



COPYRIGHT AGENCY LIMITED®

Dispute Resolution procedure between Copyright Agency and its members or licensees

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More information

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Website: www.copyright.com.au
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What is Copyright Agency's Dispute Resolution procedure?

Complaints that cannot be resolved through Copyright Agency Limited's Complaints Handling procedure may be resolved through our Dispute Resolution procedure. This procedure is open to all Copyright Agency members and licensees.

Copyright Agency's Dispute Resolution procedure is entirely voluntary and will only occur when both Copyright Agency and the Copyright Agency member or licensee agrees to have the dispute resolved through this procedure.

Other disputes

This procedure is designed to resolve disputes between Copyright Agency and a member or licensee. There is a separate procedure governing disputes between members.

Further information can be found on the *Copyright Agency's procedure for dispute resolution between members* information sheet.

Who conducts the procedure?

The procedure established by Copyright Agency is for dispute resolution via a decision from an independent expert.

Choosing the expert is a collaborative effort between both parties. Each party nominates two candidates who are knowledgeable in copyright issues. The parties will then jointly choose an expert from these four candidates.

If the parties are unable to agree on a suitable candidate, the dispute will be referred for expert determination to the Australian Commercial Disputes Centre (ACDC).

What disputes can be resolved using the procedure?

Copyright Agency has a Complaints Handling procedure which aims to resolve issues promptly. If a complaint is not resolved during this process, then it may be referred to the Dispute Resolution procedure.

Only those disputes that have first been through Copyright Agency's Complaints Handling procedure may be referred to the Dispute Resolution procedure.

How do I apply to undertake Copyright Agency's Dispute Resolution procedure?

You must notify Copyright Agency in writing that you wish to use the Dispute Resolution procedure. The lodgement of the dispute must be made within ten working days of Copyright Agency's final response under the Complaints Handling procedure.

Disputes should be addressed to:

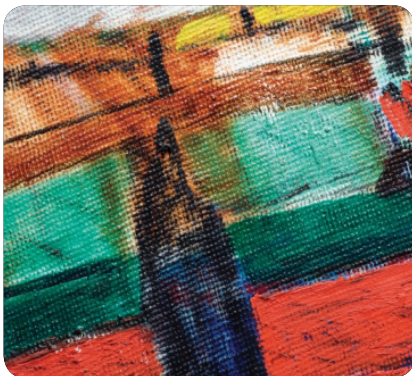
Complaints Officer
Copyright Agency Limited
Level 15, 233 Castlereagh Street
Sydney NSW 2000

What steps does the Dispute Resolution procedure follow?

1. Any dispute received by Copyright Agency's Complaints Officer will be acknowledged in writing within 14 working days. The acknowledgment letter will



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indicate whether Copyright Agency agrees that the dispute should be resolved in accordance with our Dispute Resolution procedure.

If a decision is made not to enter into dispute resolution, Copyright Agency must give reasons for this decision in the acknowledgment letter.

2. If Copyright Agency decides to pursue the dispute resolution, we will write to the member or licensee within a further 14 working days requesting all written submissions and evidence be provided to Copyright Agency within 28 working days. Copyright Agency will provide a copy of its own written submissions and evidence to the member or licensee within 28 working days.
3. During this 28 day period, Copyright Agency will liaise with the member or licensee and the independent expert regarding convenient dates for a hearing. Copyright Agency will then notify all parties in writing about the arrangements for the hearing.
4. Both Copyright Agency and the member or licensee will have a further 14 working days to provide any further written submissions or evidence in reply. Copyright Agency will then send a copy of all written submissions and evidence to the independent expert.
5. At the expert determination, both parties will be given an opportunity to present their case.

What if I don't agree with the expert determination?

If you don't agree with the outcome, you have 28 working days to file fresh proceedings in an appropriate Court or Tribunal. If you don't file new proceedings, the determination of the expert is binding on the parties.

Are there costs involved with the Dispute Resolution procedure?

Both parties will share the costs of the expert determination, including professional fees, travel expenses and venue hire. Each party must also pay their own costs associated with the determination.

For further information on Copyright Agency's Dispute Resolution procedure contact our Complaints Officer at complaints@copyright.com.au or on +612 9394 7600.

Who is Copyright Agency?

Copyright Agency Limited provides simple ways for people to reproduce, store and share words, images and other creative content, in return for fair payment. In doing so, it connects the creators, owners and users of copyright material.

Code of Conduct

Copyright Agency is a signatory to the Code of Conduct for Copyright Collecting Societies (the Code). It is designed to ensure that the rights of all members and licensees are clearly stated, and that the operations of collecting societies are transparent and accessible.

The Code includes requirements for the Complaints Handling and Dispute Resolution procedures that collecting societies must follow. The Code and these procedures are available from Copyright Agency's website and on request.

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