

How does Screenrights know what programs to pay?

Screenrights distributes royalties to rightsholders from a number of different sources. This In Brief sheet focuses on royalties from Australian and New Zealand educational institutions that copy, email and put programs on internal networks. It looks at how we monitor what has been copied or communicated, so that we know who to pay.

There are two ways copying and communication can be monitored

Educational institutions can keep a record of every copy they make and also record every time they communicate a copy. This is called **record keeping** and it requires the institution to report all copying and communication activities 24 hours a day, 365 days a year.

Alternatively, copying and communication can be monitored under a **sampling system**. A representative sample of institutions report all copying and communication for a short period only, with a variety of educational institutions being sampled under this system at any given time. These records are then used to give a picture of what's been copied and communicated across the sector in that period.

Most Australian and New Zealand educational institutions have elected to have their copying and communication practices monitored under the sampling system.

Advantages of sampling over record keeping

Accuracy

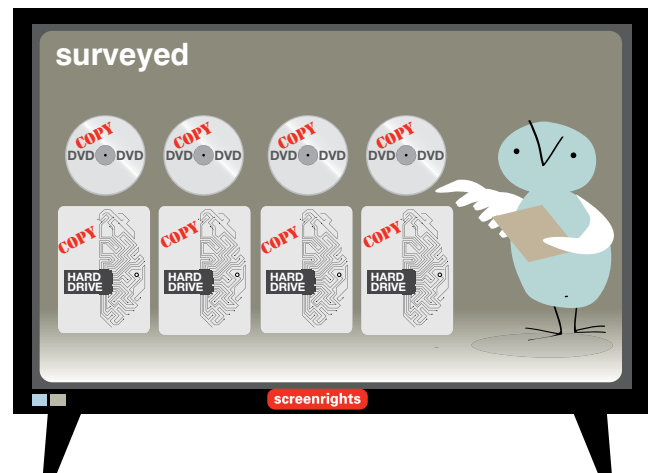
The administrative burden of keeping full records generally leads to under reporting. While no sample is completely accurate, the information we obtain from the sample is more accurate than what we receive from full record keeping.

Cost

Sampling is a more efficient means of gathering the data, and as we deduct our administrative overheads from the royalties we distribute, limiting costs means greater returns to our members.

How sampling works

The sample is conducted by an independent survey authority, Nielsen. Each education sector (schools, TAFEs and universities) take part in separate surveys, and Nielsen selects institutions according to size and location in order to have a representative sample across each sector. The survey also runs throughout the year – at any point in time, 365 days of the year, a selection of educational institutions are being sampled. Prior to the survey, staff at the educational institution are trained in their obligations for the survey. During the survey, all teaching staff and any other staff with copying responsibilities, keep full records of any copying and communication done by or on behalf of the institution.



Examples

My program was broadcast in a regional area only – if it is copied or communicated will it be picked up in the sample?

Screenrights samples institutions in major cities and rural areas to ensure that information we receive reflects copying and communication across the

Continued...**How does Screenrights know which programs to pay?**

sector and not just in city-based institutions. It is, however, possible a program may be copied or communicated and not picked up in the sample. If a rightsholder becomes aware of this, Screenrights does have a process by which you can claim royalties. This is discussed below.

My program was broadcast out of school hours – will it be picked up in the sample if it is copied or communicated?

Copying can occur after hours and outside term times. For example, a teacher may copy a program at home in the evening, or decide to record a program during the holidays for use in class over the next semester. The survey is designed to pick up these instances of copying as well as copying done in the school. Copying and communication is monitored 365 days of the year, with some institutions supplying records of their copying and communication practices during the holidays. It is, however, possible a program may be copied or communicated and not picked up in the sample. If a rightsholder becomes aware of this, Screenrights does have a process by which you can claim royalties. This is discussed below.

My program is appropriate to a particular course taught in only certain institutions – will it be picked up in the sample?

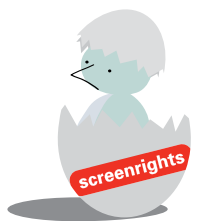
The selection of institutions is designed to take into account the different courses offered across each education sector. This ensures the sample picks up as broad a range of programs being copied or communicated as possible. It is, however, possible a program may be copied or communicated and not picked up in the sample. If a rightsholder becomes aware of this, Screenrights does have a process by which you can claim royalties. This is discussed below.

Can I make a claim if I believe my program was copied or communicated but not picked up in the sample?

Screenrights can make an 'ad hoc' royalty payment if a rightsholder has evidence that his or her program was copied or communicated and not picked up in the sample. The rightsholder needs to supply information about the program and its use in a statutory declaration, as well as evidence of the copying or communication. Screenrights investigates the claim and can make an 'ad hoc' royalty payment, if it is satisfied the copying or communication occurred. If you would like to find out more email memberservices@screenrights.org

More information?

Check out our other In Brief sheets. Our Member Services team is also happy to answer your questions. Email: memberservices@screenrights.org

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