

Annual report 2008



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André Beemsterboer †	4	Stichting Reprorecht distributes these fees proportionately to writers and publishers in accordance with regulations approved by the Dutch government. The College van Toezicht Auteursrecht [Copyright Supervisory Authority] (CvTA) accounts for the operations of Stichting Reprorecht to the Minister of Justice.
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Foreword

It is with mixed feelings that we look back at 2008, the year under review. 2008 was a year marked with business successes, but it was also a year when we mourned the sad loss of our manager, André Beemsterboer.

Extension of the regulation business reproduction rights

In March 2008 the Reproduction Rights Association [Stichting Reprorecht] reached an agreement with the Confederation of Netherlands Industry and Employers [VNO-NCW] and the Dutch Federation of Small and Medium-sized enterprises [MKB-Nederland] about the extension of the Regulation Business Reproduction Rights [Regeling Reprorecht Bedrijfsleven] for the period 2007/2008.

The board is satisfied: the content of the regulation has remained unchanged and so the administrative burden for the people obliged to pay remains limited, whereas copyright owners can receive a fair compensation for the photocopying of their work.

Collection

During the second half of 2008 the invoicing of companies over 2007/2008 took place. At the end of 2008 more than 100,000 companies had been notified. It was a successful collection year, with a record collection from the business sector of more than 20 million Euro for this biennial period. For the first time, the Reproduction Rights Association engaged external collection agencies for the collection. This gave an extra impetus to the collection and it also prevented an unbalanced situation with regard to the companies who settled the owed reproduction right payment in a proper way. In 2008 almost 7 million Euro were collected from the public sector.

In 2008 the Reproduction Rights Association held discussions with both the Ministry of Finance and with representatives from primary and secondary education about a review of the current agreement. With both parties it was agreed to have research carried out into the extent of the photocopying.

Distribution

As customary, in the autumn the distribution and payment of the compensations, which were collected during the previous year (2007), took place. Almost 19 million Euro could be distributed, slightly less than during the record year of 2007.

In 2008, just as in 2007, there was a check made amongst 85 publishers, whether they had paid on the reproduction rights to their authors. Administrative imperfections were found, but in general the board was satisfied with the outcomes. Similar checks will also be carried out in 2009.

Digital copying

Via the present (fixed) compensation regulations, the Reproduction Rights Association grants its customers permission to photocopy short extracts from all the published works in the world. In addition, the market desires more user-related regulations which would make digital copying possible, likewise without any administrative burden. In 2008, the board therefore expressed the wish for an extensive market research into expanding the scope of the Reproduction Rights Association to digital copying.

► Foreword

André Beemsterboer 1953 - † 2009

For the board members and employees of the Reproduction Rights Association, 2008 was also a year overshadowed by the illness of André Beemsterboer, manager of the association. For more than 30 years, André Beemsterboer had devoted his life to collective rights management. His career began in 1975 at Buma/Stemra. When Buma/Stemra started to manage reproduction rights and other rights in addition to music copyrights, André set up a separate department for this purpose: Marketing and Development of Special Licences [Marketing en Ontwikkeling Bijzondere Licenties]. This was the forerunner of Cedar, the facilitary company for six copyright organizations in the Netherlands: Public Lending Right Office [Stichting Leenrecht], Lira Association [Stichting Lira], Musi©opy Association [Stichting Musi©opy], PRO Association [Stichting PRO], the Reproduction Rights Association [Stichting Reprerecht] and the Home Copy Association [Stichting de Thuiskopie]. As manager of both Cedar and the Reproduction Rights Association, André's knowledge was invaluable in the development and execution of several copyright regulations, including reproduction rights. He was also President of the International Federation of Reproduction Rights Organisations. Anyone who worked together with André was touched by his energy, sense of humour and intelligence. It was typical of André's enthusiasm that even during the most critical periods of his illness, he was still a regular figure at the office. At the end of 2008, he had to give up the fight and passed away on 19 January 2009, aged 55. We are grateful to him for the energy and devotion he showed in his work for copyrights and for his friendship and involvement with the Reproduction Rights Association.

Drs. M.J. Sanders-ten Holte
chairperson Stichting Reprerecht

André Beemsterboer

In Memoriam



André Beemsterboer, manager of the Reproduction Rights Association and of Cedar BV, passed away on 19 January 2009 at his home in Westzaan. He was aged 55.

CEDAR

For more than 30 years, André worked in the world of collective management of copyright and neighbouring rights. He began his career in 1975 at Buma/Stemra, as a commercial employee in the operational department. When Buma/Stemra began to deal, in addition to music copyrights, in other rights such as reproduction rights, a separate department was set up for this purpose, Marketing and Development of Special Licences [Marketing en Ontwikkeling Bijzondere Licenties (MOBL)]. As a promising young employee, André was asked to set up this department. Later this department developed into Cedar, the Centre for Provision of Services in Copyright and Related Rights [Centrum voor Dienstverlening Auteurs- en aanverwante Rechten]. In 1992, André was appointed assistant manager of Cedar, and from 1996 he was statutory manager. In 2005 he supervised Cedar in becoming an independent company, Cedar BV.

NATIONAL AND INTERNATIONAL

With endless devotion, André Beemsterboer succeeded in charting the interests of copyright owners, both in the Netherlands and on an international level. He represented organizations affiliated to Cedar within the Association of Copyright Interests [Stichting Auteursrechtbelangen] and in the daily management of the branch organization of copyright organizations, VOI©E. He also supervised the setting up of the Lira Association in 1987. On behalf of this association, he was a board member of the International Confederation of Societies of Authors and Composers (CISAC). André also played an important role in the European Grouping of Societies of Authors and Composers (GÉSAC). From 1998 up to 2003, André was President of the International Federation of Reproduction Rights Organisations (IFRRO). In addition, as chairperson of the community of copyright owners, he was involved with setting up 'cable right': the agreements about the use of protected works by cable companies in the Netherlands.

PASSIONATE ADVOCATE

With his wide expertise, his creativity and energy, André Beemsterboer was of exceptional support and a source of inspiration to the members of the Cedar boards and the affiliated associations. In particular, he meant a lot to the collective exercise of copyright and neighbouring rights. André was a passionate advocate for, among other things, the Reproduction Rights, Public Lending Rights and Home Copy payments, always putting the interests of the authors first, so that they could obtain a reasonable income from their creative work. The legal compensation regulations, which André devoted himself to, allow authors and other entitled persons to continue their creative work and thereby contribute to the development and distribution of the cultural heritage.

Sadly, in 2009 André passed away after a period of illness. His involvement with Cedar, his inspiring leadership, sense of humour and charisma were still evident until the very last and will continue to be a source of inspiration to everyone who worked with him.

André Beemsterboer was married to Elma and the proud father of two sons.

We miss him a great deal.

About Reprorecht

Introduction

In short, the Copyright Act protects the rights of copyright holders. For example, to photocopy work (paper to paper) that is copyright protected, permission is required, in principle, from the copyright holder.

Making photocopies for personal use is permitted, provided that it remains confined to small sections of books (or the score or passages of a musical work) or articles in daily newspapers or magazines. Photographs and other illustrations contained in books, newspapers and magazines may also be photocopied for personal use. If a publication is no longer available for sale, it may be copied in its entirety. The author's consent is not required for photocopies for personal use, nor is any fee payable, provided these photocopies are only for personal use and are not be given to a third party.

A stipulation contrary to the latter may be made in the general interest by an Algemene Maatregel van Bestuur [Order in Council] (AMvB). Under the terms of an AMvB, known as the Reprobesluit [Reprographic Reproduction Order in Council], educational institutions, libraries, government organisations and other public interest bodies are permitted to make photocopies for internal use and to give them to third parties, namely, students, other libraries for inter-library loans, as well as their own officials, respectively, provided that an equitable fee is paid to Stichting Reprorecht for this purpose.

A similar scheme applies to the business sector under the terms of a legislative amendment enacted on 1st February 2003. Businesses, organisations and institutions may make photocopies for their own staff to use internally, provided they pay an equitable fee to Stichting Reprorecht. At present, the approved reproduction fee amounts to € 0.045 per photocopy.

The role of Stichting Reprorecht

Stichting Reprorecht, which was established by organisations representing writers and publishers, has been appointed by the Minister of Justice (to the exclusion of anyone else) to collect the fees for the photocopies permitted by law and the AMvB which are made by organisations working in the public interest and by the business sector. The legislature has made provision for two exceptions, or opt outs, in this respect. The first opt-out option is that a rightsholder can decide not to exercise his reproduction right and to waive his entitlement to a fee. In this case, the person liable for payment will need to show that the rightsholder has waived his reproduction right. This could occur, for example, by a writer stating in his work that he waives any entitlement to a fee. The second opt-out option is for the person liable for payment to agree with the rightsholder to pay any fee directly. In this case too, the person liable for payment will also need to prove to Stichting Reprorecht that he has complied with such an arrangement and continues to do so.

It is questionable whether people will actually avail themselves of the opportunity to opt out. After all, not only will anyone who is liable for payment need to show that the relevant rightsholder has waived his entitlement to a fee or that he has made arrangements directly with the rightsholder, he will also need to specify the extent to which photocopies have been made of the relevant works and what proportion they represent of the total number of photocopies made of the copyright protected works in question. It is precisely this administrative rigmarole which Stichting Reprorecht's payment scheme is designed to avoid. It should be noted that this only involves what is known as 'reprographic reproduction', that is to say, from paper to paper. To create and store electronic copies of copyright protected works, public interest organisations and the business sector require the consent of the creator or the creator's legal successor.

► About Reprerecht

Collection

In general terms, the reproduction right system works as follows. When large-scale photocopying occurs, it is almost impossible, from a practical point of view, to register the source details because that would lead to an unproportionally high administrative burden. A compromise needed to be found which involved, on the one hand, as little administrative work as possible for the person liable for payment (no duty to keep records) and payment for actual use, and, on the other hand, a minimum of information to be collected in order to ensure that the fees are paid to the relevant rightsholders as much as possible.

The people who are liable for payment have a duty to report the total number of photocopies that they make each year, unless they make less than 50,000 photocopies. It should be noted here that this refers to the total number of photocopies, also those of works which are not protected by copyright and those which are made for personal use. In this case, the legislature has endeavoured to limit the administrative work involved. All that people liable for payment have to do is keep a record of the photocopier counter and inform Stichting Reprerecht of their photocopying practices. Stichting Reprerecht is then required to determine, together with those liable for payment, what proportion of the total number of photocopies comprises photocopies of books, magazines, newspapers and other documents, so that a fee can be determined in accordance with the legally stipulated rate. Organisations and businesses which produce fewer than 50,000 photocopies per year do not have a duty to report. But they as well may only photocopy publications after paying an equitable fee to Stichting Reprerecht.

Payment arrangements

Stichting Reprerecht makes payment arrangements with umbrella organisations and institutions in the public sector as much as possible. It makes arrangements with these organisations to secure their cooperation for a market survey to be conducted by an independent research centre into the total number of photocopies

that have been made and the proportion of them which are subject to reprographic reproduction rights. This covers photocopies of books, magazines, daily newspapers, loose-leaf and other publications. These random surveys also examine the nature of the works that have been photocopied, for example, academic books, trade journals, weekly magazines or educational publications. The fee is determined in the form of an annual compensation. The relevant umbrella body may then specify the manner in which this compensation is to be broken down amongst the organisations which it represents and which are liable for payment. This breakdown could be based on the volume of photocopies, the number of students enrolled with them or the size of their workforce.

With regard to the business sector, Stichting Reprerecht has made an arrangement for the determination of a fixed sum payable by each business on the basis of the number of employees. This has been done in consultation with the national employers' associations VNO-NCW and MKB-Nederland.

Based on a study of employee photocopying practices, two fee scales have initially been established: one for sectors with a relatively low percentage of photocopies subject to reprographic rights payments, and one for the sectors with a relatively high percentage of photocopies subject to reprographic rights payments. This scheme is designed to confine the administrative burden for the business sector to a minimum.

Distribution

Stichting Reprerecht takes the funds that are collected and divides them into categories of publications based on random survey data. As of 1st February 2003, photographs, illustrations and other visual works contained in photocopied documents constitute a separate category. Prior to this date, it was only possible to copy visual works with the creator's consent and the reprographic reproduction rights scheme did not apply to them.

► About Reprorecht

Every year, the funds that are available for distribution are broken down into these categories and placed at the disposal of the publishers who can show by means of an auditor's report that they have achieved turnover in a specific category during the year of collection. All the publishers who have registered with Stichting Reprorecht in the course of time are invited to participate in this distribution every year. Any publisher who fails to respond foregoes his entitlement to a share of the disbursements made in the year concerned. The publishers receive a share determined by Stichting Reprorecht's external chartered accountant which is in proportion to their demonstrated sales, subject to the provision that they pay out no less than 50% of it to the creators of the works which have generated the turnover. While it is true that this 50-50 division corresponds to the customary apportionment of the proceeds from accessory rights between book publishers and writers, the distribution of the reprographic reproduction fees is entirely based on Stichting Reprorecht's Disbursement Regulations [Reglement Uitkeringen], which have been approved by the Minister of Justice. The implementation is supervised by a copyright supervisory authority (College van Toezicht Auteursrecht – CvTA) appointed by the same minister.

A publisher, therefore, has a duty to forward 50% of the funds it receives to 'its' creators, irrespective of anything else that may have been agreed in the relevant publishing contracts. He may not charge them for this. Where all or part of a work has been created by a publisher's employee, for example, a journalist, the publisher concerned is the 'creator' and is entitled to receive the relevant share of the fee, unless otherwise agreed. There are two ways in which a publisher can pay the writer's share: it can disburse funds in proportion to the fees disbursed in the year concerned or to the number of pages published. Sums of less than € 15.00 per writer may be allocated for the collective benefit of the relevant group of writers in consultation with Stichting Reprorecht. The publishers are required to pass on any payments within three months after receiving the fund that has been distributed. Stichting Reprorecht may grant a publisher dispensation on request, so that the

payment takes place simultaneously with the next annual fee settlement, but no later than within one year.

Other forms of payment

Not all of the funds are divided amongst publishers. For a number of categories of documents, organisations have been appointed to distribute the funds intended for their members. In the case of daily newspapers and consumer magazines, the creator's share is distributed through the association of journalists, Stichting Nieuwswaarde. The daily newspaper publishers, on the other hand, receive their share directly from Stichting Reprorecht based on their turnover. In the case of consumer magazines, both the publisher's and the creator's shares are disbursed through such organisations. Groep Publiekstijdschriftuitgevers [Consumer Magazines Publishers Group] of the Nederlands Uitgeversbond [Dutch Publishers Association] receives its publisher's share for allocation for a collective purpose. Stichting Nieuwswaarde receives the share earmarked for printed publication journalists. In addition, some of the money in this category is channelled into a jointly managed Onderwijsfonds Publiekstijdschriften [Consumer Magazine Training Fund] for professional training. General book fees are shared amongst the Groep Algemene Uitgevers [General Publishing Group] of the Nederlands Uitgeversbond, which is then used to fund activities promoting books, and Stichting LIRA, which adds these funds to those allocated for the disbursement of lending fees.

The creator's share for visual works is disbursed as a separate category to the association representing the creators of these works, Pictoright.

If a publisher fails to register with Stichting Reprorecht as a payment beneficiary, its authors may approach Stichting Reprorecht directly. Every year, Stichting Reprorecht places a notice for this writers fund in the daily newspapers and magazines. The publishers who are not a member of the scheme would, of course, do well to notify their writers of this themselves. The writers also need to provide plausible evidence of their turnover in the category of

► About Reprerecht

publications for which funds are available. Journalists who write for daily newspapers and consumer magazines would do best to approach Stichting Nieuwsaarde. Writers of general-interest books receive their share through the disbursement of lending fees and creators of visual works can approach their own organisation, Pictoright.

Dutch rightsholders who require more information about reproduction rights or who wish to register for distribution purposes may approach Stichting Reprerecht.

Other countries

Stichting Reprerecht also collects fees for foreign rightsholders. These funds are set aside for each country until funds are exchanged with the relevant foreign sister organisation based on reciprocity. The determination of the foreign share and its breakdown amongst the various countries is also based on random market surveys. As it happens, the Dutch component in other countries should not be underestimated. Dutch publishers represent more than 20% of scientific and professional information in the global market.

Stichting Reprerecht is affiliated to the International Federation of Reproduction Rights Organisations (IFRRO). (see appendix, page 23).

Key figures for 2008

Amounts in thousands of euros

RECEIPTS	2008	2007	2006	2005	2004
Public sector	8,223	9,256	6,591	7,701	7,183
Business sector	20,523	6,049	15,038	4,234	14,825
Total receipts	28,746	15,305	21,629	11,935	22,008
BREAKDOWN OF INCOME AND EXPENDITURE					
Administrative fees withheld from distribution	3,329	3,876	2,583	2,350	539
Business sector expenses withheld from collection	0	0	0	2,853	3,697
Financial income and expenditure	1,541	1,328	711	580	343
Total expenditure	4,870	5,204	3,294	5,783	4,579
Operating expenses	-3,499	-3,080	-2,747	-3,317	-4,136
Operating result for result destination	1,371	2,124	547	2,466	443
General reserve mutation	-170	796	-164	1,886	385
Addition to destination reserve for funds to be distributed	1,541	1,328	711	580	58
Result destination balance	1,371	2,124	547	2,466	443
EQUITY CAPITAL MUTATION OVERVIEW					
Position on 1st January	4,405	3,609	3,773	1,887	1,502
General reserve mutation	-170	796	-164	1,886	385
Destination reserve for funds to be distributed mutation	0	0	0	0	0
Position on 31st December	4,235	4,405	3,609	3,773	1,887
MUTATION OVERVIEW OF THE FUNDS TO BE DISTRIBUTED					
Position on 1st January	21,514	24,950	15,805	17,959	4,847
Collected, gross	28,746	15,305	21,629	11,935	22,008
Withheld from collection (inc. VAT)	0	0	0	-2,808	-2,619
Collected, net	28,746	15,305	21,629	9,127	19,389
Withheld from destination reserve for funds to be distributed	1,541	1,328	711	580	58
Distribution	-18,780	-20,069	-13,195	-11,861	-6,335
Position on 31st December	33,021	21,514	24,950	15,805	17,959
BREAKDOWN OF FUNDS STILL TO BE DISTRIBUTED					
Still to be specified: Public sector	0	0	0	294	2
Still to be specified: Business sector	0	0	0	67	1,692
Total funds still to be specified	0	0	0	361	1,694
Disbursement categories in the Netherlands	28,606	17,132	19,763	12,687	13,542
Disbursement categories abroad	4,415	4,382	5,187	2,757	2,723
Total funds to be distributed as of 31st December	33,021	21,514	24,950	15,805	17,959

Explanation of the key figures for 2008

The key figures briefly indicate the main developments in the financial figures of the year under review and previous years. A number of items will be explained below.

COLLECTION

At a total level, the collection shows a strong fluctuation over the years because since 2003, in addition to the annual collection from the public sector, the biennial collection from the private sector (business sector) also takes place. In mid 2008, a start was made with notifying companies with regard to the invoice period 2007/2008. It was a successful collection year with a record collection from the business sector of more than 20 million Euro, largely for the invoice period 2007/2008. For further information about the public sector and business sector, see [page 14](#) and [page 15](#) respectively.

ADMINISTRATION COSTS DEDUCTED UPON DISTRIBUTION

The item administration costs deducted upon distribution refers to a benefit because the entitled parties are paid with 20% deducted for administration costs, with the exception of a few payments to which a different deduction percentage applies: monies received from abroad (9%), the authors' fund (9%) and repartitions to the MusiCopy Association (15%). The decrease in this item is therefore directly connected to the decrease in the monies which were distributed during the year under review. The deduction serves to cover the operational costs.

WITHDRAWAL FROM COLLECTION, COSTS FOR BUSINESS SECTOR

After initial investments in 2004-2005, no costs for the business sector have been deducted from the collection since 2006, because the administration costs deducted upon distribution are sufficient to cover the operational costs.

FINANCIAL INCOME AND EXPENDITURE

The item financial income and expenditure consists of interest revenue from bank assets and deposits. The revenue has increased from €1,328,000 in 2007 to €1,541,000 in 2008. This is the result of an increase in the liquid assets due to a growth in the funds to be distributed.

Since 2005, the complete interest revenue is attributed to the funds to be distributed; the interest revenue is added to the funds to be distributed after it has first been allocated along with the result destination to the 'Reserve Funds to be distributed' ['Bestemmingsreserve Te verdelen gelden']. The financial income and expenditure are therefore completely expressed in the operational result.

OPERATIONAL COSTS

The operational costs are made for the purpose of the invoicing, collection, distribution and other activities of the Reproduction Rights Association. This item also includes the administrative costs at €33,332 (in 2007 €30,211). The increase in the administration costs is due to the notices to companies about the invoice period 2007/2008, which started mid 2008.

OPERATIONAL COSTS FOR RESULT PURPOSES

The operational result for the amount of the financial income and expenditure is completely allocated to the reserve funds to be distributed. The remainder is allocated to the general reserve of the own capital.

► Explanation of the key figures for 2008

OWN CAPITAL

The own capital is discretionary disposable income and should be used especially as a continuity reserve, the amount of which is determined by the extent of the activities by the Association and the risks connected to this. The own capital of € 4,235,000 at the end of 2008 (€ 4,405,000 at the end of 2007) corresponds to this. In the year under review, the allocation of the financial income and expenditure to the reserve funds to be distributed was immediately and completely made available to the funds to be distributed, as a result of which the reserve is at zero at the end of 2008.

FUNDS TO BE DISTRIBUTED

In 2008, the funds to be distributed rose from € 21,514,000 to € 33,021,000 at the end of 2008. This total amount concerns the various payment categories for the Dutch entitled parties (€ 28,606,000) and the various country accounts for foreign entitled parties (€ 4,415,000). The item 'Still to be specified' ['Nog te verbijzonderen'] concerns the amounts which have been collected, but have not yet been allocated to the various payment categories. Since 2006 this item has had a zero balance because all the amounts have been allocated to the payment categories.

The repartition has decreased from the record amount of € 20,068,000 in 2007 to € 18,780,000 in the year under review. For a specification of the funds distributed in 2008, see [page 12](#) and [page 13](#). Annually, in the month of December, all the available amounts in the various payment categories – in principle the funds which were collected in the previous year – are generally distributed and paid out to the entitled parties.

Distribution in 2008

The table on this and the following page contains a breakdown of the funds distributed to Dutch and foreign rightsholders in 2008.

DUTCH RIGHTSHOLDERS

Amounts in thousands of euros

CATEGORIES	GROSS DISTRIBUTED TO	DISTRIBUTED IN 2008	DISTRIBUTED IN 2007
Professional and academic journals	Publishers and their writers based on PWC apportionment	2,499,023	4,225,649
Professional and academic books	Publishers and their writers based on PWC apportionment	3,182,310	4,157,600
Educational publications	Publishers and their writers based on PWC apportionment	3,684,240	2,663,789
Newspapers	Publishers based on PWC apportionment	199,332	346,066
Newspapers	Stichting LIRA	199,521	346,036
Music publications	Stichting Musicopy	108,924	131,547
Consumer magazines	Stichting LIRA	347,211	258,866
Consumer magazines	Onderwijsfonds Publiekstijdschriften	173,605	129,433
Consumer magazines	Groep Publiekstijdschriften NUV	347,211	258,866
General-interest books and other publications	Stichting LIRA	95,945	130,584
General-interest books and other publications	Groep Algemene Uitgevers NUV	95,945	130,584
Creators of visual works	Pictoright	1,811,029	2,169,424
Publishers of visual works	Publishers and NUV	1,763,890	2,161,248
Foreign sister organisations	Dutch publishers and writers based on specifications	1,185,875	791,707
Total distributed in the Netherlands		15,694,059	17,901,399

► Distribution in 2008

FOREIGN RIGHTSHOLDERS

Amounts in thousands of euros

CATEGORIES	GROSS DISTRIBUTED TO	DISTRIBUTED IN 2008	DISTRIBUTED IN 2007
United States	CCC	822,505	998,978
United Kingdom	CLA	533,743	647,052
United Kingdom	NLA	12,676	37,493
France	CFC	153,688	186,662
Belgium	Reprobel	151,157	183,589
Canada	Access Copy	15,357	18,653
Canada	Copibec	5,119	6,217
Australia	CAL	11,733	43,811
Ireland	ICLA	8,513	10,340
Norway	Kopinor	3,451	4,191
New Zealand	CLL	1,840	2,235
Spain	Cedro	1,150	1,398
Other countries	IFRRO Development Fund	26,246	26,247
Visual works	Pictoright	1,339,024	0
Total distributed abroad		3,086,202	2,166,866
Total distributed		18,780,261	20,068,265

Countries with which Stichting Reprorecht has now entered into A (Transfer of Funds) or B (Repertoire Exchange) agreements

TYPE A: Belgium; Canada; France; Ireland; New Zealand; Norway; Spain; United States; United Kingdom.

TYPE B: Brazil; Denmark; Germany; Finland; Hong Kong; Mexico; Poland; South Africa; Switzerland.

Annual overview for the Public Sector

Collection

In the public sector, the Reproduction Rights Association has mostly made payment arrangements with umbrella organizations, or has made model agreements with those umbrella organizations, which are offered to their members. The Association makes agreements with the umbrella organizations with regard to the cooperation by their members in research carried out by an independent agency into the total number of photocopies made and into the percentage of photocopies whereby reproduction fees are payable.

Amounts in euros

COLLECTED	2008	2007
Government	1,800,104	1,837,539
Education	3,491,203	5,557,561
Abroad	1,365,931	1,860,585
Total	6,657,238	9,255,685

GOVERNMENT

In 2008, the collection from the government sector remained virtually the same as the year before. In 2008, the Reproduction Rights Association agreed with the Ministry of Finance to have research carried out into the extent of photocopying by the Dutch Tax and Customs administration. The results of this research are expected in 2009.

EDUCATION

The difference in collection from the education sector with regard to 2007 was caused by payments by the Association of Dutch Universities [VSNU], which pays the reproduction rights payments for all the Dutch universities on an annual basis. In 2007, this association also made the payment over 2007 with a retroactive effect over 2006, which means that the collection for the education sector was incidentally higher that year. In addition, the payment over 2008 was in fact partly received from the Association of Dutch Universities in 2009, which means that the collection for the education sector in 2008 was incidentally lower.

In 2008, the Reproduction Rights Association arranged with representatives from the primary and secondary education sectors to review the current agreement. Parties have agreed to have research carried out into the actual extent of photocopying within these education sectors. The results of this research are expected in 2009.

ABROAD

In 2007 there was a question of an incidentally higher revenue from abroad, due to a payment over previous years by the Belgian sister organization Reprobel. The Association barely has an influence on the extent of the amounts to be received and the time of receipt, also due to the fact that the foreign organizations employ different repartition systems. For that matter, the Reproduction Rights Association annually allocates the amounts collected for Denmark, Germany, Finland, Mexico and Switzerland to the funds to be allocated to Dutch entitled parties according to the reciprocity agreements Type B (Repertoire Exchange). The Reproduction Rights Association works together closely with its foreign sister organizations, within the International Federation of Reproduction Rights Organisations (IFRRO). (see appendix, page 23).

Annual overview for the Business Sector

COLLECTION

In 2008, an agreement was reached with the Confederation of Netherlands Industry and Employers [VNO-NCW] and the Dutch Federation of Small and Medium-sized enterprises [MKB-Nederland] about the extension of the Regulation Business Reproduction Rights [Regeling Reprorecht Bedrijfsleven] for the period 2007/2008. The content of this regulation has remained unchanged.

In the year under review, approximately 100,000 companies were notified about this biennial invoice period. It was a successful collection year, with a record collection from the business sector of more than 20 million Euro. For the first time, the Reproduction Rights Association engaged external collection agencies for the collection. This gave an extra impetus to the collection; in addition, it prevented an unbalanced situation with regard to the companies who paid the owed reproduction rights in a proper way.

The Regulation Business Reproduction Rights [Regeling Reprorecht Bedrijfsleven] has the possibility of writing individually to companies whereby it can be assumed that the fixed payment is not in a reasonable ratio to the actual amount of photocopying. In 2008, the Association again made use of this possibility. It has appeared that approaching companies on an individual basis has led in many cases to an invoice amount which is a better reflection of the actual amount of photocopying.

While in 2008 twenty million was collected from the business sector, six million was collected in 2007. This fluctuation is due to the biennial notifying of companies and to the order in which companies are invoiced. In 2008, the Association charged the larger companies. In 2009, especially the smaller companies with up to 20 employees will be charged. Although this is a considerable group within the Dutch business sector, together these companies represent a relatively small invoice amount. In 2009 the level of 2008 will not likewise be equalled.

FUTURE-ORIENTATED

Via the present (fixed) compensation regulations, the Reproduction Rights Association grants the business sector permission to photocopy short extracts from all published works. In addition, the market wishes to have more user-related regulations, which would make digital copying possible in an easy and relatively affordable way. For this reason in 2008 the board of the association expressed the wish for an extensive market research into expanding the scope of the Reproduction Rights Association to digital copying.

REGULATION BUSINESS REPRODUCTION RIGHTS

Regulation Business Reproduction Rights [Regeling Reprorecht Bedrijfsleven] for 2007/2008, as well as previous regulations, were based on a fixed system: companies pay a fixed amount, depending on whether they have a photocopier, the size of the company and the business sector. The rates were indexed at two percent with regard to the rates for the previous period of 2005/2006, and were determined at the following amounts:

- Companies with less than 20 employees pay an annual sum of € 17.12.
- Companies with more than 20 employees which, according to research, make relatively few copies where reproduction rights are payable, pay an annual sum between € 109 and € 3,177, depending on the size of the company.
- Companies with more than 20 employees which, according to research make relatively many copies where reproduction rights are payable, pay an annual sum between € 164 and € 4,765, depending on the size of the company.

For both companies and for the Reproduction Rights Association the possibility exists of taking the initiative of making individual payment regulations. In this case no fixed compensation is charged, but the invoicing is based on the actual annual volume of photocopying.



Annual overview of repartition

PAYMENT

The repartition for 2007 took place at the end of 2008. A total amount of almost 19 million was paid out. For a specification of the funds distributed in 2008, see [page 12](#) and [page 13](#).

CHECKING OF FORWARD PAYMENTS

Publishing companies are obliged to forward at least 50% of the reproduction right payments received to the individual authors. In 2007 the Reproduction Rights Association began with a check, in order to establish whether publishers are adhering to this obligation to forward payments. The check was carried out amongst various publishers varying in size. An employee from the Reproduction Rights Association together with an independent accountant visited the larger publishers. The smaller publishers were approached by the Association's administration department with a request for relevant information, which these publishers generally complied with.

In 2008, this check was continued by the Association in the same way. Just as in the previous year, the check was concentrated on the distribution of national funds, and concerned publishers in the categories of Professional and scientific journals and books and Educational works. Publishers of Newspapers and Consumer magazines were not checked, because the authors in question are not paid via the publishers but via the LIRA Association.

In general, the 10 large publishers checked, appeared to have their affairs in good order in 2008. This was not always the case for the 75 smaller publishers that were checked. These publishers sometimes have problems making forward payments of relatively small amounts to a relatively large group of authors. The Payments Regulation [Reglement Uitkeringen] offers a solution in this type of situation; the publishers in question can choose to leave the author's share behind with the Association in the Authors' fund. Authors for whom the publisher has not registered for repartition or for whom the publisher has left the author's share in the Authors' fund, can appeal to this fund. In 2009 the Reproduction Rights Association will carry out similar checks.

Board and administration office

College van Toezicht Auteursrecht

The *Wet toezicht collectieve beheersorganisaties auteurs- en naburige rechten* [Supervision of Collective Administration Bodies (Copyright and Neighbouring Rights) Act] came into force on 15 July 2003. This legislation has resulted in the establishment of the College van toezicht beheersorganisaties auteurs- en naburige rechten [Supervisory Authority for Copyright and Neighbouring Rights Administrative Bodies] (CvTA). This Authority is responsible for supervising the collection and distribution of fees by the following collective administration bodies: the Vereniging Bureau voor Muziekauteursrecht [Music Copyright Association Bureau] (Buma), Stichting Reprorecht, Stichting De Thuis kopie [Home Copying Foundation], Stichting ter exploitatie van naburige rechten [Foundation for the Commercial Exploitation of Neighbouring Rights] (SENA) and Stichting Leenrecht [Lending Rights Foundation]. Amongst other things, the Authority ensures that these collective administration bodies maintain comprehensive administrative records, collect any fees due in a lawful manner, distribute them to rightsholders on time and also that they provide fee payers and copyright holders with appropriate insight into their general and financial policy, maintain transparent fee structures, and are adequately equipped to perform their duties properly.

The *College van Toezicht Auteursrecht* consists of the following people:

H.F. Dijkstal (chairperson);

Th.R. Bremer (member)

M. Sanders (member)

H.B. van der Veen (substitute member)

The CvTA is assisted by a secretary, D.J. Hesemans.

For more information see www.cvta.nl.

Stichting Reprorecht board of management

The members of the board of management are appointed by organisations representing writers and publishers, or are co-opted by the board of management of Stichting Reprorecht in accordance with its articles of incorporation. You can find the full text of Stichting Reprorecht's articles of incorporation [here](#).

WRITERS' REPRESENTATIVES

The eight writers' representatives are appointed as follows:

- *Professional and academic books* – one individual writer is co-opted by the Stichting Reprorecht executive committee;
- *Professional and academic journals* – one writer is appointed by the Koninklijke Nederlandse Akademie van Wetenschappen [Royal Netherlands Academy of Arts and Sciences];
- *Educational publications* – one writer is appointed by the Vereniging van Educatieve Auteurs [Netherlands Association of Educational Writers];
- *Newspapers* – one daily newspaper journalist is appointed by the Nederlandse Vereniging van Journalisten [Netherlands Association of Journalists];
- *General-interest books and other publications* – one writer is appointed by the Vereniging van Schrijvers en Vertalers [Netherlands Association of Writers and Translators] (VSenV);
- *Consumer magazines* – one freelance journalist with experience in the consumer magazine sector is jointly appointed by the Netherlands Freelancers Association and the VSenV;
- *Visual works* – two creators of visual works, one of whom is appointed by Pictoright (formerly, De Visuelen), and one who is appointed by the Fotografen Federatie [Netherlands Federation of Photographers].

► Board and administration office

PUBLISHERS' REPRESENTATIVES

Eight publishers' representatives are appointed by the Dutch Publishers Association [Nederlandse Uitgeversbond] as follows:

- three members are nominated by the Professional and Academic Publishers Group [Groep Uitgevers voor Vak en Wetenschap];
- one member is nominated by the Educational Publishing Group [Groep Educatieve Uitgeverijen];
- one member is nominated by the Dutch Newspaper Publishers Group [Groep Nederlandse Dagbladpers];
- one member is nominated by the General-interest Publishers Group [Groep Algemene Uitgevers] and other publishers;
- one member is nominated by the Consumer Magazines Group [Groep Publiekstijdschriften];
- one member is nominated by the Vereniging van Muziekuitgevers [Netherlands Association of Music Publishers].

Appointments

CHAIRPERSON

Mrs Sanders-ten Holte was unanimously renominated by the board.

AUTHORS

Under the collective recommendation of the Freelancers Association [Freelancers Associatie] and the Association of Writers and Translators [Vereniging van Schrijvers en Vertalers], Mr Spaninks was renominated.

PUBLISHERS

Under the recommendation of the Dutch Publishers Association [Nederlands Uitgeversverbond], Mrs Vening was nominated as successor to Mr Frequin, who has prematurely stepped down. Under the recommendation of this same association, Mr Kramer was nominated as successor to Mrs Van Meurs and Messrs Louis and Van der Meer were renominated.

VOI©E

The Reproduction Rights Association is a member of the Association of Organizations for the Collective Management of Intellectual Property Rights [Vereniging van Organisaties die het Intellectueel eigendom Collectief Exploiteren], in short VOI©E. The society aims at increasing the concept of exercising copyright and the neighbouring rights and improving the information about the method of work of collective management organizations (cbo's). VOI©E acts on behalf of these collective management organizations as the contact for questions about the collective exercising of copyright and neighbouring rights. In addition, VOI©E fulfils a function as reporting station for criticism or complaints. All the collective management organizations that are active in the Netherlands are members of VOI©E, and thereby adhere to a code of conduct. VOI©E ensures that this code of conduct is adhered to. For more information visit www.voice-info.nl.

CEDAR

On the basis of a provision of services contract, the Reproduction Rights Association has accommodated the execution of its activities with the Centre for Provision of Services for Copyright and Related Rights [Centrum voor Dienstverlening Auteurs- en aanverwante Rechten], CEDAR B.V.. This centre takes care of the complete administration for the six copyright organizations: Public Lending Right Office, Lira Association, Musi©opy Association, PRO Association, the Reproduction Rights Association and the Home Copy Association. Parts of the services are Legal Matters, Financial Administration, Communication, Housing and Personnel Affairs. In 2008, for the Reproduction Rights Association there were 21 people employed full-time. The Reproduction Rights Association is part of the board of the Cedar Association [Stichting Cedar], the shareholder of CEDAR B.V. For more information visit www.cedar.nl.

► Board and administration office

MEMBERS OF THE BOARD AS OF 17TH JUNE 2009	CATEGORY	TERM EXPIRES IN:
Ms M. Sanders-ten Holte, Chairperson*	o	November 2011
Mr R.F. van Amerongen	u	Educational publications November 2009
Mr V.F.R.M. van den Eijnde	a	Visual works November 2009
Mr C.G. Gijsbers*	u	Professional and academic books and journals November 2010
Mr C.P.A. Holierhoek, Deputy Chairperson*	a	General-interest books and other publications November 2010
Mr J.P. Jansen	u	Consumer magazines November 2010
Mr M.B. Kramer	u	Newspapers November 2011
Mr V.H.G. Lebesque*	a	Newspapers November 2010
Mr N. van Lingen	a	Professional and academic books November 2009
Mr N. Louis	u	Professional and academic books and journals November 2011
Mr J.A.M. van der Meer, Treasurer*	u	Professional and academic books and journals November 2011
Mr P.A.M. Spaninks	a	Consumer magazines November 2011
Ms A.T. van Straaten-Huygen	a	Educational publications November 2010
Ms F. Vening	u	General-interest books and other publications November 2009
Mr B. Wessels	a	Professional and academic journals November 2009
Mr F.J.P. de Wit	u	Sheet music November 2010
Mr G.J. Wolffensperger	a	Visual works November 2009

- a Writers' representative
- u Publishers' representative
- o Independent board member
- * Executive committee

Appendix

Overview of the allocation of collective funds

STICHTING REPRORECHT WRITERS FUND

- *Disbursements to individual writers*

If a publisher does not register with Stichting Reprorecht as a prospective recipient for disbursements, his writers will also be in danger of not receiving any money. In order to avoid this, writers may approach Stichting Reprorecht directly for disbursements from the writers fund. Stichting Reprorecht publishes a notice concerning the writers fund in newspapers and magazines every year. Those publishers who are not members of the scheme, would naturally do well to notify their writers accordingly themselves. The writers need to provide plausible evidence of their turnover in the category of publications for which funds are available. Those journalists who write for daily newspapers and consumer magazines, would do best to approach Stichting LIRA. Writers of general-interest books receive their share as part of the library payments made by LIRA, while creators of visual works may approach Pictoright for this purpose.

- *Contributions to the translation fund of the Koninklijke Nederlandse Akademie van Wetenschappen (KNAW)*

This refers to a translation fund for academic articles, which was established in 1992 for the purposes of allocating reproduction fees that are collected by Stichting Reprorecht but which cannot be disbursed to individual writers. Its purpose is to fund translations published as part of a journal or anthology: academic articles written in Dutch and translated into English, French, German, Portuguese, Spanish, Italian or Russian; academic articles written in French or German and translated into English; and academic articles written in English and translated into French, German, Italian, Spanish, Portuguese or Russian. A translated article must be published in a superior academic journal or anthology. It must set out a new academic understanding, initiate an innovative academic debate or present an original account of academic insights or developments. The target group must be researchers who are associated with a Dutch university or research institute. What qualifies for subsidisation are the costs involved in having

an article translated by a professional translator which has been recently published or not yet, or of having a translation corrected by a professional translator. “Recently published” refers to publication less than five years ago, calculated from the date of the application. Each article can only be subsidised once. The amount of the subsidy that is allocated amounts to no more than EUR 1,600 and no less than EUR 800 in the case of each article. The payment of the costs involved in correction is subject to a maximum sum of EUR 300 per article. The application procedure is as follows: applications can be submitted twice a year using an application form provided by the KNAW. The closing date for the submission of application forms is the 1st of February and the 15th of September each year. The writer of the article concerned must apply to the KNAW for a subsidy himself.

GENERAL-INTEREST PUBLISHERS GROUP

- *Association of Market Research into the Book Trade Contribution*
The Association of Market Research into the Book Trade [Stichting Marktonderzoek Boekenvak] was set up by the General-Interest Publishers Group [Groep Algemene Uitgevers] and the Dutch Booksellers Association [Nederlandse Boekverkoopersbond] and has the purpose of carrying out quantitative and qualitative research into the purchase and sales of books and related products.

- *Slate-pencil and paintbrush prizes*

For the Childrens’ Book Week, the Foundation for Joint Publicity for Dutch Literature [Stichting Collectieve Propaganda van het Nederlandse Boek, CPNB], awards prizes for the best children’s books from the previous year. These are called slate-pencils and paintbrushes.

- *Strategy development / advice*

Advice is sought in order to improve the General Book Trade, with the purpose of enhancing the book product in general.



► Appendix Overview of the allocation of collective funds

- *The Foundation for Joint Publicity for Dutch Literature Contribution*
The Foundation for Joint Publicity for Dutch Literature has the objective of promoting reading and buying books. For this purpose, it organizes all kinds of activities of which the Children's Book Week is the most well-known.

- *Tiele Association*
The Dr. P.A. Tiele Association [Dr. P.A. Tiele-Stichting] promotes the science of books in the Netherlands by creating chairs, having scientific research carried out, releasing scientific publications or having them released, organizing symposia, congresses, readings, et cetera.

- *Book Fair*
The Book Fair is organized by the General-Interest Publishers Group for all booksellers in the Netherlands. Sellers of general and scientific books, also those who are not a member of the group, are represented at the trade fair, which is held in the Jaarbeurs Utrecht trade fair centre.

- *Manuscripta*
Manuscripta is the festive opening of the book season. During the first weekend of September, more than a hundred Dutch publishers present the new titles for the coming season. There are book presentations, stage performances, interviews with well-known and upcoming writers, signing sessions, literary comic books, exclusive previews of film versions of books and special outside acts.

- *Reading Association*
The Reading Association [Stichting Lezen] encourages new initiatives, methodologies and instruments in the area of promoting reading and literary education and attunes the existing activities to each other. Other work of the association is encouraging research and distributing the research results. Its main target group is children in the age range of 0-18 years.

CONSUMER MAGAZINES GROUP

- *Positioning Project*
The positioning project has the objective of enhancing the position of the medium of consumer magazines on the advertising market. The focus lies on research and positioning the medium.

- *Workshop HALLO*
For two weeks, students from the HALLO academy for applied creativity make a brief acquaintance with the ins and outs of journalism and editing. Then they set to work themselves and present six concepts for new and commercially viable consumer magazines.

- *ROTA Association Contribution*
The ROTA Association [Stichting ROTA] is an association of publishers in the Netherlands, which has issued the Advertising Rules [Regelen voor het Advertentiewezen]. These rules have the character of collective delivery terms and conditions of the publishing branch and have the objective of bringing about a certain structuring in the business traffic between the publishing branch, the advertising/media bureaus and the advertisers.

- *Advertising Standards Committee Contribution*
People can submit complaints about the contents of advertisements to the Advertising Standards Committee [Reclame Code Commissie]. On the basis of the Netherlands Advertising Code [Nederlandse Reclame Code], the committee judges whether the content of an advertisement is contrary to the Code.

- *Netherlands Press Museum Contribution*
The Press Museum [Persmuseum] is a national museum which houses journalistic heritage. It manages an extensive collection of newspapers and magazines dating from 1600, a collection of posters and other advertisements with regard to the press, a unique collection of original political drawings and press graphics, numerous archives and photographs to do with journalism and the press, and a comprehensive library. The Press Museum has the

► Appendix Overview of the allocation of collective funds

objective of consolidating knowledge of, insight into and experiencing of the Dutch press, documenting this, opening it up, making it available and studying or carrying out studies of press historical heritage. A core objective of the museum is media education.

- *Reading Association Contribution*

The Reading Association [Stichting Lezen] encourages new initiatives, methodologies and instruments in the area of promoting reading and literary education and attunes the existing activities to each other. Other work of the association is encouraging research and distributing the research results. Its main target group is children in the age range of 0-18 years.

- *Council for Journalistic Conduct Contribution*

The Council for Journalistic Conduct [Raad voor de Journalistiek] is an independent body, which people can contact with complaints about journalistic activities, and is a self-regulating body for the media.

- *Contributions to the Stichting Auteursrechtbelangen*

Stichting Auteursrechtbelangen (Starbel) is a professional organisation. Its aim is to safeguard related interests and to position copyright broadly as a legal, economic and cultural factor in relation to government, the political establishment and the public. As it happens, this does not refer to a direct payment from the Group to Starbel. The NUV is affiliated to Starbel and distributes the contributions to the various groups. The Consumer Magazines group uses the reprographic reproduction fees to fund its contribution.

- *Foundation for Scientific Research into Commercial Communication Contribution*

The Foundation for Scientific Research into Commercial Communication [Stichting Wetenschappelijk Onderzoek Commerciële Communicatie (SWOCC)] sees its mission as perceiving knowledge and increasing the working of the commercial communication in such a way that this can be directly applied in the daily practice. The foundation connects science and practice by ensuring a flow of knowledge between both worlds. For more information visit: www.swocc.nl

- *Dutch Technical Committee for Digital Delivery Contribution*

The Dutch Technical Committee for Digital Delivery [Nederlandse Technische Commissie Digitaal Aanleveren, (DALTC)] is occupied with the standardization of digital delivery, with the participation of the Dutch Publishers Association [NUV], the VEA association of communication and advice agencies and the CMBO knowledge association in the field of communication media.

- *Advertising Arsenal Contribution*

The Advertising Arsenal Association [Stichting Het Reclame Arsenal] was set up in the year 2000. It gathers and manages collections, makes them accessible via the Internet, maintains a digital guide to advertising collections elsewhere in the Netherlands, has a knowledge centre, encourages research, takes care of publications, organizes exhibitions and advises or helps others with similar activities. For more information visit:

www.reclamearsenaal.nl.

EDUCATION FUND CONSUMER MAGAZINES

- *Expeditie Bladenmaken editing workshops*

The Expeditie Bladenmaken is a workshop week about all the aspects of the magazine profession, aimed at young, ambitious and talented editors.

- *Masterclass Bladenmaken editing workshops*

The Masterclass Bladenmaken is aimed at experienced editing professionals. There is a master class for freelance editors and for chief editors.

Appendix

International Federation of Reproduction Rights Organisations (IFRRO)

Stichting Reprorecht works together with a large group of sister organisations at the international level. They are affiliated to the International Federation of Reproduction Rights Organisations (IFRRO). Stichting Reprorecht has entered into reciprocal contracts with most of these organisations. Where necessary, these contracts regulate representation in each other's country and include arrangements for the disbursement of funds collected for photocopying foreign publications.

The IFRRO has a number of forums and working parties, such as its regional committees (Latin America, Asia and the Pacific, Africa and the European group) and a digital issues forum. Discussions occur in these forums about important developments affecting legislation, technological developments, the role of reproduction organisations in relation to digital storage and the distribution of protected works (sometimes across borders), and specific fields of operation, such as those involving newspaper clipping digests and music publications. Stichting Reprorecht is an active member of the IFRRO and participates in most of its relative consultative bodies.

IFRRO SUBMISSION ON EC CREATIVE CONTENT ONLINE CONSULTATION
In January, the European Commission launched a public consultation to prepare for an EU Recommendation by mid-2008 on new ways of achieving a single market for online content. The intention is to give EU citizens easier and faster access to a variety of educational resources, music and programmes etc while protecting IP rights. Overall, IFRRO's submission advises that current projects, such as those under the E-Content Program, should be further developed and assessed before actions are taken. It also requests that before any Recommendation is considered, consequences of any planned measures on rightsholders are analysed. On the matter of Digital Rights Management, IFRRO supports the right of creators and publishers to use, or not use, DRM and Technical Protection Measures when deciding how to manage their rights. Interoperability is key to DRMs and IFRRO urges the Commission to continue supporting the development and deployment of standards

and protocols, such as ACAP, ISTC and ONIX. On multi-territory licensing, IFRRO feels the market should be left to develop licensing schemes under existing legislation. IFRRO welcomes financial contributions from the Commission towards online copyright awareness campaigns. It gives strong support to collaborative efforts between rightsholders and internet service providers to combat unauthorised use of copyright works.

IFRRO RESPONDS TO EU CONSULTATION ON

"FAIR COMPENSATION FOR ACTS OF PRIVATE COPYING"

In April IFRRO has questioned the purpose of the European Commission's paper on "Fair Compensation for Acts of Private Copying". It has a restricted focus on "private copying" but addresses issues with consequences also for reprography without including this sector specifically in the analysis. The implementation of Directive 2001/29/EC is a matter for national governments and reflects national conditions. Decisions on equipment and media to be covered by the levy and on the rate are agreed with stakeholders concerned. Where there is a levy system to remunerate copyright holders for certain uses of their works it is generally supported by the creators and publishers concerned. It operates well and consistently and represents a way to compensate rightsholders for some of their potential losses. There is no evidence that it leads to a distortion of the market.

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JOINT IFRRO BOARD MEETING WITH CISAC

A joint Board meeting was held with CISAC (Confédération Internationale des sociétés des Auteurs et Compositeurs) in April. Co-operation between the two federations is already taking place on the development of the ISTC and ISNI. The joint Board meeting discussed collaboration on other important issues such as regional development and awareness raising and a joint position on the proposal put forward at the last WIPO SCCR meeting on a set of mandatory minimum set of exceptions and limitations to the exclusive rights. This was the first ever joint IFRRO-CISAC meeting on this level and reflects the need for rightholder representatives across sectors to cooperate in raising awareness on the importance that copyright brings to society.

IFRRO DIGITAL ISSUES FORUM (DIF) LOOKS TO THE FUTURE

IFRRO President, Peter Shepherd, urged the IFRRO DIF to look for new Business Models to cope with the digital age and RROs to examine how they could assist authors and publishers to address it. There needs to be an investigation into how an internet license offering people access to on-line content can be combined with remuneration to rightholders while securing the content properly. Delegates to the meeting in Rome on 5 June, were also presented the ONIX for RROs to facilitate the exchange of distribution and repertoire messages, which was signed off in February and IFRRO's plans to assess the need for a converter between excel spread sheets and XML format.

IFRRO PUBLICATION "COPYRIGHT LEVIES AND REPROGRAPHY" AVAILABLE

A new IFRRO publication on "Copyright levies and Reprography" is available online. The brochure sets out to clarify the levy system in the context of reproduction of text and images. It outlines the legal background and explains how it is administered according to local circumstances to provide rightholders with a financial reward, to which they are entitled for the reproduction of the copyright works they have originated. The publication has been worked out in cooperation with the IFRRO Equipment Levy Forum (ELF).

MAGDALENA VINENT (CEDRO) NEW PRESIDENT OF IFRRO

The IFRRO AGM 2008 in Montego Bay (Jamaica) on 30 October elected Magdalena Vinent (CEDRO, Spain) new President of IFRRO for a two year period. Magdalena Vinent has been the Chief Executive of CEDRO since the beginning of 2000 and a member of the IFRRO Board of Directors since 2002. The AGM thanked the outgoing President Peter Shepherd for an outstanding performance during his years as IFRRO President. The AGM further elected Franziska Eberhard (ProLitteris, Switzerland) First Vice President and Bruce Funkhouser (CCC, USA) Second Vice President. Jim Alexander (CAL, Australia), Christer Johansson (BONUS Presskopia, Sweden), Hélène Messier (COPIBEC, Canada), Jens Bammel (IPA) and Mats Lindberg (BUS, Sweden) were elected Board Directors and Maureen Cavan (Access Copyright, Canada), Rainer Just (VG Wort, Germany), Trond Andreassen (EWC) and Michael Mabe (STM) were elected Substitute Directors.

IFRRO SUPPORTS TRADITIONAL KNOWLEDGE AND EMPOWERMENT OF CREATIVE SECTOR IN LDCS

At its AGM, IFRRO adopted a statement on Traditional Knowledge (TK) and Traditional Cultural Expressions (TCE) committing IFRRO to assisting communities in developing frameworks furthering cultural and academic progress and stimulating incentives for investing in cultural and creative industries. IFRRO also issued a Recommendation for the Empowerment of the Creative Sector in Development Countries and Territories. It called on governments, particularly in those countries listed as Eligible Development Countries and Territories (EDTCs), to include respect for copyright and creativity in their development goals. At the same time it asked the IFRRO members to examine whether and how to grant preferential access to their own repertoire when entering into agreements with Reproduction Rights Organisations (RROs) situated in EDTCs.



► Appendix International Federation of Reproduction Rights Organisations (IFRRO)

CONTENT SECTOR COMMON SUBMISSION ON THE GREEN PAPER ON COPYRIGHT IN THE KNOWLEDGE ECONOMY

In November key organisations representing rightsholders in all creative disciplines have joined together to issue a common statement on the European Commission's Knowledge Economy Green paper. IFRRO has also made its own statement on the Green Paper. The Green Paper attempts to structure the copyright debate as it relates to scientific publishing, the digital preservation of Europe's cultural heritage, orphan works, consumer access to protected works and the special needs for the disabled to participate in the information society. The common statement reiterates the view that the present legislative framework does not need enhancement and calls upon the Commission to focus on how best to create a genuine knowledge economy whereby financial investments in the content business are effectively safeguarded and rewarded. The agreement was signed by Reed Elsevier EPC, IVF, FIAD, FIAPF, FEP, CEPI, MPA, ENPA, FAEP, Time Warner, Disney, ACT, Bertelsman, Eurocinema, Eurocopia, GIART, ICMP, IFPI, Lagardere, Mediaset, Sony Pictures, UNI-MEI, IFRRO.

LAUNCH OF ARROW: A PROJECT TO IMPROVE THE EXPLOITATION OF CREATIVE CONTENT

In December the ARROW consortium of 16 partners and the European Commission have signed the contract for the launch of the Accessible Registries of Rights Information and Orphan Works for Europeana (ARROW) project. The project involves a broad range of European national libraries, publishers and collective management organisations and aims to support the EC's i2010 Digital Library Project by finding ways to clarify the rights status of orphan and out of print works. The project also seeks to enhance the interoperability of rights information between rightholders, agents, libraries and users. This may involve the establishment of systems for the exchange of rights data, the creation of a registry of orphan works and a network of rights clearance centres. Key to achieving this objective is interoperability, standards deployment and stakeholder involvement. The project will last for two and a half years and also includes IFRRO members FEP, CLA, CopyDan,

ALCS, Kopinor, CEDRO, CFC, SNE and Kopiosto. Piero Attanasio of Associazione Italiana Editori (AIE) is the Project Co-ordinator.

IFRRO EXPRESSES INTEREST IN ISNI

The IFRRO Board authorised a tentative expression of interest on behalf of IFRRO becoming involved in the management of the forthcoming International Standard Name Identifier (ISNI). ISNI is a draft ISO Standard (ISO 27729) to identify the identities used publicly by parties involved throughout the media content industries in the creation, production, management, and content distribution chains. Like other identifier standards it needs an international management agency. IFRRO, which is currently involved in the ISTC International Agency, has given a no-commitment initial positive response to a call for expressions of interest.

IFRRO.ORG

The IFRRO publishes a newsletter, information for members and other details on its website, which can also be consulted in connection with questions concerning reproduction and digital copies.

For further information see www.ifrro.org.



Colophon

COPY

Stichting Reprorecht
Martèl Bakker Schut, editor

TRANSLATION

www.fasttranslator.com

LAYOUT AND PRODUCTION

Link Design, Amsterdam
www.linkdesign.nl

STICHTING REPRORECHT

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FOR THE BUSINESS SECTOR:

PO Box 3051
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FOR THE PUBLIC SECTOR AND COPYRIGHT HOLDERS:

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2130 KB Hoofddorp
www.reprorecht.nl

