

welcome...

Welcome to On the Record – PPCA’s newsletter for artists and licensors.

PPCA has had a very busy and exciting few months since our last issue of *On the Record*. We are especially proud of the result of the Copyright Tribunal’s Nightclub Tariff review which will see the rates for sound recordings rise significantly to \$1.05 per person. With this success under our belt, PPCA has the momentum and encouragement to continue to fight for fair rates for the use of sound recordings.

In December, we had our biggest distribution so far, with over \$12 million distributed to deserving artists and labels. To ensure you’re part of the 2008 distribution, let us know if you have any new releases scheduled for this year.

This month saw the first board meeting for 2008, with EMI’s John O’Donnell returned as chair. Following the annual elections (conducted at the start of each year), we welcome long-time indie supporter Sebastian Chase of MGM Distribution, and Lindy Morrison who, following her recent re-election, resumes her seat as Artist Representative for the 14th consecutive year. Thanks again to everyone who participated in the election process and cast a vote.

PPCA continues to support homegrown talent, by providing the \$25,000 Australian Music Prize. Sydney’s The Mess Hall recently took home the 2007 prize after a long deliberation by Amp judges. We’re sure the prize money will help the band as they head out on their first national tour.

In the following pages, you’ll also hear about a few other Aussie bands making some headlines, as we recap the 2007 most broadcast list – turn the page to see which Aussie acts topped the charts.

We’re always keen to get feedback from artists and labels, so if you have any questions or concerns please visit www.pcca.com.au or give us a call at 02 8569 1100.

Regards,

Stephen Peach
PPCA CEO



2008 PPCA Board of Directors Announced

PPCA held its board of directors elections this month and is pleased to advise that for the fourth year in a row, John O’Donnell has been re-elected as chair of the PPCA board. Meanwhile we give a warm welcome to Sebastian Chase who has joined the board as licensor representative for 2008.

Sebastian Chase is the founder of MGM Distribution, and works with many independent artists including John Butler, The Waifs and The Beautiful Girls. Over the years, he has managed legendary bands such as Cold Chisel, Rose Tattoo and Dragon, and established independent labels including Chase Records, rooArt Records, Phantom Records and Black Yak.



Sebastian Chase, Stephen Peach and John O’Donnell

As the role is elected annually, PPCA would like to thank former licensor representative board member David Vodicka for all his hard work on behalf of licensors during his 2007 term.

Lindy Morrison concluded her latest term as artist representative at the end of 2007, and following this year’s elections, was once again returned to the position for 2008 and 2009. Morrison has been artist representative director continuously since the seat was created in 1994.

The PPCA board of directors is comprised of representatives from the four key record labels in Australia (Sony BMG Music Entertainment, Warner Music Australia, EMI Music Australia and Universal Music Australia), three directors representing the interests of Australian recording artists, and a director appointed by the non-major labels (the licensor representative director).

Board members for 2008 are:

| | | |
|------------------|-------|---|
| John O’Donnell | Chair | CEO, EMI Music Australasia |
| George Ash | | Managing Director, Universal Music Australia |
| Bill Cullen | | One Louder Entertainment |
| Paul Christie | | Artist Representative |
| Denis Handlin AM | | Chairman & CEO, Sony Music Entertainment Australia & NZ |
| Lindy Morrison | | Artist Representative |
| Ed St John | | President & CEO, Warner Music Australasia |
| Sebastian Chase | | Licensor Representative & Founder, MGM Distribution |

The Mess Hall Wins the AMP 2007

Following in the footsteps of the Drones and Augie March, Sydney's The Mess Hall won the third annual Australian Music Prize. Winning The Amp, a prize that recognises musical excellence and outstanding creativity, means The Mess Hall will receive a \$25,000 cash prize provided by PPCA and a media campaign courtesy of XYZ Networks music channel Max.

The band's album, *Devil's Elbow*, has had rave reviews and after a busy festival summer, the band is about to embark on a national tour.

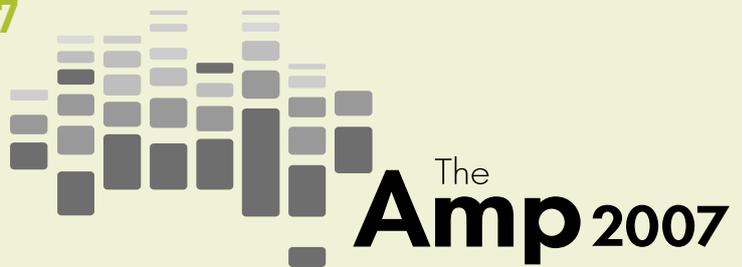
For the first time, judges deliberated right until moments before the announcement was made on stage at Sydney's Museum of Contemporary Art. PPCA Chair John O'Donnell and CEO Stephen Peach were there to hand over the prize to the winners.

The Mess Hall were one of 10 short listed artists from 190 entries.

"The diversity and calibre of artists this year was incredible," said Peach. "The PPCA is thrilled to help support homegrown talent on the rise."

THE 2007 AUSTRALIAN MUSIC PRIZE WINNER

The Mess Hall – 'Devils Elbow'



SHORT LISTED ARTISTS – THE 2007 AMP

Devastations – 'Yes, U'
Midnight Juggernauts – 'Dystopia'
New Buffalo – 'Somewhere, anywhere'
Urthboy – 'The Signal'
Architecture In Helsinki – 'Places Like This'
Perry Keyes – 'Last Ghost Train Home'
Lisa Miller – 'Morning in the Bowl of Night'
bluejuice – 'Problems'
Dardanelles – 'Mirror Mirror'

RED BULL AWARD RECIPIENT

Bluejuice for 'Problems'

MYSFACE.COM PUBLIC VOTE AWARD

New Buffalo for 'Somewhere, anywhere'



Attention all Licensors - Direct Licensing Policies due 19 April

As a result of the ACCC's re-authorisation of PPCA's activities, each PPCA licensor needs to develop its own policy on direct licensing. There is a free sample guideline available from the Arts Law Centre of Australia (Arts Law). PPCA has arranged for Arts Law to independently develop a sample guideline and provide basic legal advice on the guidelines free of charge. Alternatively, licensors can develop their own guidelines and may wish to approach their lawyer to assist them.

The Arts Law free sample guidelines and an information sheet about direct licensing for public performance and transmission rights is available online, so visit their website at www.artslaw.com.au and follow the links to the direct licensing information. Once your policy is completed, please provide PPCA with a copy.

PPCA Distribution highest ever Review your statement carefully

For the 17th year in a row, PPCA has seen the distribution income grow as a result of increases in issued licenses and income. This past December PPCA processed and distributed \$12,666,828 in licensing fees back to artists and labels – an increase of 23 per cent from the previous year.

Along with your cheque, you should have received a statement. Please review your statement carefully and if you have any questions, please contact us at 02 8569 1133.

Artists are reminded that they need to register any new releases with PPCA.

2007 Most Broadcast Recordings and Artists

This year, the PPCA Most Broadcast lists* show that 16 Australian acts made it into the Top 50 Most Played Artist Report, an increase from 15 the previous year and 13 in 2005, whilst 28 songs from 20 different local artists feature in the Top 100 Most Broadcast Recordings.



Silverchair

P!nk tops the Top 50 Most Played Artist Report, followed by Robbie Williams at #2, Nickelback at #3, and Eskimo Joe, the highest placed Australian act, at #4. U2 rounds out the top five. Evermore is placed at #10, and along with Eskimo Joe, Rogue Traders, Shannon Noll and INXS, feature as one of the five most played Australian artists.



Eskimo Joe

P!nk also dominates the Top 100 Most Broadcast Recordings, with *U + Ur Hand* at #1 and *Who Knew* at #3. Snow Patrol slot in between these two hits with *Chasing Cars* leaving room for Scissor Sisters' *I Don't Feel Like Dancin'* at #4 and Evanescence at #5 with *Call Me When You're Sober*.

Australian artists feature heavily within the top 20 Most Broadcast Recordings, with Eskimo Joe again the highest placed local act at #6 with *Black Fingernails, Red Wine*. Silverchair is at #7 with *Straight Lines*, Rogue Traders at #11 with *In Love Again*, Eskimo Joe at #16 with *Sarah*, Pete Murray at #18 with *Opportunity* and Evermore at #20 with *Light Surrounding You*. Eskimo Joe, Evermore and Shannon Noll each contribute three tracks to the top 100, with two each from Rogue Traders and The Veronicas.



Evermore

Once again, PPCA is thrilled to see so many home grown acts in the Most Broadcast lists, which is a testament to the strength, diversity and popularity of Australian music.

*The period covered is the 2006/07 financial year.



Rogue Traders



The Veronicas

Content Stephen Peach, Christina Rogers, Christy Hayes, Lynne Small

Photos Sony BMG Music Entertainment Australia, Warner Music Australia, EMI Australia, Julia Wilson, Christina Rogers, by permission.

Previous editions of On The Record – PPCA's newsletter for artists can be viewed on our website, www.pcca.com.au

ATTENTION ALL ARTISTS!!

Important Notice for Australian Recording Artists Registration "Cut off" for 2008 distribution is 30 September

It is important that you notify us of all releases on which you are eligible to claim under the Artist Direct Distribution Scheme before September 30. Record labels do not notify us of artist releases or registrations – this is the artist's responsibility.

If you have released a CD (or recordings on any format) within the past year and have not lodged your artist registrations, any income earned for that release will be paid to your record label.

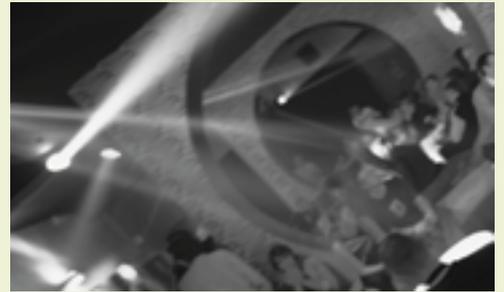
Feel free to confirm your list of registered recordings with us any time by calling our distribution department. You can also check out our 'lost artists' list on the web to see if any of your friends have forgotten to keep their contact details up to date with PPCA.

If you'd like to check your current artist registrations, please contact PPCA's distribution team on (02) 8569 1133 – we'll be happy to help!

PPCA wins Nightclub Tarriff Review Appeal

PPCA is pleased to report that the appeal by the nightclubs against the Copyright Tribunal decision was dismissed this month with costs. The unanimous decision from the full Federal Court, upholds the Copyright Tribunal's 2007 decision, and confirms the Nightclub and Dance Party schemes currently in operation. The new rate of \$1.05 per person will see a welcome increase in returns for artists and labels.

Should you have any further questions about the changes, please contact PPCA on (02) 8569 1100.



FAQ

What's the difference between PPCA and APRA?

There are at least two copyrights in each sound recording or music video:

- First, there's the copyright in the composition (that's the notes and lyrics) which is called the 'musical work'; and
- Secondly, there's the copyright in each recorded version of the usually produced by an artist and their record company.

So every time a recording is played in public, there are two licence fees to be paid - one goes to APRA which passes the money on to the person or people who composed and published the work. The other goes to PPCA which passes the money onto the sound recording copyright owner (usually the record label) and featured Australian performers registered under PPCA's Artist Direct Distribution Scheme.

If you are both the songwriter and featured Australian performer on a recording, then you may have to register with both APRA and PPCA.

Why is my APRA cheque so much more than my PPCA cheque?

This is a very commonly asked question and there are a number of reasons why PPCA's collections are substantially lower than those of APRA. These include limitations in the Copyright Act which apply to sound recordings (PPCA), but not to musical works (APRA). These include:

- A cap on the licence fees payable by radio broadcasters (including the ABC);
- The inability to grant licences for US recordings; and
- The inability to grant licences to premises playing only the radio or TV (except music on hold).

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