



Australian Government

Department of Education, Employment and Workplace Relations

CUSMGT402A Administer music publishing income

Revision Number: 2

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Modification History

Release	Comments
Release 2	Created to fix formatting errors only. Released with CUS09 Music Training Package version 1.2

Unit Descriptor

This unit describes the performance outcomes, skills and knowledge required to calculate, collect and distribute publishing income.

Application of the Unit

Music publishers, employees of collection societies and artist managers apply the skills and knowledge outlined in this unit. Collection societies, such as the Australasian Performing Rights Association (APRA) collect licence fees for the use of music by broadcasters and other entities, and distribute them as royalties to music copyright holders. These could be songwriters, composers or music publishing companies. Skills associated with negotiating and administering artists' royalty income derived from recordings of performances are covered in:

- CUSMGT404A Administer artists' royalty income.

Licensing/Regulatory Information

No licensing, legislative, regulatory or certification requirements apply to this unit at the time of endorsement.

Pre-Requisites

Not applicable

Employability Skills Information

Not applicable

Elements and Performance Criteria Pre-Content

<i>Elements describe the essential outcomes of a unit of competency.</i>	<i>Performance criteria describe the performance needed to demonstrate achievement of the element. Where bold italicised text is used, further information is detailed in the required skills and knowledge section and the range statement. Assessment of performance is to be consistent with the evidence guide.</i>
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Elements and Performance Criteria

ELEMENT	PERFORMANCE CRITERIA
1. Establish publishing agreements	<p>1.1 Calculate <i>publishing income</i> in line with publishing agreements, copyright legislation and <i>industry association agreements</i></p> <p>1.2 Negotiate and confirm <i>royalties</i> arising from the use of published <i>works</i> on behalf of <i>originators</i></p> <p>1.3 Ensure royalty negotiations accurately and fairly reflect the commercial stature of originator</p> <p>1.4 Discuss, confirm and document <i>publishing agreement</i> with originator</p> <p>1.5 Ensure <i>terms and conditions</i> are agreed and incorporated into publishing agreement</p> <p>1.6 Ensure commercial interests of originator and publisher are balanced and clearly articulated</p>
2. Collect and disperse publishing income	<p>2.1 Notify relevant <i>agencies</i> of publishing agreement</p> <p>2.2 Use standard administration procedures of relevant agencies to accurately and promptly report the use of published works</p> <p>2.3 Use relevant software to calculate royalties and apportion income in line with publishing agreement</p> <p>2.4 Distribute royalties to originators in line with publishing agreement</p>
3. Monitor use of published works	<p>3.1 Plan and implement strategies to monitor and report on the use of published works</p> <p>3.2 Monitor and build on <i>attributes</i> of published works</p> <p>3.3 Contact and negotiate with relevant agencies to protect use of published works internationally</p>
4. Maintain accounts for published works	<p>4.1 Update files systematically to ensure currency and accuracy of records and reporting</p> <p>4.2 File new published works and notify relevant agencies promptly</p>

Required Skills and Knowledge

This section describes the skills and knowledge required for this unit.

Required skills

- research skills sufficient to trace and monitor the use and users of published works
- literacy skills sufficient to interpret publishing contracts and agreements
- numeracy skills sufficient to calculate royalty payments and apportion publishing income to originators of published works
- communication skills sufficient to negotiate publishing agreements with originators of published works and negotiate rates for the use of published works
- critical-thinking skills sufficient to analyse the use and users of published works
- initiative and enterprise skills sufficient to identify alternative approaches to monitoring the use of published works
- learning skills sufficient to maintain currency of music licensing knowledge
- planning and organisational skills sufficient to report on the use of published works
- problem-solving skills sufficient to address discrepancies in royalty calculations
- self-management skills sufficient to assess and prioritise own workload
- teamwork skills sufficient to build and maintain networks and relationships with originators and users of published works
- technical skills sufficient to use licensing and/or accounting software

Required knowledge

- copyright legislation as it relates to licensing, publishing, rights and royalties:
 - Copyright Act 1968
 - Copyright Amendment (Digital Agenda) Act 2000
- revenue structures in the music industry
- types of royalty income due to composers and songwriters
- methods for calculating and distributing publishing income
- rights and obligations of publishers and originators of published works
- role and functions of:
 - industry personnel
 - music retail outlets
 - music publishing companies
 - record companies
 - digital distributors/aggregators
 - national and international music industry associations
- routine bookkeeping and accounting procedures
- typical features, requirements and terminology used in publishing contracts and agreements
- issues and challenges that typically arise in the context of administering publishing income

Evidence Guide

The Evidence Guide provides advice on assessment and must be read in conjunction with the performance criteria, required skills and knowledge, range statement and the Assessment Guidelines for the Training Package.

Overview of assessment	
Critical aspects for assessment and evidence required to demonstrate competency in this unit	<p>Evidence of the ability to:</p> <ul style="list-style-type: none"> • analyse and assess licensing potential of relevant published works • calculate, collect and distribute royalties • negotiate publishing agreements.
Context of and specific resources for assessment	<p>Assessment must ensure:</p> <ul style="list-style-type: none"> • access to copyright and licensing legislation, including the Copyright Act 1968 and Copyright Amendment (Digital Agenda) Act 2000 • access to copyright licensing and accounting software • access to industry association agreements • access to publishers, originators and users of published works • use of culturally appropriate processes, and techniques appropriate to the language and literacy capacity of the candidate and the work being performed.
Method of assessment	<p>The following assessment methods are appropriate for this unit:</p> <ul style="list-style-type: none"> • case studies to assess candidate's ability to negotiate publishing agreements • direct observation of candidate calculating, collecting and distributing publishing income • written or oral questioning to assess knowledge of the process involved in collecting and distributing income from published works • problem-solving activities to assess ability to calculate returns and apportion their distribution.
Guidance information for assessment	<p>Holistic assessment with other units relevant to the industry sector, workplace and job role is recommended, for example:</p> <ul style="list-style-type: none"> • BSBPUR402B Negotiate contracts • CUFCMP301A Implement copyright arrangements • CUSIND401A Develop specialist expertise in the music industry

	<ul style="list-style-type: none">• CUSMGT401A Manage distribution of music and associated products• CUSMGT403A Managelicensing of music• CUSMGT404A Administer artists' royalty income.
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Range Statement

The range statement relates to the unit of competency as a whole. It allows for different work environments and situations that may affect performance. Bold italicised wording, if used in the performance criteria, is detailed below. Essential operating conditions that may be present with training and assessment (depending on the work situation, needs of the candidate, accessibility of the item, and local industry and regional contexts) may also be included.

Publishing income may include:	<ul style="list-style-type: none"> • mechanical income derived from audio-only recordings, such as: <ul style="list-style-type: none"> • retail sales • demo/audition recordings • educational recordings • premiums • ringtones • downloads • print income derived from printed works, e.g. sheet music sales • public performance income derived from publicly performed works, such as: <ul style="list-style-type: none"> • internet downloads • live performances • mobile phone ringtones • radio • television • licensing/synchronisation income derived from audiovisual works, such as: <ul style="list-style-type: none"> • DVD • film • television • video.
Industry association agreements may include:	<ul style="list-style-type: none"> • Physical Product Licence Scheme: Australasian Mechanical Copyright Owners Society (AMCOS) • Joint Licence Scheme: Australasian Performing Rights Association (APRA) and Australasian Mechanical Copyright Owners Society (AMCOS).
Royalties may include:	<ul style="list-style-type: none"> • mechanical • public performance, such as: <ul style="list-style-type: none"> • advertising • aerobic and fitness classes

	<ul style="list-style-type: none"> • background/in-store music • churches • cinemas/film screenings • dance clubs, including mobile discos • dance schools • jukebox and videos • live music venues, e.g. clubs and hotels • radio stations, including commercial, community and narrowcast • ringtone providers • schools • sporting arenas and stadiums • television stations, including public, commercial, community, narrowcast and subscription • webcasters • sheet music • synchronisation: <ul style="list-style-type: none"> • production music • original soundtrack material • prerecorded and released material • third-party goods and services.
Works may include:	<ul style="list-style-type: none"> • songs • jingles • soundtracks • compositions.
Originators may include:	<ul style="list-style-type: none"> • songwriters • composers • arrangers • lyric writers.
Publishing agreement may include:	<ul style="list-style-type: none"> • term publishing • administration deal • single-song assignment • sub-publishing • work for hire.
Terms and conditions may include:	<ul style="list-style-type: none"> • advances • royalty payment schedule: <ul style="list-style-type: none"> • general • public performance/communication • sheet music

	<ul style="list-style-type: none"> • synchronisation and covers • assignment of copyright • creative control • duration, e.g. term and retention • enforcement of rights • goods and services tax (GST) • independent advice • jurisdiction • notices • obligation to exploit • overseas income • productivity commitment • promises and warranties • recoupment • reversion of copyright • termination • territory.
Agencies may include:	<ul style="list-style-type: none"> • Australasian Performing Rights Association (APRA) • Australasian Mechanical Copyright Owners Society (AMCOS) <p>and in certain circumstances:</p> <ul style="list-style-type: none"> • American Society of Composers, Authors and Publishers (ASCAP) • Copyright Agency Limited (CAL) • Harry Fox Agency • Mechanical Copyright Protection Society (MCPS) • Performing Rights Society (PRS) • Phonographic Performance Company of Australia (PPCA) • Soci��t�� des Auteurs, Compositeurs et ��diteurs de Musique (SACEM).
Attributes may include:	<ul style="list-style-type: none"> • nature of promotional usage • intended audiences and audience size • rights granted to licensees • nature of products associated with published work • reputation of originator • success enjoyed by published work • territories in which published works are used.

Unit Sector(s)

Management and leadership - management