



COPYRIGHT AGENCY LIMITED®

Electronic claims notifications

Frequently asked questions (FAQs)

March 2011



More information

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

Tel: 1800 066 844
Fax: +612 9394 7601

Email: info@copyright.com.au
Website: www.copyright.com.au

Q: I can't seem to open any of the attachments

A: There are three types of documents CAL sends to members which can be distinguished by the extension appearing after the full stop in the file name.

1. PDF files (.pdf)

You will need to have Adobe Acrobat reader to open these attachments. If you do not have this on your computer, it is free to download from <http://get.adobe.com/reader/>.

2. Excel files (.xls)

You will need Microsoft Office Excel (or Open Office equivalent) on your computer to view these files.

3. Zipped files (.zip)

Please note that any attachment greater than 1 MB has been compressed using Winzip and will appear with a .zip extension. To view any attachments in the Zip file, you will need to install Adobe Acrobat reader. If you do not have this on your computer, please follow the link above.

If you are having difficulty opening zipped files please refer to our information sheet for assistance <http://www.copyright.com.au/assets/documents/Zip%20file%20how%20to%20Jan%2011.pdf>

Q: I'm not sure that I control the rights to the works. How do I find out?

A: Before submitting a claim, you need to confirm that you control the relevant right of reproduction or communication for each work listed on your Notification(s). This may be detailed in any contracts or agreements in place for each work or, in the case of journal articles, the conditions under which the article was accepted for publication.

If your contracts are silent or you're unsure that you control the rights in a work, please contact the other parties associated with the work for clarity or to come to an arrangement for allocations made from CAL's distributions.

If you would like advice or assistance on whether you control the rights you may seek advice from the following organisations

Australian Copyright Council (email enquiries only) <http://www.copyright.org.au>

Australian Society of Authors (ASA) <http://www.asauthors.org>

Australian Publishers Association (APA) <http://www.publishers.asn.au>



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Q: Do I need to share my CAL payment with anyone else?

A: You may be obliged to share your distribution payment.

CAL's policy is to allocate all money for copying of a work to one rightsholder who must be a member of CAL.

The general rules for determining who CAL will allocate payments to for a work are as follows:

- the author, if both the publisher and the author are members;
- if the work has multiple authors and more than one author is a member, CAL will allocate alphabetically to the first author; and
- if the author is not a member, the publisher is nominated as the recipient.

Members can agree to override these general rules, and notify CAL accordingly.

When claiming, the recipient undertakes to account to any other rightsholder in the work entitled to a share of the money. For example, an author may be required to share the money they have claimed for copying of their work with the publisher and any other co-authors of those works.

Similarly, a publisher may be required to share the money with the authors (including visual artists) who may also be entitled to a share. The amount to be paid to each rightsholder will usually be recorded in the agreement made with the other rightsholders prior to publication.

Secondary payments to other rightsholders may also be affected by the tax system. If you are unsure of the implications of these payments please refer to the information sheet Tax and your CAL distribution.

<http://www.copyright.com.au/assets/documents/Tax%20and%20you%20CAL%20distribution.pdf>

Q: My contracts say I control 50% of the reproduction/communication right. How much should I claim?

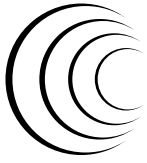
A: As CAL currently allocates all money for an item to one rightsholder, who is then responsible for making any other payments (if any) to rightsholders (see question above), you should claim 100% of the item amount listed on the Notification and then pass on the relevant share within 60 days of receiving CAL's payment.

Q: How do I change my existing bank details?

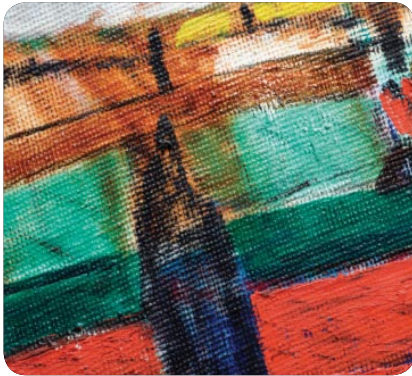
A: Your bank detail status is shown in the "Bank Details status" box on the bottom of your Claim Form. If you have already provided CAL with your banking details this will be shown as "Active".

If you would like to change the details you have provided, please complete the Nominated Bank Account form by following the link below

<http://www.copyright.com.au/assets/documents/EFT%20Form%20-%20Jan%2011%20-%20online%20RE.pdf>



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Q: What does ITC stand for?

A: ITCs (Input Tax Credits) are allocated when the licence fees distributed were paid under one of the statutory Licence schemes. This is a notional allocation which does not affect the amount of money you are paid.

The ITC allocation is made because GST does not attach to licence fees paid under a statutory licence. However, GST is payable by CAL on the operating costs associated with administering the statutory licences, which results in the accumulation of ITCs. CAL allocates those ITCs in proportion to their total allocations.

These credits may be off set against other tax liabilities by GST-registered members, but ITCs cannot be used by members who are not registered for GST.

Please note that if you need to share this payment, you will need to split the ITCs between other rightsholders in the same way as the item amount is shared.

Who is CAL?

Copyright Agency Limited (CAL) is a not-for-profit company set up by Australian authors, journalists, visual artists, photographers and publishers to manage part of their copying and communication rights. CAL is owned by its members, membership is free and members give CAL a non-exclusive licence in respect of their works.

Code of Conduct

CAL 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 CAL's website and on request.