THE DIRECTORS' AND PRODUCERS' RIGHTS SOCIETY

Q - What is the DPRS?

Suzan - DPRS is the collecting society representing film and television directors and administers payments due to directors as authors of their work. Payments are collected from two sources.

Firstly, from European collecting societies in countries where arrangements exist to compensate directors (and other rightsholders) for the re-use of their work. The three main re-uses where royalties may become due are cable re-transmission, video rentals and private copying.

Secondly, from UK broadcasters and production companies for the secondary use of programmes made by, for, or in association with, the broadcasters (BBC, ITV, Channel 4, Channel 5, BSkyB, S4C). These payments are as a result of a Rights Agreement concluded in July 2001. DPRS receives a fixed sum annually and has devised a scheme for allocating payments to individual directors.

Q - So nobody else can touch your royalties?

Suzan - Under the UK law which came into force at the end September of '96, the director of any work made on or after the 1st July 1994 is recognised as being a co-author of the work itself (with the producer) and co-first owner of copyright of the work (again with the producer). The other authors, including the scriptwriter and the composers are authors of their underlying work. Payments received from other collecting societies have been allocated according to the arrangements that exist in the country where the payment accrues.

Q - How much money can it generate?

Suzan - It varies. If your work was shown in Holland as a feature film and it was privately copied you could be talking £50 - £100. If it was shown on Canal+ in France again with private copying you could be talking a few thousand. The most we have collected over the years for an individual director is now going on for £150k, with the biggest single payment being around £20k.

Q - How much does it cost?

Suzan - It costs nothing upfront to register with DPRS, although we deduct a one-off registration fee of £75 (+ VAT) from the first payment. We don't have an annual subscription but levy a management fee on all money we distribute. This is currently 10% for our UK distributions and 15% for payments received from foreign collecting societies.

Q - I joined the DPRS because I found out that there was £2,800 waiting for me as my share from a German deal. White Angel also sold to Sky in the UK - how much would I, as the director, get for that Sky screening?

Suzan - Screening in the UK won't generate a penny. You have to remember that although the rights exist under UK law, there is no automatic right to remuneration.

Q - What is the deal for producers?

Suzan - Although DPRS has 'Producers' in its title this refers to individual documentary makers who produce, direct and write and frequently take an onscreen credit as 'producer'. We don't represent production companies although they are also entitled to money from the revenue that is collected from Europe. These rights are administered by societies specifically representing production companies (eg. ComPACT).

Q. Do directors need to include any particular clauses in contracts they sign?

We now recommend the following:

> **"Nothing in this agreement shall prevent the director from being entitled to receive income under collective agreements negotiated by recognised collecting societies but the director shall have no claim to payment by (COMPANY NAME) in respect of rights collectively licensed."**

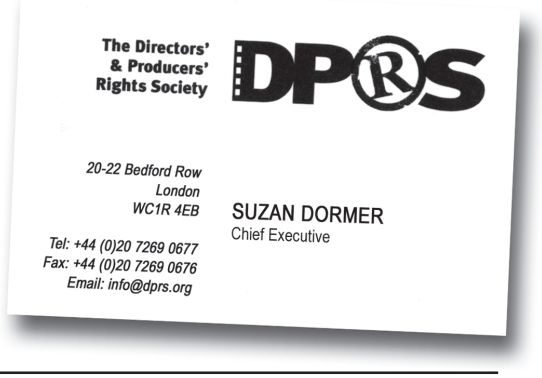
This clause below ensures that the director receives all money due to him/her from collections the DPRS and, at the the same time, reassures the production company that they are not liable for any further payments.

Q - What other organisations should a new film maker contact in order to get as much out of their film as they can?

Suzan - Certainly the DPRS in terms of their directors and the ALCS for the writer (which also covers books). The production company should contact ComPACT.

Q - What advice would you give to a new film maker?

Suzan - Register with the DPRS now. It is in all directors' interests to sign up with the DPRS as soon as they have completed a film so that it can be lodged with the network of collection societies.

Other contacts
For Authors...
ALCS - The Authors Licensing & Collecting Society
14-18 Holborn, London, EC1N 2LE
Tel 020 7 395 0600 Fax 020 7 395 0660

For Producers...
ComPACT Collections Limited
Greenland Place, 115-123 Bayham Street, London, NW1 0AG
Tel 020 7 446 7420 Fax 020 7 446 7424