



## The ALCS Mandate: an explanatory note

Each Member grants ALCS the authority to exercise rights on their behalf as part of schemes for the collective administration of royalties in the UK and internationally. This does not involve a formal transfer of the copyright in the works; the Society is simply appointed to administer the rights in situations where collective administration is the most appropriate option i.e., where the fees cannot practically be obtained through any other means. This authority entitles ALCS in agreed circumstances to permit or forbid the exercise of the rights, grant licences, collect fees for use and damages for misuse and take action to defend and protect the rights.

### Rights

The rights that constitute the current ALCS mandate are set out below. Although the mandate may appear broad it should be noted that, in practice, the rights are only applied in specific circumstances, in many cases under the detailed terms of prescribed licensing schemes. Within the existing categories of rights, any extension to current licensing schemes or other agreements is subject to extensive consultation processes. Depending on the type of rights, writers and usage involved, such consultation may involve, among others, the Society of Authors and Writers' Guild of Great Britain, representatives of authors' agents and the ALCS Members. The following list of rights is accompanied, in each case, by an example of how the rights are exercised in practice. The examples are provided for the purposes of illustration, and do not provide an exhaustive description of every practical use scenario.

#### **Copying:**

Reproduction of works from paper or electronic sources, through photocopying, scanning other copying processes; e.g. *photocopying extracts from books and serials within schools/universities under the terms of Copyright Licensing Agency (CLA) licences.*

<b>Educational use:</b>	Making copies of films and TV programmes for use by educational establishments, under the terms of statutory schemes; <i>e.g. the recording within schools of TV programmes, under the terms of the Educational Recording Agency (ERA) scheme.</i>
<b>Lending:</b>	Overseas Public Lending Right (PLR) for books; <i>e.g. ALCS currently receives fees from the PLR schemes in several European territories and is continuing to campaign for compensation for writers for the lending of audio books &amp; e-books in UK public libraries.</i>
<b>Broadcast retransmission:</b>	Cable and satellite retransmission of UK TV and radio signals overseas; <i>e.g. BBC services simultaneously re-broadcast in the Republic of Ireland, Belgium and the Netherlands, as well as programmes scripted by UK writers that are individually re-broadcast between neighbouring countries within Europe.</i>
<b>Private copying:</b>	Fees from statutory levies imposed on copying equipment; <i>e.g. the law in many overseas territories provides for a levy on the import, manufacture, sale and even on equipment to account for home copying by individuals.</i> The resulting fees are split between rightsholders.
<b>Rental:</b>	Statutory equitable remuneration for film rental; <i>e.g. European law provides for an unwaivable right to remuneration for authors of film scripts in cases where their exclusive rental right has been transferred to a film producer.</i> ALCS is continuing to campaign for schemes that formally recognise and account for this remuneration right.
<b>Communication to the public:</b>	Broadcasting and on-demand delivery; <i>e.g. includes traditional "broadcasting" where services are delivered according to fixed schedules, as well as making works available to users, to be accessed at a time of their choosing through streaming.</i>
<b>Performance:</b>	Broadcasts that are available to viewers in a public setting, <i>e.g. a TV showing programmes in a hotel.</i>
<b>Computational analysis:</b>	This covers analysis of works using computer software to create various outputs. <i>e.g. using a software application to analyse a piece of text to identify key words or patterns within the text, or to summarise the contents of a document.</i> The right also covers the use of works to train the underlying systems providing such outputs, however, any licensing for this use requires the author to opt-in their works.