

# BRITISH COPYRIGHT COUNCIL

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30<sup>th</sup> March 2012

John Whittingdale, MP  
Chairman  
All-Party Parliamentary IP Group  
House of Commons  
London SW1A 2TT

By e-mail to: [Alliance@luther.co.uk](mailto:Alliance@luther.co.uk)

Dear Mr Whittingdale,

## **The Role of Government in Protecting and Promoting IP Rights - Inquiry by the All-Party Parliamentary IP Group**

The British Copyright Council represents those who create, hold interests or manage rights in literary, dramatic, musical and artistic works, performances, films, sound recordings, broadcasts and other material in which there are rights of copyright and related rights.

Our members include professional associations, industry bodies and trade unions which together represent hundreds of thousands of authors, creators, performers, publishers and producers (*see attached list*). These right holders include many individual freelancers, sole traders and SMEs as well as larger corporations within the creative industries. Our members also include collecting societies which represent right holders and which enable access to works of creativity.

The BCCs response to this inquiry addresses only those matters relating to copyright and related rights.

The BCC and its members have recently provided a detailed response to the latest Government consultation on recommendations arising from the Hargreaves Review. The BCCs response picked up on a number of concerns about a shift in Government policy, in particular an approach which seeks wider exceptions to copyright as a trigger for growth, which the BCC sees as a misplaced emphasis.

A copy of the BCCs response is attached and in response to your Group's specific questions, we draw your attention to the Preliminary Comments on pages 2-5 which also highlight BCC concerns about the evidence base used for both the Hargreaves Review and for the subsequent Government consultation and most importantly with evidence provided in support of the "options" outlined in the Government's Impact Assessments.

Should the Group be interested in seeing the BCC's Proposal for an Orphan Works Licensing Scheme and its Principles of Good Practice for Collective Management Organisations, both of which are referred to in the BCCs consultation response, then we will be pleased to provide copies.

The BCC welcomes this inquiry by the All Party Parliamentary IP Group and will be pleased offer to answer any subsequent questions that the Group may have.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Janet Ibbotson', with a long horizontal flourish extending to the right.

Janet Ibbotson  
Chief Executive Officer

## List of BCC Members:-

### **Artists` Collecting Society (ACS)**

[www.artistscollectingsociety.org.uk](http://www.artistscollectingsociety.org.uk)

Artists` Collecting Society (ACS) was set up in June 2006 to collect resale royalties (Droit de Suite) on behalf of artists in the UK. ACS was set up in response to requests from artists and from their dealers via The British Art Market Federation (BAMF) and The Society of London Art Dealers (SLAD) for artists to be provided with a choice of collecting society for the management of Artist`s Resale Right.

### **Association of Authors` Agents (AAA)**

[www.agentsassoc.co.uk](http://www.agentsassoc.co.uk)

A voluntary body to provide a forum for member agencies to discuss industry matters, to uphold a code of good practice, and to provide a vehicle for representing the interests of agents and authors.

### **Association of Illustrators (AOI)**

[www.theaoi.com](http://www.theaoi.com)

Established in 1973 to advance and protect illustrator`s rights and encourage professional standards. It is a non-profit making trade association dedicated to its members` professional interests and the promotion of illustration.

### **Association of Learned and Professional Society Publishers (ALPSP)**

[www.alpssp.org](http://www.alpssp.org)

The largest international trade association for scholarly and professional publishers, which aims to serve, represent and strengthen the community of scholarly publishers, and those who work with them. ALPSP provides information, education, representation, cooperative initiatives and guidelines for good practice

### **Association of Photographers (AOP)**

[www.the-aop.org](http://www.the-aop.org)

A not for profit membership based organisation for Professional Photographers, Agents, Assistants and Students, as well as Affiliated Colleges and Affiliated Companies. Our aims are to promote and protect the worth and standing of our members, to vigorously defend, educate and lobby for the interests and rights of all photographers in the photographic profession.

### **Authors` Licensing and Collecting Society (ALCS)**

[www.alcs.co.uk](http://www.alcs.co.uk)

Represents the interests of all UK writers and aims to ensure writers are fairly compensated for any works that are copied, broadcast or recorded.

### **BCS, the Chartered Institute for IT (BCS)**

[www.bcs.org.uk](http://www.bcs.org.uk)

Its objects are to promote the study and practice of computing and to advance knowledge of and education in IT for the benefit of the public.

### **BPI (The British Recorded Music Industry)**

[www.bpi.co.uk](http://www.bpi.co.uk)

BPI is a trade organisation protecting and promoting the UK recorded music business.

### **British Academy of Songwriters, Composers and Authors (BASCA)**

[www.basca.org.uk](http://www.basca.org.uk)

Support and protect the artistic, professional, commercial and copyright interests of songwriters, lyricists and composers of all genres of music and to celebrate and encourage excellence in British music writing.

### **British Association of Picture Libraries and Agencies (BAPLA)**

[www.bapla.org.uk](http://www.bapla.org.uk)

The British Association of Picture Libraries and Agencies, or BAPLA, is the trade

association for picture libraries in the UK, and has been a trade body since 1975. Members include the major news, stock and production agencies as well as Sole Traders and Cultural Heritage Institutions.

### **British Equity Collecting Society Ltd (BECS)**

[www.equitycollecting.org.uk](http://www.equitycollecting.org.uk)

The only UK based collective management organisation for audiovisual performers. It represents the interests of its members in the negotiation and administration of performers' remuneration.

### **British Institute of Professional Photography (BIPP)**

[www.bipp.com](http://www.bipp.com)

Run by photographers, for photographers, they provide advice and support, along with a programme of training courses, the most respected professional photographic qualifications in the country and a host of regional and national events and seminars.

### **Broadcasting Entertainment Cinematograph and Theatre Union (BECTU)**

[www.bectu.org.uk](http://www.bectu.org.uk)

BECTU have about 27,000 members working in tv, film, theatre and new media, freelance and directly employed in jobs apart from acting and journalism.

### **Chartered Institute of Journalists (CIOJ)**

[www.cioj.co.uk](http://www.cioj.co.uk)

Both an independently certified trade union and professional association, the CIOJ was formed in 1884 and granted a Royal Charter in 1890 by Queen Victoria. It has been serving and protecting the best interests of journalism and journalists ever since.

### **Copyright Licensing Agency (CLA)**

[www.cla.co.uk](http://www.cla.co.uk)

CLA license organisations to copy and re-use extracts from print & digital publications on behalf of the copyright owners - authors, publishers and visual artists.

### **Design and Artists' Copyright Society (DACS)**

[www.dacs.co.uk](http://www.dacs.co.uk)

Established by artists for artists, DACS is a not-for-profit rights management organisation providing three rights management services for visual artists: Payback, Artist's Resale Right and Copyright Licensing.

### **Directors UK (DPRS)**

[www.directors.uk.com](http://www.directors.uk.com)

Directors UK is the professional association of directors working with the moving image in the UK. Directors UK exists to ensure that the importance and centrality of directors is recognised, and to give directors a powerful and united voice at the centre of the industry. Directors UK works with directors to: protect and enhance directors' creative rights; negotiate, collect, and manage the right to receive payment; represent directors and directing to Government in the UK and in Europe; and provide valuable services and benefits to members.

### **Educational Recording Agency Ltd (ERA)**

[www.era.org.uk](http://www.era.org.uk)

On behalf of its Members, ERA is a copyright collecting society which operates a Licensing Scheme for educational use of copyright protected material. Uniquely serving the UK education sector, ERA is one of a range of collecting societies which help copyright owners and performers derive an income from the licensed use of their works. ERA Members include broadcasters, authors and artist collecting societies, performers' unions and representative bodies for owners of copyright films

and sound recordings.

### **Equity**

[www.equity.org.uk](http://www.equity.org.uk)

The main function of Equity is to negotiate minimum terms and conditions of employment throughout the entire world of entertainment and to endeavour to ensure these take account of social and economic changes.

### **Incorporated Society of Musicians (ISM)**

[www.ism.org](http://www.ism.org)

The Incorporated Society of musicians is a UK professional body for musicians. They champion the importance of music and protect the rights of those working within music services, campaigns, support and practical advice. The ISM offers peace of mind with their high quality legal expertise, casework and comprehensive insurance; it is proud of the support it has given to its members since 1882.

### **Music Publishers Association (MPA)**

[www.mpaonline.org.uk](http://www.mpaonline.org.uk)

The MPA exists to safeguard the interests of music publishers and the writers signed to them. It provides them with a forum and a collective voice, offers them a range of practical services, represents their interests to the wider music industry, the media and the public and works to inform and to educate the wider public in the importance and value of copyright.

### **Musicians' Union (MU)**

[www.musiciansunion.org.uk](http://www.musiciansunion.org.uk)

The Musicians' Union represents thirty thousand musicians working in all sectors of the music business. As well as negotiating on behalf of its members with all the major employers in the industry, the MU offers a range of services for self-employed professional and student musicians of all ages. Visit the MU website and find out how the Union can help you with your career, whether you work in the live arena, the recording studio, in education or as a writer/composer.

### **National Union of Journalists (NUJ)**

[www.nuj.org.uk](http://www.nuj.org.uk)

The voice for journalists and journalism. An active campaigning organisation seeking to improve the pay and conditions of their members and working to protect and promote media freedom, professionalism and ethical standards in all media.

### **Phonographic Performance Ltd (PPL)**

[www.ppluk.com](http://www.ppluk.com)

The London based music licensing company which licenses recorded music on behalf of 3,400 record companies and 39,500 performers in the UK.

### **Professional Publishers Association (PPA)**

[www.ppa.co.uk](http://www.ppa.co.uk)

The trade association for publishers and providers of consumer, customer and business media in the UK.

### **PRS for Music**

[www.prsformusic.com](http://www.prsformusic.com)

PRS for music represents the rights of 85,000 songwriters, composers and music publishers in the UK. As a not-for-profit organisation it ensures creators are paid whenever their music is played, performed or reproduced; championing the importance of copyright to protect and support the UK music industry.

### **Publishers' Association (PA)**

[www.publishers.org.uk](http://www.publishers.org.uk)

The leading trade organisation serving book, journal, audio and electronic publishers

n the UK. Its core service is representation and lobbying, around copyright, rights and other matters relevant to members, who represent roughly 80% of the industry by turnover.

### **Publishers' Licensing Society (PLS)**

[www.pls.org.uk](http://www.pls.org.uk)

The Publishers Licensing Society (PLS) represents the interest of publishers in the collective licensing of photocopying and digitisation. Established over 30 years ago, PLS is a not for profit organisation owned and directed by the Association of Learned & Professional Society Publishers (ALPSP), the Periodical Publishers Association (PPA) and the Publishers Association (PA). Its role is to: oversee a collective licensing scheme in the UK for book, journal and magazine copying; stimulate innovation and good practice in rights management, and clarify the relationship between traditional copyright management practices and those needed in the digital age.

### **The Royal Photographic Society (RPS)**

[www.rps.org](http://www.rps.org)

The Royal Photographic Society was founded in 1853 to 'promote the Art of Science of Photography', a mission it continues to this day.

### **The Society of Authors**

[www.societyofauthors.org](http://www.societyofauthors.org)

An independent trade union, representing writers' interests in all aspects of the writing profession, particularly publishing, but also broadcasting, television and film, theatre and translation.

### **The Writers' Guild of Great Britain**

[www.writersguild.org.uk](http://www.writersguild.org.uk)

The Writers' Guild of Great Britain is the trade union representing writers in TV, radio, theatre, books, poetry, film, online and video games.