



DALRO

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DRAMATIC, ARTISTIC and LITERARY  
RIGHTS ORGANISATION (Pty) LIMITED

# DRAMATIC ARTISTIC AND LITERARY RIGHTS ORGANISATION

- FOUNDED IN 1967.
- As a multi-purpose copyright licensing society administering various forms of copyright on behalf of authors and publishers.
- Main areas of copyright administration are:
  - Reprographic reproduction rights (photocopying from published editions)
  - Public performance rights (stage rights)
  - Broadcast rights (radio and television)
  - Reproduction rights in works of visual art.

# RIGHTS OF THE COPYRIGHT OWNER

- EXCLUSIVE RIGHT TO COPY, OR ALLOW THE COPYING OF THE LITERARY WORK
  - Reproducing the Work in any manner or form
  - Publishing the Work
  - Intentionally including the Work in any film or TV broadcast
  - Adapting the Work
  - Lasts for Life of author +50 years

# Reprographic Reproduction Rights

- RIGHTS Relating to the copying of, or making available by means of an electronic device the following types of works:
- Published books : Library books
- Academic journals (including electronic academic journal subscriptions)
- Magazine and newspaper articles
- Reports, law reports
- Conference, occasional and working papers

# Reprographic Reproduction Licensing

- This entails:
  - the creation of course packs (both print & electronic)
  - placing photocopies of extracts from books or of journal articles on short loan for on-copying by students
  - placing material on the institution's password protected secure network (intranet)
  - Single item handouts

# Excluded Works

- These are works DALRO cannot license which include:
  - Local publications from publishers DALRO does not represent
  - Publications that are published in territories where there are no bilateral agreements
  - Extracts from publications (whether mandated or not), which exceed 10% or more than a book chapter
    - DALRO may attempt to ask permission from local publishers on the licensees' behalf
  - Non-qualifying works:
    - Youtube links, Wikipedia Links, Web page links

# DALRO Licensing Rules

- We can only license 10 % of a book or a book chapter
- Should a book chapter exceed 10% we also license it on the grounds that it is a book chapter.
- Academic journals, magazines & newspaper articles:
  - We license the full article

# LOCAL MANDATING PUBLISHERS

- Juta
- Pearson SA
- Van Schaik
- LEXISNEXIS
- Wits University Press
- UKZN Press
- Jacana Media



# Bilateral Agreements

- Meaning:
  - Agreements in place with sister RROs to collect for works published in their territories but used in SA & vice versa
- Mandating territories include: USA, UK, Canada, Quebec, Republic of Ireland, France, Switzerland, Denmark, Norway, Belgium, Japan, India, Australia & New Zealand

# Types of Licences offered by DALRO (Reprographic Rights)

- Transactional licence:
  - Pay-per-use – Approval precedes copying
  - An application for copyright clearance must be made through DALRO prior to use.
- Quotation is issued to the licensee and only once it is accepted and an invoice generated may the licence be granted.
- This is a daily licensing facility which entails a large number of documents and correspondence between the applicant and RRO and also entails the regular payment of “transactions” – it is thus administratively quite burdensome.

# Required Details for an Application

- An application for copyright clearance must include:
  - Details of the user making the application:
    - Lecturer's name & surname
  - Details for which the application is being made:
    - name of course/module or course code, department, type of dissemination, the time period for which the application is made and the **number of copies** required.
  - Bibliographic details:
    - Book – Full Title, ISBN, publisher, author(s), **pages required**
    - Journal/ magazine, newspaper article – Title of publication, the ISSN ,the article title & **pages required**

# Quotations and Invoices

- Once an application is made through DALRO, a quotation is generated and issued to the licensee
- The licensee must review the quotation to ensure that it reflects the reproduction being applied for
- If the quotation requires amendments, the licensee must communicate this with DALRO
- If DALRO is unable to license the works for which the application is made, a declined letter will be issued to the licensee, stating the reasons for not being able to license
- A tax invoice will only be generated at the licensee's request, which should be made in writing.

# Types of Licences offered by DALRO (Reprographic Rights)

- Blanket Licence
  - Payment precedes copying
  - Pre-approved reproduction – no need to apply for rights as rights have already been granted by the signing of the B.L.A. (3-year contract)
  - once-off payment calculated on the Full-Time Equivalent Student figure supplied by the Department of Education
  - No further documents issued by DALRO, but the institution is required to report what has been photocopied and to what extent
  - Provides an indemnity to the institution as long as that which is copied remains within the scope of the licence
  - Umbrella license (managing the risk)

# Required Details When Reporting

- A blanket licence report must include:
  - Details of the user:
    - Lecturer's name & surname
  - Details of the report:
    - name of course/module or course code, department, type of dissemination, the time period for which the application is made and the **number of copies** required.
  - Bibliographic details:
    - Book – Full Title, ISBN, publisher, author(s), **pages required**
    - Journal/ magazine, newspaper article – Title of publication, the ISSN ,the article title & **pages required**

# MMO LICENSING

- Licence granted to MMOs
- Track usage and dissemination of media content in organisations (clippings)
- Receive clippings data from MMOs to allocate royalties accordingly.
- Mandates include: Media24, Tiso Blackstar (formerly Times Media, Independent Newspapers, M&G Media)

# General Misconceptions

- You may copy more under the blanket licence agreement than is allowed under transactional licensing:
  - The same rules apply across the board for both transactional and blanket licensing
- Act allows for the making of 10% without licensing
  - This is not true and if found to have infringed, you may be liable to paying a fine up to R10m
- DALRO has access to books and journals
  - No, we merely administer the copyright in the works (books/journals) for publishers and territories we represent



# CHALLENGES

- Lack of reporting
- How to report/make applications
- What to report
- Compliance