

# COPYRIGHT LICENSING LIMITED CODE OF CONDUCT

## A. INTRODUCTION

### 1. COPYRIGHT LICENSING LTD

Copyright Licensing Ltd (CLNZ) is part of a global network of copyright collectives that provide centralised licensing services for the reproduction of extracts from published works. We make it easier for those copying from books, journals and periodicals to get clearance to legally access a worldwide repertoire of works.

CLNZ provides services to rightsholders (publishers and authors) and those wishing to copy copyright works. We promote the creation and dissemination of copyright material, act in the interests of rightsholders and facilitate legal access to copyright material.

As a non-profit organisation, all licensing revenue is returned to rightsholders after deduction of operating costs and a contribution to the CLNZ Cultural Fund (used to fund Writers' Awards, Grants and other cultural and social benefits for rightsholders) and a contribution to the CLNZ Legal Reserve Fund (used to fund claims on the indemnity provided in CLNZ licenses and legal actions where a group or groups of rightsholders will benefit).

The Code of Conduct (the Code) sets out the standards of service that rightsholders and licensees can expect to receive when dealing with CLNZ. The Code promotes awareness of and access to information about CLNZ and the role and function of Reproduction Rights Organisations (RROs) in administering copyright on behalf of rightsholders.

The objective of this Code of Conduct is to promote best practice in CLNZ's operations and develop stakeholder confidence in CLNZ. It embodies the principles and values held by CLNZ, its Board and staff.

### 2. PURPOSE and VISION

The Purpose of the Company is to *provide access to content through licensing solutions that deliver value to our customers – those who create and those who license.*

The Vision of the Company is that *we contribute to the growth of New Zealand's creative economy by enabling access to a world of content.*

### 3. CULTURE

CLNZ's culture is one of supporting and promoting the interests of publishers and authors by:

- Encouraging copyright compliance through licensing;
- Advocating for copyright law that supports their interests and is in line with international conventions and trends;
- Raising awareness of and encouraging respect for copyright;
- Taking action where copyright infringement is identified;
- Providing efficient and effective licensing services.

#### **4. VALUES**

CLNZ will:

- Maintain fair, equitable, impartial, honest and non-discriminatory relationships with rightsholders, licensees and other parties;
- Respect copyright, contracts and applicable national and international laws;
- Act with integrity in the collection and distribution of funds received;
- Minimise its costs while providing efficient services to publishers, authors and licensors of copyright.

**In order to give effect to these values, CLNZ aspires to:**

- Being responsive to the needs of its rightsholders and licensees;
- Achieving efficiency in the process of allocating and distributing payments; and
- Being accountable, ensuring transparency and striving for best practice in the conduct of its operations.

#### **B. CODE OF CONDUCT**

##### **5. GENERAL**

CLNZ will:

- 1.1 Act according to its constitution as well as applicable national and international laws;
- 1.2 Provide information about its operations that is clear and easy to understand;
- 1.3 Educate and train its staff to meet the standards of this Code;
- 1.4 Work to maintain, protect and value copyright laws where required and appropriate;
- 1.5 Organise and publicise appropriate procedures to manage complaints and resolve disputes;
- 1.6 Deal with confidential information appropriately, respecting agreements and applicable laws while respecting privacy rights of rightsholders and licensees.

##### **6. REPRESENTATION OF RIGHTSHOLDERS**

CLNZ will:

- 2.1 Have open representation for all eligible rightsholders in accordance with applicable national and supranational laws, including competition law;
- 2.2 Ensure that its dealings with its stakeholders are transparent by publicising and explaining operations, practices and procedures.

##### **7. RELATIONSHIPS WITH RIGHTSHOLDERS**

CLNZ will:

- 3.1 Manage its relationships with rightsholders efficiently, equitably and impartially;
- 3.2 Treat all rightsholders in accordance with applicable statutes and national laws;
- 3.3 Collect and distribute remuneration in a diligent, efficient and transparent manner;

3.4 Explain clearly and regularly the basis of our operations.

## **8. RELATIONSHIPS WITH LICENSEES**

CLNZ will:

- 4.1 Manage its relations with licensees and their representatives efficiently, equitably and impartially;
- 4.2 Collect payments in a diligent, efficient and transparent manner;
- 4.3 Explain clearly the source and content of its repertoire.

## **9. DISTRIBUTION POLICY**

- 5.1 All net licensing revenue received by CLNZ will be distributed to rightsholders:
  - efficiently and expeditiously;
  - approximating actual use as far as possible;
  - transparently, by publicising distribution plans which explain the manner and frequency of payments with sufficient detail;
  - in accordance with applicable national and international laws.
- 5.2 CLNZ will clearly explain the management of funds not yet distributed.
- 5.3 Rightsholders are informed of any amounts deducted from licensing revenue to cover CLNZ's expenses and operating costs which:
  - are proper and reasonable and in proportion to their actual efforts; and
  - accord with and are authorised by applicable statutes and any relevant national laws.
- 5.4 CLNZ deducts allocations for social, cultural and legal purposes from its domestic licensing revenue. The authorisation for, and the amount and nature of the allocation, is clearly explained to the rightsholders concerned.
- 5.5 Any disputes relating to the distribution of CLNZ's licensing revenue shall be dealt with in accordance with clause 12 of its Distribution Policy.