCOS to the problem. There is no suggestion that CM01 was at fault. CM01 made the point that it is hard to understand why APRA AMCOS's legal department was consulted since it is beyond belief that APRA AMCOS would sue the hacker for such a small amount of money. CM01 was left with the conviction that APRA AMCOS was "simply trying to brush off the little, unimportant guy … and hope that he disappears into oblivious quietly".

473. In my view, once APRA AMCOS had taken the decision to pay CM01 something in the interests of good relations with a longstanding member, it should have paid the full amount of $1,548.72. To pay only $590.52 and withhold $958.20 must have seemed to the complainant, as it did, rather niggardly.

APRA AMCOS Complaint 2 – CMU01

474. This complainant, CMU01, was in fact the complainant CM02 in the Compliance Reviewer's Report for 2023 – 2024. Reference should be made to [441] – [459] of that Report for the background.

475. APRA AMCOS reports that it does not accept the claims made but continues to address the matter at the most senior levels of management, including CEO, COO and General Counsel, as well as the Head of Member Services.

476. As noted at [459] in last year's Compliance Report, the member and APRA have both referred the historical claims of underpayment to their respective external lawyers to establish an appropriate process for the resolution of the claims, without the need for further escalation.

477. APRA AMCOS now reports that the matter remains ongoing, and that without prejudice correspondence continues to be exchanged between the parties and their respective external solicitors.

Complaints by Licensees

APRA AMCOS Complaint 1 – CLO1

478. The complainant advised that music was not played at the premises where she carried on business but claimed that she had received what she regarded as threats from OneMusic Australia (**OneMusic**) that legal proceedings would be instituted.

479. CL01 made her complaint on 15 November 2024, and APRA AMCOS regarded the complaint as having been resolved on 29 November 2024.

480. By her email of complaint, CL01 claimed that an officer of APRA had threatened her with legal action if she did not pay for a licence and further that he would send someone into her business premises to check if she was playing music. She described the conduct of the individual as "tactics of bullying and harassment".

481. The OneMusic complaints team replied on the same day advising that the complaint would be investigated as a priority and that a response would be provided within 14 days.

482. On 26 November 2024, One Music's National Resolutions Manager wrote to CL01 explaining that since the former owner of the business had held a OneMusic licence, its staff member had wanted to contact CL01 as the new owner to ensure that any use of music at the premises continued to be covered by an appropriate licence.

483. On 29 November 2024, CL01 responded pointing out that her concern had been with the legal threats, tone and persistence of the staff member. CL01 requested a quote so that she could take a licence.

484. After CL01 provided information required by OneMusic, a licence was issued. OneMusic correctly considers the complaint resolved.

APRA AMCOS Complaint 2 – CLO2

485. On 4 November 2024, the complainant asked OneMusic to explain why the amount that she had been billed exceeded OneMusic's published rate for the same music as listed on its website. There was no response and CL02 made further attempts to contact someone at OneMusic and left three "chat" messages without a response.

486. CL02 wrote a letter of complaint to OneMusic on 26 November 2024, and on the same date the Australian Business Licence and Information Service (ABLIS), to whom she had referred her grievance, also wrote to OneMusic.

487. On the same day, OneMusic's National Resolutions Manager wrote to CL02 apologising for the delay and explaining that OneMusic had recently migrated over to a new computer system and had been experiencing some "teething issues".

488. Later that evening, OneMusic's National Resolutions Manager wrote to the complainant conceding that she had been overcharged $753.56 for the year 1 November 2024 to 31 October 2025 instead of the correct price of $727.65.

489. On 10 December 2024, the Customer Support Representative at OneMusic wrote to CL02 identifying what she must provide if she wanted an adjustment to her account, and concluding that if an email was not received from CL02 within seven days "any outstanding invoices will be payable".

490. CL02 replied to the effect that the information provided by OneMusic confused the issue even more because the document provided was

dated August 2023 and CL02 had previously received the same document dated November 2024 specifying different fees.

491. On 21 January 2025, the Customer Relations Manager at OneMusic telephoned the complainant and then wrote to her offering to waive any charge for the period 1 November 2023 to 31 January 2025, with a consequential writing off of $253.94 and a treatment of her as fully licensed for that period. Apparently, CL02 accepted that solution. The solution involved OneMusic's withdrawing all erroneously issued invoices, waiving the fees affected, and re-establishing the complainant's billing cycle effective from a new date.

492. The complainant remains a licensee and OneMusic considers the complaint resolved.

Code Compliance Reviewer's comments (if, and to the extent, called for)

493. There seems to have been a lack of communication between the National Resolutions Manager who wrote the conciliatory email of 26 November 2024 and the Customer Support Representative who wrote the email dated 10 December 2024 attaching an "Information Guide". The earlier email admitted the error and indicated that a new invoice would issue shortly. The later email reads like a standard form of communication that treated CL02 as if the first communication between her and OneMusic was her application for a refund. It is unfortunate that that email was written in the tone in which it was written, all the more so because the information provided under cover of it was "confusing".

494. OneMusic should ensure that its staff communicate with each other so that one officer will not write to a licensee in ignorance of the background with another officer. And see CL04 below.

APRA AMCOS Complaint 3 – CLO3

495. The complainant closed some of its stores and sought an adjustment in its favour. The request was made on 24 November 2024.

496. After several enquiries to which there was no response, OneMusic's National Resolutions Manager telephoned CL03 on 14 February 2025 advising that in respect of the closed stores, there would be a pro rating of the licence fees.

497. On 19 February 2025, the National Resolutions Manager suggested that CL03 switch to "quarterly in arrears" billing.

498. On 6 March 2025, CL03 wrote a detailed email setting out the adjustments to which CL03 claimed to be entitled.

499. After further correspondence, CL03 wrote on 29 April 2025 setting out, in tabular form, the adjustments to which it claimed to be entitled. On the following day the Resolutions Manager at OneMusic telephoned the complainant "regarding the numerous issues we have had with the invoices on the account" (as per file note).

500. On 9 May 2025, the Resolutions Manager sent to CL03 a lengthy reconciliation document.

501. OneMusic regards the complaint as having been resolved on 9 May 2025 and notes that the complainant remained a licensee.

502. OneMusic apologised to the complainant for what it described as "systems issues". The report to the Code Reviewer notes that the complainant accepted the recommendation to change from quarterly in advance" to "quarterly in arrears billing", so that the licence would be administered more efficiently in the future.

APRA AMCOS Complaint 4 – CLO4

503. The complaint by CL04 was made on 13 February 2025 and resolved on the same day.

504. The facts were simple. The complainant had sold her business and advised OneMusic of the sale. Notwithstanding this, she received an invoice and a demand for payment within seven days. An Account Review Representative telephoned the complainant and told her that she should disregard the invoice and the demand which had been issued "from a separate section of the business that had not been informed your account was paid and cancelled".

505. The final email on 13 February 2025 at 11:59 am from OneMusic to the complainant confirmed that there was nothing owing.

APRA AMCOS Complaint 5 – CLO5

506. The complainant notified OneMusic, apparently in December 2024, that its OneMusic licence was to be cancelled. The licensee was a club and it took the position that its licence fees otherwise payable to PPCA were "covered and paid for through Foxtel Music exclusively".

507. Nonetheless, OneMusic issued an invoice for the period 1 January 2025 to 31 March 2025, due for payment on 31 January 2025 in a sum of $724.53. The invoice called for payment within seven days, failing which the account might be referred to an external debt collection agency where additional fees might be incurred.

508. CL05 wrote to OneMusic on 19 February 2025 referring to the cancellation.

509. On 19 February 2025, OneMusic replied, undertaking to investigate the matter as a priority and promising a response within 14 days.

510. On 28 February 2025, the Account Resolutions Manager at OneMusic advised CL05 that the account and billing had not been cancelled as they should have been, due to an administrative error, for which he apologised.

511. The writer, however, sounded the note of warning that the club was not licensed, and referred to certain indications that music calling for a licence may have been played within the club.

512. OneMusic states that there has been no further development and that it regards the complaint as resolved.

APRA AMCOS Complaint 6 – CLO6

513. A prospective licensee made a complaint on 27 March 2025, and OneMusic regarded it as resolved on 9 April 2025 by reason of an email of that date from OneMusic to the complainant.

514. The email of complaint dated 27 March 2025 was headed "Your increasingly threatening contact". The writer apparently ran a small retail store. One of his complaints was that a licence fee of $627 plus GST per year was "extortionate". He said that henceforth only "royalty free music" would be played in the shop. CL06 also complained that representatives of OneMusic had harassed his staff.

515. OneMusic's Senior Manager of Licensing wrote to the complainant on 9 April 2025 apologising if he or his staff had felt in any way intimidated or harassed. The Senior Manager of Licensing explained why OneMusic seeks to ensure that businesses are appropriately licensed.

516. In any event, she advised that OneMusic had retained a record of CL06's concerns and that he would not receive further communications from OneMusic.

APRA AMCOS Complaint 7 – CLO7

517. CL07's complaint was made on 14 April 2025 and resolved later on the same day. However, the complaint referred to earlier email correspondence between the complainant and OneMusic. CL07 believed that she was being overcharged for her usage of music in her salon. She was paying licence fees associated with a *Gold* package and thought that it should be the less expensive *Silver* package.

518. CL07 advised in her email that she would appreciate OneMusic's assistance in resolving the matter promptly as she was now overdue for her account payment and would like to pay the amount correctly owing as soon as she heard back from OneMusic.

519. OneMusic's Resolutions Manager replied seeking information which would enable him to answer CL07's query.

520. After the information was provided, the Resolutions Manager confirmed that the *Gold* package was needed.

521. CL07 replied thanking the Resolutions Manager for the clarification and advising that she would pay the invoice immediately.

Code Compliance Reviewer's comments (if, and to the extent, called for)

522. This was not a "complaint" but a request for information and clarification.

APRA AMCOS Complaint 8 – CLO8

523. OneMusic records the complaint by CL08 as having been made on 16 April 2025 and resolved on 23 April 2025.

524. The General Manager of a company wrote to OneMusic complaining that his receptionist had taken several phone calls from a sales consultant at OneMusic, which he found to be "abusive". The

complainant advised that the calls had been "recorded". The complainant also advised that the representative of OneMusic made assumptions, without evidence, regarding the use of music in the premises, which were incorrect and inappropriate.

525. OneMusic's Senior Licensing Manager replied on 23 April 2025 apologising for the negative experience reported by the receptionist and advising that there would be no further communication from OneMusic, other than notifications relating to billing of the licensee's account portal.

APRA AMCOS Complaint 9 – CLO9

526. On 16 May 2025 at 9:30 am, OneMusic wrote to the complainant advising that playing music in his business may require permission from the owners of the copyright in the music, without which he might be infringing copyright, and that this could lead to legal proceedings and additional cost on top of his licence fee. The email invited CL09 to apply for a licence.

527. The response from the prospective licensee was in the nature of a complaint by email dated 16 May 2025. OneMusic was later to describe the language of the email as "unnecessarily hostile and distasteful".

528. The complainant referred to an "alarmist email" which CL09 had received from OneMusic.

529. The complainant's email described the earlier email from OneMusic as "quite disgusting" and OneMusic's behaviour as "bordering on fraudulent" and "definitely coercive and manipulative".

530. CL09 directed OneMusic to erase his data from its servers and confirm to him by email that that had been done.

531. On 22 May 2025, OneMusic's Senior Licensing Manager wrote apologising if CL09 felt that the email from OneMusic implied any wrongdoing on his part. He explained that OneMusic has an ongoing responsibility to reach out to businesses of all types throughout Australia to ensure that they are aware of the need to be appropriately licensed if they are using the extensive repertoire of music represented by OneMusic.

532. The writer confirmed that details of CL09 had been removed from OneMusic's servers and that his business would not receive further communication from OneMusic.

APRA AMCOS Complaint 10 – CL10

533. OneMusic records this complaint as having been made on 27 June 2025 and resolved on 1 July 2025. There was, however, also correspondence over the earlier period, 12 June 2025 to 26 June 2025.

534. In response to a standard form of letter from OneMusic to prospective licensees, CL10 advised as follows:

> "As previously mentioned, we do not play music in our shop, my staff in the packing room listen to music of all sorts, but we do not play music in the shop for customers".

535. An earlier email from CL10 dated 13 June 2025 had stated cheerfully:

> "Gday, Mate. We are [persons engaged in an outdoors business] and listen to the radio in the truck. Sorry, not applicable"

536. CL10's email of complaint dated 27 June 2025 was not so cheerful. It asserted that CL10 had been receiving emails and phone calls from OneMusic and had responded several times to the effect that music was not played by the business in public and that the complainant had a small shop in which it did not play music. Nonetheless, the email asserted, OneMusic's representative "seem[ed] to be on a righteous

commission driven crusade to have us pay OneMusic's music fees". CL10 continued by referring to the fact that his staff member was in tears as a result of threats by OneMusic's representative.

537. OneMusic's Senior Licensing Manager replied on 1 July 2025 apologising if CL10's staff had felt in any way threatened when contacted by OneMusic's Licensing Representative. The Senior Licensing Manager noted in her email that CL10 had advised that music was not being publicly performed in the business, and therefore she confirmed that the business would not receive further communications from OneMusic on the matter, unless OneMusic became aware of a change in that situation.

538. The complainant did not respond or raise further issues and OneMusic justifiably considers the complaint as resolved.

539. In addition to the complaints addressed above, APRA AMCOS has furnished to the Code Reviewer the Annual Report of *Resolution Pathways* for 2024 and the Report of *Resolution Pathways* covering the period April to June 2025. The latter notes that the quarterly report for January – March 2025 was previously delivered on 9 April 2025.

Copyright Agency Limited ("Copyright Agency")

Copyright Agency Complaint 1 – CA01

540. CA01 was an indigenous art centre, where artists create visual works, including printmaking, etching, textiles, jewellery and carvings. The Centre is a member of Copyright Agency. The complaint was made by its manager.

541. According to Copyright Agency, the art centre works with Copyright Agency to facilitate the licensing of art works to certain third parties. The Centre also grants licences to third parties directly.

542. The complaint concerned a 4-year licence for a local government authority to place artwork decals on nine motor vehicles. Decals are a kind of sticker, often made from vinyl, designed to be transferred from a backing paper to a surface by the use of a special transfer tape.

543. The manager and a Visual Arts staff member of Copyright Agency had been working on a project to devise the terms of the licence. The manager was not happy with how the negotiations were being managed by Copyright Agency. In particular, she considered that the licensing fee structure was not communicated to her clearly, Once she understood it, she appreciated that the licensing transaction would not be financially feasible for the Centre and therefore she did not want Copyright Agency to finalise the terms and said that she would “do it directly”.

544. Copyright Agency’s Visual Arts Licensing Manager and Indigenous Engagement Manager met with the complainant Centre’s manager in person and explained to her how the fees are structured. According to Copyright Agency, the manager was happy for the Centre to work with Copyright Agency on future licensing transactions.

545. According to Copyright Agency, the particular manager has resigned from the particular Centre to take up a role with another arts organisation.

546. Copyright Agency reports that it maintains a strong working relationship with the complainant, its former manager and her successor. Moreover, it reports that it has recently finalised a significant licensing transaction with her new employer and that the new manager of the complainant Centre has recently requested Copyright Agency to work with it on licensing the use of its new logo..

Copyright Agency Complaint 2 – CA02

547. CA02 is an author member of Copyright Agency. He complained that a newly-elected member of its Board of Directors had infringed his copyright and that the person should not be permitted to serve as a director.

548. The complaint was made by an email dated 17 October 2024.

549. The complainant believed that the individual had "stolen" one of his stories that he had published in two articles and had taken advantage of the fact that the National Anti-Corruption Commission (**NACC**) had announced that it would not investigate the six referrals from the Robodebt Royal Commission.

550. The following day, 18 October 2024, Copyright Agency wrote to the complainant explaining that under its constitution any author member may be nominated for an author-director position by any other two author members.. Copyright Agency observed that in this case the individual had been duly nominated in that manner and was therefore eligible for election to the Board.

551. Copyright Agency further explained that it does not pursue proceedings for infringement of copyright on behalf of its members and that if the complainant wished to pursue that avenue he should do so via an independent legal representative. He was also referred to Copyright Agency's "Fact Sheets" of relevance.

552. On 2 December 2024, the complainant resubmitted his complaint in light of the fact that the individual had by then been elected as a director.

553. On 9 January 2025, General Counsel for Copyright Agency wrote a lengthy letter of explanation to the complainant.

554. Copyright Agency has heard nothing further from the complainant and it seems that he has accepted Copyright Agency's explanation of the legal position.

Copyright Agency Complaint 3 – CA03

555. CA03 is a publisher member of Copyright Agency. The complaint related to the procedure governing the distribution of copyright material for use in schools, and the decline in monetary distributions received by the member.

556. The complaint was made by a letter dated 18 November 2024. The letter of complaint stated that the complainant was a "major Australian educational publisher" and that resources published by it are used by more than 6,500 schools nationally. It asserted that every year the complainant released at least one new educational program or assessment tool which have seen very significant adoptions in Australian schools over the last 10 years.

557. Notwithstanding this, the letter pointed out, distributions from Copyright Agency have been declining. Dollar amounts are cited. CA03 requested that the methodology used to determine publisher distributions from 2020 be reviewed. The complainant also sought details of the methodology to be used and an assurance that Copyright Agency would address "this serious omission in the Licence Schemes relating to use of copyright material in schools in recent years".

558. After a formal acknowledgement of receipt dated 21 November 2024, Copyright Agency, through its Complaints Officer, wrote at some length to the complainant on 16 December 2024. The letter included a table which set out, for the years 2015 to 2024 inclusive, the number of works of the complainant for which payment had been allocated and the amount in dollars allocated.

559. The figures showed a remarkable spike in the dollar amounts in 2019 and 2020. The letter explained that this was due to unusually high copying in a single school in Term 1 of 2018. The dollar amounts and number of works in 2021-2024 were both substantially higher than they had been in 2015-2018. The very large amounts in 2019 and 2020 were not due to an increase in the number of works used in those years, which remained consistent with the pre-2019 number of works. This suggests that the explanation given in the letter could well be correct.

560. The letter further explained that at that time, Copyright Agency used the data from each survey twice so that the allocation in 2020 was also very high due to that same single instance. That level of copying, so the letter said, was not reflected in any of the other schools that provided data in the surveys over a number of years.

561. Copyright Agency's letter concluded by advising that its online questionnaires ask teachers to list books and digital resources copied in the previous twelve months, and that teachers had listed titles of CA03 which were reflected in allocations made since 2021.

562. Finally, the letter advised that if CA03 wished to provide further comments, that should be done within 21 days.

563. Copyright Agency has heard nothing further from CA03.

Copyright Agency Complaint 4 – CA04

564. CA04 was an applicant for a grant from the Cultural Fund. She complained that Copyright Agency did not communicate clearly the eligibility criteria for grants from the Fund.

565. Copyright Agency responded, explaining the eligibility criteria and the reasons why her application did not meet them.

566. The interactions between the complainant and Copyright Agency began with an email from CA04 to Copyright Agency on 20 January 2025 which was in the nature of an enquiry. She said that she collaborated with an artist on a magazine which included the works of 10 to 20 artists, including CA04 and her collaborator in each issue.

567. Her enquiry was whether she should apply as a sole applicant or the application should be by her alone or by the two of them.

568. Copyright Agency replied on 20 January 2025 advising that "organisations" were not eligible to apply for a "Create Grant" which were for individual artists to create works for an exhibition. Copyright Agency suggested that the complainant try *Creative Australia* or the relevant State funding body, such as *Create NSW*.

569. CA04 replied that they were not an "organisation" and that "what was involved was an artwork that incorporated text and collaboration".

570. Copyright Agency responded that since CA04 had previously mentioned her "magazine", the writer had assumed that an organisation was the applicant. However, Copyright Agency's letter went on to say "if you're not exhibiting at a gallery, then this project is not eligible".

571. Apparently CA04 did not receive that email – she wrote to Copyright Agency on 23 January 2025: "As I haven't heard back, I am assuming that you mean that they are looking for more craft-based objects, rather than conceptual artworks".

572. On 23 January 2025, Copyright Agency replied, virtually immediately, to the effect that the Cultural Fund would only support applications for Create Grants from visual artists where there was an exhibition outcome at a gallery or institution, and that since her application was for a magazine, it was not eligible.

573. On 6 February 2025, CA04 made a formal complaint stating, among other things, that the communications from Copyright Agency were "ill-informed in matters of art and art history, [which the complainant found] frustrating and disappointing coming from a government body".

574. On 13 February 2025, a Senior Lawyer at Copyright Agency wrote a lengthy email explaining the eligibility criteria and giving website links.

575. Copyright Agency advises that it has heard nothing further from CA04.

Code Compliance Reviewer's comments (if, and to the extent, called for)

576. The parties seem to have been at cross purposes. It may be that this was due, in part, to ambiguity in the criteria for grants from the Cultural Fund. I so not know why Copyright Agency thought that the mention of a "magazine" indicated that the applicant was not the complainant but an organisation with which she was associated. Once that misunderstanding was removed, the ground for rejection became that the artwork was not to be exhibited in a gallery.

577. I suggest that Copyright Agency consider whether the Cultural Fund criteria make it clear that applicants must be individuals as distinct from organisations and that it will be a ground for rejection if an artwork is not to be exhibited in a gallery.

Copyright Agency Complaint 5 – CA05

578. CA05 is CAG, the Copyright Advisory Group to schools and TAFEs. CAG's complaint was that Copyright Agency had made misleading and deceptive statements on its website in relation to licensing AI use in schools. CAG demanded removal of those statements.

579. The letter of complaint was dated 13 February 2025 and was from the National Copyright Unit in CAG. In summary, the complaint was that Copyright Agency had published on its website general statements to

the effect that a person is required to hold a licence (granted by Copyright Agency or otherwise) in order to:

(a) use third-party materials as part of a prompt for a generative AI tool; and

(b) use an output from a generative AI tool.

580. The letter from CAG went on to assert that Copyright Agency had omitted to make it clear that there are circumstances in which a person may be permitted to use third-party materials in connection with generative AI tools without a licence from Copyright Agency or otherwise, and the letter gave instances.

581. The letter included the statement:

> "As you are aware, the relationship between copyright and AI is complex and there is no general conclusion that can be broadly applied across all uses of third-party materials in connection with generative AI tools. A person's ability to use third-party materials in connection with generative AI tools (with or without a licence) is nuanced and must be considered on a case-by-case basis."

582. CAG sought an undertaking from Copyright Agency in a form attached to the letter. It is noted that the form of undertaking refers to the undertakings in paragraph 3.1 of the letter, but the reference should be to paragraph 3.2 of the letter.

583. On 10 March 2025, Banki Haddock and Fiora replied on behalf of Copyright Agency. The solicitors rejected CAG's demands and advised that Copyright Agency was "shocked and disappointed" that the CAG had chosen to make such serious claims, which Copyright Agency believed had no legal basis, particularly in the context of the ongoing relationship between the two bodies. The letter noted that Copyright Agency and the schools were in ongoing discussions regarding licensing options which went precisely to the matters raised in CAG's letter. The solicitors stated that Copyright Agency would have expected concerns

of the kinds set out in CAG's letter to be raised in the context of those discussions, which would have provided a far more appropriate forum in which to raise those matters.

584. The solicitors' letter was lengthy and dealt with the arguments advanced by CAG. Among other things, the letter advised that any complaint to the Code Reviewer would be strongly contested and that a full history of Copyright Agency's dealings with CAG would be provided.

585. Copyright Agency has not heard further from CAG.

586. My Compliance Reports in respect of previous periods of review demonstrate that over the years there have been strenuously contested issues between CAG and Copyright Agency. Previously, the chief source of debate has related to transparency—the provision of adequate information by Copyright Agency to CAG, which seems to have been resolved.

587. The present issue, if litigated, would be complex, costly and time consuming. CAG and Copyright Agency would be well aware of this. The dispute between the parties is over the application of complex law to novel facts. The precise issues and respective contentions described in the correspondence have been the subject of comment in public and professional media. It is not the role of this Reviewer to offer his opinion in the annual Compliance Report on a dispute of that kind. Apart from anything else, to do so would involve much time and cost, with a result that could only be an inconclusive opinion, as contrasted with a court determination.

Copyright Agency Complaint 6 – CA06

588. CA06 complains about Copyright Agency's failure to respond to its communications within a reasonable time in relation to licence negotiations and about its treatment by Copyright Agency under the

statutory education licence, and, in particular, the operation of Copyright Agency's "rate card". The correspondence extends from 17 April 2023 to 31 March 2025.

589. In relation to the delay complaint, Copyright Agency explained to CA 06 that the delays occurred primarily during the period when Copyright Agency's licensing team was undertaking a transition of more than 1,000 licensees onto a new rate card. It undertook to respond to CA 06 more promptly in the future. It is not necessary to set out in this report a summary of the correspondence from 17 April 2023 to 18 December 2024 concerning the applicability of the rate card.

590. The rate card issue seems to have come to a head with an email dated 12 March 2025 from the CEO of CA 06 to the CEO of Copyright Agency, and the latter's reply dated 31 March 2025,

591. The former began by asserting that there had been "a breakdown in constructive engagement concerning equitable remuneration under the statutory education Licence". The email continued by complaining that the rate card was not limited by reference to Higher Education activities but also included CA 06's VET (Vocational Education Training) activities. CA 06 maintained that equitable remuneration was not properly payable in respect of the latter. If it was not, the licence fees payable by CA 06 would be reduced.

592. The reply from Copyright Agency's CEO asserted that "due to the integrated nature of [the complainant's] operations, its remuneration notice—and therefore the statutory licence—applies to both its VET and higher education offerings".

593. Copyright Agency advised CA 06 that the rate card was adopted with effect from 1 January 2024 after extensive consultation in 2023 with licensees and peak bodies.

594. Copyright Agency noted that while CA 06 had chosen not to adopt the rate card, Copyright Agency had always made it clear that the rate card represented the market rate, and that CA 06 should budget accordingly.

595. The email from the CEO of Copyright Agency noted that if CA 06 wished to pursue a usage-based agreement, this would require the implementation of a data collection methodology and agreement on other matters. The email went on to say that a usage-based approach would require detailed record keeping and reporting overseen by an independent third party expert—a complex and resource-intensive process, often disproportionate to the fees payable under the standard rate card.

596. It is not possible for me to reach a conclusion on the materials provided as to whether the position taken by Copyright Agency or CA 06 has the greater merit.

Audio-Visual Copyright Society Limited ("Screenrights")

597. Screenrights reports that it received no complaints in the Review Period.

Phonographic Performance Company of Australia Ltd ("PPCA")

PPCA Complaint 1 – PPCA CL01

598. PPCAC1, a licensor, complained on 27 December 2024 that his royalty cheque was made out to a company that no longer existed. He said that he had advised PPCA every year for the last five years that the

company had been wound up. He advised that his bank would not accept cheques that bore the name of the company.

599. PPCA acknowledged receipt of the complaint on 8 January 2025 and provided a substantive response on the same day.

600. A Deputy Distribution Manager acknowledged that the complainant had advised PPCA in 2021 that the company no longer existed. PPCA advised that at that time it had updated the payee's name for the purpose of the reissuing of cheques for distributions, and issued a new "Input Agreement" in the name of the individual to be completed by him. However, according to PPCA, that new Input Agreement had never been returned and so payments had continued to be sent out "c/-" the company but bearing the individual's name as the name of the payee.

601. The Deputy Distribution Manager advised that PPCA's records showed that the cheques had been cleared, and asked to be told if this was "not the case. The Deputy Distribution Manager offered to re-send the Input Agreement via DocuSign envelope and advised that once this was returned, the individual complainant would be set up with access to PPC's online portal.

602. On 13 January 2025, PPCA's Complaints Officer (she was also its Chief Operating Officer (**COO**)) also responded to the complainant, apologising for the difficulty and confirming that PPCA would make the requested changes as soon as the complainant completed the new Input Agreement. The Complaints Officer asked to be informed whether the complainant would prefer a "soft copy" or a digital version using DocuSign. The Complaints Officer advised that PPCA's records showed that the cheques issued in 2022 and 2023 had been cleared and offered to pay the amount for 2024 by EFT if the complainant had not been able to bank the cheque for that amount.

603. On 10 February 2025, the Deputy Distribution Manager sent a reminder email to the complainant.

604. No response was received by PPCA and, as of 30 June 2025, PPCA considers the complaint resolved.

PPCA Complaint 2 – PPCA CL02

605. There was correspondence between the PPCA Distribution team and the complainant which was escalated to a "complaint" on 13 January 2025. The complainant, a licensor, complained that he had received no distribution for the July 2023 – July 2024 period, even though recordings of his music had been broadcast by community radio broadcasters.

606. On 14 January 2025, PPCA's COO wrote to the complainant repeating a request, that PPCA Distribution team had previously made, for details of the tracks that the complainant believed had received airplay, so that the matter could be carefully investigated.

607. The complainant replied on 29 January 2025 providing those details. He advised that he had published his music for about 2 years and has a record of more than 200 downloads, and so assumed that his music had been played more than 200 times. He said that he had lost faith in PPCA and would not release his music to AMRAP (Australian Music Radio Airplay Project) any more because he would get nothing in return.

608. On 3 February 2025, the COO responded thanking the complainant for the information and advising that PPCA would re-check the broadcaster's usage logs and provide the complainant with an update in due course.

609. The complainant wrote thanking PPCA for the response and providing additional information in the form of a report downloaded from AMRAP.

610. On 10 February 2025, PPCA's Complaints Officer advised the complainant that PPCA's review of the usage logs confirmed that there were no instances of air play for the recordings reported to PPCA. The Complaints Officer suggested that the discrepancy could be due to the fact that AMRAP Reports relate to the downloaded recordings by individuals with access to the AMRAP system, rather than actual broadcasters.

611. The following day, 11 February 2025, the complainant responded maintaining that the AMRAP Report was evidence of the broadcasting, and characterising PPCA's response as "illogical".

612. The PPCA Complaints Officer wrote on 4 March 2025 confirming that CBAA (Community Broadcasting Association Australia) had advised that the AMRAP Report was in fact an indicator of broadcast activity, and that PPCA had contacted the head of AMRAP in order to understand its Reports better. The Complaints Officer also provided to the complainant an overview of PPCA's Distribution Principles and PPCA's reasoning for using sample data to distribution income received from the community broadcast sector.

613. PPCA reports that it is working with APRA to obtain monitored data from the community radio sector in order to improve the reliability and accuracy of data used for the purposes of distribution.

614. PPCA considers the complaint "resolved" as of 30 June 2025. I assume that this is on the basis that there has been no further word from the complainant since his communication of 11 February 2025.

PPCA Complaint 3 – PPCA CL03

615. On 16 January 2025 the complainant licensor contacted the PPCA Distribution team, complaining that recordings in which he owned the rights had long since been distributed on compilations and licensed by

unknown players. He asserted that PPCA was holding income arising from the playing of those recordings.

616. On 17 January 2025, in the absence of the Complaints Officer, who was on leave, the PPCA Distribution Manager responded addressing some of the complainant's concerns.

617. Investigations revealed that while PPCA resolved most of the "dual claims" in 2019, one erroneous claim was not removed from the database. PPCA corrected that error and apologised. PPCA's Distribution Manager confirmed that no income was held by PPCA for that recording.

618. On 3 February 2025, PPCA's Complaints Officer, having returned from leave, wrote to the complainant apologising for the oversight in relation to the recording in question and assured him that PPCA had not made payments to other parties in respect of the complainant's repertoire.

619. There has been no further communication from the complainant and as of 30 June 2025, PPCA considers the complaint resolved.

PPCA Complaint 4 – PPCA Complaint by Registered Artist 01

620. On 11 March 2025, a Registered Artist contacted the PPCA Distribution team complaining that he was unable to reset his password for the PPCA Portal, notwithstanding his having used a link received in an email from PPCA.

621. PPCA's Deputy Distribution Manager responded on 12 March 2025, apologising and advising that the complainant had received the email from PPCA because he had not yet activated his Portal account, and that that was the reason why the reset password function was not working for him. Instructions for setting up an account had been provided in a separate email, and a further copy of that email was provided to the complainant.

622. Not having heard further from the complainant, PPCA considers the complaint resolved as of 30 June 2025.

PPCA Complaint 5 – PPCA Complaint by Registered Artist 02

623. A Registered Artist contacted PPCA's Complaints Officer on 8 May 2025, complaining that he had not received a distribution payment since changing his address 22 years ago.

624. The PPCA Complaints Officer replied on 13 May 2025, explaining that PPCA had been advised in 2004 of details of the complainant's management company and that cheques in the complainant's name had been sent to that company. The Complaints Officer gave the current address on record and advised that no mail had been returned from that address, but noted that there were some cheques outstanding. The Complaints Officer requested that the complainant advise PPCA of his bank account details for distribution of the outstanding amount.

625. On 13 May 2025 the complainant replied thanking the Complaints Officer and providing the further details requested.

626. On 22 May 2025, PPCA's Deputy Distribution Manager advised the complainant that payment had been made.

627. On 26 May 2025, the complainant replied that the amounts seemed small for the relevant period during which the complainant had worked as a professional musician on a regular basis.

628. On 26 May 2025, PPCA advised that the payments that had now been made were the only outstanding payments during the relevant period, and made it clear that payments for live performances are not collected by PPCA but by APRA AMCOS.

629. Since there has been no further communication from the complainant, PPCA considers the complaint resolved as of 30 June 2025.

Australian Writers' Guild Authorship Collecting Society Ltd ("AWGACS")

630. AWGACS reports that during the Review Period it received no complaints from members

Australian Screen Directors Authorship Collecting Society Ltd ("ASDACS")

631. ASDACS reports that during the Review Period, it received no complaints.

D. COMPLAINT MADE DIRECTLY TO THE CODE COMPLIANCE REVIEWER

632. In response to the invitation to the public to make submissions directly to the Compliance Reviewer, one individual (**the Submitter**) made such a submission.

633. He provided a CV which shows that he has much experience in the music industry.

634. The Submitter also provided redacted versions of his submissions to be forwarded to APRA AMCOS and PPCA.

635. Attached to this Report as **Annexure B** to this report is an anonymised list of the Submitter's emails, submissions and addenda and of the APRA AMCOS and PPCA responses.

ARIA

636. The Secretariat pointed out to the Submitter that ARIA, about whose conduct he complained, was not a collecting society.

637. The Submitter responded to the effect that ARIA has a one-third ownership interest in PPCA and was a publisher member of APRA AMCOS.

638. I note that PPCA is a limited liability company and that its share capital is held in equal shares by the three founding record company members that remain. Those three are Sony Music Entertainment, Universal Music and Warner Music. EMI Music was also a founding member.

639. APRA AMCOS have Writer Members and Publisher Members.

640. ARIA, the Australian Recording Industry Association, is not a shareholder of PPCA or a Publisher Member of APRA AMCOS. It is an industry association of recording companies.

641. Although ARIA is therefore not a signatory to the Code of Conduct and it is beyond the scope of my task to assess its conduct, little, if anything, turns on this, since the conduct alleged by the Submitter is that of both PPCA and ARIA, and of course PPCA is a collecting society which is a signatory to the Code of Conduct.

A voluntary code of conduct

642. Underlying much of the Submitter's submission is the view that the voluntary nature of the Code is deficient because it is a form of self-

regulation. For example, the Submitter states as the Conclusion (p4) of his original submission:

> "As a long-serving professional and statutory arts assessor, I observe that ARIA, PPCA, and APRA/AMCOS's conduct since September 2022 constitutes ongoing, systemic breach of their own Code of Conduct. Each year— despite explicit public admissions and binding Code obligations—these failures have remained uncured. The Code's latest amendments (May 2025) accomplish little, as all compliance remains self-assessed and no meaningful, mandatory external accountability exists. Until enforced, these "codes" are little more than PR exercises; the power to effect structural redress and justice remains entirely in the hands of the very institutions responsible for systemic harm."

643. But the issue of self-assessment has been considered at a governmental level. The Bureau of Communications and Arts Research (**BCAR**) within the then Department of Communications and the Arts, produced its *Review of Code of Conduct for Australian Copyright Collecting Societies* in April 2019. The BCAR Report stated (at page 9):

> "The review did not find sufficient evidence of non-compliance with the Code to justify making the Code mandatory at this stage. This would unnecessarily increase regulatory costs to Government and compliance costs in the copyright system."

Therefore, the objection that the Code is a form of self-regulation may be put to one side for the purposes of this Report.

644. I note also that the requirement that the collecting societies report annually to an independent reviewer may go some way to meet the self-regulation criticism.

The *Raising their Voices* Report

645. The Submitter describes as his "Core submission", that:

> "[d]espite their roles in funding, authoring and promoting the 2022 *Raising their Voices* report, ARIA, PPCA and APRA/AMCOS have failed to bring their practices in line with mandatory ethical and operational standards, [which] failures represent continued breaches of the industry's own Code of Conduct, in some instances persisting for nearly three years (since 1 September 2022)."

646. Apparently, the *Raising their Voices* Report was issued in 2022, perhaps on 1 September 2022.

647. The background to that Report should be noted. In 2021, over 30 artists, workers and leaders from the Australian contemporary music industry came together to address the prevalence of sexual harm, sexual harassment and systemic discrimination in the industry. It was agreed that an independent review should be undertaken. To that end, a Temporary Working Group (**TWG**) was established. The TWG engaged MAPN Consulting Pty Ltd (**MAPN**) to conduct the review. The review commenced in February 2022, and the Report, which it produced, resulted from its consultations and other work.

648. Consistently with the purpose of the TWG, the cover of the Report states:

> "This report presents the findings of an independent review into sexual harm, sexual harassment and systemic discrimination in the Australian contemporary music industry."

649. APRA AMCOS have provided me with their responses to what appears to be a standard form of questionnaire that they received from MAPN. The questionnaire asked questions directed to whether APRA AMCOS had policies and practices addressing discrimination, harassment, bullying, accessibility, diversity and inclusion, the responsible use of social media, alcohol awareness, and whistleblowing. APRA AMCOS responded positively in respect of all, or nearly all, of these matters.

650. APRA AMCOS and PPCA accept, as the Submitter contends, that they had a key role in the circumstances that gave rise to the production of the *Raising their Voices* report.

651. PPCA has advised me that it was:

> "integral to the *Raising their Voices* initiative from its inception, working collaboratively with APRA AMCOS and other peak bodies to address the critical issues of sexual harm, harassment, and systemic discrimination within the Australian music industry."

652. APRA AMCOS has informed me that it "co-hosted the gathering [in 2021], co-appointed the independent facilitator, provided the venue and participated in the gathering".

Breaches of the Code alleged by the Submitter

653. The Submitter alleges that APRA AMCOS and PPCA have breached the Code in numerous respects. He identifies the particular clauses of the Code said to have been breached and then describes, in general terms, the conduct said to have constituted the breach. By way of illustration, the first breach may be noted as follows:

> **1. Failure to Establish Independent Oversight and Safe Complaints Pathways**
>
> **Code Clauses Breached:**
>
> - **2.6 (Governance and Accountability)**
> - **3 (Complaints and Disputes)**
> - **2.2/2.3 (Transparency, Fair Treatment)**
>
> **Nature of Breach & Years Outstanding:**
>
> - The *Raising Their Voices* report's lead recommendation (Rec. 1, 2, 5, 7) was for a sector-wide independent Cultural Reform Council and independent safe space for disclosures—measures ARIA, PPCA, and APRA/AMCOS committed to deliver by March 2023.[4]
> - As of August 2025, no such independent council or safe space exists. All complaints remain internal, in breach of at least **3 years** of Code obligations to fairness, transparency, and external accountability.

654. In all, the Submitter alleges six classes of breach. The other five are set out in the structure indicated by the example above.

655. The Submitter also sets out in a table the six areas of breach, the corresponding clauses of the Code said to have been breached, and the number of years the breach has existed. In all cases, the number of years is three, that is to say, the period since MAPN provided its Report.

656. I have a fundamental problem with the submission. While it pays lip-service to the Code by identifying its provisions that are said to have

been breached, it proceeds to focus on the *Raising their Voices* report, rather than on the Code. The example set out earlier bears out this point.

657. There is no connection whatever between clauses 2.6 and 3 of the Code and the conduct said to have constituted a breach.

658. Clauses 2.2 and 2.3 of the Code relate to a collecting society's treatment of its members and licensees respectively. I have read recommendations 1, 2, 5 and 7 of the Raising their Voices report to which the Submitter refers. Recommendation 1 is for the establishment of a Contemporary Music Industry Cultural Reform Council. Recommendation 2 spells out the functions proposed for that Council. Recommendation 5 is to the effect that within 6 months of its establishment, the Council should create "an independent specialist safe space". Recommendation 7 is to the effect that within 12 months of its establishment, the Council should conduct a review to identify options to investigate breaches of Industry Codes of Conduct.

659. It can be seen that all four recommendations are at a macro or industry-wide level, unlike clauses 2.2 and 2.3 of the Code which are directed to the relationship between a collecting society and its members and licensees. It would not be a breach of those clauses if it could be said that APRA AMCOS or PPCA had not done everything possible to implement the four recommendations, regrettable though that may be.

660. In fairness to the collecting societies, it should be noted that they responded as follows to the submission that they had been inactive notwithstanding the *Raising their Voices* report:

PPCA

"Following the publication of the findings of the review, ARIA and PPCA continued a leadership role in implementing the recommendations from the review, most notably in the development and coordination of an industry-wide acknowledgement of harm letter that was signed by dozens of major industry players. One of the recommendations of the review was to establish a Contemporary Music Industry Reform Council to address sexual harassment, harm and discrimination within the music industry. ARIA and PPCA recognised the need for a dedicated government office to coordinate ongoing the reform efforts and actively advocated for the establishment of Creative Workplaces within Creative Australia. Creative Workplaces fulfils the role that was contemplated by the Contemporary Music Industry Reform Council (which was Recommendation 1 of the review). Information about the role that Creative Workplaces fulfils is available here: https://creativeworkplaces.gov.au/about-us/our-role

At an organisational level, ARIA and PPCA have implemented numerous recommendations stemming from the review, including adopting the 40:40:20 policy, demonstrating a commitment to translating the review's findings into concrete structural and cultural changes within their own operations and across the broader industry."

APRA AMCOS

"Following the conclusion of the Review and publication of the Report by the Review Team:

- APRA AMCOS was a signatory to the *Music Industry Joint Statement of Acknowledgement*, issued shortly after the publication of the Report. The statement is available at the following link: https://docs.google.com/document/d/1NNF8T2iFCcm8QPNyrhrbT9xDWVCmyyk_Lu D3pyyP-ao/edit?tab=t.0.

- APRA AMCOS issued a separate statement drawing attention to the experiences of exclusion reported especially by Aboriginal & Torres Strait Islander people and people of colour, available at the following link: https://www.apraamcos.com.au/about- us/news-and-events/apra-amcos-acknowledges-music-industry-review-reporthttps://www.apraamcos.com.au/about-us/news-and-events/apra-amcos-acknowledges-music-industry-review-report.

- APRA AMCOS has supported a number of measures aimed at addressing problematic issues raised by the report, including:

    - Partnering with Support Act to develop template policies and resources that Support Act can make available as a checkpoint for employers in the music industry to help them prevent sexual harm, harassment, bullying and discrimination occurring in their workplaces and assist them to implement processes for their employees, contractors, subcontractors and volunteers to raise concerns. See information at the following link: https://supportact.org.au/support-act-guide-to-safer-workplaces/.

    - Engaging in various discussions with music industry and government stakeholders around implementation of the Report's recommendations.

    - The Creative Workplaces division of Creative Australia. See information at the following link: https://creativeworkplaces.gov.au/workplace-issues/bullying- harassment-and-discrimination.

    - Broader legislative and policy changes since 2023, stemming from the "Respect@Work" reforms to the Commonwealth *Fair Work Act* 2009 and *Sex Discrimination Act* 1984, with respect to workplace Sexual Harassment.

A particular case

661. In an addendum, the Submitter referred to a workplace complaint involving Sony Music Australia which was apparently reported in *Variety* in September 2025 under the heading "Sony Music Has Emailed Staff Following 'Unsettling' News Article". The Submitter contends that the case reflects the lack of transparency that confirms the concerns raised in his original submission.

662. The Submitter finds significance in the Sony case which may or may not be justified. It is beyond the scope of the present review and report to embark on a consideration of that question. Again, the matter does not involve PPCA itself.

Conclusion

663. For the reasons given above, I do not make any finding of breach of the Code or any recommendation in response to the external submission.

E. CONCLUSION

664. As contemplated by cl 5.1 (c) (i) of the Code, I conclude that, overall, there has been a high level of compliance with the Code.

665. This report is now submitted to the societies and to the Attorney-General's Department.

Dated: 1 November 2025

The Hon Kevin E Lindgren, AM, KC
Code Compliance Reviewer

APPENDIX A - CALL FOR SUBMISSIONS 2025

Notice of the Review, with an invitation to make submissions by mail to the Code Reviewer at a specified address or by email by 31 July 2025, was given by the Societies to their members, and by the Code Review Secretariat to some licensees of the various societies or to bodies representing large classes of licensees, as well as to other interested persons, names and addresses having been supplied by the societies. The Notice was published in an advertisement in *The Australian* newspaper on 21 June 2025 and it was also placed on the websites of the societies. It was in the following terms:

The Code Reviewer
Suite 704
4 Young Street
NEUTRAL BAY NSW 2089
EMAIL: codereviewer@gmail.com

COPYRIGHT COLLECTING SOCIETIES
CODE OF CONDUCT
CALL FOR SUBMISSIONS 2025

Each of the copyright collecting societies, Australasian Performing Right Association Limited ("**APRA**"), Australasian Mechanical Copyright Owners Society Limited ("**AMCOS**"), Phonographic Performance Company of Australia Limited ("**PPCA**"), Copyright Agency Limited ("**Copyright Agency**"), Audio-Visual Copyright Society Limited ("**Screenrights**"), Australian Writers' Guild Authorship Collecting Society Limited ("**AWGACS**") and Australian Screen Directors Authorship Collecting Society Limited ("**ASDACS**"), subscribes to a code of conduct. In its original form, the Code came into effect in July 2002. The most recent update came into effect on **20 May 2025.**

A copy of the Code is available on each Society's website or from the *Code of Conduct for Copyright Collecting Societies* website https://www.copyrightcodeofconduct.org.au/code and can be downloaded or, if requested, a copy can be supplied by post.

Compliance by participating collecting societies with the Code's standards of conduct is the subject of an independent annual review. The Code Reviewer for this purpose is former Federal Court judge and former President of the Copyright Tribunal of Australia, The Hon Kevin Lindgren AM, KC. His current task is to review the Societies' compliance with the Code during the period **1 July 2024 to 30 June 2025**.

The Code allows for interested parties to make submissions to the Code Reviewer concerning a collecting society's compliance or non-compliance with the Code. If you wish to make a submission, **please inform the Code Review Secretariat** at the address above or by email (codereviewer@gmail.com). The Secretariat will send you details about the procedure for making a submission.

The closing date for completing the submission process is **31 July 2025**.

APPENDIX B – LIST OF SUBMISSIONS BY EXTERNAL SUBMITTER

Date	Submission Title	Permission for Societies
7 August	1. Submitter's Email	n/a
	2. (i) Submission to the Code Reviewer_ Systemic Code Breaches	No
	3. (ii) Submission to the Code Reviewer_ Systemic Code Breaches REDACTED	Yes – provided: APRA – 10 Sept PPCA – 10 Sept
	4. Submitter's CV 21.07.2025 copy	No
11 Sept	5. Submitter's Email – headed "Addendum Corporate Culture Transparency and Arms Length Evaluation Sony Music Australia Case"	n/a
	6. Addendum Corporate Culture Transparency and Arms Length Evaluation Sony Music Australia Case	yes – provided: APRA – 16 Sept PPCA – 16 Sept
13 Sept – 12.23 pm	7. Submitter's Email – further Addendums	No
	8. (i) Addendum Report to (i) Submission to the Code Reviewer	No
	9. (ii) PRIVATE- ADDENDUM 2 – SUBMISSION TO THE CODE REVIEWER	No
13 Sept – 3.12 pm	10. Submitter's Email – - "Re SUBMISSION 2025 Email of 12 September 2025 noting that ARIA is not a collecting society Clarification on ARIAs Role as a Performance Collection Entity"	No
	11. Excel Sheet - (i) REDACTED MEMBER Collated 'Q' Statements 2019 - 2024	No
16 Sept	12. RESPONSE FROM PPCA - Email	

16 Sept	13. Submitter's Email: "Ongoing Leadership Failures and Demand for Independent Action Decades of Harm in the Australian Music Industry"	n/a
3 Oct	14. RESPONSE FROM APRA - Email	
	15. "APRA AMCOS & The Raising their Voices Report (CONFIDENTIAL) (03102025)"	
	16. Zip File – "Annexture [sic] 1 - Attachments to APRA AMCOS Submission to Music Industry Review & Attachments"	