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Our ref: AA1000474
Contact officer: Miriam Kolacz
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30/03/2020

adjudication@acc.gov.au

www.acc.gov.au

Via email

Dear Sir / Madam

Australian Screen Directors Authorship Collecting Society Ltd application for authorisation AA1000474—interested party consultation

The Australian Competition and Consumer Commission (the **ACCC**) has received an application for authorisation from the Australian Screen Directors Authorship Collecting Society Ltd (**ASDACS**). The ACCC invites you to comment on the application.

ASDACS is seeking authorisation on behalf of its current and future screen director members to alter its constitution to provide that:

- members must assign their copyrights under the 'retransmission scheme' to ASDACS (that is, any copyrights in a film that is included in the retransmission of a free-to-air broadcast under the *Copyright Act 1968* (Cth) (**Copyright Act**)), and
- ASDACS collect the money paid by retransmitters to Screenrights (the declared collecting society appointed under the Copyright Act) under the retransmission scheme, and distribute it to relevant directors and overseas collecting societies.

ASDACS seeks authorisation for five years.

ASDACS is not seeking to collectively negotiate remunerations with retransmitters or Screenrights. Directors would also be free to resign from ASDACS and require reassignment of their copyrights.

A full copy of the application for authorisation is available on the [ACCC's website](#). Further information about the authorisation process is provided in the ACCC's [Guidelines for authorisation of conduct \(non-merger\)](#).

Request for submissions

The ACCC invites you to make a submission on the likely public benefits and effect on competition, or any other public detriment, from the proposed arrangements.

If you intend to provide a submission in relation to ASDACS's application for authorisation, please do so by **20 April 2020**. Submissions should be emailed to adjudication@acc.gov.au with the subject 'AA1000474 – ASDACS – submission'.

Alternatively, if you would like to provide comments orally, please contact Miriam Kolacz on (03) 9658 6476 to organise a suitable time.

Submissions, including oral submissions, will be placed on the ACCC's public register subject to any request for exclusion. Please see the ACCC's publication [Guidelines for excluding information from the public register](#).

Timetable

The ACCC will progress its assessment of the application in a timely manner. An indicative timetable is set out below for your information

13 March 2020	Lodgement of application and supporting submission.
30 March 2020	Public consultation process begins.
20 April 2020	Closing date for submissions from interested parties.
4 May 2020	Applicant responds to issues raised in the public consultation process.
May 2020	Draft determination.
May/June 2020	Public consultation on draft determination including any conference if called.
July 2020	Final determination.

Please advise if you do not wish to make a submission at this time, but would like to be informed of the progress of the application at the draft and final determination stages. If you are able to, please provide a nominated contact email address for future correspondence.

You can also forward this letter to any other party who may wish to make a submission to the ACCC regarding the application.

This letter has been placed on the ACCC's public register. If you wish to discuss any aspect of this matter, please do not hesitate to contact Miriam Kolacz on (03) 9658 6476 or adjudication@acc.gov.au.

Yours sincerely



Susie Black
Director
Adjudication Branch

List of interested parties consulted

Audio-Visual Copyright Society Ltd (Screenrights)
Australian Broadcasting Corporation
Australian Communications and Media Authority (ACMA)
Australian Directors' Guild
Australian Film Institute
Attorney Generals Department
Australian Guild of Screen Composers
Australian Writers' Guild
Free TV Australia
Foxtel Management Pty Limited
Nine Entertainment
Prime Media
Screen Australia
Screen Producers of Australia
Seven West Media
Singtel Optus Pty Limited
Special Broadcasting Service (SBS)
Telstra Corporation Ltd
Ten Network
WIN Corporation
Various producers