

time of at least 60 minutes. It does not include documentaries which are a non-fiction representation of reality, unless the subject is treated in a fictitious way.

**Subcontracted tv productions**  
(made by independent tv production companies)

A tv production made with a view to its sale to or on the initiative of a tv station according to special agreement. The right of exploitation lies only with the tv station.

**Live on tape**

Tv programme which is not broadcast live, but it is a studio recording with a live audience. The difference of time from recording till broadcast shall not exceed one week, and no more than two screenings of the programme can be made within one week.

**Other tv productions**

Tv productions where the right of exploitation lies with the producer alone or is shared between two or more parties.

**Signature tune**

A piece of music used to make identification of a tv programme.

**Education & training**

A production with an educational purpose for use in schools and non-commercial institutions as well as for private use.

**Corporate video programmes**

A production made for a commercial business with a view to in-house viewing. The production does not have a commercial purpose as it does not intend to promote the sale of a specific product or service – otherwise it should be categorised as “advertising”.

**Other AV productions**

A production which is neither a feature film, a tv production, advertising, a corporate video programme nor an educational programme according to NCB’s definitions.

**Music video**

A music video is produced by a record company mainly with a view to promoting a sound carrier release. In addition to the music the video may contain interviews with the performing artists, studio recordings etc. It may also consist of compilations of the performances of various artists, however, it cannot consist of sheer recordings of concerts, operas and musicals.

**Entertainment videos**

A production that is made with a view to entertaining and does not fall within the above categories. It may include recordings of a revue, a comedy show, a stage performance, a concert, a musical etc.

AV

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# production

clearing music rights  
in audio-visual productions



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**ncb**

Nordisk Copyright Bureau  
NCB/Island  
Laufásvegi 40  
IS-101 Reykjavik

Tel: (+354) 561 6173  
Fax: (+354) 562 6273  
E-mail: stef@stef.is  
Web: www.stef.is

## WHEN DO YOU NEED AN NCB LICENCE?

If you use music in AV productions (e.g. films, videos, dvd, tv) you will generally have to contact NCB to obtain a licence.

## WHY DO YOU NEED IT?

Applicable copyright law says that the person who writes a new piece of music automatically owns the copyright in the music.

He alone can decide if his music can be used, how it can be used and by whom it can be used.

## CLEARING MUSIC RIGHTS MADE EASIER BY NCB

Licence from the rights owners (= composers, lyricists and music publishers) to use their music in AV productions - as well as payment for the recording and duplication - is handled by NCB.

That makes it easier for those who write the music - and for you who want to use the music.

NCB is a non-profit society owned by the Nordic performing rights societies. Visit us at [www.ncb.dk/english](http://www.ncb.dk/english)

## WHAT DO THE RATES COVER?

NCB's audio-visual rates cover the use of music and lyrics - including monologues and other words without music - in audio-visual productions provided that the music/words are part of NCB's repertoire.

NCB may adjust the rates once a year. In our rate card you can see from which date the rates are effective.

Note! As a producer you are not allowed to make direct agreements with the rights

owners as to the use of their music - unless approved by NCB.

Music that is not administered by NCB may be subject to special terms and conditions. You may come across music for which no licence can be obtained so please contact NCB at an early stage in your production planning.

If you are signatory to an NCB standard contract, the provisions of the standard contract will apply.

## COMMISSIONED MUSIC

Commissioned music is new music written for use in a specified production - as opposed to *existing* music which is music that has previously been released on e.g. CD.

Special rates and terms apply to commissioned music. Contact NCB to get more information on commissioned music in AV productions.

STEF and NCB/Iceland accept, however, individual agreements made between Icelandic rights owners and film producers. Please notify NCB/Iceland of any such agreements.

## THERE IS NO RULE WITHOUT EXCEPTIONS

Although the rate card includes fixed prices there are instances where the rights holders reserve the right to fix the price individually. Please contact NCB as soon as you have decided what music to use, then we shall check the possibilities for copyright clearance and prices.

Music/lyrics used in advertising or for religious, political or pornographic purposes are always subject to prior permission from the rights owners.

## SYNCHRONISATION FEE

To obtain a licence for the use of NCB protected music in an AV production, you will have to pay a synchronisation fee. The licence covers only the production in question for the exploitation indicated in your application.

The synchronisation fee covers the making of the first copy of the production. If you make additional copies you will also have to pay mechanical fees.

## MECHANICAL FEE

In order to make copies of your production you will have to pay a mechanical fee - in addition to the very first copy (which is covered by the synch fee).

## HOW TO OBTAIN AN NCB LICENCE

- © Contact NCB/Iceland and request an application form + licensing terms (= NCB's terms for granting a recording licence).
- © Complete the form and return it to NCB.
- © NCB will now check if the requested type of copyright clearance can be obtained - and at what price. If NCB can grant you the licence, you will receive an invoice which covers the royalties to the rights owners (composer, lyricist, publisher).
- © When the invoice has been paid, you have the right to make the production you applied and paid for.

## STANDARD CONTRACT

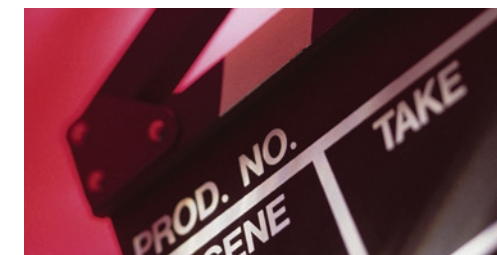
If you have a regular production/distribution of AV productions for private use within one of the below areas, it may be worth while considering an NCB standard contract:

Feature Films on video/DVD, Entertainment Programmes on video/DVD, Music Videos or CD-ROM productions.

## DUBBING FROM A CD

If you dub directly from a CD or other sound recordings, you will have to contact the relevant record company (and the artists) to seek permission for the dubbing.

This permission is not covered by NCB's licence.



## PRODUCTION TYPES

The production types set out in the rate card are based on the following definitions:

### Advertising

The production has a promotional purpose and is about the products or services of the customer in question. It also includes sponsor sections in e.g. tv programmes.

### Feature film

A production (but not a theatrical performance) with a fictitious story (the story being based on real events or not) with a playing