

welcome...

The end of another year is upon us. It's a good time to pause for thought and reflect on the year that was.

2014 has been a great year for Australian music both at home and abroad and PPCA has continued to do all it can to support our local artists.

We recently sponsored the Breakthrough Artist - Release award at the 28th Annual ARIA Awards on 26 November. This was the fourth year in a row we've provided sponsorship for this award. I congratulate Mullumbimby's Iggy Azalea on taking out the prize. She's a perfect example of a homegrown musician doing big things on the global stage.

I was also on-hand to present the Breakthrough Independent Artist Of The Year award to Brisbane band Sheppard at the ninth annual Carlton Dry Independent Music Awards in Melbourne. It was our first time sponsoring a prize at the Independent Music Awards and I'm also happy to say that PPCA will return as the sponsor of the same award in 2015.

Sponsoring these awards is a fantastic way of recognising the high quality of new musical talent our country produces every year. I can't wait to hear the plethora of new sounds that New Year promises to bring.

On behalf of myself and the hard-working PPCA staff, I'd like to wish you a safe and happy holiday season and we look forward to working with you again in 2015.

All the best,

Dan Rosen
CEO, PPCA



PPCA sponsors ARIA Award for 'Breakthrough Artist - Release'

PPCA was proud to sponsor the 'Breakthrough Artist - Release' award at the 28th Annual ARIA Awards. Mullumbimby-raised hip hop star Iggy Azalea took out the award for her debut album *The New Classic*. We were thrilled to be sponsoring this award for the fourth consecutive year; it's a great way for us to continue to support Australia's emerging musicians and their ongoing career development.

The nominees for the 2014 'Breakthrough Artist - Release' award were:

5 Seconds Of Summer - 5 Seconds Of Summer

Andy Bull - Sea Of Approval

Chet Faker - Built On Glass

Iggy Azalea - The New Classic

The Kite String Tangle - Vessel EP



Illy and Charli XCX present the Breakthrough Artist - Release award at the 28th ARIA Awards

It was also a big night for PPCA-registered artists with Sia, 5 Seconds Of Summer, The Wiggles, Chet Faker, Sheppard, Neil Finn & Paul Kelly, John Butler, Hilltop Hoods, Peking Duk, Kasey Chambers.

The 28th Annual ARIA Awards ceremony took place on 26 November at the Event Centre at The Star, Sydney and were broadcast nationally on Channel Ten.

Sheppard take out PPCA-sponsored Independent Music Award

PPCA would like to congratulate Brisbane band Sheppard, who took out the Breakthrough Independent Artist Of The Year Award at the ninth annual Carlton Dry Independent Music Awards, held in Melbourne on 8 October.



Sheppard win Breakthrough Independent Artist Of The Year Award at the 9th Carlton Dry Independent Music Awards

Staged by the Australian Independent Record Labels Association (AIR), the 2014 running of the awards was the first time PPCA had provided sponsorship for a specific category. We're pleased to announce that PPCA will again be sponsoring the Breakthrough Independent Artist Of The Year Award when the Carlton Dry Independent Music Awards are held in 2015.

PPCA & Australia Council Grants Update



In late 2013, PPCA partnered with the Australia Council to offer five one-off Recording Artist Grants. The Grants, of up to \$15,000, were implemented to assist Australian artists with new sound recordings.

Nearly a year on from the first announcement of grant recipients and with another five soon to be announced, PPCA spoke to Melbourne singer-songwriter Courtney Barnett's manager Nick O'Byrne about the grant-funded recording of Courtney's debut full length album with her live band Dave Mudie, and Andrew 'Bones' Sloane and co-producers Dan Luscombe and Burke Reid.

What were the major benefits or outcomes of your project?

The major outcome of the project was 13 completely recorded and mixed songs ready for mastering. These songs will form Courtney Barnett's debut album - set for release in March 2015.

The album has the working title Sometimes I Sit And Think, And Sometimes I Just Sit.

The band is of the firm belief that the method they used to record the album (10 days in a row with long, long hours with two producers) helped to create an environment of productivity, creativity and inspiration. The band is very proud of the final result and at the time of writing this grant report, there is a world-wide release strategy in place taking into account the USA, UK and Australia.

This LP is Courtney Barnett's first full-length body of work. It is holistic, shows artistic and creative vision and sounds fantastic. Without this grant the band would not have been able to record the album in one go, instead recording sporadically throughout the year under more pressure with a much smaller budget.

What were the successes and challenges of your project?

This was the first time that the band had spent a significant amount of time in the studio together. They worked long hours - often from 11am through to 2am or 3am the next day. Previous recording sessions by the band have only lasted 1-2 days and have been a far less intense experience.

This 10-day of schedule was exhausting but Burke Reid is an exceptional task-master, helping to draw out consistently good performances from the artists and pushing each musician. The sessions were taxing on relationships between the band-members. The nature of recording like this requires repetition, patience, a lot of downtime and then some intense moments of inspiration and creativity. These issues of morale were surprisingly the biggest challenge during this process.

While Burke's MO was strict, his co-producer Dan Luscombe added more creative musicality to the producer's role. Courtney and her band were delighted at the combination of both producers, each bringing something different but totally necessary to the process.

The band did a LOT of pre-production on these songs but when they entered the studio at the start of the process there was still a lot of workshoping of parts and lyrics to do.

Originally the booking of HeadGap was for the hours of 10am to 10pm but Burke Reid insisted on working late into the night - especially if the members of the band were in the middle of recording certain parts or songs.

The band chose HeadGap as a studio because they felt comfortable there; it was a quality studio in close proximity to their homes. The studio was missing some important equipment so the band and producers had to hire certain compressors, keyboards and pedals from other studios.

We'll have information about the progress made by other grant recipients, including release dates, in future editions of On The Record.

Sounds Australia taking Australian music to the world

Sounds Australia



PPCA has long been a proud supporter of Sounds Australia and the work that it does in showcasing home-grown talent on a global scale.

In recent years, Sounds Australia have amped up the Australian music presence at key international music industry events, including South by Southwest Festival (Austin, TX), The Great Escape (Brighton, UK), Music Matters (Singapore), CMJ Music Marathon (NY), Liverpool Sound City (UK), Canadian Music Week (Toronto), Americana (Nashville), Folk Alliance International (Memphis) and MIDEM (Cannes).

It's given Australian artists an opportunity to showcase their talent, network with industry leaders and receive music business advice from experts from different parts of the world.

Want more information about Sounds Australia? Head to soundsaustralia.com.au

What's happening with radio simulcasting?

We've provided you with a number of updates on the simulcasting matter, which is yet to be completely resolved. To quickly recap:

- PPCA has longstanding broadcast licences in place with commercial radio broadcasters. Those broadcast licences are on what PPCA considers a very low rate, particularly in comparison to rates paid to APRA and broadcast rates for recordings in other comparable territories such as New Zealand, Canada and the UK. One reason for that disparity is the statutory 1% cap, which applies only to sound recordings. Despite our best efforts over many years, successive governments have failed to act to remove this constraint on our capacity to obtain a fair return for the use of recordings by radio.
- Some years ago radio broadcasters began to also simulcast their stations over the internet. PPCA contended that this internet simulcast activity was not covered by the existing broadcast agreements, and additional licences were required. Such licences would not fall under the pre-existing statutory caps that continue to apply to radio broadcasts.
- Commercial Radio Australia (CRA), on behalf of its members, contested this view and the issue was then subject to litigation. In 2013 a unanimous decision of the Full Federal Court of Australia confirmed that an internet simulcast is not a broadcast, and separate licences were indeed required.
- CRA then attempted, unsuccessfully, to have the High Court of Australia reconsider the issue.
- Having established the principle PPCA then sought to negotiate with CRA to establish a licensing scheme for

internet simulcasting by commercial broadcasters.

As broadcasters were continuing to simulcast without the benefit of a licence PPCA then referred a proposed licence scheme to the Copyright Tribunal of Australia.

- In December 2013 the Copyright Tribunal established an interim scheme which commercial broadcasters could access if they wished to continue to simulcast while the Tribunal determines what the ultimate scheme should be. Most metropolitan broadcasters took advantage of the interim scheme, but the majority of regional broadcasters switched off their simulcasts and all commercial broadcasters, in concert with CRA, have since lobbied government extensively to have the law changed to remove the requirement for them to have a licence to simulcast.
- The Tribunal matter proceeds, and hearing dates have been set down for late March 2015. Both parties have prepared and lodged extensive evidence, which will be examined during the 2015 hearing.

This has been a long and expensive process, which we hope will be successfully concluded next year. PPCA believes that the capacity to expand traditional broadcast businesses into the online market is critical to commercial broadcasters, and remains committed to achieving reasonable licence fees for this use of your valuable recordings. Ideally the matter will be resolved by negotiation between the parties but, failing that, the Copyright Tribunal will fulfill its role as independent arbiter for copyright licensing schemes, and determine the rate and other terms for this use. We will continue to keep you advised of progress.

Its distribution time!

At this time of year the PPCA Distribution team is working harder than ever, to get your annual distributions to you before the end of the year. By the 31st of December we will be distributing almost \$33M dollars to PPCA Licensor Labels and Registered Artists, for the year ending June 2014.

It seemed a good time to remind you what is and isn't included in the PPCA distribution. As you will all know PPCA operates on a non-exclusive basis, which means that users of recordings are free to approach rights owners directly for licences if they prefer, rather than taking advantage of the blanket PPCA licence offerings. Note that, at present, neither commercial or subscription television broadcasters have broadcast licences in place with PPCA for music video clips. Currently the distributions covering music videos are predominantly for the ABC (which does have a video clip broadcast licence with PPCA) and for the many commercial venues that have licences for the music video clips they exhibit on their premises (for example, from video jukeboxes).

Similarly on demand streaming services (such as Spotify and Deezer) are not licensed by PPCA, and nor are download services such as iTunes or BigPond. Licence fees for some customised streaming services (as opposed to on demand) such as iTunes Radio and Pandora are included in this distribution. If you have questions about what services are or aren't licensed by PPCA from time to time, just drop the Distribution Team a note at distribution.mail@ppca.com.au

PPCA is delighted to once again be passing significant sums back to our Licensors and Registered Artists. We hope our hard work will lead to even larger distribution payments next year!

Connect with us on Facebook and Twitter

Keep up to date with all the essential PPCA news and industry information for artists and licensors.



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Twitter: twitter.com/ppca

Changed UK position on payments to Australian artists

As some of you may already be aware, in 2013 the UK Government made further changes to its approach for assessing whether foreign countries are “qualifying countries” for the purpose of rights in performances. Under the UK Government’s new approach, Australia is no longer a qualifying country for performers claiming equitable remuneration from PPL. It appears that the change is being made to acknowledge the fact that the 2005 legislative amendments introducing performer’s copyright in Australia allowed for alternative situations – including both those where performers retain such rights personally, and those where the rights are assigned to someone commissioning the recording. As the Australian law allows for different scenarios, the same assumptions can’t be made about the ownership of the performer’s rights. This applies to all recordings made in Australia or by Australian citizens or residents after 1 January 2005.¹

The UK change is applied for the first time by PPL in respect of the exploitation period from 1 January 2013 to 31 December 2013, and you may have already noticed this change in any recent reporting from PPL.

Australian performers may continue to qualify for equitable remuneration from the UK depending upon the circumstances in which they have given their recorded performances. For example, if they recorded a performance in a qualifying country such as the UK, they will remain eligible for equitable remuneration from PPL in respect of the public performance or broadcast of that recorded performance.

PPCA is currently investigating this issue, to see if there are any opportunities to have the UK government reconsider its change in position.

We have always encouraged recording artists to register with PPL, to obtain direct payments wherever possible, and also to take advantage of PPL’s potential to collect on your behalf from other European territories. Despite this recent change in the UK government’s position, which impacts payments relating to income generated within the UK, we still believe that registration with PPL in regard to other European territories is beneficial. At present PPL is able (if authorised by you) to collect for Australian artists in a number of European territories.

Quite separately, if you own or control the master rights in your recordings, you can still register with PPL because the position in relation to sound recording qualification is different and Australian recordings remain fully qualifying for copyright protection in the UK – check out the ‘Become a member’ section of the PPL website at www.ppluk.com. Of course, with any such registrations, we recommend that you exclude Australia, so that you can still get your payments for earnings sourced in Australia directly from PPCA.

¹For sound recordings made before 1 January 2005, the amendments provided (with some exceptions) that copyright in those recordings also would be owned in equal shares by the performer and any other maker (such as a record company), but gave performers very limited rights.

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Photos ARIA, AIR, Getty Images

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



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Finished reading? Pass it on to your music industry colleagues or band mates!

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