

**Annual Transparency Report
2017 – 2018**

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 threat of unfavourable legislative change at European and Irish level has weighed heavily on the agency this year. The ICLA has actively engaged with the Intellectual Property Unit at the Department of Business, Enterprise and Innovation, arguing strongly for improvements to defective draft legislation proposed for the review of the Copyright and Related Rights Act 2000. Recent approval of positive text changes at EU level regarding the Digital Single Market Directive provided an opportunity for a concerted request to delay the Irish legislation once it became clear that the EU Directive would pass, and Ireland would therefore have to ratify that directive by summer 2021 anyway. The ICLA is grateful to support from IFRRO, the IPA and FEP in this campaign. It seems that for the moment, the Irish legislation is stalled, though this may change with little warning.

For the ICLA's core business of collection and distribution of licence fee income, it is pleasing to see that 2017/18 produced another robust year for the ICLA even as pressure continued on foreign income. It is also welcome to note that income in the current year (2018/19) is performing to budget and that a significantly larger distribution is planned to release withheld and undistributable income that has been carried over from previous years.

The Board began the first steps of a strategic review earlier this year and is preparing a 3-year Strategic Plan to guide our forward activity as we reach the 30 year milestone in 2022. Making time to take a broader and more strategic view of the organisation is due. It has annual revenues now of approximately €2m. It is also operating in a changed environment where digital technologies impact on our business in ever-changing ways, some positive but some potentially very negative. The ICLA is still a small, not-for-profit organisation, but nonetheless, must endeavour to position itself to survive and succeed in this difficult environment for the benefit of rightsholders.

I would like to extend my thanks to Sam and her team for their ongoing commitment and expertise and to the Board for its commitment and engagement. A particular welcome to Eugene MacCurtain who joined the Board this year as a Publisher member.

Jonathan Saint, Chairman of the Board
May 2019

Annual Summary by the CEO

2018 saw a number of immediate challenges with the introduction of a stronger GDPR framework and new proposed legislation in the core area of educational licensing and the discussions around the Digital Single Market Directive which reached a conclusion in April 2019. The discussions with the Intellectual Property Unit to introduce legislation prior to the conclusion of the text of the Directive has taken up a considerable portion of the year and we look forward to further consultation with the transposition of the now final text of the Directive.

There has also been the transposition of the Marrakesh Treaty into Irish law to facilitate improved access to content for the print-disabled community and we look forward to working with the IEPA and other stakeholders in this area.

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 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 was delighted to be able to assist in the launch of Tony Farmer's book *The History of Irish Book Publishing* at the Dublin Book Festival in November 2018. I would also like to thank the ICLA team for their dedication and support.

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 more than 25 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.

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 2017/2018 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 2017/2018 we have supported the Dublin Book Festival, Children's Books Ireland Reading Campaign, The Robert Dunbar Memorial Library, Words Ireland WorldCon 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

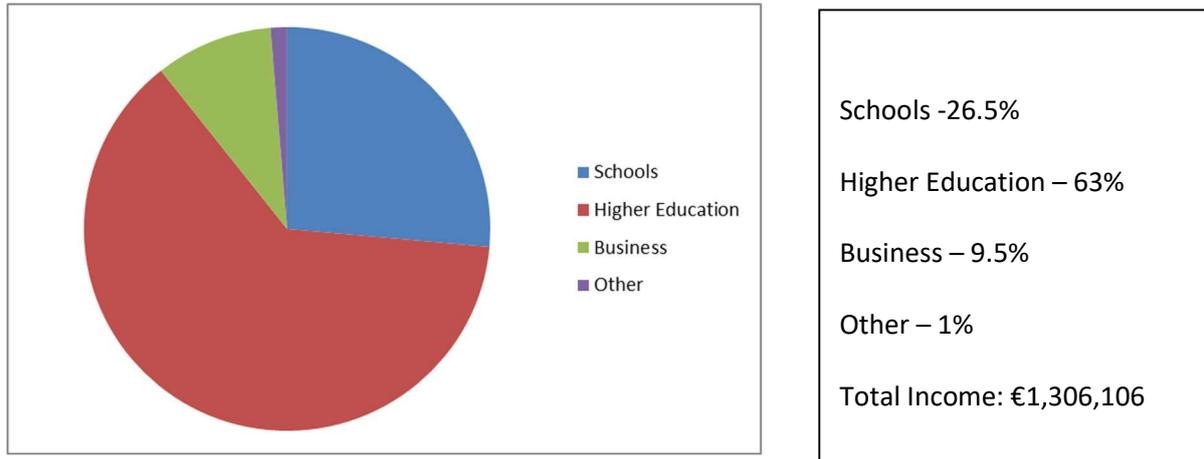
We have not refused to grant any licences in the period of this report.

Financial Statements

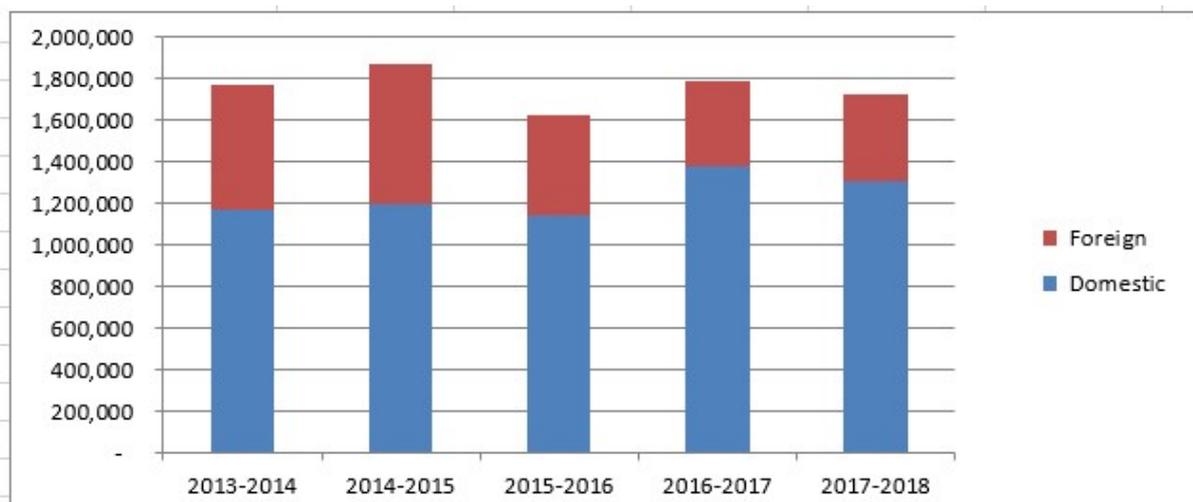
The financial statements for the financial year 2017/2018 are published on our website and available in the Companies Registration Office.

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

Domestic Reprographic Income by Source



Total Reprographic Income



Financial Information on Rights Revenue

Sector	Income YE August 2018	Available for Distribution*	Admin Cost YE August 2018	Allocated	Distributed	Unallocated
Schools	345,081	253,721	91,360	253,721	243,572	
HE	821,799	604,229	217,570	1,104,412**	1,015,811	60,423
Other	139,226	103,910	35316	103,910	103,910	-
PLR	164,322	164,322	-	164,322	164,322	-
International	415,263	363,355	51,408	363,355	313,199	50,156
Total 2017-18	1,885,691	1,489,537	395,654	1,989,720	1,840,814	110,579

CMOs	Income from CMOs	Distributed to CMOs
Ireland	43,246	86,671
Europe	336,994	296,531
Rest of the World	78,269	113,298
Total 2017-18	458,509	496,500

*Money available for distribution is based on income in the previous financial year (YE August 2017)

** Money reallocated from three-year cycle of undistributed and unallocated income

Remuneration of Chief Executive Officer and Board of Directors

	2018	2017
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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