

**MU CODE OF CONDUCT  
IN RESPECT OF ROYALTY PAYEES**

Welcome to the MU Code of Conduct for royalty payees.

We are committed to providing first-class service to all our royalty payees, and this Code sets out our key commitments to them. It provides important information about the Royalties Department of the MU (and how to find out more), what you can expect from us, and how you can help us to help you. It also incorporates our Comments, Feedback and Complaints procedure.

The Code is divided into the following sections:

1. Definitions
2. About the MU Royalties Department
3. Our customer service
4. Your relationship with us
5. Comments, Feedback and Complaints
6. About this Code

## 1. DEFINITIONS

### **Member**

Means a musician in current membership of the Musicians' Union (MU)

### **Non-Member**

Means a musician not in current membership of the MU (and includes, for the avoidance of doubt, ex-members of the MU, and beneficiaries of deceased members of the MU)

### **Mandated Musician**

Means: (a) a Member who has not requested, in writing, the MU not to collect and distribute Royalty Income on their behalf; or

(b) a Non-Member on whose behalf the MU has been appointed to collect and distribute Royalty Income by agreeing a Royalty Collection Mandate.

### **Non-mandated Musician**

Means: (a) a Member who has requested, in writing, the MU not to collect and distribute Royalty Income on their behalf; or

(b) a Non-Member on whose behalf the MU has not been appointed to collect and distribute Royalty Income by agreeing a Royalty Collection Mandate.

### **Royalty Collection Mandate**

Means the document set out in Schedule A which when agreed by, or on behalf of, a musician entitles the MU to collect and distribute Royalty Income on that musician's behalf.

### **Royalty Income**

Means any fee, royalty, income or other payment which has arisen, or may arise, under the terms of a Collective Bargaining Agreement (CBA) entered into by the MU.

### **Sound Recording**

For the purposes of this document Sound Recording means an Audio and/or an Audio-visual recording.

### **Musician MU ID**

This is a unique identification number allocated to a musician by the MU and included on all musician Royalty Statements sent.

If the musician is a Member or ex-member of the MU it is the musician's MU "Membership Number", allocated to them by the MU Membership Department when they join.

If the musician has never been a member of the MU it is an ID allocated to the musician by the MU Royalties Department when they receive their first royalty income allocation.

## **2. ABOUT THE MU ROYALTIES DEPARTMENT**

### **2.1 Overview of the MU**

The MU is the UK's trade union for musicians. Originally formed as the Amalgamated Union of Musicians (AMU) in 1893, the MU currently represents over 30,000 musicians working across all sectors of the music business.

The MU campaigns at both local and national level on issues affecting the rights and working environment of its members. The MU is in regular contact with the Department for Culture, Media & Sport (DCMS) and ensures musicians are represented during vital debates which affect them. The MU also plays a leading part in the Performers Alliance Parliamentary Group (PPAG), which organises receptions at the House of Commons giving musicians the opportunity to meet and discuss issues with members of both Houses. In addition, the MU plays a leading role in the International Federation of Musicians (FIM), founded in 1948, which is the international organisation for musicians and incorporates 72 unions from across the world.

The MU negotiates salaries and working conditions on behalf of its employed members and can also advise self-employed members on their terms of engagement. Agreed rates for employees result from negotiations with industry employers – and are endorsed by the MU's Executive Committee (EC). Individual agreements for the secondary exploitation of musicians' recorded performances are also negotiated with broadcasters, film producers, record companies and advertising companies. The MU will endeavour to collect and distribute the resulting income to its members and other musicians.

The MU also offers a range of other services that are expressly tailored for musicians including legal and financial advice, discounted personal and instrument insurance, publications and newsletters and benevolent assistance, guidance on tax, pensions, health and safety and copyright.

### **2.2 Joining the MU**

The MU is a membership organisation with a membership fee payable annually. It operates a regional structure, with new applicants joining the MU as member of their local region. Further information on becoming a member of the MU is available at:

<http://www.musiciansunion.org.uk/Join>

### **2.3 Royalties Department**

The MU has a number of agreements either directly with the music user themselves (BBC, ITV) or with an industry body representing music users (BPI, representing record labels; IPA, representing advertising companies; PACT, representing film and independent TV production companies) or otherwise (CBAs).

In its Royalties Department, the MU grants a music user the right to a specific further or secondary use of a Sound Recording made under one of its CBAs. In return for this right the music user pays a fee to the MU on behalf of the musicians whose performances are incorporated in the Sound Recording. An administration fee is also usually charged to the music user in order to cover the MU's cost of providing this service.

The fee for the further or secondary use of an existing Sound Recording is usually negotiated by the MU based on the relevant payment rate of the current agreement applicable to the music use.

Where it is not possible to charge an administration fee to the music user the MU will deduct its cost of collection and distribution from the fee due to the musicians.

Further information on the MU's Royalties Department is available at:

<http://www.musiciansunion.org.uk/Home/Advice/Recording-Broadcasting/Royalties>

## **2.4 Legal Basis**

The legal basis, upon which the MU's CBAs are formed, is the Copyright, Designs and Patents Act 1988, which is the main copyright legislation applicable in the UK (having been preceded by the 1911 Copyright Act and the 1956 Copyright Act). The 1988 Act defines certain categories of copyright works, including Sound Recordings, and gives certain exclusive rights to the owners of, and musicians whose performances are embodied within, those Sound Recordings.

The relevant sections of the MU's CBAs allow the MU to grant contractual and/or musician's rights, on behalf of Mandated Musicians, to music users on a non-exclusive basis for an agreed fee. The MU currently has relevant CBAs in place with:

BBC

ITV

BPI (British Recorded Music Industry)

IPA (Institute of Practitioners in Advertising)

PACT (Producers Alliance for Cinema and Television)

TAC (Teledwyr Annibynnol Cymru)

## **2.5 Representation**

The MU Royalties Department represents all Mandated Musicians.

Members, upon joining, agree to be bound by the MU Rules. The MU is appointed as their representative to collect and distribute Royalty Income within Rule I.3a and Rule XI.2 of the MU Rules.

The full MU Rules are available at:

<http://www.musiciansunion.org.uk/Files/Guides/MU-Rules>

A Mandated Musician who is not a Member appoints the MU as their representative by agreeing a Royalty Collection Mandate.

The wording of the Royalty Collection Mandate is available in Schedule A of this Code and also with the full MU Royalty Distribution Policy at:

<http://www.musiciansunion.org.uk/Files/Guides/Royalties/Royalty-Distribution-Policy-v1-3>

All Mandated Musicians are treated equally in respect of the collection and distribution of Royalty Income.

The MU will also collect and distribute Royalty Income for Non-mandated Musicians provided they have not previously withdrawn or refused their Royalty Collection Mandate. The MU will endeavour to contact these Non-mandated Musicians and encourage them to either join the MU or agree a Royalty Collection Mandate.

A Non-mandated Musician can refuse to mandate the MU to collect and distribute Royalty Income on their behalf and a Mandated Musician can withdraw their mandate by notifying the MU in writing.

Once a musician has withdrawn or refused their mandate the MU no longer has the right to collect and distribute Royalty Income on their behalf. As a result the MU would only be able to offer a partial licence to a music user for any Sound Recordings incorporating their performances.

## **2.6 Collective Management Organisations (CMOs)**

Collective Management Organisations manage and license rights in creative works. They usually represent rights holders and license a number of their collective rights to a rights user at the same time. This benefits the rights user by removing their requirement to deal with each rights holder separately, and also benefits the rights holders by simplifying, and thus encouraging, the licensing of their collective rights in return for a fee.

The MU is not solely a Collective Management Organisation. Collective rights management is only one of the many services offered to Members.

## **2.7 How Income is Collected and Distributed**

When licensing the rights of Mandated Musicians, the MU will endeavour to charge the most appropriate fee as published in the most up to date CBA covering their relationship with the music user.

Wherever possible the MU's cost of collection and distribution is covered by charging an administration fee to the music user and not by deducting a percentage from payments made to Mandated Musicians. Where an administration fee rate is already published within the relevant CBA, this will be the rate charged. Where no rate is published the MU will negotiate a rate with the music user appropriate to the specific licence, never exceeding the actual cost of its collection and distribution.

Each CBA indicates, per type of use, whether a fee is to be calculated per Sound Recording or per musician. Where a fee per musician is specified and the number of musicians is unknown, the music user will be charged according to the number of musicians deemed to have performed on the Sound Recording from listening to it.

When distributing income to musicians, the MU will endeavour to do so as fairly and accurately as possible. Where accurate information, on which to distribute, is unavailable the MU will initially carry out research to find this information. If this proves unsuccessful the MU will advertise for further information eliciting claims from musicians, and if this proves unsuccessful the MU will either apply "best fit" information or will retain the income for future claims from musicians. The MU's full Royalty Distribution Policy is available at:

<http://www.musiciansunion.org.uk/Files/Guides/Royalties/Royalty-Distribution-Policy-v1-3>

## 2.8 Governance

The governance of the MU Royalties Department is part of the structure of the overall governance of the MU. There are two MU Committees which influence the running of the Royalties Department:

The Executive Committee  
The Royalties Sub-Committee

### **The Executive Committee**

The MU, like all other trade unions, is a democratic organisation, governed by its members through a system of 'representative democracy' similar to, but not the same as, the UK's parliamentary democratic processes. Union members are elected as delegates to the Union's Conference and onto representative Committees. Decision-making takes place at Conference and through the actions of the network of Union Committees. The most important of these Committees is the Executive Committee (EC).

Rule V.1 of the Union's Rules states that, "subject to the Rules, the EC has all the powers of the MU and all powers necessary for, or conducive to, the attainment of the objects of the MU including the power to delegate its authority."

The EC is the national governing body of the Union and EC members have a collective responsibility for the decisions and the policies of the EC. EC members are not accountable individually for the work of the Union and have no individual decision-making powers. All decisions are the result of debate and vote, and all EC members are expected to uphold such decisions. Although EC members do not sit as delegates for their Regions, they are elected on a Regional basis.

The EC makes major decisions that can affect the working lives of many musicians. It often deals with sensitive issues such as negotiating strategy, employment policy and Benevolent Fund requests. Therefore, each EC member must adhere to the concept of collective confidentiality in the interests of the Union and its members.

EC members are presented with numerous reports and other documentation. It is the duty of EC members to keep abreast of all the issues that may be likely to appear on its agenda from time to time. Individual EC members take their responsibilities very seriously and always put the collective good of the Union and its members first.

The General Secretary acts as secretary to the EC; he/she is responsible for the administration of all correspondence to and from the EC and for the administration of the Union between EC meetings.

Further information on the running of the MU's EC is available at:

<http://www.musiciansunion.org.uk/Home/About-Us/How-the-Union-Works/Executive-Committee>

## The Royalties Sub-Committee

The Royalties Sub-Committee is a sub-committee of the Executive Committee acting within the Rules and objects of the MU, as set out in its Rule book. It is concerned solely with specific issues and matters affecting the MU's collection and distribution of Royalty Income to musicians.

The administration of the Royalties Sub-Committee falls within the general responsibility of the Union's General Secretary. The Secretary of the Royalties Sub-Committee is the Royalties Official.

The Royalties Committee consists of 12 members of which 10 are entitled to vote with the Chairman having the casting vote. The other 2 members attend in an advisory capacity and are i) an independent external advisor and ii) a member of the MU secretariat. The meetings of the Committee must have a quorum of 5 members. A member of the secretariat must always be in attendance.

The composition of the Royalties Committee is as follows;

Constituency	Attendees	Votes	Casting Vote
Executive Committee	5	5	
Chairman	1		1
Recording & Broadcasting Section	2	2	
Orchestra Section	2	2	
<b>Advisory Members</b>			
Independent	1		
Secretariat	1		

The "Recording & Broadcasting Section" and "Orchestra Section" are two of several groups set up within the MU's governance structure with responsibility for a specific subset of members. Further information on the MU's "Sections" is available at:

<http://www.musiciansunion.org.uk/Home/About-Us/How-the-Union-Works/MU-Sections>

Executive Committee members and Chairperson of the Royalties Sub-Committee are elected annually by the Executive Committee from amongst its number. The Vice-Chairperson is elected annually by the Royalties Committee itself.

The Royalties Sub-Committee normally meet not less than twice a year to discuss matters affecting the MU's collection and distribution of Royalty Income to musicians and make recommendations to the Executive Committee. All decisions are made by a vote of the Sub-Committee members on a simple majority.

The authority and responsibility of the Executive Committee is provided for in the Rules of the Union and is not deemed to be limited or affected by the existence or operation of the Royalties Sub-Committee. In particular, the Executive Committee is not bound by any recommendations or decisions of the Royalties Sub-Committee.

### **Applicable Laws and Regulations**

In the course of its operations, the MU is committed to acting in accordance with all applicable laws and regulations including, where relevant, the following:

Bribery Act 2010  
Copyright Designs and Patents Act 1988  
Data Protection Act 1998

The MU Rules, formally agreed to by all members upon joining, form a contract between the MU and its members.

The Royalty Collection Mandate, agreed by previously Non-mandated Musicians upon receipt of each payment of Royalty Income, also forms a contract between the MU and the musician.

### **Registration Details**

The MU is listed by the UK government's Certification Office as a trade union in compliance with the Trade Union and Labour Relations (Consolidation) Act 1992. Its main office is 60-62 Clapham Road, London SW9 0JJ. The MU's VAT registration number is 607 9078 22.

Further information about the UK government's Certification Office is available at:  
<http://www.certoffice.org/>

The MU's annual return to the Certification Office is available at:  
<http://www.certoffice.org/Nav/Trade-Unions/Musicians-Union.aspx>

## **2.9 Further Information**

Further information about the MU can be found at <http://www.musiciansunion.org.uk/>. This is reviewed and updated regularly. Please note that, as a result, from time to time the specific MU website links included in this Code may change. It is therefore recommended that you refer to the current version of this Code as published on the MU website, which will be kept updated to reflect any changes to the included links.

## 2.10 How to contact us

When contacting us, it will help us to help you quickly and efficiently if you can tell us your Musician MU ID (if you have one). If contacting us by post or fax, please also address your letter to the Royalties Official.

**By post:** Royalties Department, MUHQ, 60-62 Clapham Road, London SW9 0JJ

**By fax:** +44 (0)20 7793 9185

**By email:** royalties@themu.org

**By telephone:** +44 (0)20 7840 5560

The MU Royalties Department is staffed from 9am to 5pm, Monday to Friday (except Bank Holidays). Please note that to protect all our royalty payees, we reserve the right to ask you to take reasonable steps to confirm your identity.

## 2.11 How we use your information

The MU will obtain personal information from you when you register to become a Mandated Musician.

We are committed to treating your personal information in accordance with the Data Protection Act 1998 and all other applicable privacy laws.

Further information about data protection is available at <http://www.ico.org.uk/>

### **3. OUR CUSTOMER SERVICE**

#### **3.1 Our key commitments to you**

When dealing with royalty payees, we are committed to acting:

- in accordance with our published standards of service
- promptly
- transparently
- fairly, reasonably, honestly and impartially
- with respect for your personal information
- in accordance with this Code

#### **3.2 Our standards of service**

We will always aim to:

- act in a professional and courteous manner
- provide you with clear, appropriate and accurate information
- when speaking to you on the telephone, identify ourselves by name
- take reasonable account of circumstances relating to language, disability or other such matters that might affect you

#### **3.3 Acting promptly**

If you call us, we aim to answer your call within 30 seconds. If you leave a voicemail message for us we aim to call you back within 24 hours.

If you email or write to us we aim to respond within 2 working days of receiving your query. If we are unable to provide a full response within 2 working days of receipt we will acknowledge this and provide you with an expected timescale for the full response.

If things have gone wrong, we will correct any agreed errors as quickly as possible. Please also see our Comments, Feedback and Complaints procedures in Section 5 of this Code.

#### **3.4 Acting transparently**

We will always aim to explain all aspects of the MU's Royalties Department clearly, including:

- how to mandate the MU to collect royalties on your behalf
- your rights and obligations as a Mandated Musician
- the rights granted by you to the MU as a Mandated Musician
- how you can withdraw your Royalty Collection Mandate from the MU
- how we deal with estates and beneficiaries of deceased musicians
- how we deal with representatives appointed by musicians to act on their behalf

### **3.5 Acting fairly, reasonably, honestly and impartially**

We are committed to acting fairly, reasonably, honestly and impartially towards you, including in relation to how we treat other customers in similar situations. When speaking or corresponding with you, we will also give you a fair opportunity to explain your position to us.

### **3.6 Acting with respect for your personal information**

We take your privacy very seriously. Please see our commitments regarding use of your information in Section 2.11 of this Code.

### **3.7 Acting in accordance with this Code**

We are committed to training our staff appropriately to understand and act in accordance with this Code in their dealings with you, in particular as regards the key commitments set out in this section.

## 4. YOUR RELATIONSHIP WITH US

### 4.1. Basis of your relationship with us

Your relationship with the MU's Royalties Department and the services we provide to you will be based on:

- Applicable laws and regulations
- MU Rules of membership (if you are a Member)
- Royalty Collection Mandate (if you are a Mandated Musician)
- The MU's Royalty Distribution Policy, as available at:  
<http://www.musiciansunion.org.uk/Files/Guides/Royalties/Royalty-Distribution-Policy-v1-3>

### 4.2. Rights appointments and mandates

#### Members

Upon joining the MU you formally agree, in accordance with MU Rules, to appoint the MU as your representative for all time in respect of Sound Recordings made before or during the term of your membership (see Rule I.3a and Rule XI.2 of the MU Rules) to:

- Secure the payment of fees by music users for their use
- Collect and distribute these fees either directly or through your nominated representative
- Deduct the cost of collection, application and distribution from these fees
- Use any un-distributable funds in such manner as it sees fit
- negotiate collective or other agreements on your behalf with music users for uses not provided for in any other agreement
- grant any and all necessary consents on your behalf in respect of these uses

The MU may revise and update its rules from time to time, by the successful acceptance of a rule change proposal by member delegates attending its biennial conference, or a successful ballot of all members.

The complete and current MU Rules are available at:

<http://www.musiciansunion.org.uk/Files/Guides/MU-Rules>

#### Mandated Musicians who are not Members

Upon receipt and acceptance of any Royalty Income from the MU you grant the MU the right, in respect of all your recorded performances on Sound Recordings, to:

- Secure the payment of fees by music users for their use
- Collect and distribute these fees either directly or via your nominated representative
- Deduct the cost of collection, application and distribution
- Use any un-distributable funds in such manner as it sees fit
- negotiate collective or other agreements on your behalf with music users for uses not provided for in any other agreement
- grant any and all necessary consents on your behalf in respect of these uses

The precise mandate wording is included on every Mandated Musician's royalty statement and is also available in Appendix A of this document, and within the MU's published Royalty Distribution Policy at:

<http://www.musiciansunion.org.uk/Files/Guides/Royalties/Royalty-Distribution-Policy-v1-3>

The MU Royalties Department reserves the right to revise or update this mandate from time to time, upon approval from the MU Royalties sub-Committee and MU Executive Committee.

### **4.3. Withdrawal of rights**

#### **Mandated Musicians**

You can withdraw your Royalty Collection Mandate or the MU's right to collect and distribute Royalty Income on your behalf under Rule I.3a and Rule XI.2 of the MU Rules, by submitting a request in writing to the MU Royalties Official.

#### **Non-mandated Musicians**

You can refuse to mandate the MU to collect and distribute Royalty Income on your behalf when initially contacted by us.

#### **Effect of withdrawal of rights**

It should be understood that upon the withdrawal of your mandate, the MU will no longer be able to collect and distribute income on your behalf.

As a result the MU will continue to license the rights of other musicians it represents and it would be up to you to monitor use of all your recordings and negotiate payment directly with music users for the use of your performances.

## 5. COMMENTS, FEEDBACK AND COMPLAINTS

### 5.1. Your comments

The MU Royalties Department is committed to providing its customers with first-class service. We therefore welcome feedback (positive or negative) about our service to you. We appreciate that in some situations musicians may wish to give us feedback where they feel we have not complied with our commitments under this Code or another one of our published policies.

In this circumstance the procedure to follow is set out in Section 5.2 below. We ask that you follow all of its steps from the beginning, to help us address your concerns effectively.

### 5.2. Comments, Feedback and Complaints procedure

#### STEP 1

In the first instance, please explain your concerns to the member of MU Royalties staff with whom you have been dealing and they will seek to resolve the matter. Our opening hours are 9am to 5pm Monday to Friday (except Bank Holidays) and you can contact them via the telephone number or email address they have provided.

If you have not yet spoken to anyone at the MU Royalties Department, or if you do not have the contact details of the person with whom you have been dealing, please contact us using one of the methods below:

**By post:** Royalties Department, MUHQ, 60-62 Clapham Road, London SW9 0JJ

**By fax:** +44 (0)20 7793 9185

**By email:** royalties@themu.org

**By telephone:** +44 (0)20 7840 5560

#### STEP 2

If at any time after raising your concerns at Step 1, the matter remains unresolved and you wish to speak to someone else, please ask the person with whom you have been dealing to refer you to the Royalties Official. The person you are dealing with may themselves decide to pass the matter on to the Royalties Official, to help resolve matters. (If the person you have been dealing with or who is currently communicating with you is the Royalties Official, then they will refer you directly to Step 3 below.)

Depending on the particular circumstances, you may be passed to (or contacted by) the Royalties Official directly or you may be provided with the Royalty Official's contact details (post or email). When contacting the Royalty Official, please include full details of your concerns, your Musician MU ID (if you have one) and why you remain dissatisfied. They will acknowledge your feedback within 2 working days of receipt and will contact you with a written response within 10 working days of receipt.

### **STEP 3**

If you remain dissatisfied after you have heard from the Royalties Official, you can write to the MU's Assistant General Secretary, at:

Assistant General Secretary,  
Finance & Administration,  
MU HQ  
60—62 Clapham Road  
London SW9 0JJ

or by email to : [info@theMU.org](mailto:info@theMU.org)

When doing so include full details of your concerns, your Musician MU ID (if you have one) and why you remain dissatisfied. We will acknowledge your feedback within 2 working days of receipt. This will then be reviewed and responded to in writing by the MU's Assistant General Secretary within 10 working days giving a reasoned decision in relation to the matter.

If you remain dissatisfied after you have received the decision of the MU's Assistant General Secretary then you can apply to use the Independent Complaints Review Service explained in section 5.3 below.

#### **5.3. Independent Complaints Review Service**

The MU Independent Complaints Review Service is a free service for use by Mandated Musicians, where they have followed the steps of our published complaints procedure (as above) but are dissatisfied with the outcome.

Through the service, you can obtain an independent review of your complaint by an external Complaints Reviewer.

As with our complaints procedure, the Independent Complaints Review Service is only designed to deal with complaints where it is felt the MU have not complied with our commitments under this Code or another one of our published policies, it is not designed to review the fairness or meaning of the MU Rules or policies. The service is also unable to deal with complaints regarding legal issues or commercial disputes.

More information about the Independent Complaints Review Service is available on request from the MU Royalties function and we will provide full details of how to use this service when we respond to complaints at the final step of our complaints procedure.

The MU's Independent Complaints Review Service is provided by Ombudsman Services, a third party organisation offering an independent and impartial means of resolving disputes for the communications, energy and property sectors (with OFCOM, OFGEN and OFT approval) and which is also now providing services to a number of copyright licensing CMOs.

For more information about Ombudsman Services, including what types of complaints it can review, the ways in which it can resolve complaints and details of how to use their service, please visit <http://www.ombudsman-services.org/copyright.html>

## **6. ABOUT THIS CODE**

### **6.1. BCC compliance**

This Code complies with the British Copyright Council's Principles for Collective Rights Management Organisations' Codes of Conduct (the "BCC Principles"), a voluntary, self-regulatory framework to establish a common set of principles of good practice as the basis for codes of conduct.

The BCC Principles can be found on the BCC website:

<http://www.britishcopyright.org/page/276/principlesof-collective-management-organisations-codes-of-conduct/>

Please note that some aspects of the BCC Principles focus on a CMO's licensees rather than its members. The BCC Principles state that separate codes for members and licensees may be desirable. The MU does not currently have a separate Code of Conduct for licensees.

### **6.2. Status of this Code**

This Code is a voluntary code of conduct and does not contain any legal advice or form part of any licence or contract between you and the MU. However, our Comments, Feedback and Complaints procedures provide details of steps you can take, and how we will respond, if you feel that we have not complied with this Code in our dealings with you as a royalty payee (see Section 5 above).

### **6.3. Review of this Code**

We will publish information about our performance against this Code at least annually, including a complaints report. The MU will regularly review the operation of this Code, including the Comments, Feedback and Complaints procedures, and it will be updated from time to time as appropriate. This may include any changes required in response to any changes in the BCC Principles. It may also include changes in response to the Independent Code Review (see below) and the MU will also have appropriate regard to the Government's Minimum Standards for UK Collecting Societies (see below).

#### **Independent Code Review**

The BCC Principles provide for an Independent Code Reviewer to be appointed to review the BCC Principles and the operation of CMO codes under it, with the review process commencing in November 2013 and then taking place at three-yearly intervals. The Independent Code Reviewer will consult on the review, and publish a report on the review.

## **Minimum Standards**

The UK Government published Minimum Standards for UK Collecting Societies on 23 October 2012, stating that they are intended to underpin the self-regulatory framework for collecting societies. Like the BCC Principles, the Minimum Standards focus on fairness, transparency and good governance. Both are documents to form the basis for codes of conduct (rather than being in the form of codes themselves) and both cover many of the same areas. The Government has stated that the Minimum Standards are a “living document” that will evolve to take account of market developments, and that it expects collecting societies to have codes complying with the Minimum Standards within one year of the Minimum Standards being published. The Minimum Standards can be accessed at: <http://www.ipo.gov.uk/hargreaves-minimumstandards.pdf>.

### **6.4. Availability of this Code**

The current version of the MU’s Code of Conduct for royalty payees will always be published on our website at <http://www.musiciansunion.org.uk/Home/Advice/Recording-Broadcasting/Royalties>

We are happy to provide a paper copy of the Code on request. If you have any special reading or access requirements relating to accessing this Code please let us know and we will try to assist.

## APPENDIX A

Musicians'  
Union



### MU ROYALTY COLLECTION MANDATE

By accepting this payment you hereby appoint the MU as your representative in respect of all recorded performances made by you (or the musician you represent) under the terms of a collective agreement with the Musicians' Union, and hereby grant the Musicians' Union the right:

- a) to negotiate collective and/or other agreements on your (or the musician you represent's) behalf with the makers and/or users of such recordings on which you (or the musician you represent) have performed for uses of such recordings not provided for in the applicable MU agreement;
- b) to grant any and all necessary consents on your (or the musician you represent's) behalf in respect of such uses of such recordings;
- c) to collect, administer and distribute monies arising from such uses either directly or through appropriate organisation(s) and
- d) to retain from such monies (at the Union's discretion) sufficient to cover the reasonable costs of such collection, administration and distribution

If you are not the musician named in the "Musician Name" field on the first page of this statement, by accepting this payment you warrant that you have full right and authority in law to exercise the Musician's rights in such recorded performances and to make this appointment and grant these rights to the Musicians' Union, and will fully indemnify the Musicians' Union if you do not.