

Opt Out and Licence Back

What is an opt out?

As an APRA member, you may request a re-assignment of rights in your entire repertoire for all territories. This is known as an opt out, and allows you to licence certain uses of your works yourself. The opt-out may apply to any or all of the following activities:

- public performance
- broadcasting
- communication to the public
- live performance
- performance by means of film exhibition
- public performance other than live performance (such as background music, fitness centres, and discos or dance parties)
- radio broadcasting
- television broadcasting
- cable television broadcasting
- communication to the public other than broadcasting or cable television (such as music on the Internet and music on hold)

What do I need to do to opt out?

If you wish to opt out, you must provide APRA with the following:

- at least 3 months written notice to take effect either on 1 January or 1 July in any year; and
- written consent from any other parties that have an interest in the works (for example, co-writers and publishers); and
- an indemnity in connection with the exercise of the re-assigned rights.

You can obtain a standard opt-out notice by contacting Milly Petriella in our Member Services Department; tel: 02 9935 7968, email: milly@apra.com.au

What is a licence back?

As an APRA member, you may choose to issue a direct licence for the use of a particular work or works in Australia only. This is different to an opt out (which involves taking your entire repertoire for all territories back from APRA), and it is known as a licence back. A licence back applies to Australia only and can be limited to one occasion only or to a set of occasions.

How do I obtain a licence back?

If you wish to obtain a non-exclusive licence back for a particular work or works for a performance or broadcast to take place within Australia, you must provide APRA with the following:

- written notice at least two months before the performance in question, or - in the case of a television broadcast - at least one month before the sub-licence you grant takes effect;
- all details in writing as required in APRA's standard form;
- a signed consent and indemnity from all interested parties (such as co-writers and publishers); and
- payment of APRA's reasonable costs associated with the transaction.

You can obtain a standard APRA licence back notice and the schedule of applicable fees by contacting Milly Petriella in our Member Services Department; tel: 02 9935 7968, email: milly@apra.com.au

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