

COLLECTING SOCIETIES - CODE OF CONDUCT REVIEW

AUSTRALIAN SCREEN DIRECTORS AUTHORSHIP COLLECTING SOCIETY (ASDACS) REPORT OF COMPLIANCE 1 July 2018 - 30 June 2019

General Section

The Australian Screen Directors Authorship Collecting Society Ltd (ASDACS) was incorporated in 1995. ASDACS' collects and distributes secondary royalty income for audio-visual directors, which arise from the screening of their work both internationally and domestically.

As has been noted previously, ASDACS is not a declared society under the Act.

The ADG administers ASDACS through a services contract, however, ASDACS continues to be legally governed by a separate board and acts in accordance with its own constitutional rules.

ASDACS consists of two full-time staff members and two part-time staff members.

Compliance Section

Legal Framework (Code, Clause 2.1)

There was no change during the Review Period.

ASDACS Privacy Policy, 2018 Annual Accounts, Articles of Association and Memorandum and annual AGM Chairs report are made available on the ASDACS website.

Members (Code, Clause 2.2)

As at 30 June 2018, ASDACS had 1106 members. By the end of the period under review, the membership had grown to 1180, an increase of 6%. 887 members were Australian, 151 New Zealander and 68 were international residents for tax purposes.

In addition to its constitution, the ASDACS website features a FAQ section with information sheets aimed to provide members with easy access to information and resources. All staff are trained to readily respond to members queries and complaints.

There was no change to the membership rules during the review period and membership eligibility remains open to audio-visual directors.

Licensees (Code, Clause 2.3)

ASDACS does not grant licences to use copyright works.

Distribution of Remuneration and Licences (Code, Clause 2.4)

ASDACS does not collect licence revenue, but instead collects royalties generated from secondary rights. Secondary royalty income for the 2018 calendar year period totalled \$1,750,408. This includes a small amount of domestic retransmission royalty revenue totalling \$21,875 received from Screenrights. A total of \$24,766 bank interest earned on ASDACS income over the 2018 calendar year will be distributed evenly to its members in accordance with its constitutional rules.

ASDACS Code of Conduct Compliance 2018-19

ASDACS distributes domestic and international income collected the prior calendar year to members on an annual basis. A plain English distribution rules and practices guideline is available on the ASDACS website. The distribution rules and practices were most recently updated in June 2019 to include requirements as per the Code of Conduct changes introduced 1 July 2019. In particular, the guideline maintains that the membership will be consulted prior to making any substantive changes to its distribution rules and practises and affirms that a detailed report on undistributed funds will be made available to its members.

Collecting Society Expenses (Code, Clause 2.5)

ASDACS' members received the full amount of gross royalties that ASDACS has received from reciprocal collecting societies internationally for their works, less the following amounts:

1. **Administrative fee:** administrative fee of 15 per cent, which covers ASDACS' operational expenses.
2. **Membership fee:** membership fee of 10 per cent, waived for members of the Australian Directors' Guild (ADG), the Directors and Editors Guild of New Zealand (DEGNZ), beneficiaries and retirees.
3. **Cultural Purposes Fund:** cultural fund fee of 4 per cent; In 2018, this amounted to \$70,016 collected; \$40,000 of which was granted to the ADG (see ADG cultural fund report attached), \$10,000 was granted to the Motion Picture Industry Benevolent Society for charitable purposes and \$500 was donated to the Women in Film and Television (NSW) for an event creche.

Governance and Accountability (Code, Clause 2.6)

At its Annual General Meeting, seven members were appointed to the ASDACS' Board in accordance with its' constitutional rules.

As mentioned previously, the 2018 audited ASDACS Annual Accounts are made available on the ASDACS website www.asdacs.com.au. The annual report includes detail on collections, administration expenses, distributed funds and undistributed funds.

ASDACS is also a member of CISAC (the International Confederation of Societies of Authors and Composers) and abides by CISAC professional rules and standards, including the submission of an annual financial declaration and completion of a professional rules questionnaire.

Staff Training (Code, Clause 2.7)

During the period, the ASDACS full-time staff member ensured all staff were aware of the code and gave further training on ASDACS' complaints handling procedure, as outlined in the ASDACS complaints policy available at www.asdacs.com.au.

Education and Awareness (Code, Clause 2.8)

The ASDACS website continues to promote the importance of copyright and makes detailed reference to the nature of copyright as administered by societies in Australia and overseas, addressing the functions and policies of ASDACS in particular.

ASDACS continued to send a quarterly e-news and Social media (Twitter, Facebook and LinkedIn) to keep members informed and aware of its work and progress. ASDACS also took part in the ADG Business of Directing workshop, raising awareness of directors' royalties, rights and remuneration.

ASDACS Code of Conduct Compliance 2018-19

ASDACS also continues to promote fair remuneration for screen directors. This is in alignment with the broader international Writers and Directors Worldwide 'Audio-visual campaign', which is aimed at gaining an unassignable and un-waivable right to remuneration for audio-visual authors across the globe. ASDACS also joined an Asia-Pacific Audio-visual Alliance for Writers and Directors in May 2019, aimed at promoting and furthering the rights of authors more specifically within the Asia Pacific region.

Plain English distribution rules and practices guidelines, as well as information sheets on retransmission rights, undistributed funds and distribution practices are available to members on the ASDACS website. ASDACS also makes its documents available on the new Code of Conduct for Copyright Collecting Societies website introduced 1 July 2019.

Complaints and Disputes (Code, Clause 3)

The July 2018 to June 2019 reporting period covers the distribution of 2017 royalty income. During this time, no formal complaints were lodged.

In accordance with the recommendations of the Code Reviewer in the Report of Review of Copyright Collecting Societies Compliance with their Code of Conduct for the Year 1 July 2012 to 30 June 2012, ASDACS changed its process for the recording of complaints. Therefore, any complaints received by ASDACS during the Review Period are identified in a specific Complaints Register, separate to other general interactions with members.

Publicity and Reporting (Code, Clause 4)

ASDACS publicises the Code and its adherence to it, on its website and in all relevant information documents are provided to members and potential members.

The Code is posted on the ASDACS website within a comprehensive section called Governance, where interested observers can also find the latest Report on Compliance, the Triennial Review of the Operations of the Code 2017 and the 2019 Call for Submissions. Members can download these documents or request hard copies from the office.

As noted previously, ASDACS also makes its documents available on the new Code of Conduct for Copyright Collecting Societies website introduced 1 July 2019.

Additional information

Please find the following supporting documentation under separate cover:

1. ASDACS' Quarterly Enews to members.
2. The ADG Cultural Fund Report.
3. MPIBS Annual Report
4. WIFT Cultural Fund Request
5. ASDACS' 2018 Annual Accounts.
6. Members information sheets.

1. ASDACS' Quarterly Enews to members.



AUSTRALIAN SCREEN DIRECTORS AUTHORSHIP COLLECTING SOCIETY

Dear ASDACS members,

We are pleased to announce that ASDACS' royalty income increased by **44%** in 2018, with total collections reaching approx. **\$1.75 MM**. In addition, a total of **6** new international collecting society partnerships were signed last year. In other news, ASDACS is currently seeking a full time **Administration and Research Assistant** to assist with the increased workload associated with our annual distribution, domestic and international registrations, as well as general office administration (applications close next Monday); See the full job description [here](#).

-Stephen Wallace, ASDACS Chair



ADG Awards: Open for Submissions

The Australian Directors' Guild (ADG) is receiving submissions to the 2019 ADG Awards up until Friday, 15 March 2019 (5pm). More information [here](#).

New International Partnership !

ASDACS recently signed with



international collecting society, [GCA](#) (Georgia); bringing total partnerships up to **35**. See all of our partners [here](#).



ADG Directors' Intensive Tasmania

The Australian Directors' Guild (ADG) and Screen Tasmania, are offering 10-15 Tasmanian directors an opportunity to connect with and learn from two of Australia's most accomplished screen directors – **Anna Broinowski** and **Rowan Woods** (Moderator: Kingston Anderson). See more information [here](#).

DATE: 16 - 17 March 2019

(Applications close on 6 March 2019)

VENUE: Wide Angle Tasmania, 6 Washington Street, South Hobart, TAS

WORKSHOP FEE:

\$60 for ADG Members / \$100 for non ADG Members

Cultural and Charitable Purposes Fund

The ASDACS board is pleased to announce a \$1,000 contribution from its cultural and charitable purposes fund toward AIDC's mobile creche to support delegates with young children attending the conference. An amount of \$40,000 was also approved for the 2019 ADG Awards.



AUSTRALIAN
INTERNATIONAL
DOCUMENTARY
CONFERENCE
3-5 MARCH 2019
ACMI MELBOURNE

Welcome New Members !



Patrick Crawley, William Minchin, Simone North, Jeremy Mackinnon, Jamie Robertson, Matt Drummond, Stella Dimadis, Craig Irvin, Katie Hides, Edward Saltau, Matthew Holmes, Dario Russo and Mark Lapwood; bringing ASDACS total membership up to **1162**.

Your Rights



In Australia, as a director you're entitled to a share of domestic retransmission royalties if you have not assigned your rights to another party (such as a producer or investor). To ensure you receive your entitlement, we recommend that all directors use one of our [retransmission clauses](#) in your directors contract.

Need more information? If you're a full member of the [ADG](#) you're entitled to 1 hrs free legal advice or contact [ARTSLAW](#) or [ASDACS](#).

Member Discounts



Film and Television Law Summit 2019 Early Bird Rate

TUESDAY, 19 MARCH 2019

9.00AM to 5.15PM UNSW CBD Campus Sydney

ASDACS members and affiliates are eligible for the early bird rate discount of **\$770** for the full day and **\$395** for the half day until the date of conference (bookings will need to be made over the phone or send an email to info@legalwiseseminars.com.au).

[Click here for more details on the event.](#)

10% ASDACS membership fee waiver

The ASDACS **10%** membership fee on royalties is waived if you're a full member of the Australian Directors Guild (ADG) or the Directors and Editors Guild of New Zealand (DEGNZ). For more information on how to join and other great benefits go to:

[ADG membership](#)

[DEGNZ membership](#)



International Creators News

DIGITAL SINGLE MARKET: EU NEGOTIATORS REACH A BREAKTHROUGH TO MODERNISE COPYRIGHT RULES



MORE INFORMATION



WRITERS

& DIRECTORS
WORLDWIDE



The next Annual W&DW Congress, which gathers authors from all over the world, will be held in the city of Moscow, Russian Federation.

Join our network



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[View this email in your browser](#)

QUARTERLY ENEWS

17 JUNE 2019

asdacs

AUSTRALIAN SCREEN DIRECTORS AUTHORSHIP COLLECTING SOCIETY

Dear ASDACS members,

The last financial year (2018) has been an unusually successful one for ASDACS. Our income has improved substantially, there has been a start to the database upgrade, as well as solid negotiations with Screenrights and SPAA regarding director's retransmission percentages. There has been a **44%** overall increase in ASDACS royalties which last year totalled **\$1.7 MM** (an increase of the previous year of +\$537k). In 2018, we have had an 11% increase in membership, 117 new members, which brings our total membership to 1155. Of these ASDACS distributed royalties to 540 members. Read the full AGM chair report [here](#).

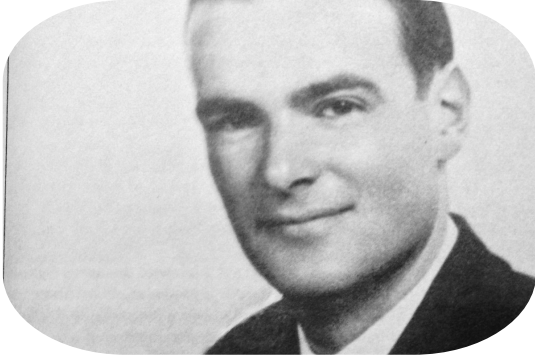
-Stephen Wallace, ASDACS Chair

Alliance of Asia-Pacific Audiovisual Writers and Directors (APAA) lunches in Tokyo

Read more [here](#)



Help give Australian Film



Pioneer, Cecil Holmes, a proper burial

[DONATE HERE](#)



New International Partnership !

ASDACS recently signed with international collecting society, **SGAE** (Spain); bringing total partnerships up to **36**. See all of our international partners [here](#).



Members Spotlight: Richard Jasek

Directing credits: All Saints, Blue Heelers, Heartbreak High, Home & Away, Neighbours, The Secret Life of Us, City Homicide, McLeods Daughters, and documentaries: Driven to Diffraction, Microbes to Macrobes and Making a Mark.

Best moment on set: Interviewing the surviving family of Nobel Prize winners William and Lawrence Bragg, who invented x-ray crystal diffraction, a technique that allowed us to look for the first time into the very heart of matter and see what shape it is. Truly amazing stories about, and told by, truly amazing people.

Worst moment on set: Trying to fake an alpaca giving birth for McLeods Daughters. WC Fields was right when he said never work with children or animals... animals at least. Almost everything that could go wrong, did. The alpaca was fine, but by the end of the day

I wasn't!

What you're working on now: A documentary for the ABC about the Adelaide Festival of Arts as it prepares for its 60th anniversary event next year, and its two remarkable Artistic Directors, Neil Armfield and Rachel Healy.

Advice to your younger self: Just say yes to everything. Even the things you think may not be right for you have something to teach.

Why ASDACS royalties are important: They help us ride out the highs and lows of our unpredictable careers. And they are proper recognition of the essential contribution Directors make to one of the great art forms which make it possible for humanity to hold a mirror up to itself.

Welcome New Members !



David Rittey, Paul Casserly, Luke Shanahan, Madeleine Hetheron, Danny Ben-Moshe, Jo Austin (Nee Melling), Grant Hoy, Matthew Sleeth, Tom Noakes, Shelly Lauman, Caroline Bell-Booth, David Stubbs, John Winter, Eric Bana, Armagan Ballantyne, Gregory Miller, Scott Pickett; bringing ASDACS total membership up to **1179**.

Tonight !



THE DIRECTORS CHAIR

BROUGHT TO YOU BY **Screen DIRECTOR**



A SPECIAL TALK WITH DUSTIN FENELEY

Come and hear acclaimed director Dustin Feneley speak about his debut feature film *Stray* which recently won Best Direction in a Feature Film with a budget under \$1 million at the 2019 Australian Directors' Guild Awards.

Stray achieved a theatrical release in New Zealand in 2018, garnering strong box office and widespread critical acclaim.

Stray received support through the Directors' Lab at the Binger Filmlab in Amsterdam, and had its world premiere at the Moscow International Film Festival where its lead actor won the Best Actor award.

You can access *Stray* before the session:
www.strayfilm.com/watch

A graduate of VCA Film School in Melbourne, Dustin's short films have won numerous awards and prizes. *Snow* premiered at the Cannes Film Festival's Cinefondation section in 2006.

DATE: Monday, 17 June, 2019

TIME: 6 pm sharp

VENUE: RMIT University – Melbourne Campus
Building 80, level 1, Room 002,
Cinema at RMIT,
445 Swanston St, Melbourne VIC 3000

TICKETS:

FREE for ADG Members and RMIT Students / Staff
\$10 for General Admission

CLICK HERE TO BOOK



Your Rights

In Australia, as a director you're entitled to a share of domestic retransmission royalties if you have not assigned your



rights to another party (such as a producer or investor). To ensure you receive your entitlement, we recommend that all directors use one of our [retransmission clauses](#) in your directors contract.

Need more information? If you're a full member of the [ADG](#) you're entitled to 1 hrs free legal advice or contact [ARTSLAW](#) or [ASDACS](#).

Member Discounts

10% ASDACS membership fee wavier

The ASDACS **10%** membership fee on royalties is waived if you're a full member of the Australian Directors Guild (ADG) or the Directors and Editors Guild of New Zealand (DEGNZ). For more information on how to join and other great benefits go to:

[ADG membership](#)

[DEGNZ membership](#)



MOTION PICTURE INDUSTRY BENEVOLENT SOCIETY

Providing Financial & Emotional Support to our Industry Colleagues since 1931

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AUSTRALIAN SCREEN DIRECTORS AUTHORSHIP COLLECTING SOCIETY

Dear ASDACS members,

Income is tracking well (32% mid-year increase) with four new partnerships concluded this year to date. Our distribution is about to commence; we will contact you in the coming weeks if we have royalties due to you - so look out for a notice from ASDACS. We also urge you to sign the [petition](#) to help free film maker, James Ricketson from a Cambodian prison. Read on for more detailed news below.

-Stephen Wallace, ASDACS Chair



日本映画監督協会



RUSSIAN UNION
OF RIGHT-HOLDERS



Four new partnerships signed!

ASDACS has signed four new partnerships this year, with Albatour (Albania), RUR (Russia), DGJ (Japan) and Copyswede (Sweden) bringing total international collecting society partnerships up to **32**.

New Distribution

Our 20th distribution (2017 royalty income) is about to commence! If your contact or bank account details have changed since our last distribution, please contact the ASDACS office to update these with us
on asdacs@asdacs.com.au or Ph: 02 9555 7042. Otherwise, please look out for a notification from us with further



James Ricketson - Petition

Australian documentary filmmaker, James Ricketson was recently sentenced to a 6 year Camodian prison sentence for filming an opposition rally with a drone. Join over 100,000 people and sign the petition [here](#) to help bring him home.



Welcome - new members!

Sebastian Bertoli, Clay Glen, Philip Swain, David Collins, Stu Richardson, Collette Beaudry. This brings ASDACS total membership up to **1120**.



directors & editors guild of nz
ngā kaiwherawhera kiriata



Get 10% off ASDACS membership fees

instructions in the coming weeks on what to do to collect.



ADG Metro Screen Fellowships

Applications for the 2018/19 ADG Metro Screen Fellowships CLOSE Monday, 24 September! Click here for more [info](#) Or contact Ph: (02) 9555-7045 email: development@adg.org.au.



A HUGE STEP!

The European Parliament has listened to authors: it carries out the reform of copyright in the Digital Single Market to increase remuneration rights for creators on the internet. Read more from [Latin American Audiovisual Directors Alliance](#) (ADAL) and [Writers & Directors Worldwide](#) (W&DW) on authors rights across the globe through their [Creators News](#).



Retransmission clause

In Australia, as a director you're entitled to

Did you know the ASDACS 10% membership fee on royalties is waived if you're a full member of the Australian Directors Guild (ADG) or the Directors and Editors Guild of New Zealand (DEGNZ) ? For more information on how to join and other great benefits go to:

[ADG membership](#) [DEGNZ membership](#)

a share of domestic retransmission royalties if you have not assigned your rights to another party (such as a producer or investor). To ensure you receive your entitlement, we recommend that all directors use one of our [updated retransmission clauses](#) in your directors contract. Need more information? If you're a full member of the [ADG](#) you're entitled to 1 hrs free legal advice or contact [ARTSLAW](#) or [ASDACS](#).

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2. The ADG Cultural Fund Report.



Australian
Directors' Guild

AUSTRALIAN DIRECTORS GUILD FUNDING FROM ASDACS FOR 2018.

TOTAL REQUEST: \$40,000 (CULTURAL FUND)

REPORT ON ACTIVITIES

ADG AWARDS – (\$30,000)

NATIONAL WORKSHOP PROGRAM (\$10,000)

**Australian Directors Guild Ltd
28/330 Wattle St, Ultimo. NSW. 2007
Tel: 02 9555 7045
Web: www.adg.org.au**

ADG AWARDS – (\$30,000)

The ADG Awards aim to recognise excellence in the craft and art of directing, as well as recognising individual contributions by Australian Screen Directors to film, television, documentary, animation and new media.

The Awards are presented at a theatre and gala dinner and are attended by Australia's top directors and a wide cross-section of the screen industry. What makes the Awards unique from traditional awards evenings is its less directly competitive and more supportive nature.

The ADG Awards were held in Melbourne for the third time with support from Film Victoria at the Sofitel on Collins. This proved to be the biggest awards event the ADG has organised with over 280 people attending the ceremony and a sold-out dinner afterwards.

SIMON BAKER was presented with the Feature Film for his feature debut feature "Breath".

Winners on the night included FIONA BANKS, JOHN SHEEDY, LUCY KNOX, LARISSA BEHRENDT, ALEX BARRY, SARI BRAITHWAITE, DANNY RACO, DAINA REID, JONATHAN BROUGH, SCOTT MANNION, HENRY INGLIS, STEVE BAKER, PAUL MIDDLEDITCH and NICK WATERMAN.

The CECIL HOLMES AWARD was also presented on the night going to long time President and Board Member RAY ARGALL.

NATIONAL WORKSHOP PROGRAM (\$10,000)

We have been developing some standalone workshops for directors which we believe are needed to support working directors and develop new directors. These workshops are as follows:

THE BUSINESS OF DIRECTING

A two-day workshop for emerging directors, professional directors and those that want to know the nuts and bolts of the directing business. This workshop outlines the legal issues and some practical knowledge about filming that will help those new to the game and those who just want to be updated on current issues and systems.

The workshop will cover contracts, director's royalties, casting, superannuation, legal issues, insurance, and relationships with departments, individual funding international directing and moral rights. Industry professionals will lead the workshop from each of these areas.

We ran for the first time the workshop in Melbourne attracting over 30 participants from Victoria as well as several from Tasmanian and South Australia.

Professional panellist included JONATHAN BROUGH, PETER CARSTAIRS, JANA BLAIR, ANDREW ARBUTHNOT, CLEMENT DUNN, ANDREW CAMPBELL, GERARD BUTLER, KEN SALLOW, ELLERY RYAN, SIMON WINCER, FIONA BANKS and the workshop was moderated by KINGSTON ANDERSON.

The workshop was held at the Australian Centre for the Moving Image (ACMI) on the 16TH AND 17TH June 2018.

DIRECTOR'S INTENSIVE

Developed in conjunction with Screenworks and held in Byron Bay in 2016 and 2017, the Directors Intensive is a unique opportunity for new directors to get advice and experience from the best Australia directors in documentary and drama.

Through a series of presentations, workshop sessions, screenings and discussions, two experienced directors – one documentary and one drama, will reveal their directing techniques, share advice on best practice and give participants guidance on individual projects. Approximately 12 directors will be selected by an independent panel from applications received to participate in this two-day workshop.

We ran the workshop for the first time in Western Australia as part of the Cinefest Oz film festival in Busselton. The two directors leading the workshop were DANIEL NETTHEIM and RICHARD TODD. We had 30 applications for the 12-15 places available including applications from interstate. We decided only to take Western Australian directors.

The workshop was moderated by the ADG CEO KINGSTON ANDERSON and took place in Busselton, WA on the 22nd and 23rd August, 2018.

The demand for this workshop has become quite high and we always have more applications that we can accommodate. We hope to again run this workshop at Cinefest in 2019.

OTHER CULTURAL FUND BENEFITS

- ASDACS logo on the ADG website;
- Acknowledgement with all other sponsors as follows: “*The ADG would like to thank Screen Australia, Screen NSW, Screenrights, South Australian Film Corporation, Screen QLD, Screenwest, Film Victoria, Media Super and ASDACS for their financial assistance and support of ADG’s annual cultural events and activities*”;
- Verbal mention of ASDACS at supported events such as the Awards, workshops and panel sessions;
- Inclusion of ASDACS information in appropriate forums that deal with directors rights and copyright;



ADG AWARDS 2018 - PUBLICITY REPORT

TraceyMair Publicity

MEDIA RELEASES

The following media releases were issued to media:

| DATE | MEDIA RELEASE |
|---------------|---|
| 2 February 18 | Submission deadline approaching |
| 2 February 18 | Guild calls on Australian Government to stop FIFO directors |
| 2 March 18 | Submissions Close |
| 9 April 18 | Nominations announced |
| 20 April 18 | Host & Presenters announced |
| 21 April 18 | Cecil Holmes announcement |
| 4 May 18 | Winners announced |



MEDIA COVERAGE

TraceyMair Publicity

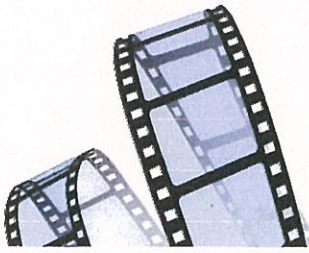
| DATE | OUTLET | JOURNALIST | URL |
|----------|---------------|-----------------|---|
| 5 April | Reel Bits | Richard Gray | https://thereelbits.com/2017/04/06/2017-adg-awards-australian-directors-guild-announce-nominations/ |
| 9 April | Inside Film | Jackie Keast | https://www.if.com.au/adg-award-nominees-hint-at-a-slowly-changing-playing-field-for-female-directors/ |
| 10 April | Film Ink | Travis Johnson | https://www.filmink.com.au/2018-australian-directors-guild-awards-nominations/ |
| 27 April | Inside Film | Don Groves | https://www.if.com.au/ray-argall-to-receive-adgs-cecil-holmes-award/ |
| 4 May | Northern Star | Jasmine Burke | https://www.northernstar.com.au/news/local-film-star-wins-prestigious-award-for-new-fli/3407039/ |
| 4 May | Reel Bits | Richard Gray | https://thereelbits.com/2018/05/04/simon-baker-wins-best-direction-at-australian-directors-guild-awards/ |
| 4 May | Film Ink | Dov Kornits | https://www.filmink.com.au/simon-baker-wins-australian-directors-guild-award-breath/ |
| 5 May | ABC TV News | Michaela Boland | Link not available |



TraceyMair Publicity

| | | | |
|-------|----------------------|-------------|---|
| | | | News feature on Australian directors linked to awards – interviews with Kingston Anderson, Simon Baker & Greg McLean |
| 6 May | Sunday Herald Sun | Fiona Byrne | Link not available Social coverage of ADG Awards |
| 7 May | Inside Film | Don Groves | https://www.if.com.au/simon-baker-wins-top-gong-at-the-adg-awards-for-debut-feature-breath/ |
| 7 May | Inside Film | Don Groves | https://www.if.com.au/bo-report-breath-rides-a-wave-of-critical-acclaim-while-avengers-infinity-war-rules/ |

3. MPIBS Annual Report



MOTION PICTURE INDUSTRY BENEVOLENT SOCIETY

Providing Financial & Emotional Support to our Industry Colleagues since 1931

Patrons: Anthony Buckley AM | Paul Johnson | Damian Keogh AM | John Kirby AM | John Rochester | Alan Rydge

CHARITABLE FUNDRAISING LICENCE NUMBER - 10841

October 1, 2018

TO ALL MEMBERS AND SUPPORTERS OF THE MPIBS

Notice is hereby given that the **87th Annual General Meeting** of the **Motion Picture Industry Benevolent Society** will be held on **Wednesday, November 7, 2018**, in the **Sony Pictures Releasing Theatrette** (19th Floor, 1 Market Street, Sydney), commencing at **12:30PM**.

It is anticipated that the meeting will be of approximately thirty minutes duration, and all members and supporters of the Society are cordially invited to attend.

Yours Sincerely,

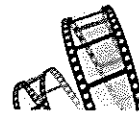
BRUCE LEONARD
(Secretary/Treasurer)

<http://www.cinemapioneers.com.au/mpibs/>

Chairman: Murray Forrest | 3 Sun Valley Place, Carlingford 2118 | Ph: 8812 2540

Secretary/Treasurer: Bruce Leonard | 9 Collins Crescent, Lapstone 2773 | Ph: 4739 3878

Chairman Investigation & Relief: Tom Jeffrey AM | 6 Brown Street, Bronte 2024 | Ph: 9386 4100



**MOTION PICTURE INDUSTRY
BENEVOLENT SOCIETY**

Providing Financial & Emotional Support to our Industry Colleagues since 1931

SPECIAL DONATIONS

Australian Cinema Pioneers - NSW Branch
Luncheon
Australian Movie Convention
Australian Screen Directors Authorship
Collection Society
Docklands Studio Melbourne Pty. Ltd.
Event Hospitality & Entertainment
Hoyts Corporation Pty. Ltd.
KPMG
Motion Picture Distributors' Association of
Australia
Paramount Pictures Australia Pty.
Sony Pictures Releasing Pty. Ltd.
The Sun Foundation
Universal Pictures International A'Asia Pty. Ltd.
The Walt Disney Company (Aust.) Pty. Ltd.

DONATIONS RECEIVED IN MEMORY OF DEPARTED FRIENDS

In Memory of Reiko Tomatsu
JOHN THORNHILL

STAFF DONATIONS

Event Hospitality and Entertainment
(Weekly Staff Deductions)

Hoyts Cinemas
(Weekly Staff Deductions)

ANNUAL REPORT

2018

**Founded by
THE 47 CLUB
1931**

**ANNUAL GENERAL MEETING
Wednesday, November 7, 2018
at 12:30PM**

**At The
SONY PICTURES RELEASING
THEATRETTE
Level 19,
1 Market Street
SYDNEY**

CHAIRMAN'S REPORT

Once again I have pleasure in submitting my 21st Annual Report as Chairman of the Motion Picture Industry Benevolent Society.

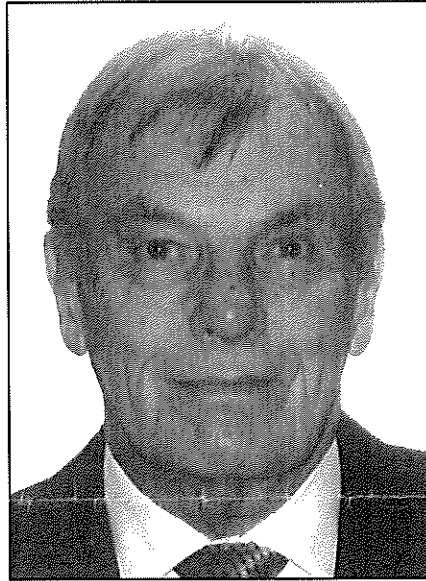
This has been the 87th year that the Society has been providing financial and emotional support to many and varied past and present members of our Industry who have fallen on difficult times.

Throughout the financial year 2017 / 2018, the MPIBS continued to receive numerous requests for assistance. We provided ongoing support to twenty-three beneficiaries, and dispensed \$148,357 in financial aid, each person receiving the amount of assistance relevant to his or her needs, as determined by the members of the Council of the MPIBS. As in the past, this has been given by way of regular monthly Relief payments, "Winter Comfort" and "Christmas Cheer" disbursements, Private Health Fund payments, Birthday gifts, special hospital treatments, pharmaceutical expenses, and substantial contributions towards the cost of the funerals of beneficiaries and their spouses.

Unfortunately, fundraising during the past twelve months has been particularly challenging. However, I am pleased to report that a number of our Industry colleagues have been extremely generous in their continued support of the Society. It is imperative that we continue to ensure that word of the vital work and the on-going needs of the MPIBS is spread throughout all areas of our Industry, to ensure that the Society's financial position remains positive and the essential work of caring for our beneficiaries is able to continue into the future.

As of June 30, 2018, the funds available to the Society totalled \$633,311 - \$500,000 in our ANZ Term Deposit; \$50,498 in the ANZ Business Premium Saver Account; and \$82,813 in the ANZ Business Premium Extra Account.

I would like to acknowledge the outstanding efforts of our Chairman of Investigation and Relief, Tom Jeffrey. Tom continues to do an extraordinary and selfless job looking after the needs of our beneficiaries, which I know is acknowledged by all concerned who look upon him as a "Guardian Angel".



Once again I would like to thank the Society's Joint Patrons - Anthony Buckley AM, Paul Johnson, Damian Keogh AM, John Kirby AM, John Rochester and Alan Rydge for their continued and valued support during the year.

Sony Pictures Releasing again kindly made their facilities available for the Society's monthly and Annual General Meetings, and I extend to both Stephen Basil-Jones and Michele Crosland our sincere thanks.

To the Councillors of the MPIBS, I would like to express my personal thanks to each of them for their dedication to the ideals of the Society over the past twelve months. In December 2017, we were pleased to welcome Russell Anderson as a member of the Council. Russell kindly agreed to fill the vacancy on the Council following the passing of former Councillor Harold Maiden.

Finally, my thanks to John Rochester and Bruce Leonard - to John our Chairman of Finance for his input and financial advice throughout the year, and to Bruce, the Society's Secretary / Treasurer, for the vital work he continues to do enabling the Society to accomplish its important tasks.

I look forward to seeing everyone at our Annual General Meeting, which is to be held at 12:30PM on Wednesday November 7, 2018, in the Sony Pictures Releasing Theatre, Level 19, 1 Market Street, Sydney.

MURRAY FORREST
(Chairman)

BALANCE SHEET
As at 30th JUNE, 2018

**STATEMENT OF INCOME
AND EXPENDITURE**
for the year ended 30th JUNE, 2018

| 2017 | ACCUMULATED FUNDS | 2018 | 2017 | INCOME | 2018 |
|-----------------|---|----------------|-----------------|--------------------------------|-----------------|
| 684,001 | Balance as at 30th June, 2017 | 664,925 | | | |
| | Surplus/(Deficit) for the year ended 30th June 2018 transferred from statement of | (34,864) | 141,141 | Donations | 143,195 |
| <u>(19,076)</u> | Income and expenditure | <u>630,061</u> | | | |
| <u>664,925</u> | | | | INTEREST RECEIVED | |
| | | | <u>15,386</u> | Bank Interest | <u>12,449</u> |
| | | | <u>156,527</u> | | <u>155,644</u> |
| | CURRENT LIABILITIES | | | EXPENDITURE | |
| (3,300) | Audit Fee Accrual | (3,300) | 125,451 | Financial aid and relief | 138,357 |
| | | | <u>10,053</u> | Funeral Expenses | <u>10,000</u> |
| | CURRENT ASSETS | | <u>135,504</u> | | 148,357 |
| | CASH BALANCES | | | | |
| 55,515 | Cash at Bank – Operational A/C | 50,498 | | ADMINISTRATIVE | |
| 112,660 | ANZ Business Premium Extra | 82,813 | 85 | Sundries | 175 |
| 500,000 | ANZ Term Deposit | 500,000 | 434 | Bank Charges | 254 |
| | | | 617 | Insurance | 675 |
| | | | 637 | Postage | 1,218 |
| | | | 69 | Printing and Supplies | 429 |
| | | | 34,600 | Salaries | 35,800 |
| | | | 3,300 | Audit Fee (KPMG) | 3,300 |
| | | | <u>357</u> | Telephone | <u>300</u> |
| <u>50</u> | Cash On Hand – Petty Cash | <u>50</u> | <u>40,099</u> | | <u>42,151</u> |
| <u>668,225</u> | | <u>633,361</u> | <u>175,603</u> | | <u>190,508</u> |
| <u>664,925</u> | | <u>630,061</u> | <u>(19,076)</u> | Surplus/(Deficit) for the Year | <u>(34,864)</u> |

The Financial information above is summarized from the complete
Financial Report, which was audited by KPMG.

To review a complete copy of the Financial Report, as prepared by Bruce Leonard,
please contact :

Bruce Leonard
(Secretary / Treasurer of the Motion Picture Industry Benevolent Society).

JOINT PATRONS OF THE M.P.I.B.S.

Mr. Anthony Buckley AM,
Mr. Paul Johnson,
Mr. Damien Keogh AM,
Mr. John Kirby AM,
Mr. John Rochester,
Mr. Alan Rydge

LIFE MEMBERS

Mr. Barry Christie
Mr. Bruce Leonard

MEMBERS OF THE COUNCIL OF THE M.P.I.B.S.

Chairman of the Council:
Mr. Murray Forrest

Chairman of Finance:
Mr. John Rochester

Councillors:
Russell Anderson (since December 2017),
Martin Bagley, Noel Collier, Vera Dolejsi, Lori
Flekser, Tom Jeffrey AM, Maxim Larri,
Wendy Paterson, John Rochester,
Errol Sullivan, Daniel Titmus, Jenny Ward and
Peter Wilkinson

Secretary / Treasurer:
Bruce Leonard
9 Collins Crescent, Lapstone, 2773
(email: brunard@optusnet.com.au)

Chairman of Investigation and Relief:
Tom Jeffrey AM
6 Brown Street, Bronte, 2024
Telephone: 9386 4100
Mobile: 0408 260 274

INDIVIDUAL DONORS TO THE M.P.I.B.S. ACKNOWLEDGED WITH GRATEFUL APPRECIATION

| | | |
|--|---------------------------------------|-------------|
| M Baard | W Gray | J Richmond |
| M Bagley | Hayden Orpheum Picture Palace | J Rochester |
| R Billing | U Hopkins | D Russell |
| R Boyle | O Howes | R Russell |
| M Brown | R Johnson | A Rydge |
| R Cahill | L Kable | D Seargeant |
| B Christie | R Keys | M Selwyn |
| P Cleary | J Kirby (<i>The Sun Foundation</i>) | M G Smith |
| A Clunies-Ross | C Larnach | E Tasker |
| N Collier | M & L Larri | A Thompson |
| R Curran (<i>Glenbrook Cinema</i>) | B Leonard | J Thornhill |
| C Curl | B Mason (<i>Lake Cinema</i>) | T Tracey |
| S Dalby | R Mower | P Wilkinson |
| V Dolejsi | A & C Myers | G Zantis |
| J Dumbrell | T O'Brien | |
| R Edmondson | G O'Connor | |
| L Flekser | A Overton | |
| J Fletcher | W Paterson | |
| T Ford | J & A Reid | |
| M Forrest | C Resnick | |

DONATIONS TO THE M.P.I.B.S FROM FILM PRODUCTION COMPANIES AND INDIVIDUALS ALSO ACKNOWLEDGED WITH GRATEFUL APPRECIATION

| | |
|---|---|
| Animal Logic | Wayne Le Clos |
| A.S.E. - Editors Guild | Bill & Margaret Lambert |
| A.S.S.G. - Sound Guild | David Major |
| Aust. Cinematographers Soc. - NSW | Megan McMurchy |
| Antonia Barnard | Sue Milliken AO |
| Bruce Beresford | Jim Murray |
| Sam Bienstock | Tony Murtagh |
| Russell Boyd | Zareh Nalbandian (<i>Animal Logic</i>) |
| Richard Brennan | John Osmond |
| Anne Bruning | Julia Overton |
| Anthony Buckley AM | Owen Paterson (<i>Allow Design</i>) |
| Sergio Campisi | Palm Beach SPV Pty Ltd |
| Dominic Case | Rebel Penfold-Russell (<i>Latent Image Productions</i>) |
| D & J Crombie | Tim & Adrienne Read |
| Deluxe Entertainment | Mike Salter (<i>Window Productions</i>) |
| Docklands Studios Melbourne P/L | Sam Thompson |
| Poppy Dowle | Frans Vandenburg |
| Robyn Elliott | Jenny Ward |
| Derry Field | Mark Wasiutak |
| David Grant | Anthony Winley |
| Sandra Gross | Larry Wyner |
| Lynda House | Stewart Young |
| Tom Jeffrey (<i>Vanguard Productions</i>) | |
| Catherine Knapman | |

4. WIFT Cultural Fund Request



12 December 2018

Ms Deb Jackson
Executive Officer
ASDACS
Australian Screen Directors
Authorship Collecting Society Ltd
c/- deb.jackson@asdacs.com.au

Dear Deb,

In February 2018, WIFT set up the Raising Films Australia initiative in recognition of the enormous impact that caring responsibilities are having on participation in the screen industry. Last month we launched the Raising Films Australia Screen Industry Survey Full Report - ***Honey, I Hid the Kids!: Experiences of parents and carer in the Australian Screen Industry*** in collaboration with University of Technology Sydney, Western Sydney University with funding support from Create NSW.

To build on this work, WIFT mounted the Raising Films Australia Screen Industry Forum on Thursday 6 December 2018. This forum provided space for a long overdue conversation around the challenges and obstacles that parents and carers face and drive strategies to address them.

The forum included keynote speaker acclaimed director Jocelyn Moorhouse who will be releasing her book *Unconditional Love: A Memoir on Filmmaking and Motherhood*. Presentations were lead by researchers of the survey report Prof. Deb Verhoeven (University of Technology Sydney) and Dr Sheree Gregory (Western Sydney University) as well as academics and experts who presented additional research, case-studies and best practice examples around work and care. This was followed by industry round table sessions.

Sponsorship

WIFT is a Not-For-profit, predominantly volunteer organisation and we are seeking sponsors to help mount the Forum and fund the follow up Forum Report. This will help cover costs for the onsite creche for attendees, livestream with captions for the hearing-impaired, any additional speaker fees, catering as well as operational costs for the event. We are also hiring a report writer to create the follow up Forum Report & resources due for release early to mid-2019. Sponsor logos will be featured at the event, in the program, along-side any resources that come out of the forum and the Forum Report.

We would like to request \$500 from the ASDACS Cultural and Charitable Purposes Fund to support the creation of the follow up Forum Report. The ADG Board has advised us that they endorse this sponsorship.

More information about the Forum can be found on our website: www.wiftaustralia.org.au. Thanks for your support.

Warm Regards

A handwritten signature in black ink, appearing to read "M Riakos", with a stylized flourish at the end.

Megan Riakos

President WIFT NSW | Board Member WIFT Australia
0402 061 569 | president@wiftsw.org.au

5. ASDACS' 2018 Annual Accounts.

Australian Screen Directors Authorship Collecting Society Ltd

ABN 80 071 719 134



2018 Annual Accounts

28 / 330-370 Wattle Street Ultimo, NSW 2007
Ph: (02) 9555 7042 Fx: (02) 9555 7086
Email: asdacs@asdacs.com.au

AUSTRALIAN SCREEN DIRECTORS AUTHORSHIP COLLECTING SOCIETY LTD
ABN 80 071 719 134

DIRECTORS' REPORT

The Directors have pleasure in presenting their Report, together with the financial statements of the Company, for the year ended 31 December 2018. Statutory details of Directors, their special responsibilities and their individual attendances at meetings that they were entitled to attend during the year are given in Note 20 to the Financial Statements.

Long and short term objectives

The objective, both long and short term, of the Company is to act as a Collecting Society for screen directors in Australia and New Zealand.

Strategies and activities

The strategies for achieving this objective are to execute agreements with as many overseas collecting societies as is practical, to collect royalties from them that are identified as due to screen directors in Australia and New Zealand and to distribute those royalties to the directors entitled to them.

The activities of the company during the year were all directed towards implementing these strategies. There was no significant change in these activities from previous years.

Key performance indicators

The Directors consider that the Key Performance Indicators of the Company are:

- The value of collections received during the year
- The value of distributions paid to members during the year
- The ratio of administration costs to collections
- Ongoing compliance with the *Copyright Societies Code of Conduct*.

Financial Results

The net profit of the Company for the year was \$88,676. Accumulated funds at year-end increased accordingly to \$556,485.

Income for the year was \$1,836,862, including interest and membership fees. A total of \$1,484,813 was transferred to distributable funds and the cultural fund. Expenditure on administration costs was \$263,373.

- Collections for the year totalled \$1,750,408.
- Distributions to members during the year totalled \$1,624,972.
- Net administration costs recovered from the distributable fund for the year were 15% of collections.

There were no significant changes in the state of affairs of the Company during the year.

Copyright Societies Code of Conduct.

The Review of Copyright Collecting Societies' Compliance with their Code of Conduct for the year 1 July 2017 to 30 June 2018 confirmed that the Company was compliant with the Code. The next Review is due in 2019.

Cultural Fund

The Cultural Fund was established to further the objectives of the Company for the benefit of members. It is funded by a 4% deduction from the royalties collected each year. During the year \$70,016 was transferred to the Fund. \$40,000 was donated from the Fund to the Australian Directors Guild, \$10,000 was donated to the Motion Picture Industry Benevolent Society and \$500 was donated to Women in Film and Television (NSW).

Development Fund

The Development Fund was established to provide a mechanism for helping to ensure equity between past, present and future members. It is funded from undistributed balances remaining in distributable funds that are closed following expiry of their trust period and as determined by the Board. During the year the Fund increased by \$7,279 due to expired distributions of \$29,206, and \$14,040 used on database development and the copyright campaign. During the year, transfers were made from the Fund in respect of distributions made to members during the year from closed funds of \$7,887.

Liability of Members

Each member is liable to the extent of their undertaking under the Company's Constitution as members to a maximum of \$2. The total amount that members of the Company were liable to contribute if the Company had been wound up at balance date was \$2,308.

Likely Developments

There are no known likely developments in the operations of the Company, other than those referred to elsewhere in this Report.

Annual Audit

Under the *Corporations Amendment (Corporate Reporting Reform) Act 2010* the company can be defined as a "Tier 2" entity. We have the option under section 301(3) of the Act, to have its financial report audited. The board has elected for every third year beginning from 2015 to have the accounts audited rather than reviewed.

Auditors' independence declaration

The auditors' independence declaration has been received and is included with this report.

SIGNED at SYDNEY on Friday 26 April 2019, in accordance with a resolution of the Board.



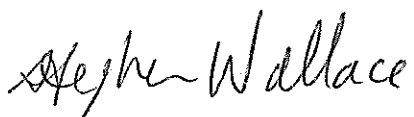
Stephen Wallace
DIRECTOR

DIRECTORS' DECLARATION

The directors of the company declare that:

1. The accompanying financial statements and notes are in accordance with the Corporations Act 2001 and:
 - (a) comply with the Accounting Standards and are in accordance with the Corporations Regulations 2001
 - (b) give a true and fair view of the financial position of the company as at 31 December 2018 and of its performance for the year ended on that date; and
2. In the directors' opinion, there are reasonable grounds to believe that the Company will be able to pay its debts as and when they become due and payable.

SIGNED at SYDNEY on Friday 26 April 2019, in accordance with a resolution of the Board.

A handwritten signature in black ink that reads "Stephen Wallace". The signature is written in a cursive, flowing style.

Stephen Wallace
DIRECTOR

AUSTRALIAN SCREEN DIRECTORS AUTHORSHIP COLLECTING SOCIETY LTD
ABN 80 071 719 134

STATEMENT OF COMPREHENSIVE INCOME FOR THE YEAR ENDED 31 DECEMBER 2018

| | Note | 2018 \$ | 2017 \$ |
|--|------|---------------|---------------|
| Revenue from ordinary activities | 2 | 325,061 | 268,612 |
| Revenue from investment activities | 2 | 24,766 | 28,007 |
| Expenses excluding finance costs | 3 | (258,814) | (244,569) |
| Finance costs | 3 | (2,337) | (1,766) |
| Net profit/(loss) attributable to members | | 88,676 | 48,284 |

STATEMENT OF FINANCIAL POSITION AS AT 31 DECEMBER 2018

| | Note | 2018 \$ | 2017 \$ |
|-----------------------------|------|------------------|------------------|
| ASSETS | | | |
| Current assets | | | |
| Cash and cash equivalents | 4 | 1,844,745 | 1,908,681 |
| Trade and other receivables | 5 | 1,388 | 531 |
| Other current assets | 6 | 2,901 | 49,819 |
| | | <u>1,849,034</u> | <u>1,959,031</u> |
| Non-current assets | | | |
| Database | 7 | - | 2,167 |
| Plant and equipment | 8 | 824 | 1,648 |
| Property | 9 | 480,708 | 480,708 |
| | | <u>481,532</u> | <u>484,523</u> |
| Total assets | | <u>2,330,566</u> | <u>2,443,554</u> |
| Current liabilities | | | |
| Trade and other payables | 10 | 73,080 | 50,158 |
| Other current liabilities | 12 | 1,701,001 | 1,925,586 |
| | | <u>1,774,081</u> | <u>1,975,744</u> |
| Total liabilities | | <u>1,774,081</u> | <u>1,975,744</u> |
| Net assets | | <u>556,485</u> | <u>467,809</u> |
| MEMBERS' EQUITY | | | |
| Retained earnings | | 556,485 | 467,809 |
| Reserves | | - | - |
| Total equity | | <u>556,485</u> | <u>467,809</u> |

STATEMENT OF CHANGES IN EQUITY FOR THE YEAR ENDED 31 DECEMBER 2018

| | Retained Earnings \$ | Reserves \$ |
|--------------------------|-------------------------|----------------|
| Balance 31 December 2016 | 419,525 | - |
| Profit for the period | 48,284 | - |
| Balance 31 December 2017 | 467,809 | - |
| Profit for the period | 88,676 | - |
| Balance 31 December 2018 | <u>556,485</u> | <u>-</u> |

AUSTRALIAN SCREEN DIRECTORS AUTHORSHIP COLLECTING SOCIETY LTD
ABN 80 071 719 134

STATEMENT OF CASH FLOWS FOR THE YEAR ENDED 31 DECEMBER 2018

| | 2018 | 2017 |
|--|--------------------|------------------|
| | \$ | \$ |
| CASH FLOWS FROM OPERATING ACTIVITIES | | |
| Receipts from collections and other activities (incl GST where applicable) | 1,811,239 | 1,235,193 |
| Interest received | 24,766 | 26,007 |
| Income tax paid | - | - |
| Payments to employees, suppliers, members and others (incl GST where applicable) | (1,899,941) | (969,499) |
| Net cash provided by operating activities | 16 (63,936) | 292,702 |
| CASH FLOWS FROM INVESTING AND FINANCING ACTIVITIES | | |
| Other assets | - | - |
| Payments for property, plant and equipment | - | (483,180) |
| Net cash (used) by investing activities | - | (483,180) |
| Net increase / (decrease) in cash held | (63,936) | (190,478) |
| Cash at the beginning of the financial year | 1,908,681 | 2,099,160 |
| CASH AT THE END OF THE FINANCIAL YEAR | 4 1,844,745 | 1,908,681 |

AUSTRALIAN SCREEN DIRECTORS AUTHORSHIP COLLECTING SOCIETY LTD
ABN 80 071 719 134

NOTES TO AND FORMING PART OF THE ACCOUNTS 31 DECEMBER 2018

1. STATEMENT OF SIGNIFICANT ACCOUNTING POLICIES

The financial report includes the financial statements and accompanying notes of Australian Screen Directors Authorship Collecting Society Ltd as an individual entity for the year ended 31 December 2018.

The entity is incorporated as a company limited by guarantee and domiciled in Australia, its registered office and principal place of business being 28 / 330-370 Wattle Street, Ultimo NSW 2007.

Basis of preparation

The financial statements are general purpose financial statements that have been prepared in accordance with the recognition and measurement requirements specified by the Australian Accounting Standards and Interpretations issued by the Australian Accounting Standards Board ('AASB') and the disclosure requirements of AASB 101 'Presentation of Financial Statements', AASB 107 'Statement of Cash Flows', AASB 108 'Accounting Policies, Changes in Accounting Estimates and Errors', AASB 1048 'Interpretation of Standards' and AASB 1054 'Australian Additional Disclosures', as appropriate for not-for-profit oriented entities.

The financial report has been prepared on an accruals basis and is based on historical costs. It does not take into account changing money values or, except where stated, current valuations of non-current assets. Cost is based on the fair values of the consideration given in exchange for assets.

Accounting policies

The following is a summary of the material accounting policies adopted by the company in the preparation of the financial report. These have been consistently applied, unless otherwise stated.

(a) Comparative figures

When required by Accounting Standards comparative figures have been adjusted to conform to changes in preparation for the current financial year.

(b) Income tax

No provision for income tax has been raised as the entity is exempt from income tax under Div 50 of the *Income Tax Assessment Act 1997*.

(c) Cash and cash equivalents

Cash and cash equivalents includes cash on hand, deposits at call with banks, other short-term highly liquid investments with original maturities of three months or less and bank overdrafts.

(d) Trade and other receivables

Trade and other receivables are recognised initially at fair value and subsequently measured at amortised cost, less provision for doubtful debts. Trade receivables are due for settlement no later than 30 days.

Collectability of trade receivables is reviewed on an ongoing basis. Debts that are known to be uncollectible are written off. An allowance for doubtful receivables is established when there is objective evidence that the company will not be able to collect all amounts due according to the original terms of receivables. The amount of the allowance is the difference between the assets carrying amount and the present value of estimated future cash flows, discounted at the effective interest rate. The amount of the allowance is recognised in the income statement.

(e) Acquisition of assets

The purchase method of accounting is used to account for all acquisitions of assets. Cost is measured as the fair value of the assets given at the date of exchange plus costs directly attributable to acquisition.

(f) Impairment of assets

Assets that have an indefinite useful life are not subject to amortisation and are tested annually for impairment. Assets that are subject to amortisation are reviewed for impairment whenever events or changes in circumstances indicate that the carrying value may not be recoverable. An impairment loss is recognised for the amount by which the assets carrying amount exceeds its recoverable amount. The recoverable amount is the higher of an assets fair value less costs to sell and value in use. For the purposes of assessing impairment, assets are grouped at the lowest levels for which there are separately identifiable cash flows (cash generating units).

**AUSTRALIAN SCREEN DIRECTORS AUTHORSHIP COLLECTING SOCIETY LTD
ABN 80 071 719 134**

NOTES TO AND FORMING PART OF THE ACCOUNTS 31 DECEMBER 2018 (cont.)

STATEMENT OF SIGNIFICANT ACCOUNTING POLICIES (CONT.)

(g) Depreciation of property, plant and equipment

Each class of plant and equipment are carried at cost or fair value less, where applicable, any accumulated depreciation. The depreciable amount of all non-current assets are depreciated on a straight line basis over the useful lives of the assets to the company commencing from the time the asset is held ready for use. The useful lives for depreciable assets are:

- Property, plant and equipment : 3 years
- Website : 3 years
- Database : 3 years

(h) Intangible assets

Costs for intangible assets are stated at historical cost less accumulated amortisation and impairment losses. They are amortised using the straight line method over their estimated useful lives, commencing from the time the asset is held ready for use.

(i) Trade and other payables

These amounts represent liabilities for goods and services provided to the company prior to the end of the financial year that are unpaid. The amounts are unsecured and are usually paid within 30 days of recognition.

(j) Revenue recognition

Revenue is measured at the fair value of the consideration received or receivable. Amounts disclosed are net of goods and services tax (GST). Revenue is recognised for the major business activities as follows:

- Royalties collected are recognised as revenue upon receipt
- Undistributed funds are recognised as revenue once the funds are out of the relevant trust period
- Interest is recognised as revenue when due, whether or not received
- Membership fees are recognised as revenue upon receipt

(k) Goods and services tax (GST)

Revenues, expenses and assets are recognised net of the amount of GST, except where the amount of GST incurred is not recoverable from the Australian Tax Office. In these circumstances the GST is recognised as part of the cost of acquisition of the asset or as part of an item of expense. Receivables and payables in the balance sheet are shown inclusive of GST.

Cash flows are presented in the cash flow statement on a gross basis, except for the GST component of investing and financing activities which are disclosed as operating cash flows.

AUSTRALIAN SCREEN DIRECTORS AUTHORSHIP COLLECTING SOCIETY LTD
ABN 80 071 719 134

NOTES TO AND FORMING PART OF THE ACCOUNTS 31 DECEMBER 2018 (cont.)

| | note | 2018 | 2017 |
|---|------|------------------|------------------|
| | | \$ | \$ |
| 2. REVENUE | | | |
| Operating activities | | | |
| Administration fees | | 263,373 | 246,776 |
| Membership fees | | 61,688 | 21,836 |
| | | <u>325,061</u> | <u>268,612</u> |
| Investment activities | | | |
| Interest | | 24,766 | 26,007 |
| | | <u>24,766</u> | <u>26,007</u> |
| 3. SURPLUS FROM OPERATIONS | | | |
| The net profit from ordinary activities is after charging expenses for: | | | |
| Depreciation and amortisation of non-current assets | | 2,991 | 2,991 |
| Audit costs | | 4,000 | 1,500 |
| Management fees | 15 | 202,117 | 191,431 |
| Distribution costs | | 10,528 | 8,749 |
| Governance and compliance | | 19,242 | 19,825 |
| Finance costs | | 2,337 | 1,766 |
| Travel expenses | | 9,498 | 4,221 |
| Property costs | | 10,378 | 13,893 |
| Other operating expenses | | 60 | 1,959 |
| | | <u>261,151</u> | <u>246,335</u> |
| 4. CASH AND CASH EQUIVALENTS | | | |
| Cash at bank and on hand | | 1,844,745 | 1,908,681 |
| | | <u>1,844,745</u> | <u>1,908,681</u> |
| (a) Reconciliation of cash at the end of the year | | | |
| The above figures are reconciled to cash at the end of the financial year as shown in the Statement of Cash Flows as follows: | | | |
| Balance per Statement of Cash Flows | | 1,844,745 | 1,908,681 |
| | | <u>1,844,745</u> | <u>1,908,681</u> |
| (b) Cash at bank | | | |
| The deposits bear floating interest rates between 0% and 2.10% (2017: 0% - 2.10%) | | | |
| 5. TRADE AND OTHER RECEIVABLES | | | |
| Debtors | | 1,388 | 531 |
| | | <u>1,388</u> | <u>531</u> |
| 6. OTHER CURRENT ASSETS | | | |
| Prepayments | | 2,901 | 49,819 |
| Deposits | | - | - |
| | | <u>2,901</u> | <u>49,819</u> |
| 7. DATABASE | | | |
| Database – at cost | | 6,500 | 6,500 |
| Accumulated amortisation | | (6,500) | (4,333) |
| | | <u>-</u> | <u>2,167</u> |
| Movements in carrying amounts during the year were: | | | |
| Beginning of year | | 2,167 | 4,333 |
| Purchases | | - | - |
| Amortisation expense | | (2,167) | (2,166) |
| Carrying amount at end of year | | <u>-</u> | <u>2,167</u> |
| 8. PLANT AND EQUIPMENT | | | |
| Equipment – at cost | | 2,472 | 2,472 |
| Accumulated depreciation | | (1,648) | (824) |
| | | <u>824</u> | <u>1,648</u> |
| Movements in carrying amounts during the year were: | | | |
| Beginning of year | | 1,648 | - |
| Purchases | | - | 2,472 |
| Depreciation expense | | (824) | (824) |
| Carrying amount at end of year | | <u>824</u> | <u>1,648</u> |

AUSTRALIAN SCREEN DIRECTORS AUTHORSHIP COLLECTING SOCIETY LTD
ABN 80 071 719 134

NOTES TO AND FORMING PART OF THE ACCOUNTS 31 DECEMBER 2018 (cont.)

| | note | 2018 | 2017 |
|---|------|------------------|------------------|
| | | \$ | \$ |
| 9. PROPERTY | | | |
| Purchase price – Wattle Street, Ultimo | | 460,000 | 460,000 |
| Stamp duty | | 18,280 | 18,280 |
| Incidental costs | | 2,428 | 2,428 |
| | | <u>480,708</u> | <u>480,708</u> |
| Movements in carrying amounts during the year were: | | | |
| Beginning of year | | 480,708 | - |
| Purchase price | | - | 460,000 |
| Incidental costs of purchase | | - | 20,708 |
| Depreciation expense | | - | - |
| Carrying amount at end of year | | <u>480,708</u> | <u>480,708</u> |
| 10. TRADE AND OTHER ACCOUNTS PAYABLE | | | |
| Trade creditors | | - | 2,552 |
| GST, RWT and PAYG | | 65,330 | 44,606 |
| Accruals | | 7,750 | 3,000 |
| | | <u>73,080</u> | <u>50,158</u> |
| 11. AUDITORS' REMUNERATION PAID OR PAYABLE | | | |
| Auditing the Financial Statements - current year | | 4,000 | 1,650 |
| - prior year | | 1,650 | 2200 |
| Other services (including prior year) | | - | - |
| | | <u>-</u> | <u>-</u> |
| 12. LIABILITIES | | | |
| Current liabilities: | | | |
| Cultural Fund | 13 | 70,560 | 51,044 |
| Development Fund | 14 | 82,514 | 75,235 |
| Distributions payable | | <u>1,547,927</u> | <u>1,799,307</u> |
| | | <u>1,701,001</u> | <u>1,925,586</u> |
| 13. CULTURAL FUND | | | |
| The Cultural Fund is maintained to further the objectives of the Company for the benefit of members. It is funded by a 4% deduction from the royalties collected each year. | | | |
| Movements in carrying amounts during the year were: | | | |
| Beginning of year | | 51,044 | 39,750 |
| Collections | | 70,016 | 49,294 |
| Donation paid to Australian Directors Guild Ltd | | (40,000) | (33,000) |
| Donations paid to Motion Picture Industry Benevolent Society | | (10,000) | - |
| Donations paid to Women in Film and Television | | (500) | - |
| Donation paid to Guild of New Zealand | | - | (5,000) |
| Carrying amount at end of year | | <u>70,560</u> | <u>51,044</u> |
| 14. DEVELOPMENT FUND | | | |
| The Development Fund is maintained to provide a mechanism for helping to ensure equity between past, present and future Members. It is funded from undistributed balances remaining in distributable funds that are closed following expiry of their trust period and as determined by the Board. | | | |
| Movements in carrying amounts during the year were: | | | |
| Beginning of year | | 75,235 | 82,060 |
| Undistributed funds transferred | | 29,206 | (4,006) |
| Reimburse costs incurred for future benefits | | (14,040) | - |
| Reimburse distributions made from funds previously closed | | <u>(7,887)</u> | <u>(2,819)</u> |
| | | <u>82,514</u> | <u>75,235</u> |

AUSTRALIAN SCREEN DIRECTORS AUTHORSHIP COLLECTING SOCIETY LTD
ABN 80 071 719 134

NOTES TO AND FORMING PART OF THE ACCOUNTS 31 DECEMBER 2018 (cont.)

| | | 2018 | 2017 |
|---|--|----------------|----------------|
| | | \$ | \$ |
| 15. MANAGEMENT FEES | | | |
| Employment expenses | | 170,826 | 164,080 |
| Travel expenses | | 994 | 171 |
| Office amenities | | 4,140 | 4,166 |
| Honorarium | | 1,738 | 2,240 |
| Insurance | | 2,529 | 1,385 |
| Internet & website | | 3,316 | 3,263 |
| Legal fees | | 481 | 342 |
| Contractors | | 14,905 | 7,648 |
| Other expenses | | 59 | 5,788 |
| Phone & fax | | 3,129 | 2,348 |
| | | <u>202,117</u> | <u>191,431</u> |
| 16. CASH FLOW INFORMATION | | | |
| Reconciliation of cash flow from operating activities with the surplus for the year | | | |
| Surplus for the year | | 88,676 | 48,284 |
| Non-cash items included in the surplus: | | | |
| Increase / (decrease) in provisions | | - | - |
| Depreciation and amortisation | | 2,991 | 2,991 |
| Changes in assets and liabilities: | | | |
| (Increase) / decrease in accounts receivable & prepayments | | 46,061 | (49,026) |
| Decrease / (increase) in other financial assets | | - | - |
| Increase / (decrease) in accounts payable | | (201,664) | 290,453 |
| (Decrease) in other financial liabilities | | - | - |
| Net cash provided by operations | | (63,936) | 292,702 |
| 17. KEY MANAGEMENT PERSONNEL COMPENSATION | | | |
| (a) Directors | | | |
| Details of directors of the company during the financial year are listed in Note 20. | | | |
| (b) Compensation paid to other key management personnel | | | |
| The board's policy for determining the nature and amount of compensation for other key management personnel (kmp) is based on a number of factors, including level of responsibilities, experience, performance and overall performance of the company. The contracts for service with kmp are on an ongoing basis and the terms are not expected to change in the immediate future. Upon terminating their employment with the company, kmp are paid their employment entitlements accrued to the date of termination. Compensation paid or payable to other kmp during the year was | | | |
| Short-term benefits | | - | - |
| Post-employment benefits - superannuation | | - | - |
| Other long-term benefits - long service leave | | - | - |
| Termination benefits | | - | - |
| Share-based payments (not applicable as the company is limited by guarantee) | | - | - |
| | | <u>-</u> | <u>-</u> |
| (c) Other transactions and balances with key management personnel | | | |
| No director or kmp has entered into a material contract with the company since the end of the financial year and there were no material contracts involving kmp's interests subsisting at balance date other than employment contracts. | | | |
| | | <u>-</u> | <u>-</u> |
| 18. OTHER RELATED PARTY TRANSACTIONS | | | |
| There were no other related party transactions. | | | |
| | | <u>-</u> | <u>-</u> |

AUSTRALIAN SCREEN DIRECTORS AUTHORSHIP COLLECTING SOCIETY LTD
ABN 80 071 719 134

NOTES TO AND FORMING PART OF THE ACCOUNTS 31 DECEMBER 2018 (cont.)

19. FINANCIAL INSTRUMENTS

The maximum exposure to credit risk to recognised financial assets is the carrying value net of any provisions in the Balance Sheet. There is no material credit risk exposure to any single debtor or group of debtors.

Exposure to interest rate risk and effective weighted average interest rate for financial assets and liabilities

| | Rate % | Floating Rate \$ | Non-Interest \$ | Total \$ |
|---|-----------|---------------------|--------------------|-------------|
| 2018 | | | | |
| Financial Assets: | | | | |
| Cash and cash equivalents | 2.10 | 1,844,745 | - | 1,844,745 |
| Receivables, prepayments and deposits | 2.10 | - | 4,289 | 4,289 |
| Financial Liabilities: | | | | |
| Accounts payable, provisions and collections for distribution | | - | 1,774,081 | 1,774,081 |
| 2017 | | | | |
| Financial Assets: | | | | |
| Cash and cash equivalents | 2.10 | 1,908,681 | - | 1,908,681 |
| Receivables, prepayments and deposits | 2.10 | - | 50,350 | 50,350 |
| Financial Liabilities: | | | | |
| Accounts payable, provisions and collections for distribution | | - | 1,975,744 | 1,975,744 |

Exposure to interest rate risk and effective weighted average interest rate for financial assets and liabilities

| | 2018 Carrying Amount \$ | 2018 Net Fair Value \$ | 2017 Carrying Amount \$ | 2017 Net Fair Value \$ |
|--|----------------------------------|---------------------------------|----------------------------------|---------------------------------|
| Financial Assets: | | | | |
| Cash and cash equivalents | 1,844,745 | 1,844,745 | 1,908,681 | 1,908,681 |
| Receivables, prepayments and deposits | 4,289 | 4,289 | 50,350 | 50,350 |
| Financial Liabilities: | | | | |
| Accounts payable, provisions and cash for distribution | 1,774,081 | 1,774,081 | 1,975,744 | 1,975,744 |

20. INFORMATION ON DIRECTORS

Directors in office at the date of this report:

Grant Campbell, Director, Appointed 2016
 Donald Crombie, Director, Appointed 2013
 Pat Fiske, Director, Appointed 2017
 Scott Hartford-David, Director, Appointed 2015
 Kevin Lucas, Director, Appointed 2015
 Stephen Wallace, Director, Appointed 2014

Directors holding office during the year but not in office at the date of this report:

Lauren Hillier, Director, Appointed 2015

Directors' attendances during the year at Board meetings they were entitled to attend:

| | Attended | Entitled | | Attended | Entitled |
|----------------------|----------|----------|-----------------|----------|----------|
| Grant Campbell | 5 | 5 | Lauren Hillier | 2 | 3 |
| Donald Crombie | 5 | 5 | Kevin Lucas | 5 | 5 |
| Pat Fiske | 3 | 5 | Stephen Wallace | 5 | 5 |
| Scott Hartford-David | 4 | 5 | | | |

21. CONTINGENT LIABILITIES

There are no contingent liabilities that are not reflected in the Balance Sheet.

22. COMMITMENTS FOR EXPENDITURE

There are no commitments for expenditure that are not reflected in the Balance Sheet.

AUSTRALIAN SCREEN DIRECTORS AUTHORSHIP COLLECTING SOCIETY LTD
ABN 80 071 719 134

NOTES TO AND FORMING PART OF THE ACCOUNTS 31 DECEMBER 2018 (cont.)

23. EVENTS SUBSEQUENT TO REPORTING DATE

No matters or circumstances have arisen since the end of the financial year that have or may significantly affect the company's operations, the results of those operations or the state of affairs in subsequent financial years.

24. SEGMENT REPORTING

The company operates predominately in one business and geographical segment. This is as a not-for-profit organisation engaged in the collection and distribution of royalties from overseas on behalf of screen directors in Australia and New Zealand. These operations are carried on in Australia.

AUSTRALIAN SCREEN DIRECTORS AUTHORSHIP COLLECTING SOCIETY LTD
ABN 80 071 719 134

5 YEAR COMPARISON OF INCOME AND EXPENDITURE

(This does not form part of the audited Annual Accounts but is provided for the information of members)

| | 2018 | 2017 | 2016 | 2015 | 2014 |
|-------------------------------------|----------------|----------------|----------------|----------------|-----------------|
| | \$ | \$ | \$ | \$ | \$ |
| INCOME | | | | | |
| Collections | 1,750,408 | 1,213,315 | 1,112,132 | 957,042 | 758,891 |
| Interest | 24,766 | 26,007 | 28,714 | 24,481 | 29,231 |
| to Cultural Fund | (74,796) | (53,782) | (48,280) | (41,739) | (30,385) |
| to Distributable Funds | (1,410,017) | (912,316) | (835,330) | (705,941) | (543,567) |
| Membership fees | 61,688 | 21,836 | 26,518 | 14,248 | 4,722 |
| | <u>352,049</u> | <u>295,060</u> | <u>283,754</u> | <u>248,091</u> | <u>218,891</u> |
| ADMINISTRATION COSTS | | | | | |
| Distribution costs | 12,751 | 8,749 | 10,894 | 12,055 | 5,408 |
| Governance | 4,193 | 4,777 | 3,470 | 1,291 | 7,588 |
| Compliance | 4,049 | 1,548 | 2,122 | 2,546 | 216 |
| Risk management | - | - | - | - | 1,477 |
| Office facilities | - | - | - | - | 6,029 |
| Personnel | 15,000 | 15,359 | 15,150 | 15,804 | 132,790 |
| Depreciation and amortisation | 2,991 | 2,991 | 2,167 | 3,101 | 22,889 |
| Communications | - | 1,291 | - | 160 | 5,184 |
| Consumables | 2,397 | 2,516 | 2,218 | 785 | 316 |
| Travel | 9,498 | 4,221 | 11,113 | 17,078 | - |
| Service fee to ADG | 202,116 | 191,431 | 180,734 | 156,174 | - |
| Property costs | 10,378 | 13,893 | - | - | - |
| | <u>263,373</u> | <u>246,776</u> | <u>227,868</u> | <u>208,994</u> | <u>181,897</u> |
| SPECIFIC PURPOSE EXPENDITURE | | | | | |
| Consulting | - | - | 500 | 500 | - |
| ADG expense | - | - | - | 7200 | - |
| Legal | - | - | - | - | 102,530 |
| | <u>-</u> | <u>-</u> | <u>500</u> | <u>7700</u> | <u>102,530</u> |
| Gross Profit/(Loss) | 88,676 | 48,284 | 55,386 | 31,397 | (65,536) |
| Less Income Tax | - | - | - | - | - |
| NET PROFIT | <u>88,676</u> | <u>48,284</u> | <u>55,386</u> | <u>31,397</u> | <u>(65,536)</u> |

Independent Audit Report to the members of Australian Screen Directors Authorship Collecting Society Ltd

A.B.N. 80 071 719 134

Report on the Audit of the Financial Report

Opinion

We have audited the accompanying financial report, being a special purpose financial report of 2018 Australia Screen Directors Authorship Collecting Society Ltd (the Company), which comprises the statement of financial position as at 31 December 2018, the statement of comprehensive income, the statement of changes in equity and the statement of cash flows for the year then ended, notes to the financial statements and the directors' declaration.

In our opinion, the accompanying financial report of the Company is in accordance with the *Corporations Act 2001*, including:

- (i) giving a true and fair view of the Company's financial position as at 31 December 2018 and of its financial performance for the year ended; and
- (ii) complying with Australian Accounting Standards to the extent described in Note and the *Corporations Regulations 2001*.

Basis for Opinion

We conducted our audit in accordance with Australian Auditing Standards. Our responsibilities under those standards are further described in the *Auditor's Responsibilities for the Audit of the Financial Report* section of our report. We are independent of the Company in accordance with the auditor independence requirements of the *Corporations Act 2001* and the ethical requirements of the Accounting Professional and Ethical Standards Board's APES 110 *Code of Ethics for Professional Accountants* (the Code) that are relevant to our audit of the financial report in Australia. We have also fulfilled our other ethical responsibilities in accordance with the Code.

We confirm that the independence declaration required by the *Corporations Act 2001*, which has been given to the directors of the Company, would be in the same terms if given to the directors as at the time of this auditor's report.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our opinion.

Emphasis of Matter -Basis of Accounting

We draw attention to Note 1 to the financial report, which describes the basis of accounting. The financial report has been prepared for the purpose of fulfilling the directors' financial reporting responsibilities under the *Corporations Act 2001*. As a result, the financial report may not be suitable for another purpose. Our opinion is not modified in respect of this matter.

Responsibilities of Directors for the Financial Report

The directors of the Company are responsible for the preparation of the financial report that gives a true and fair view and have determined that the basis of preparation described in Note 1 to the financial report is appropriate to meet the requirements of the *Corporations Act 2001* and is appropriate to meet the needs of the members. The directors' responsibility also includes such internal control as the directors determine necessary to enable the preparation of a financial report that gives a true and fair view and is free from material misstatement, whether due to fraud or error.

In preparing the financial report, the directors are responsible for assessing the Company's ability to continue as a going concern, disclosing, as applicable, matters related to going concern and using the going concern basis of accounting unless the directors either intend to liquidate the Company or to cease operations, or have no realistic alternative but to do so.

Auditor's Responsibilities for the Audit of the Financial Report

Our objectives are to obtain reasonable assurance about whether the financial report as a whole is free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinion. Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with Australian Auditing Standards will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of the financial report.

As part of an audit in accordance with the Australian Auditing Standards, we exercise professional judgement and maintain professional scepticism throughout the audit. We also:

- Identify and assess the risks of material misstatement of the financial report, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for our opinion. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control.
- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the Company's internal control.
- Evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates and related disclosures made by the directors.
- Conclude on the appropriateness of the directors' use of the going concern basis of accounting and, based on the audit evidence obtained, whether a material uncertainty exists related to events or conditions that may cast significant doubt on the Company's ability to continue as a going concern. If we conclude that a material uncertainty exists, we are required to draw attention in our auditor's report to the related disclosures in the financial report or, if such disclosures are inadequate, to modify our opinion. Our conclusions are based on the audit evidence obtained up to the date of our auditor's report. However, future events or conditions may cause the Company to cease to continue as a going concern.
- Evaluate the overall presentation, structure and content of the financial report, including the disclosures, and whether the financial report represents the underlying transactions and events in a manner that achieves fair presentation.

We communicate with the directors regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that we identify during our audit.

We also provide the directors with a statement that we have complied with relevant ethical requirements regarding independence, and to communicate with them all relationships and other matters that may reasonably be thought to bear on our independence, and where applicable, related safeguards.

From the matters communicated with the directors, we determine those matters that were of most significance in the audit of the financial report of the current period and are therefore the key audit matters. We describe these matters in our auditor's report unless law or regulation precludes public disclosure about the matter or when, in extremely rare circumstances, we determine that a matter should not be communicated in our report because the adverse consequences of doing so would reasonably be expected to outweigh the public interest benefits of such communication.



Gary Williams FCA RCA
Partner
Registered Company Auditor 4019

Location: Bondi Junction

Dated this ...29.....day ofApril..... 2019

6. Members information sheets.

Eligibility

You must be a member of ASDACS in order to be eligible to receive the royalties it collects. To be eligible for membership, you must have at least one credit on a publicly screened or commercially exploited audio-visual work or be a full member of the Australian Directors Guild (ADG) or Directors and Editors Guild of New Zealand (DEGNZ) (or be a trustee or beneficiary of an eligible director).

What fees do you charge?

There are no upfront costs on joining. ASDACS instead deducts fees and any relevant taxes when we distribute the royalties that are due to you – a breakdown is outlined on our website [here](#). ASDACS is a not-for-profit organisation and the fees we collect go toward our running costs so we can continue to service our members. Any bank account interest earned on royalties prior to distribution is distributed evenly to members.

When do you distribute royalties?

ASDACS distributes royalties once a year, commencing between July and December for royalties collected over the previous calendar year (both domestic and international). This gives us a chance to prepare all of the data and reconcile the corresponding income we receive.

I wasn't credited as the director; but I did the work – am I entitled to receive directors' royalties?

The royalties we collect are due to the legal entitlements of a director – therefore you are only entitled to receive director's royalties if you were attributed for your work. If you did not receive a credit for your work as a director (as per our list of [eligible director credits](#)), then we cannot distribute the associated royalties to you.

What happens when I receive royalties for a work I didn't direct?

After you have notified ASDACS, we will then verify and reallocate the royalties to the correct director. You will then receive a deduction for any royalties received in the next distribution; this will be listed on your royalty distribution statement.

Want more information?

Our full distribution rules and practices guide is available on our website [here](#) or contact ASDACS by emailing asdacs@asdacs.com.au or calling +61 2 9555 7042 if you have any further questions.

What rights do directors have in Australia?

Since **2005**, directors have had **retransmission rights** (rights that arise when a to free to air broadcast is simultaneously retransmitted by another service, such as pay TV), however these rights can be assigned to another party (such as a producer, broadcaster or distributor).

How do I retain retransmission rights?

We recommend that you use our **contract clause** in your next director agreement (see **page 2** of this info sheet). If you're not sure if you've retained retransmission rights on an existing work, you can send your director agreement to ASDACS and we can check for you.

I've retained retransmission rights – what now?

You can nominate ASDACS to register your work with **Screenrights** to ensure you receive retransmission income. Just notify ASDACS via email or post to confirm which **post 2005** works are eligible for registration. ASDACS **absorbs** any Screenrights fees and GST charged on royalties, as well as represent you should the claim come into **dispute** with another claimant; any payments will be included in our annual distribution.

I'm already registered with Screenrights - can ASDACS register me as well?

If you're already registered with Screenrights, then there's a good chance you're registered to collect the **same** rights that ASDACS would register you for (retransmission rights) so it's best to check your Screenrights registration before you request that ASDACS register your works with Screenrights on your behalf.

Do directors have retransmission rights in New Zealand?

Currently directors **do not** have any economic rights within New Zealand; however, the Directors and Editors Guild of New Zealand (DEGNZ) are working to change this.

I didn't retain retransmission rights in my contract - am I still entitled to anything?

Yes! Regardless of your domestic contractual arrangements, in many territories around the world (mostly Europe), directors have a range of rights that automatically entitle you to receive royalties from the screening of your work, regardless of your domestic contractual assignments. ASDACS will automatically register your work with our international collecting society partners for your international entitlements ~ all you have to do is keep us up to date of your director credits.

Want more information?

Contact ASDACS by emailing asdacs@asdacs.com.au or calling +61 2 9555 7042.

Director agreement: Recommended retransmission clause

1. Director to receive 100%

The Director is entitled to (and, to the extent necessary, the Producer assigns to the Director and agrees to obtain in favour of the Director an assignment from any third party):

- (a) all retransmission rights in the Film as a “cinematograph film” under Part VC of the Copyright Act 1968 (Cth) or similar provisions under Australian or other law (**Retransmission Rights**);
- (b) all payments from Retransmission Rights distributed by any collecting society authorised to distribute such payments (currently, Screenrights); and
- (c) all other payments resulting from “secondary rights” (including, without limitation, for private copying and statutory or voluntary licences) granted to directors of cinematograph films either now or in the future under Australian or other law or that result from any collective bargaining agreement, and that are generally administered by or through a collecting society charged with the collection and distribution of such payments (including through Screenrights and ASDACS, the Australian Screen Directors Authorship Collecting Society Limited).

The Producer warrants that:

- (a) it will make no claim on payments from Retransmission Rights or other “secondary rights” that is inconsistent with the rights of the Director resulting from this clause;
- (b) to the best of its knowledge, no other person or entity is entitled to payments from Retransmission Rights; and
- (c) it will not grant rights to any third party that are inconsistent with this clause.

2. Director to receive 50%

The Director is entitled to (and to the extent necessary, the Producer assigns to the Director and agrees to obtain in favour of the Director an assignment from any third party):

- (a) 50% of the retransmission rights in the Film as a “cinematograph film” under Part VC of the Copyright Act 1968 (Cth) or similar provisions under Australian or other law (**Retransmission Rights**);
- (b) 50% of all payments from Retransmission Rights distributed by any collecting society authorised to distribute such payments (currently, Screenrights); and
- (c) all other payments resulting from “secondary rights” (including, without limitation, for private copying and statutory or voluntary licences) granted to directors of cinematograph films either now or in the future under Australian or other law or that result from any collective bargaining agreement, and that are generally administered by or through a collecting society charged with the collection and distribution of such payments (including through Screenrights and ASDACS, the Australian Screen Directors Authorship Collecting Society Limited).

The Producer warrants that:

- (a) it will make no claim on payments from Retransmission Rights or other “secondary rights” that is inconsistent with the rights of the Director under this clause;
- (b) to the best of its knowledge, no other person is entitled to more than 50% of the payments from Retransmission Rights; and
- (c) it will not grant rights to any third party that are inconsistent with this clause.

Why do funds remain undistributed?

ASDACS uses all means possible to distribute the income it collects to the rightful members. However, in some circumstances, ASDACS is prevented from distributing royalties. These include:

- the member (or non-member) is untraceable or unresponsive.
- the funds remain in dispute (no reported cases to date).
- the amount due to the member remains below the minimum payment threshold (\$100).
- the data (director or work) is insufficient to make an accurate or equitable distribution.

What efforts do you make to contact members?

In each distribution year, ASDACS will make at least three contact attempts via email, phone and/or post to contact the member. ASDACS also sends out distribution announcements through its quarterly e-News and distribution reminders through targeted mail list campaigns. We also publish the list of uncontactable members on our website and circulate the list in our e-News.

What research do you undertake?

ASDACS undertakes extensive research and uses a number of resources, including international and domestic online databases ([IDA](#), [IPI](#), [ISAN](#), [IMDB-Pro](#), [TVDB](#), [NFSA](#), [Screen Australia](#), [NZ On Screen](#)), broadcaster websites ([ABC](#), [SBS](#), [TVNZ](#), Channels [7,9](#) and [10](#)), social media ([LinkedIn](#)), publications (IF, Encore directory) and industry contacts (co-directors, production companies, sister societies) to help us identify works and directors.

What happens to the undistributed funds?

After four distribution years, if the funds remain undistributed, the royalties are transferred into a trust fund referred to as the 'development fund'. The ASDACS board then decides how these funds are to be spent in the best interest of the members.

What are the development funds spent on?

The development funds (or expired distribution funds) are put toward the benefit of members (ensuring equity between past, present and future members), typically the further development of the organisation, with aim to increase royalty revenue back to its members and reduce the administration fee deducted from royalties on distribution. Examples of how these funds have been spent include:

- a copyright campaign aimed at progressing the rights of directors with aim to ultimately increase royalty revenue to members.
- development of an online membership portal to allow members to view and update their record details, as well as view and submit their distribution warranties electronically.
- upgrade of the ASDACS' internal database to enable the transfer of all members works into the international database system, IDA, to create internal efficiency's and meet international governance standards.

Can I still request my royalties after four years?

Yes; you can still contact ASDACS in writing at any time to request release of your royalty payment (subject to board approval).

How can I find out more information?

More detail on development fund expenditure can be found in the ASDACS Annual accounts available on our website: www.asdacs.com.au.

From 1 July 2019 further detail on undistributed funds will also be detailed in the ASDACS Code of Conduct for Copyright Collecting Societies compliance review and made available to members on the ASDACS website www.asdacs.com.au and the Code of Conduct for Copyright Collecting Societies website www.copyrightcodeofconduct.org.au.

Please contact the ASDACS by emailing asdacs@asdacs.com.au or calling +61 2 9555 7042 if you have any further questions.