



Level 17, 2 Lonsdale Street
Melbourne Vic 3000

GPO Box 520
Melbourne Vic 3001

tel: (03) 9290 1800
adjudication@acc.gov.au

www.acc.gov.au

Our ref: AA1000474
Contact officer: Steven Lee
Contact phone: (02) 6243 1347

17/06/2020

By email

Dear Madam or Sir

Australian Screen Directors Authorship Collecting Society Ltd application for authorisation AA1000474—draft determination

The Australian Competition and Consumer Commission (the **ACCC**) has issued a draft determination in respect of the application for authorisation lodged by the Australian Screen Directors Authorship Collecting Society Ltd (**ASDACS**) on 13 March 2020. 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 under the Copyright Act) under the retransmission scheme, and distribute it to relevant directors and overseas collecting societies.

For the reasons set out in its draft determination, the ACCC proposes to grant authorisation for five years.

A copy of the ACCC's draft determination is attached and also available on the ACCC's [authorisations public register](#).

Next steps

Once the ACCC issues a draft determination, the Applicant or any interested party may make a written submission and/or request that the ACCC convene a 'pre-decision conference'.

Making a submission

If you wish to make a submission in response to the ACCC's draft determination, please lodge your submission by **3 July 2020**. Submissions should be emailed to adjudication@acc.gov.au with the subject "AA1000474 – Australian Screen Directors Authorship Collecting Society Ltd – submission". If you prefer to make an oral submission, please contact Steven Lee via the details at the end of this letter.

The ACCC will consider any submissions it receives, including any oral submissions made at a pre-decision conference (should one be called - see below), and will then release a final determination in relation to this application.

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](#).

Optional pre-decision conference

In some cases, the Applicant or an interested party requests that the ACCC convene a pre-decision conference in relation to its draft determination. If a conference is called, it will be open to the Applicant and interested parties to attend and make oral submissions in relation to the draft determination. Conferences are conducted informally and while legal or professional advisers are able to attend they are not entitled to participate in the discussion.

If you wish the ACCC to hold a pre-decision conference in relation to the draft determination you must notify the ACCC in writing by **3 July 2020** by email to adjudication@acc.gov.au.

Timetable

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

Indicative date	Stage in assessment process
13 March 2020	Lodgement of application and supporting submission.
30 March 2020	Public consultation process begins.
17 June 2020	Draft determination.
June/July 2020	Public consultation on draft determination including any conference if called.
July/August 2020	Final determination.

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 Steven Lee on (02) 6243 1347.

Yours sincerely



Gavin Jones
Executive Director
Adjudication