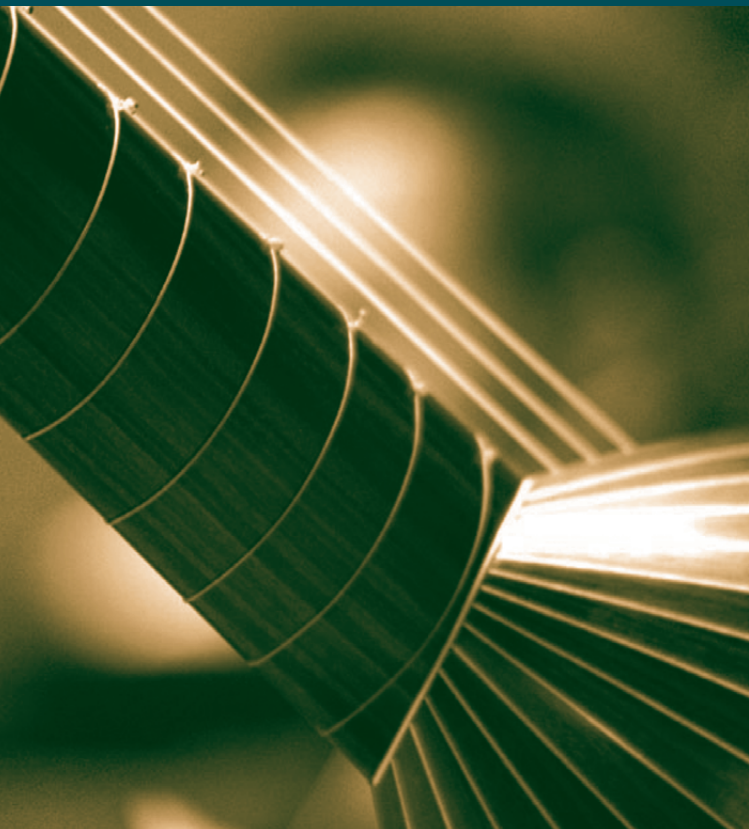


Australasian Mechanical Copyright Owners Society

AMCOS... solutions for copying music



AMCOS in brief

As a general rule, a copyright musical work cannot be reproduced without permission (or “licence”) from the work’s copyright owner or representative.

Australasian Mechanical Copyright Owners Society (AMCOS) was established in 1979 by songwriters and music publishers to provide a **centralised way of licensing** the reproduction of their musical works for a variety of purposes.

AMCOS represents the vast majority of the world’s composers, writers and music publishers through its members’ sub-publishing agreements and via its own reciprocal arrangements with similar societies around the world.

Since 1997 Australasian Performing Right Association (APRA) has managed AMCOS’ operations. However, AMCOS remains a separate entity from APRA.

AMCOS membership can be **tailored to suit** each member’s particular needs. Members can choose:

- the kind of mandate they give to AMCOS
- to appoint AMCOS as their agent for specific productions not covered by the member’s general mandate.

AMCOS licenses the reproduction of its members’ musical works for many different purposes. These include the **manufacture of CDs, music videos and DVDs**, the sale of **mobile phone ringtones** and **digital downloads** and the making of **audiovisual and broadcast material**.

AMCOS distributes all the money it collects from these licences, less its commission, to its members and reciprocal societies for the use of their musical works.

In this way, AMCOS provides a valuable service to:

- music publishers
- individual composers and songwriters, and
- people and businesses who want to reproduce copyright musical works.

AMCOS Membership

You can become a member of AMCOS if you are:

- a **music publisher, songwriter, composer or lyricist**
- an **owner of copyright** in musical works

and

- at least **one** of your works has been released for sale to the public

and

- you are a **citizen** of or normally **resident in New Zealand** or Australia, or you are a **music publishing company** registered in New Zealand or Australia.

Services offered to AMCOS members

AMCOS will, subject to your mandate (as advised on your application form):

- collect and pay your **mechanical royalties** from record companies
- collect royalties from other music users including **radio and television broadcasters and educational institutions**
- provide comprehensive **back-end licensing** to complement your marketing of production music libraries
- license your music in **emerging markets** – for example, legal download services or for mobile phone ringtones
- provide **quarterly royalty statements** and distributions, and
- if you require, **register your works** with mechanical copyright collecting societies around the world.

Benefit from our experience

AMCOS is recognised nationally and internationally as the organisation that administers music reproduction copyright in Australasia. Our licensing and distribution systems are well established and tested. As a member, you will benefit from our:

- **lobbying for global copyright protection** in the information society
- **new media licensing** initiatives
- **online services** – register your works online via our website, browse through our works database to research ownership information
- state-of-the-art **electronic clearance system** for record releases
- strategic alliance with **APRA**
- **low operating costs**, and
- **broad spread of income streams** – AMCOS handles the use of musical works in all commercially available recorded media, as well as broadcasting and other usage.

It's flexible: you can retain control over certain types of usage, if required.

And it's low cost: There is no joining fee or annual fee and AMCOS' commission rates compare very favourably with similar overseas societies. The standard commission is 10%, but is higher (17.5%) where a member has fewer than 500 recorded works.

AMCOS is neither a publisher nor a substitute for a publisher.

AMCOS provides a useful licensing and royalty collection service for music copyright owners, however, it does not and cannot play the role of a music publisher. AMCOS does not promote or market musical works and does not provide advances. By its very nature it must provide a non-preferential service across all musical works. It is also important to note that AMCOS' royalty distributions are subject to the terms of any publishing contract by which a member is bound.



AMCOS Licensing

Music reproduction licensing is traditionally split into two areas.

Synchronisation

What this means

Putting **music with visual images** or other effects – such as in films, television programs, commercials, DVD, online.

How AMCOS can help

AMCOS can license synchronisations. We obtain the appropriate ownership details and contact the music publisher/s on your behalf.

We can obtain estimates for:

- reproducing music in the **soundtrack of a film or other audio-visual** production
- reproducing music into **television programs**
- using music – other than production music – in **advertisements** (this includes lyric changes or re-recordings).

Reproduction

What this means

Making copies of music on any type of **sound carrier device** – including CD, digital downloads, music videos and mobile phone ringtones.

How AMCOS can help

AMCOS can provide you with the licence you need to do these activities.

AMCOS can license you to:

- make recordings of musical works for **retail purposes**
- make recordings of musical works for **non-retail purposes**: for example, to produce background music systems, syndicated radio programs, aerobic or for inflight entertainment, and so on
- use **production music**¹ in films, audio and audiovisual productions and commercials
- if you are a broadcaster reproduce music for use in **radio and television programs**
- use music **online**, on a website for example
- provide musical **ringtones** to mobile telephone users
- provide a legitimate **music download** service
- **transfer music** from one format to another – either for personal use or as part of a business
- reproduce musical works and sound recordings as part of your **dance school business**, and
- reproduce musical works and sound recordings into the **soundtracks of videos of weddings** and other similar events for home-viewing
- make copies of music and recordings for **educational purposes** if you are a school.

These licences exclude the use of music - other than Production Music - in advertisements, giveaways or as theme music.

¹ Production Music is music which is specifically written and recorded for inclusion in audiovisual, audio and other productions. Production Music cannot be obtained through normal retail outlets and is available from AMCOS Production Music suppliers for convenient and cost-effective synchronisation and dubbing into such productions. 9

Licence fees and charges

AMCOS licence fees depend on the type of licence issued. In some cases, the fee applies to each specific reproduction (generally on a **per-unit basis**), in others, AMCOS charges a **“blanket” fee** that covers all reproductions or synchronisations over a set period.

How AMCOS keeps track of copying

When a music user takes out an AMCOS licence agreement, they agree to provide AMCOS with specific information about the music being reproduced and how it will be used, sold or distributed. For most licence holders this means providing **complete details** of all works used. For record labels for instance, this will include the number of units sold, the name of the work, writers, the title and catalogue number of the production, the wholesale or retail price, the number sold, and so on. Other licence holders must report all music used over their reporting period.

AMCOS' Research Department is constantly tracking new releases, television programs, films, radio stations and the internet. AMCOS does **regular audits** to check the accuracy of this data provided by licensees – areas of audit include record companies, ringtone providers and production studios.

Who runs AMCOS

The day to day business functions of AMCOS are managed by APRA, the Australasian Performing Right Association. However, AMCOS has its own board of directors and makes all strategic decisions.

While APRA and AMCOS share a common membership, they manage separate copyright rights for their members. APRA administers the “performing” rights of its members and AMCOS the “reproduction” rights of its members.

To find out more about AMCOS board of directors or management team, visit the APRA|AMCOS website at **www.apra.co.nz**

Other licences you may need

To use copyright material such as visual images or text a licensee may need permission from other copyright collecting societies or copyright owners.

To **perform or transmit** the production (for example, use as a music-on-hold tape or on an internet website, or playing music in a business), a licensee will need a separate licence from APRA.

There is also a distinct and separate copyright in a **sound recording**. So, if a licensee wants to copy from a CD, tape or any other pre-recorded format, in addition to the AMCOS licence, permission for the reproduction of the sound recording of that work will be required. Contact RIANZ (Recording Industry Association of New Zealand) on 0800 88 77 69 for advice.

More information about AMCOS

Synchronisation, Advertising and Blanket Licensing Enquiries

Toll Free 0800 692 772 ext 722

Ddi 09 623 4722

Fax 09 623 2174

Or email amcosnz@apra.com.au

Production Music Enquiries

Toll Free 0800 692 772 ext 720

Ddi 09 623 4720

Fax 09 623 2174

Or email pmnz@apra.com.au

APRA|AMCOS

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