



Expression of interest

ISAN Registration Agency

Agreement procedure

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Author: ISAN International Agency

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1 Introduction

This expression of interest is the first phase of the ISAN Registration Agency agreement process.

The aim of the expression of interest is to check the ISO compliance of your application.

In case of positive answer, you will be requested to provide a complete business plan describing in detail the implementation of the ISAN Registration Agency.

All the information provided in this document is to be considered as public, and you allow the ISAN International Agency to publish the contents of your expression of interest on its public website.

If you intend to create a new organization in order to support the activity of being an ISAN Registration Agency, please provide on this document information on the founders of this new structure and any **available** information on the new structure itself. **If this information is not available at the moment, information on the founders is enough for the expression of interest.**

You can add any addendum to this document.

Please send this form (by email or post mail), duly completed in English at all points to:

<p>ISAN International Agency 26 rue de Saint Jean 1207 Geneva Switzerland +41 / 22 / 545 10 00 info@isan.org</p>

For any question you can contact:

Lawrence Safir, Registration Agencies Relationship.

Email: lsa@isan.org

2 General information about your organization

2.1 ADDRESS AND MAIN INFORMATION

Name	ISAN Registration Agency – Asia Pacific [temporary name –Registration Agency still to be founded]
Acronym	To be advised
Address	C/O Audio-Visual Copyright Society Ltd trading as Screenrights Level 3, 156 Military Road, Neutral Bay
Zip code and City	2089 Sydney, New South Wales
Country	Australia
Web Site	To be advised
Main email address	info@screen.org [Specific email addresses to be advised when Registration Agency is founded]
Phone numbers	+61 2 9904 0133
Fax numbers	+61 2 9904 0498

2.2 CONTACT(S) PERSON(S)

First name	Screenrights - Cate
Last Name	Hemmings
Job Title	International Relations Executive
Duties	Manage relationships with international audio-visual collecting societies
Email	cate@screen.org
Phone number	+61 2 9904 0133

First name	APRA/ AMCOS – Scot
Last Name	Morris
Job Title	Director of International Relations
Duties	Manage relationships with International collection agencies and CISAC. Currently Vice-Chair of Asia-Pacific Committee of CISAC
Email	smorris@apra.com.au
Phone number	+61 2 9935 7954

3 Description of your organization

Legal status	Non profit company limited by guarantee of its founding members, APRA/AMCOS Limited and Audio-visual Copyright Society Limited (Screenrights)
Place and country of registration	Sydney, Australia
Registration number	Not yet registered
Date of registration	Not yet registered
Names and description of public and private sector partners	<p>please provide information about the status of those partnerships as well as basic information about the type and scale of contribution to the project from each of them (financing, services, expertise, access to clusters of potential registrants, etc)</p> <p>APRA/AMCOS – the Australasian Performing Right Association Ltd/ Australasian Mechanical Copyright Owners’ Society. APRA/AMCOS are non-profit copyright collecting societies administering performing rights and certain reproduction rights on behalf of over 33,000 composer, lyricist and music publisher members in Australia, New Zealand and Anglophone Oceania. APRA/AMCOS are members of CISAC and have reciprocal representation agreements with similar organisations around the world.</p> <p>Audio-Visual Copyright Society Ltd (trading as Screenrights) Screenrights is a not for profit copyright collection society declared by the Federal Attorney-General of Australia to administer designated statutory services under the <i>Copyright Act 1968</i> (Cth) for audio-visual works in Australia. Screenrights represents almost 2000 producers, distributors, broadcasters and other rightsholders in audio-visual works in Australia and internationally. Screenrights is a member of AGICOA and an associate member of EUROCOPYA and has entered into reciprocal representation agreements with similar organizations around the world.</p> <p>APRA/AMCOS and Screenrights are collectively establishing an ISAN registration agency and will contribute to its financing, IT development, maintenance and client relations. The range of members and licensees that our organisations deal with complement each other and would cover all potential registrants and users of ISANs in the region.</p>

<p>Evidence of support from producers' organization</p>	<p>moral, technical, financial, expertise, etc for your candidacy from producers' organization(s) in the geographical area (or audiovisual industry sectors) which you intend to service</p>
	<p>Letters from SPAA (Screen Producers Association of Australia), SPADA (Screen Production and Development Association of New Zealand) and FFC (Film Finance Corporation Australia): attached. A further letter from the NZFC (New Zealand Film Commission) can be forwarded upon receipt.</p> <p>Screenrights has also consulted with the producer organisations in Hong Kong (Federation of Motion Film Producers of HK Ltd; MPIA; MPDA) and Singapore (AIPRO).</p>

4 Information on your current activities

<p>Description of your current activities</p>	<p>APRA owns and administers “performing rights” in musical works and associated lyrics on behalf of its members and affiliated societies around the world. AMCOS acts as an agent for its publisher members in administering certain reproduction and synchronization licences. A major component of its business is the documentation of audio-visual works and licensing of all media users of audio-visual works using music, including broadcasters, pay-TV operators, narrowcasters, on-line users etc. APRA is the regional agency for the issuing of International Standard Work Codes (ISWCs) for musical works.</p> <p>Screenrights has been declared by the Australian Federal Government to collect and distribute royalties under provisions in the Copyright Act 1968 (Cth), namely:</p> <ul style="list-style-type: none"> (a) educational and government copying from television and radio broadcasts; (b) the communication of these copies by and within educational institutions; (c) retransmission of free to air broadcasts by pay-tv operators. <p>It also administers a similar service in New Zealand. In addition to this, Screenrights also registers titles on behalf of members and collects royalties from other societies in Europe, Canada and the United States.</p>
<p>Size of your organization (number of employee, organization chart, etc...)</p>	<p>APRA/AMCOS has its head office in Sydney, with 160 employees. We also have branch offices (all having on-line access to CMS) in Melbourne (11 staff), Perth (3), Adelaide (3), Brisbane (5), Auckland (10) and an agency we established in Suva, Fiji (Fiji Performing Right Association Ltd – 3 staff). The breakdown of employees at head office into departments:- Administration 9; International Relations 3; Finance 9; Information Services 18; Legal 2; Media Licensing 21; General Performance Licensing 12; Member Services 23; Performance Distribution 15; Mechanical distribution 27; Research & Repertoire 12; Performance Verification and Foreign Distribution 8.</p> <p>Screenrights has its office in Sydney, with 23 equivalent full time employees. The approximate breakdown of employees into departments is as follows: Administration 4; International Relations 2; Finance 2; Legal 2; Information Systems 4; Licensing 2; Member Services/ Distribution 7</p>

Financial information on the last 3 years of activities	Screenrights			
		2003	2002	2001
	Statutory Income	\$16,280,939	\$15,143,797	\$13,465,494
	Statutory Expenses	\$2,959,226	\$2,637,750	\$2,282,336
	Distributable Amount	\$13,321,713	\$12,506,047	\$11,183,158
	APRA/ AMCOS			
		2003	2002	2001
	Gross Collections	\$132,696,350	\$120,803,176	\$119,101,707
	Net Collections	\$110,423,248	\$99,470,701	\$97,942,218

5 Information about the Registration Agency implementation

<p>Why do you intend to be an ISAN Registration Agency (express your interest) ?</p>	<p>Screenrights and APRA/ AMCOS are the organisations that represent rightsholders in audio-visual works and underlying rights in this territory. Both organisations have an extensive database of rightsholders and their respective repertoire of audio-visual works. Both organisations capture information as to the transmission of these audio-visual works domestically and internationally.</p> <p>The widespread implementation of ISAN in this territory would assist Screenrights and APRA/ AMCOS in their tasks of identifying audio-visual works and monitoring the use of the audio-visual works under the services that they administer.</p>
<p>Do you intend to provide other services around ISAN allocation and queries? (if yes provide a description of these services)</p>	<p>Subject to further investigation in the course of developing the business plan.</p>

<p>When do you intend to open your ISAN Registration Agency ?</p>	<p>The ISAN Registration agency would be in operation seeking ISAN applications by the end of 2004. The agency would need to embark upon an extensive marketing and education campaign within the production sector after being declared by ISANIA.</p>
<p>Which geographical region do you plan to cover ?</p>	<p>Asia Pacific– Australia, New Zealand and the English speaking Pacific Island Nations; South East Asia and Hong Kong.</p>
<p>Do you plan to work on a certain market segment only (with a certain type of registrant) ?</p>	<p>The ISAN Registration Agency would be open to all audio-visual works within the territory</p>
<p>What is your initial assessment of the potential for ISAN registrations per annum in your relevant market ?</p>	<p>We initially estimate between 1,000 and 2,000 ISAN registrations per annum.</p>
<p>If you are in the business of managing audiovisual works, please provide relevant information on the size of the current repertoire of audiovisual works that you manage :</p>	
<p>Total works</p>	<p>APRA/AMCOS Audio-visual programs: 428,629 (note that APRA/ AMCOS currently delete "topical" programs after 2 years, that is local productions which are aired locally once only) 381,913 episodes 46,716 films APRA/ AMCOS add on average around 37,000 audio-visual titles per annum and around 4,000 TV Commercials and 3,500 interstitials per annum.</p> <p>Screenrights manages the identification of audio-visual works, and their relevant rightsholders for approximately 8,400 works under the educational copying services in Australia and New Zealand per annum. This amounts to approximately 110,000 audio-visual works since the inception of the service.</p> <p>Screenrights will manage the identification of approximately 60,000 audio-visual works, and their relevant rightsholders, annually under the Australian Retransmission Service.</p>

	<p>Screenrights also registers titles with International audio-visual societies to collect royalties on behalf of those rightsholders who authorize the collection. These funds are collected via reciprocal representation agreements with similar organizations or by way of direct registrations. Screenrights has an extensive repertoire of audio-visual works administered on behalf of its members.</p>
<p>If these works are managed with an IT system, briefly describe it e.g.: Operating System, Database, Development language, web interface, etc...</p>	<p>APRA/AMCOS has a common documentation and distribution system, Copyright Management System, CMS. CMS runs on a cross-platform architecture. The client software is developed in PowerBuilder and runs on 32-bit Windows platforms. The database server software is Sybase, and this run on Sun Microsystems servers using the Solaris operating system. The production database currently contains 114,060,984 rows.</p> <p>Web applications are developed using Sybase PowerDynamo, which is almost identical to Java. The production database is accessed from the web in real time. Our application server, which runs batch processes invoked from all platforms, is a Compaq AlphaServer running under the OpenVMS operating system.</p> <p>Screenrights works are managed in a fully integrated rights management system called RightTrack. RightTrack is a cross-platform client-server application developed in FileMaker Pro 6 and runs in a Windows XP and Macintosh OSX environment. In addition to rights management, this integrated system provides documentation and payment modules with reconciliation to our accounting systems.</p> <p>Web applications have been deployed using cross-platform server-side software called Lasso Professional 7 from BlueWorld.</p>

6 Other comments and useful information

By sending the Expression of Interest you accept the term of reference of an ISAN registration agency and the associated agreement process.

The Expression of Interest is not a legally binding document. Candidates completing the Expression of Interest and returning it to ISAN IA should not therefore expect that doing so constitutes a formal commitment or contractual engagement for either themselves or the International Agency. A binding contract will only be signed after the completion of the selection process by the International Agency and detailed discussions about the content of each agreement with successful candidates.

You will be contacted within 1 month after reception of this document with an answer to your request.

Organization:

Date

AUDIO VISUAL COPYRIGHT SOCIETY
THE SCREEN RIGHTS

1/7/04

Signature:



29 June 2004



Dear Executive Committee of ISANIA,

SUPPORT OF EXPRESSION OF INTEREST

This letter is written in support of the Expression of Interest document to be lodged by Screenrights and APRA/AMCOS.

SPAA is the Screen Producers Association of Australia. SPAA is the industry association of the Australian independent film and television industry. We represent the interests of producers on issues which affect the business of film and television making.

This organization has had an ongoing association with Screenrights for many years through its administration of copyright services in Australia and New Zealand. We have recently been consulted by Screenrights as to the International Standard Audio-visual Number (ISAN) and the proposed role to be undertaken by Screenrights and APRA/AMCOS as the potential Regional Agency for this territory.

Given the roles currently undertaken by Screenrights and APRA/AMCOS, in administering the rights of rightsholders in Audio-visual Works in Australia and New Zealand, this organization is supportive of their application and endorses them as the Regional ISAN Agency in this territory.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Geoff Brown', is written over a horizontal line. The signature is stylized and cursive.

Geoff Brown
Executive Director

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email spaa@spaa.org.au
www.spaa.org.au
ABN 46 091 470 324

SPADA

Screen Production and Development
Association of New Zealand Inc.
Waka Pāpāho.

30 June, 2004

Dear Executive Committee of ISANIA,

This letter is written in support of the Expression of Interest document to be lodged by Screenrights and APRA/AMCOS.

From its genesis in the 1980's the Screen Production and Development Association (SPADA NZ) has grown to become the largest and most widely recognised industry association in the New Zealand screen production industry. With over 350 members we represent a large and diverse range of New Zealand's production houses, producers, production managers, entertainment lawyers and other professionals involved with the screen production industry in New Zealand

SPADA's core purpose is to further the interests of our membership base through advocacy, training and communication.

This organization has had an ongoing association with Screenrights for many years through its administration of copyright services in Australia and New Zealand. We have recently been consulted by Screenrights as to the International Standard Audio-visual Number (ISAN) and the proposed role to be undertaken by Screenrights and APRA/AMCOS as the potential Regional Agency for this territory.

Given the roles currently undertaken by Screenrights and APRA/AMCOS, in administering the rights of rightsholders in Audio-visual Works in Australia and New Zealand, this organization is supportive of their application and endorses them as the Regional ISAN Agency in this territory.

Kind Regards



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CEO, SPADA

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Film Finance Corporation Australia Limited
A Federal Government Agency
AFN 22 008 042 564

24 June 2004

Executive Committee
ISANIA
C/- Screenrights

ffc australia

BY FACSIMILE: 9904 0498

TO WHOM IT MAY CONCERN

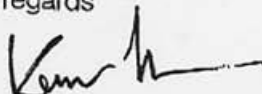
This letter is written in support of the Expression of Interest document to be lodged by Screenrights and APRA/AMCOS.

The Film Finance Corporation Australia Limited (FFC) is the Australian Government's primary agency for funding screen production. It invests in a diverse range of feature films, adult television drama, children's television drama and documentary.

This organisation has had an ongoing association with Screenrights for many years through its administration of copyright services in Australia and New Zealand. We have recently been consulted by Screenrights as to the International Standard Audio-visual Number (ISAN) and the proposed role to be undertaken by Screenrights and APRA/AMCOS as the potential Regional Agency for this territory.

Given the roles currently undertaken by Screenrights and APRA/AMCOS, in administering the rights of rightsholders in Audio-visual Works in Australia and New Zealand, this organisation is supportive of their application and endorses them as the Regional ISAN Agency in this territory.

Kind regards



KEITH LUPTON
Business Affairs Manager

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