

Application to register DACS as a licensing body in Ireland

(e) details of the scheme:

Established by artists for artists in 1984, DACS is a not-for-profit visual artists' rights management organisation based in the UK. DACS represents copyright and related rights for a range of visual artists from photographers, sculptors, illustrators, painters, mixed media artists and more.

DACS licenses copyright and collects and distributes royalties to visual artists and their estates through a range of services: Copyright Licensing and Artimage; Payback®; and the Artist's Resale Right

Copyright Licensing and Artimage: DACS licenses the use of visual artist's works in a range of products from book publishing to online uses; advertising; film and TV. DACS negotiates a licence on behalf of the artist (the DACS member) and puts in place a licence that ensures the exploitation of the rights are appropriately remunerated. In 2014 DACS launched **Artimage**, a one stop shop for licensing customers who require both a license and a high resolution image file for their intended uses.

Artist's Resale Right: The UK adopted Artist's Resale Right in 2006 initially only for living artists and then extended in 2012 to benefit artist's heirs and estates. Artist's Resale Right (ARR) must be collected and distributed by a rights management organisation under the UK law and DACS is set up to administer this right on artist's behalf.

Payback®: DACS collects royalties and distributes them to artists on a collective basis through an annual scheme that DACS has termed Payback ®. DACS receives royalties from a variety of UK and overseas licensing schemes including:

- Reprography schemes run by the Copyright Licensing Agency (CLA)
- Educational recording schemes run by the Educational Recording Agency (ERA)
- Cable retransmission schemes (overseas)
- Public Lending Right schemes (PLR) (overseas)
- Extended Collective Licensing schemes (ECL) (overseas)

Visual artists can claim a share of these royalties on an annual basis by making a claim for Payback ® through an online portal.

(f) details of the scales of charges or proposed charges to be levied by the applicant:

DACS is a not-for-profit organisation. DACS does not charge membership fees or joining fees to visual artists for mandating rights to DACS, therefore DACS only deducts a percentage of royalties to cover administration costs. Different deductions are made depending on the service due to the nature of the work involved:

Copyright Licensing and Artimage: DACS makes a deduction of 25% of the licensing fee which covers work that takes place to manage requests, negotiate prices and grant rights to a customer. For Artimage, DACS deducts 35% for direct members and 30% for repertoire managed on a Collection's behalf.

(g) the class of rightsovers represented or proposed to be represented by the applicant: and

DACS represents visual artists and their heirs who hold copyright in respect of an artistic work.

Section.4 Copyright Designs and Patents Act 1988 (CDPA) describes an artistic work as a "graphic work, photograph, sculpture or collage irrespective of artistic quality; a work of architecture being a building or a model for a building; or a work of artistic craftsmanship".

(h) in the case of a licensing body within the meaning specified in section 38 , the names of the rightsholder or rightsholders in respect of whom the body concerned claims entitlement to receive payments under that section

Not applicable

(i) in the case of a licensing body in relation to which any provisions of the European Union (Collective Rights Management) (Directive 2014/26/EU) Regulations 2016 apply, a statement of compliance and appropriate supporting evidence"

DACS is a UK licensing body also known as a collective management organisation and therefore UK statute The Collective Management of Copyright (EU Directive) Regulations 2016 (available at: <https://www.legislation.gov.uk/ukxi/2016/221/contents/made>) apply to DACS. DACS can demonstrate compliance with the law through publication of DACS' Annual Transparency Report 2019, enclosed, as required under s.21 of the Regulations.

DACS also confirms compliance with the Regulations in a statement to rightsholder as required under s.4(i) of the Regulations (enclosed and on DACS' website here:

https://www.dacs.org.uk/DACSO/media/DACSDocs/DACS_Notice-to-rightsholders_October-2016.pdf) and in DACS Code of Conduct: <https://www.dacs.org.uk/about-us/corporate-resources/code-of-conduct>

For further information please contact:

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Copyright Licensing Fees - DACS

Type of use	Subcategory of Use	Fees								
Advertising, Promotion and Company communications	Editorial use, price per reproduction ranges from:	£182 - £362 + VAT								
	Front cover use, price per reproduction ranges from:	£362 - £762 + VAT								
	Presentation templates for internal company use, price per reproduction	£88 + VAT								
Auction Houses and Commercial Galleries	Sales or exhibition catalogues	£177 + VAT								
	Print editorial									
	Print cover	£502 + VAT								
	Digital (editorial or cover)	£177 + VAT								
	Combined print + digital editorial	£319 + VAT								
	Combined print + digital cover	£502 + vat								
	Ebulletin	£191 + VAT								
Book Publishing	Books	Print Run	Distribution territory / Worldwide languages		Worldwide					
			(English language only)		(all languages)					
			Type of reproduction		Editorial	Cover	Editorial	Cover	Editorial	Cover
			up to 500		£48	£214	£51	£226	£51	£226
			501-1,500		£78	£254	£83	£268	£83	£268
			1,501-3,000		£102	£304	£108	£320	£108	£320
			3,001-5,000		£124	£382	£132	£403	£132	£403
			5,001-10,000		£149	£436	£156	£461	£156	£461
			10,001-15,000		£163	£493	£173	£519	£173	£519
			15,001-20,000		£180	£547	£190	£577	£190	£577
			20,001-30,000		£203	£609	£213	£641	£213	£641
			30,001-50,000		£225	£672	£238	£708	£238	£708
			50,001-80,000		£242	£735	£255	£774	£255	£774
	POA									
	Monograph									
	Academic books	Print Run	Printed Publications		Digital version		Digital version only			
			(excl. Journals)		(when licensed with printed version)					
			Ed		Cover	Ed	Cover	Ed	Cover	
			up to 500		£32	£141	£20	£30	£26	£59
			501-1,500		£51	£165	£30	£38	£35	£78
			1,501-3,000		£66	£198	£40	£50	£49	£100
			3,001-4,000		£82	£250	£50	£60	£55	£125

Digital Publishing and Apps	Electronic articles, ebooks and applications	Downloads	Digital & Hard Copy Publication*		Digital only	
			Editorial	Front cover	Editorial	Front cover
		Up to 1,000	£30	£32	£32	£65
		Up to 1,500	£37	£40	£39	£80
		Up to 3,000	£48	£52	£51	£105
		Up to 5,000	£59	£64	£63	£128
		Up to 10,000	£70	£77	£73	£153
		Up to 15,000	£77	£84	£82	£169
		Up to 20,000	£85	£93	£90	£185
		Up to 30,000	£95	£104	£100	£209
		Up to 50,000	£113	£125	£119	£249
Up to 80,000	£115	£126	£121	£252		
	Monographs	as above				
	Other digital uses	Prices on request				
Merchandising	Merchandising	Price on request				
Magazines	Magazines	Print run	Editorial	Cover		
			(print and digital)	(print and digital)		
		1-20,000	£138	£276		
		20,001-100,000	£180	£360		
		100,001- 400,000	£250	£500		
Newspapers	Newspapers	Covers (print and digital)	£225			
		Editorial (print and digital)	£138			
		Single format (print or digital)	£103			
		E-bulletin	£78			
Public Galleries, Museums and Cultural Organisations	Exhibition catalogues and other publications	Print Run	Worldwide		Worldwide	
			(English language)		(All languages)	
			Editorial Content	Front Cover	Editorial Content	Front Cover
		up to 1,000	£29	£80	£57	£159
		1,001-3,000	£37	£104	£72	£207
		3,001-5,000	£45	£133	£89	£264
		5,001-10,000	£48	£140	£95	£280
		10,001-15,000	£53	£156	£105	£312
		15,001-20,000	£56	£175	£112	£351
		20,001-30,000	£64	£192	£127	£383
		30,001-50,000	£71	£207	£144	£414
50,001-80,000	£80	£215	£159	£430		
	Monographs	as above				

	Marketing literature	Editorial	£74 + VAT		
		Front cover	£80 + VAT		
	Outdoor promotion (on and off premises) Merchandise	Price on request Usually 10% of retail price or 15-20% of wholesale price. Full details on request			
	Digital engagement	No. of artworks	Price/work		
		1-100	£10		
		101-300	£8		
		301-500	£7		
		501-1,000	£6		
		1,001-3,000	£5		
		3,001-5,000	£4		
		5,001-10,000	£3		
	Digital marketing and promotion	10,001 or more	by negotiation		
		Websites:			
		Duration	Fee		
		5 years	£88		
		E-bulletins from the museum to existing members:			
		Number of recipients	Editorial fee		
		Up to 20,000	£55		
		20,001 - 250,000	£61		
		250,001 - 500,000	£67		
		E-bulletins from the museum to non-members:			
		Number of recipients	Editorial fee		
		Up to 20,000	£55		
		20,001 - 250,000	£92		
		250,001 - 500,000	£100		
Television and Film	Television	Usage	UK	Worldwide	
			5 years	In perpetuity	In perpetuity
		Standard TV	£94	£140	£190
		Non-Standard TV	£50	£84	£100
		VOD (includes catch-up VOD)	£70	£116	£137
		Videogram & DTO	-	-	£112
		Non-Theatric	-	-	£84
		All of the above including the discount	£214	£272	£623
	Film	Price on request			
Universities, Schools and Colleges	Reproduction on stage	Price on request			
	Exam papers	£50 + VAT, per reproduction			
	Digital uses available for free	£55 + VAT, per reproduction.			
	Commercial digital uses	Price on request			