



Australian Writers' Guild Authorship Collecting Society

2016 Annual General Meeting

CHAIRMAN'S REPORT

It's my pleasure to report that 2015 was the biggest year for collections in the history of AWGACS. As a result of this, coupled with our affirmative action in placing the importance of secondary royalties firmly in the public eye and raising the status of writers, it was arguably also the most successful year in our history.

Over the 2015 calendar year, we collected \$2,052,133. Some of this remarkable result was due to the lower value of the Australian dollar relative to the currencies in the territories where we collect. But it was also due to the expansion of the organisation, the diligence of our staff and the streamlining of our collection processes.

Since the last AGM, AWGACS has signed reciprocal agreements with 4 new societies:

DILIA in the Czech Republic

DHFR in Croatia

LATGA in Lithuania

SCAM in France

These new signings bring the number of AWGACS reciprocal agreements to 29. This is a great achievement. It seems not very long ago that we only had 4.

Our membership also continues to increase. We currently have 1,520 members – 66 more than this time last year.

In concert with the AWG, AWGACS has recently launched litigation proceedings against Screenrights in the Federal Court of Australia. This has been done with a view to achieving two things: 1) the recovery of secondary royalties that have been collected in Australia by Screenrights and, we believe, not distributed to writers as they should have been and 2) a change in the way Screenrights distributes script royalties in the future. After the extensive media coverage we received about this action, and the ongoing updates about the dispute from the AWG, I'm sure by now most of you are well aware of our grievances with Screenrights and the history of the dispute. But, in summary, we delivered our Statement of Claim to Screenrights in early March this year. Our first court hearing was on the 5th of April. Our next hearing date will be on the 5th of July. We expected this to be a protracted business and so it has proved to be. As of today, Screenrights' lawyers have not provided a formal defence to our Statement of Claim and, it appears unlikely – on the face of their responses so far – that they intend to work with us to reach an equitable settlement before trial. We are hoping their position changes as the date draws closer. As always, we will continue to keep members informed of all developments.

In the meantime, the AWGACS board, the National Executive Committee of the AWG and our legal counsel remain confident that our case is sound and that this is a very important

battle. We are determined to win it. As I said in last year's report, this legal action against Screenrights is happening after many, many years of failed discussions and negotiations that achieved precisely nothing. We believe we are duty bound to pursue this action on behalf of all current and future members.

Legal proceedings are not only a protracted business, they are also expensive. The financial implications of our actions against Screenrights have stretched our resources, as we knew they would. In regard to this, I want to point out that AWGACS does not and will not use members' distributable funds to finance this litigation. Distributable funds are for our members and will remain so. Thanks to the wise investment choices made by previous boards – specifically the decision to invest in the AWG premises – we will have more than enough resources to see this legal fight through to its conclusion. Our auditor has approved our annual accounts, copies of which are here and will be available to all members on the website.

Over the last twelve months, AWGACS has maintained an important presence within CISAC, the international association of collecting societies. We remain active in the formulation of policy internationally and are members of "Writers and Directors Worldwide". This is an organisation within CISAC that deals specifically with copyright issues relevant to writers and directors around the world. In November last year I was elected to the executive committee of this organisation, which is currently mounting a campaign for fair remuneration for authors internationally. This is a very good fit with our action against Screenrights and the looming battle to prevent the adoption of U.S. style "fair use" provisions in our Copyright Act. Information about the "Writers and Directors Worldwide" campaign can be found in the links posted on our website.

Once again, I want to thank our fantastic staff – Jacqueline, Ana, Lindy, Shannen, Carolina and Oliver – for their indefatigable resilience in the face of enormous pressure from Screenrights. Ana, in particular, has shouldered an enormous workload. We have thousands of titles currently in dispute with Screenrights and every single one of those requires the close attention of our staff. They have been brilliant.

We have also managed to balance expanding operations fairly against entitlements of past, present and future members. And we have ensured economies of scale by continued sharing of facilities and staff with the Australian Writers' Guild.

I would like to thank my colleague, Kym Goldsworthy, who has served on the AWGACS board since 2010 and is stepping down this year. I'd also like to acknowledge Kym's service as a member of the Australian Writers Foundation board from 2006 – 2011 and a member of the AWG National Executive Council from 2006 – 2009. He has been and remains, a great advocate for writers and an asset to the guild and its causes. I would also like to thank the other members of the board, Jacqueline Elaine, Ian David and Chris Hawkshaw for their continued support and their diligence in looking after the interests of all AWGACS members.

I look forward to working with all my colleagues once again over the next twelve months.

Tim Pye – AWGACS Chair
26th May 2016