



## A GUIDE FOR FILMMAKERS

### WHAT RIGHTS DO COPYRIGHT OWNERS HAVE?

THE COPYRIGHT OWNERS HAVE A NUMBER OF EXCLUSIVE RIGHTS, INCLUDING THE RIGHT TO:

- MAKE COPIES OF THE TRACKS;
- PERFORM THE TRACKS IN PUBLIC;
- AND COMMUNICATE THE TRACKS TO THE PUBLIC.



### WHO OWNS THE COPYRIGHT IN A PIECE OF MUSIC?

THERE IS GENERALLY MORE THAN ONE OWNER OF COPYRIGHT IN ANY GIVEN MUSICAL TRACK:

THE <b>COMPOSER</b> WHO WROTE THE MUSIC OWNS COPYRIGHT IN THE MUSICAL WORK.	THE <b>LYRICIST</b> WHO WROTE THE LYRICS OWNS COPYRIGHT IN THE LITERARY WORK.	THE <b>ARTIST</b> WHO PERFORMED THE MUSIC OWNS COPYRIGHT IN A SOUND RECORDING OF THEIR LIVE PERFORMANCE.	THE <b>MAKER</b> OF THE RECORDING (TYPICALLY A RECORD COMPANY) OWNS COPYRIGHT IN THE SOUND RECORDING.
-----------------------------------------------------------------------------	-------------------------------------------------------------------------------	----------------------------------------------------------------------------------------------------------	-------------------------------------------------------------------------------------------------------

### WHAT DO I NEED TO THINK ABOUT WHEN CHOOSING MUSIC FOR MY FILM?

MUSIC SHOULD BE ONE OF THE FIRST THINGS YOU THINK ABOUT WHEN YOU START TO PLAN YOUR PRODUCTION. IT'S A GOOD IDEA TO TRY TO USE LOCAL MUSIC IN YOUR FILM. THIS MEANS THAT LOCAL MUSICIANS AND COMPOSERS CAN BENEFIT AND IT CAN BE EASIER TO ORGANISE AND MAY BE MORE ECONOMICAL. ALSO REMEMBER THAT WELL KNOWN AND PUBLISHED MUSIC CAN BE MORE EXPENSIVE TO USE.

### DO I NEED PERMISSION TO FILM A LIVE PERFORMANCE OF MUSIC?

YES, PERFORMERS ALSO HAVE RIGHTS UNDER THE COPYRIGHT ACT. YOU NEED TO GET PERMISSION TO FILM A LIVE PERFORMANCE OF MUSIC, AS WELL AS LIVE PERFORMANCES OF DRAMATIC AND LITERARY WORKS, LIKE CIRCUS ACTS AND DANCE PERFORMANCES.

YOU SHOULD GET WRITTEN CONSENT FROM ALL PERFORMERS, BY ASKING THEM TO SIGN A RELEASE FORM.

### NEED MORE INFORMATION?

APRA AMCOS  
ARIA  
MUSIC RIGHTS AUSTRALIA  
PPCA

[WWW.APRAAMCOS.COM.AU/](http://WWW.APRAAMCOS.COM.AU/)  
[WWW.ARIA.COM.AU](http://WWW.ARIA.COM.AU)  
[WWW.WHYMUSICMATTERS.ORG/](http://WWW.WHYMUSICMATTERS.ORG/)  
[WWW.PPCA.COM.AU/](http://WWW.PPCA.COM.AU/)

### WHAT IF I RECORD MY OWN VERSION OF SOMEONE ELSE'S SONG TO USE IN MY FILM?

EVEN IF YOU RECORD YOUR OWN COVER VERSION OF A SONG, YOU MUST STILL GET PERMISSION FROM THE COPYRIGHT OWNER OF THE MUSICAL WORK IN ORDER TO USE IT IN YOUR FILM. THIS CAN USUALLY BE DONE BY CONTACTING AMCOS OR THE RELEVANT MUSIC PUBLISHER DIRECTLY.

### CAN I USE SOMEONE ELSE'S MUSIC IN MY FILM?

YES, AS LONG AS YOU HAVE OBTAINED PERMISSION TO USE THE MUSIC FROM ALL OF THE COPYRIGHT OWNERS. HERE ARE SOME PRACTICAL STEPS YOU CAN TAKE WHEN USING MUSIC IN YOUR FILM:

- CONTACT AMCOS TO GET THE RIGHT LICENCE TO USE THE MUSICAL WORK; AND
- CONTACT THE LICENSING DEPARTMENT OF THE RELEVANT RECORD LABEL TO GET PERMISSION TO USE THE SOUND RECORDING.

