

# Annual Transparency Report 2020-2021

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

The ICLA performed well this year negotiating the ongoing challenges of COVID and finalising a three-year strategic plan to help prioritise the efforts of the organisation into the future.

COVID has continued to impact both positively and negatively. The staff have felt the brunt of the challenge with isolated working conditions affecting communications and team dynamics, but a hybrid return to the office evolved during the year. Greater use of email communications rather than post to support licensing has had a cost benefit although the ICLA did not qualify for the second round of financial COVID supports. The temporary expansion of licence limits offered by some of our rightsowners to support online learning had a positive impact on our users.

Thankfully, fee income has been steady, which has allowed the ICLA to make over €1.4m in distributions in the year, only slightly down on last year. The increased quality of data emerging from the digital content platforms now in use in a growing number of third level institutions is making distributions to rightsholders more accurate and is an encouraging trend for the future.

This year also saw the finalisation of the ICLA Strategic Plan 2020-22. This plan is result of careful consideration from the Board and Sam's team, as well some former board members and external consultants. The Plan sets down for the first time Vision, Mission and Values statements for the ICLA as well as identifying four strategic priorities for the medium term:

- Securing the core business
- Communication
- Operational excellence
- Investment for sustainable growth

These priorities each have detailed plans associated with them and now provide useful guidance and a reference point for decision-making into the future.

Pleasingly the costs of the ICLA have been well controlled, notwithstanding that they are up on the previous year due to the end of COVID wage supports and a €21k investment in new branding and the website review, a key priority under the Strategic Plan. The cost/income ratio, a key metric used to guide the scale of the organisation was a very sound 17.3%

Thanks as always to Sam and her team, as well as to members of the Board who have not met in person for some time now and whose guidance and service to the ICLA remain of huge benefit.

Jonathan

**Jonathan Saint**

Chair August 2022

## Annual Summary by the CEO

2021 saw ICLA building on the experiences of the previous year and continuing to work successfully in a hybrid manner as we came out of the emergency phase of the pandemic. 2021 also saw the exciting launch of our new branding with its aim to make information about copyright and support for the licences more accessible. We have also set down our strategic plan which will guide us through the possibly greater challenge of exiting the pandemic environment.

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 saw 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.

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 the transition to hybrid working. It has been wonderful to come back together as a team in person on a weekly basis. I also want to thank Linda Scales, Georgina Bintliff and Jonathan Saint for their support and expertise as we continue to prove that successful teamwork doesn't have to be in person!

Samantha

**Samantha Holman**

CEO August 2022

## 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 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 2020/2021 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 2020/2021 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

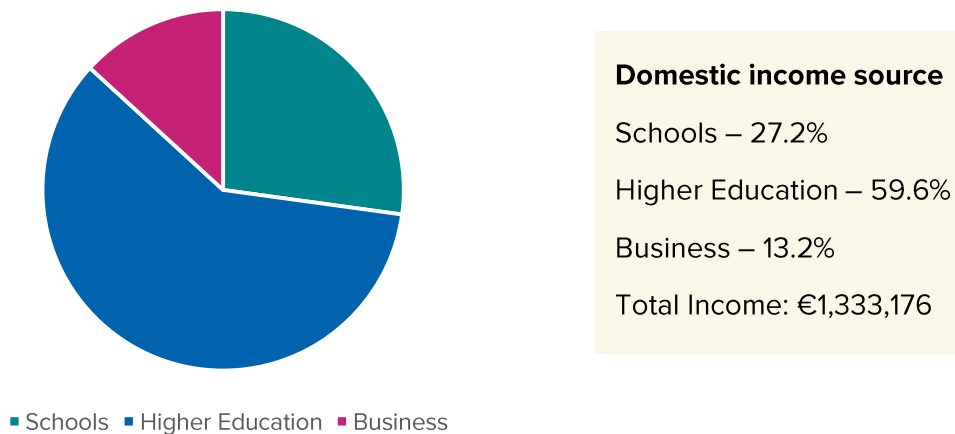
We have not refused to grant any licences in the period of this report.

## Financial Statements

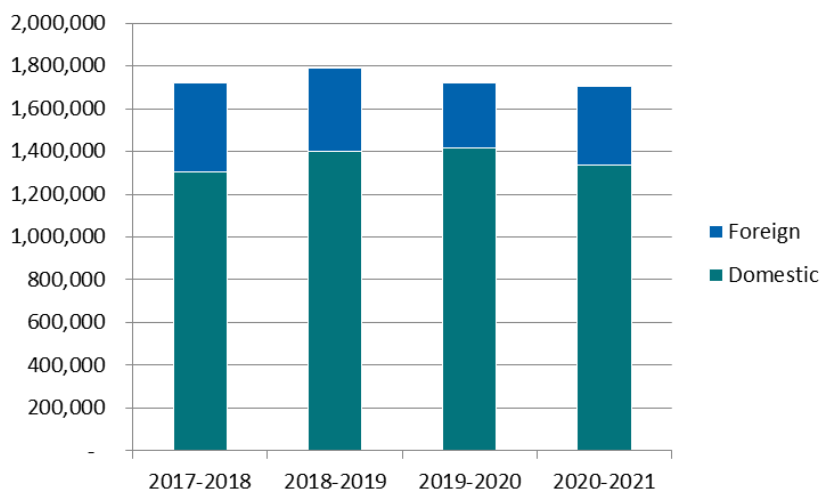
The financial statements for the financial year 2020/2021 are also published on our website and available in the Companies Registration Office.

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

### Domestic Reprographic Income by Source



### Total Reprographic Income



### Percentage of Domestic vs Foreign Income

YE 2018	75%	25%
YE 2019	78%	22%
YE 2020	81%	19%
YE 2021	78%	22%

## Financial Information on Rights Revenue

## Sector licence analysis

Sector	Income YE August 2021	Available for Distribution*	Admin Cost YE August 2021	Allocated	Distributed	Unallocated
Schools	326,289	288,328	73,961	288,328	288,328	-
HE	794,890	632,615	162,275	632,615	569,354	-
Other	178,671	142,196	36,475	142,196	142,196	-
PLR	140,006	140,006	-	140,006	140,006	-
International	367,208	321,307	45,901	321,307	321,307	-
<b>Total</b>	<b>1,843,064</b>	<b>1,524,452</b>	<b>318,612</b>	<b>1,461,191</b>	<b>1,461,191</b>	

## Geographical source analysis

CMOs	Income from CMOs	Distributed to CMOs
Ireland	126,781	87,235
Europe	299,928	372,611
Rest of the World	67,280	150,261
<b>Total</b>	<b>493,989</b>	<b>610,106</b>

## Remuneration of Chief Executive Officer and Board of Directors

	2021	2020
Directors at year end	7	7
<b>CEO</b>		
Emoluments and other remuneration	€62,600	€62,600

*There are no fees paid to non-Executive Directors.*



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