



# Jukebox

## Code of Conduct

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**JUNE 2012**

RESPECTING AND PROTECTING ©CREATIVITY

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## **PART A – PRELIMINARY**

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### **1 Preamble**

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- 1.1 *The Music Industry and Jukebox Content Providers in Australia recognise that the continued growth of legitimate markets for music will benefit all involved, including those who create and produce sound recordings, music publishers, artists, songwriters, composers, the consumers who enjoy the music and the third parties that provide the channels to distribute legitimate music including through Jukeboxes.*
- 1.2 *The Music Industry and Jukebox Content Providers in Australia recognise that the effective protection of copyright material is critical to achieving these goals.*
- 1.3 *The Music Industry and Jukebox Content Providers in Australia also recognise that a framework for agreed principles in the form of a Code can contribute substantially towards this goal.*

### **2 Objectives**

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- 2.1 *The aim of the Code is to create a framework of agreed principles for co-operation between the Music Industry and Jukebox Content Providers with respect to protecting copyright owners' rights.*

### **3 Terminology and interpretation**

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- 3.1 *In the Code:*

<b>Code</b>	means this Jukebox Code of Conduct.
<b>Jukebox</b>	means a jukebox or other computerised music system that complies with the standards set by the Music Industry as updated from time to time.
<b>Jukebox Content Provider</b>	means all providers of Licensed Music for Jukeboxes in Australia.
<b>Licensed Music</b>	includes sound recordings, musical works and cinematographic films licensed under an agreement with ARIA, AMCOS and/or the Recording Industry.
<b>Music Rights Australia</b>	means Music Rights Australia Pty Limited (ACN 071 726 906).
<b>Music Publishers</b>	means music publishers in Australia that are members of the Australasian Mechanical Copyright Owners' Society Limited.

- Music Industry** means the Recording Industry, the Music Publishers and Music Rights Australia collectively.
- Person** includes partnerships, bodies corporate and the Crown.
- Recording Industry** means the record companies in Australia that are members of the Australian Recording Industry Association Limited.
- Registration Form** means the online registration form for Jukebox operators available on the Music Rights Australia website at [www.musicrights.com.au](http://www.musicrights.com.au).
- Registration Number** means a unique barcode sticker.
- Registration Database** means the database maintained by Music Rights Australia.
- Registered Operator** means the person or entity that is completed the registration process for a Jukebox that they own or operate and is issued with a Registration Number.

3.2 *In the Code where examples are provided of the manner in which a Code provision may be satisfied, these examples should not be read as limiting the manner in which the provision may be satisfied.*

## **PART B – CODE OF CO-OPERATION**

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### **4 Provision of Content**

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- 4.1 *To date Jukebox Content Providers have provided a broad range of music to Jukebox operators, and intend to continue to do so, each on their own commercial terms but in compliance with this Code.*
- 4.2 *Jukebox Content Providers will reproduce Licensed Music only as permitted by the terms and conditions of a valid licence agreement with relevant members of the Music Industry.*
- 4.3 *Jukebox Content Providers will provide Licensed Music to third parties with the appropriate level of protection and/or encryption approved by the Music Industry.*
- 4.4 *Jukebox Content Providers will only provide Licensed Music to third parties who have a valid Registration Number for each Jukebox that they operate.*
- 4.5 *Jukebox Content Providers will provide the details of each Jukebox Registration Number that Licensed Music is provided to in their normal reporting to relevant members of the Music Industry.*
- 4.6 *Jukebox Content Providers will provide their customers with a copy of Music Rights Australia's Jukebox Fact Sheet and this Code (as amended from time to time) and notify them of any relevant amendments.*

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## **5 Registration service**

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- 5.1 *Music Rights Australia will receive applications for Jukebox registration using the Registration Form available on its website.*
- 5.2 *Upon receipt of a completed Registration Form, Music Rights Australia may duly register the Jukebox and provide a valid Registration Number to the Registered Operator.*
- 5.3 *Music Rights Australia will maintain a comprehensive and up-to-date Registration Database containing the Registration Number of each registered Jukebox and relevant details provided by Registered Operators in the Registration Form.*

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## **6 Investigation of infringing activity**

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- 6.1 *Music Rights Australia will continue to conduct investigations to identify copyright infringements taking place in the jukebox industry and will take appropriate further action where appropriate in accordance with its operational protocols.*
- 6.2 *Music Rights Australia will continue to respond to any complaints of copyright infringement brought to its attention by Jukebox Content Providers in accordance with its operational protocols.*

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## **7 Education and public awareness**

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- 7.1 *Jukebox Content Providers and the Music Industry will co-operate in communication campaigns and other initiatives to promote awareness of copyright laws and the Code within the Jukebox industry.*