



Irish Copyright
Licensing Agency

Annual Transparency Report 2019-2020

Irish Copyright Licensing Agency CLG

This report has been compiled in accordance with the terms
of the European Union (Collective Rights Management)
(Directive 2014/26/EU) Regulations 2016.



Message from the Chairman

Reporting on the performance of the ICLA in the year ending August 2020 is an eerie task. As a set of financials, they make good reading, but they hide a reality that was deeply uncertain and which has since become much more optimistic both with regards to the pandemic and the fortunes of the ICLA.

COVID performance

During the pandemic Sam and her reduced team kept the show on the road remarkably well. The money came in above budget (€1.90m), distributions were up (€1.61m) and made on time and we saw the beginnings of electronic data from 3rd level institutions. Covid employment supports as well as reduced travel and postage kept our costs below expectations (down 25% on 2018, to €287k) and resulted in our cost/income ratio sinking to a flattering 15.1%, a figure that sets a tough target for the future.

New Licence Approved

It's sometimes the case that we forget, after moments of deep crisis, quite how serious a trauma was. For a while during this period there was a very real risk that the ICLA might lose its ability to license at all, and that the very future of the ICLA as we know it was in jeopardy. Sam, Linda Scales, Georgina Bentliff and I fretted over many zoom calls, with stakeholders and the Departments of Business and Education before submitting our new education licences, including phased fee increases, for ratification. The wait was interminable but thankfully in the end they were approved and the future for the ICLA now perhaps looks brighter than ever before.

Miscellaneous

During the uncertainties of this period, a plan to distribute €500k of non-distributed funds was paused pending the outcome of the licensing issue. However, now that data is improving and licence fee revenue more secure, all parties agree that accelerating our distributions is in everybody's interest and I expect to see measurable improvements before the end of calendar year 2021.

An encouraging spin-off from the licence negotiations has been greater communication with representatives of the HE sector and with the Department of Education. I do hope that these links can be maintained into the future, as indeed has begun with the formation of a Consultation Forum with HE.

The Strategic Plan 2020-2022 was still a work in progress during this period but should provide useful guidance for the future as well as define a set of near-term priorities for the team.

Thanks, never more so than now, to Sam and her team for showing tremendous resilience during these extraordinary times.

Jonathan Saint

Chair 07.05.2021

Annual Summary by the CEO

2019 was a challenging year and 2020 perhaps even more so. However, we have managed to complete our strategic review and doing so during the challenges of working from home in a pandemic and with the realisation that the business world is shifting on its axis has in retrospect been a benefit.

We have successfully rolled out the new Education Licences across Primary, Post-Primary, Further and Higher Education and these have been broadly welcomed by the sector. We will be concentrating on supporting educational institutions in getting the best value from the new licences, especially as the lessons of teaching and learning during the pandemic evolve into new methodologies and flexibilities.

We continue to work with our international partners to strengthen the copyright landscape and ensure that Irish rightsholders are protected worldwide. 2021 sees the transposition of the Digital Single Market Directive with its strengthened protections for authors and opportunities for licencing in new areas, such as the introduction of the press publishers right and the Out of Commerce Works licence opportunity.

We will continue to meet these challenges and make the most of the opportunity to build stronger customer relationships and create better awareness of copyright and licensing which in turn ensures the viability of writing and publishing in Ireland. We are also delighted to continue our agreements with PLR in the UK and Ireland to distribute payments to authors and Playography for the download of dramatic works.

As we look towards our 30th anniversary in 2022, we are in the process of developing a new brand identity and implementing our strategic plan. I would like to thank the ICLA board for their guidance and oversight, particularly at a time of technological development and change in business practice.

I would also particularly like to thank the ICLA team for their dedication and support. They have shown remarkable resilience and flexibility during the now very long months of working remotely and we look forward to coming back together, at least somewhat, as a team from September in our COVID-proofed space. I also want to thank Linda Scales, Georgina Bentliff and Jonathan Saint for their support and expertise as we continue to prove that successful teamwork doesn't have to be in person!

We look forward to celebrating 30 Years of ICLA in 2022 and to introducing you to our new updated brand.

Samantha Holman

CEO

About ICLA

We are the Irish Copyright Licensing Agency and we were set up by copyright owners to facilitate legal access for content users to a wide range of published content whilst ensuring that the content owners are appropriately remunerated.

For nearly 30 years we have been providing rights and licenses to educational institutions and corporate customers. Our blanket licences allow customers to copy and share extracts from published content without having to seek permission from the copyright owners each time. We are seeking new partnerships to facilitate easy access to relevant content in these sectors.

We are a not-for-profit organisation, so our revenue is paid out to copyright owners, such as authors, publishers, visual artists, photographers and playwrights.

Legal & Governance Structure

ICLA is a collective management organisation (CMO) established by the Irish Writers Union and the Irish Publishers Association, Publishing Ireland. Members are nominated by the IWU and PI to represent the different categories of rightsholders and the members elect a board of directors.

ICLA is a company limited by guarantee and governed by a Board of Directors.

From May 2017 there have been seven board members, three author directors and three publisher directors with an independent chair. Up to May 2017 there were four author directors and four publisher directors with a rotating chair.

Authority is received through individual mandates from authors and publishers and through representation agreements with visual artists and CMOs.

Membership of Other Bodies

During this financial period ICLA has been a member of or affiliated to the following bodies:

- International Federation of Reproduction Rights Organisations (IFRRO)
- International Authors Forum (IAF)
- International Publishers Association Educational Publishing Forum (IPA)
- International Standard Name Identifier (ISNI, Member)

Relationship with Other CMOs

We have contractual relationships with other CMOs whereby we act in two particular capacities:

1. Representation Agreements with overseas CMOs

We have reciprocal agreements with overseas CMOs which enable us to include their repertoire in ICLA licences sold in the Republic of Ireland and for our repertoire to be included in licences sold in their territories overseas. We also have a number of unilateral agreements with overseas CMOs which permit us to distribute money collected overseas under statutory or extended collective licence schemes for Irish copyright owners where such schemes do not exist under Irish legislation.

2. Agency Licensing Agreements with CMOs in Ireland and the UK

We also act as agents for other CMOs in selling their repertoire in a joint licence where we have an established presence in a market and well-developed relationships. In 2019/2020 we represented:

- a. Newspaper Licensing Ireland (NLI) in the field of Education and Overseas
- b. NLA Media Access Ltd (NLA) in the field of Education

Deductions for Social, Cultural and Educational Services

ICLA, as per the Distribution Policy, maintains support for writers, affiliated organisations and charities following criteria put forward by the Board and agreed by the General Assembly. In the financial year 2019/2020 we have supported the Dublin Book Festival, Children's Books Ireland Reading Campaign, The Robert Dunbar Memorial Library and The Zebbie Awards.

Activities separate to normal collective rights management activities

ICLA did not undertake any activities other than collective rights management.

Information on refusals to grant a licence

We have not refused to grant any licences in the period of this report.

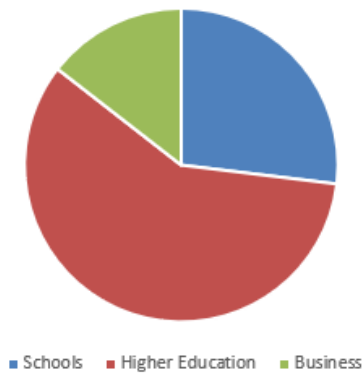
Financial Statements

The financial statements for the financial year 2019/2020 are also published on our website and available in the Companies Registration Office.

A summary of financial activities for the financial year is set out below:

Domestic Reprographic Income by Source

Domestic Income Aug 2020



Domestic income source

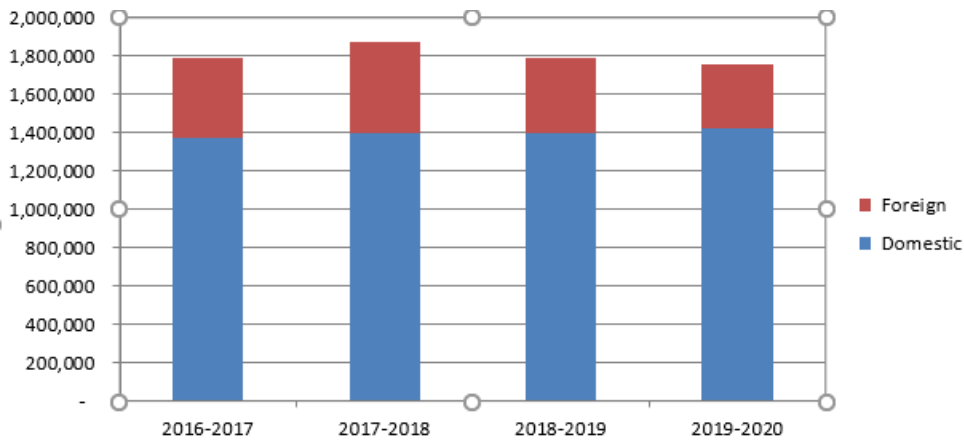
Schools – 26.9%

Higher Education – 58.5%

Business – 14.4%

Total Income: €1,418,773

Total Reprographic Income



Percentage of Domestic vs Foreign Income

YE 2016	70%	30%
YE 2017	77%	23%
YE 2018	75%	25%
YE 2019	78%	22%
YE 2020	81%	19%

Financial Information on Rights Revenue

Sector licence analysis

Sector	Income YE August 2020	Available for Distribution*	Admin Cost YE August 2019	Allocated	Distributed	Unallocated
Schools	381,987	314,684	67,909	314,684	314,684	-
HE	831,253	684,791	146,462	584,230	585,678	-
Other	205,572	169,352	36,220	169,352	169,352	-
PLR	148,714	148,714	-	148,714	148,714	-
International	299,057	261,675	46,758	261,675	261,675	-
Total	1,866,583	1,579,216	297,349	1,478,655	1,480,103	

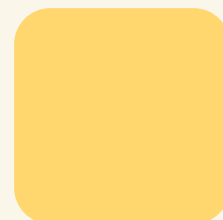
Geographical source analysis

CMOs	Income from CMOs	Distributed to CMOs
Ireland	104,976	85,443
Europe	254,476	358,398
Rest of the World	44,581	144,232
Total	404,033	588,073

Remuneration of Chief Executive Officer and Board of Directors

	2020	2019
Directors at year end	7	7
CEO		
Emoluments and other remuneration	€62,600	€62,600

There are no fees paid to non-Executive Directors.



The Irish Copyright Licensing Agency CLG

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