

LAUNCH ISSUE // SEPTEMBER 2011

THE ECHO

ASD
ASSOCIATION *of* SOUND DESIGNERS



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Welcome to the ASD

For a long time there has been a conspicuous lack of a professional body representing sound designers. It's been one of those things we've talked about whenever more than two or three of us happened to be in a room together. We have long envied our lighting colleagues for having their Association of Lighting Designers - without being entirely sure what the ALD did. We knew at least that it brought lighting designers into a closer community than ours, and that it definitely involved Christmas drinks!

The Association of Sound Designers has many aims and aspirations, and these will surely develop and change over the coming years, but it is the creation of a sense of community that is at the heart of it. Full-time sound designers rarely encounter each other more than fleetingly, which in a competitive but unstructured and unpredictable industry like theatre, tends to drive sound designers apart rather than draw them together. There are also many who design sound more occasionally, often uncredited and without any support. We also work in an industry that sometimes seems

more concerned with equipment specifications than training us how to use that equipment in the pressure of a tech. So we've created the ASD as a community for sound designers: to provide support, advice and education to each other, and to the theatre industry as a whole.

The ASD is run by sound designers for sound designers. Inevitably this means that the business of running an association is rather new for us. We've been climbing some steep learning curves to create content management systems, websites, magazines, organisation-level accountancy, mass-emailing, and many other things we never thought we'd need to know about. So you'll see us developing how we do all of these things over the coming months as the organisation grows. But whilst we may be fairly new at running an association, we're experts in the business, art and technique of sound design. You can count on the advice given and knowledge shared. It's all based on our real world experience of both large and small productions, plays and musicals, mega-budget and there-is-no-budget shows.

During the formation of the ASD we talked a lot about who it should be for. In the end we decided to create a focused organisation that would cater to UK theatre sound designers initially, and look in the future to expanding our horizons to other forms of sound design and other shores. We wanted to create a place where sound designers could talk confidentially about contracts, fees, equipment and experiences, hence the creation of our private discussion forums. But we didn't want to exclude anyone from membership who could contribute to the community, and benefit from it. So we created membership categories for those who wouldn't necessarily call themselves sound designers, but who want to be part of the community.

As we've started forming our association we've encountered lots of new faces, and we're sure our faces are new to some of you. One of the main features of our website is our directory of sound designers, which is a place where our members can advertise themselves - what they do and what they've done. It's a great place for directors, producers and venues to find sound

designers, and a great place for all of us to find out a bit more about each other.

Finally I have to offer huge thanks to the many people who have helped us get here, but most particularly to the rest of the steering committee who have brought the association to this point over the last 18 months: Paul Arditti, Nela Brown, Steven Brown, Ian Dickinson, Carolyn Downing, Gregg Fisher, John Leonard, David McSeveney, Gareth Owen and Christopher Shutt.

Gareth Fry
Chair, Association of Sound Designers



Join now at [associationofsounddesigners.com](http://www.associationofsounddesigners.com)

The Association of Sound Designers has five levels of membership:

PROFESSIONAL DESIGNER

For anyone making a full or partial living from theatre sound design in the UK

PROFESSIONAL MEMBER

For anyone working in the UK theatre sound design industry

CORPORATE MEMBER

For any company working in the theatre sound industry

ASSOCIATE MEMBER

For anyone interested in theatre sound design

STUDENT MEMBER

for all students aged 16 or over on a full time post-secondary course of study in the UK

Entrance criteria exist for each category. Please visit <http://www.associationofsounddesigners.com> for more details. Different benefits exist for each membership category, but the key benefits of the professional member categories include:

- Appearing in a public directory of sound designers
- Regular news updates relevant to the sound design community
- Private discussion forums to discuss sensitive topics
- Use of an ASD approved rider to append to their contracts
- Access to our private Wiki knowledge-base on sound design
- Training sessions organized by the Association of Sound Designers
- Printed magazine every 3 months

THIRD PARTY BENEFITS

We also have partnered with a few companies to provide additional benefits to our members

- 100 free sounds from Soundsnap (worth \$99 USD)
Soundsnap.com is the home of 140,000 pro quality sounds from the sound designers of: Batman Begins, Million Dollar Baby, Ali, Happy Feet, Star Trek, The Addams Family, Tron, The Hunt for Red October and more.
- 1 hour free consultancy and 15% discount on accountancy services from KBSP Chartered Accountants
- 50% off membership from Stage Jobs Pro



MEET THE ASD BOARD



Top to bottom: Gareth Fry, Paul
Arditti, Steven Brwon, Gregg
Fisher, Carolyn Downing

PAUL ARDITTI

Like the other founder members of the shiny new ASD, I'm delighted, and slightly amazed, that this one little year has seen a well-intentioned but amorphous idea solidify into a proper, grown-up organisation that you might actually want to join. With a decent logo too. Who would have thought it?

It turns out that most sound designers are not solitary tech-geeks with unsophisticated dress sense, indifference to graphic design and a dislike of daylight. How do I know? Because they came in their hordes to the very first meeting of the ASD, and I saw them. They're sociable, articulate, passionate and - your correspondent obviously excepted - often charming. We've got the witnesses and pictures to prove it. This is more significant than it may at first appear. If we get it right, the ASD may soon benefit us all by touching us with its wand of professionalism and positivity. So I urge you to join us, and to contribute to this magazine and the repository of useful stuff on our website. There's never been a better time to prove to the rest of the business that we're talented, well-rounded individuals with the maturity to support each other, rather than merely to compete. Three cheers (with a bit of reverb in the surrounds) for the ASD!

STEVEN BROWN

I clearly remember first discussing the need for an Association of Sound Designers way back in the early nineties when I was working at the National Theatre and now, at last, we're there. It's been quite a journey getting to this point, after the discussion was re-ignited again by Gregg Fisher nearly two years ago, but a solid foundation has now been put in place which can only benefit all of us who earn a living as theatre sound practitioners.

I'm passionate about ensuring that those in our profession, who aren't based in London or any of the other main theatre hubs in the UK, are properly recognised and represented within the association. This association offers the sound design community as a whole a wonderful chance to unify, share thoughts, ideas, problems and solutions and I feel that it's important that those working in regional theatre are given a strong voice and are fully represented in the decision making process.

These really are exciting times for our profession and I feel very honoured to have been elected to the inaugural board of the Association of Sound Designers.

Here's to the future!

GREGG FISHER

As we know, the formation of an Association specifically for Sound Designers has been the subject of discussion for many years. The newly launched Association of Sound Designers builds on the efforts of the members of the ASD Steering Committee and, importantly, all the pioneers in this profession who have ever dreamed of a sound designers' association (and you know who you are), to whom we are deeply indebted. We are committed to having the ASD be a participatory organisation, driven by the needs of the professional membership in all of its diversity. In my experience, sound designers have always been keen to help each other unreservedly, with great heart. We want the ASD to be your 'default' professional community, a home base to offer ideas, consult, learn, teach and socialise – a place where we can be open and supportive to each other (and those training for or entering the profession) whilst also enhancing the profile of the profession within the larger industry.

For me, this evolutionary step marks a 'coming of age' for a profession that heretofore has had no singular voice working on behalf of all of its members. It marks, for ourselves and those looking in from the industry, a shift from sound design as 'discipline' to sound design as 'profession'. It marks a mature understanding that by joining and working together, we can be more supportive, more creative, and have more influence on issues that affect our work and our personal lives. Join us!

CAROLYN DOWNING

Well here we are, down in black and white, the ASD. I'm so excited to be part of the launch of our spanking new association, so proud of everyone's hard work over the past two years to get us to where we are now. I personally am looking forward to the many discussions of various topics that will no doubt be jostled about between the wide variety of members, where we can enjoy the fantastic patchwork of different interests and experiences, culminating in a shared growth and wider view on our beloved industry.

I have a personal interest in self education, the opportunity to be open about the holes in ones knowledge, with the awareness that these holes can be filled with the help and vast experience of a whole host of different personalities. I am also very passionate about the education of newcomers to our field, discovering and championing new ways in which to keep this fresh and inspiring, passing on my own knowledge as well as inspiring my own practice with the enthusiasm of those new young things on the block. I'd also like to find a way to use our association to offer any necessary support to other female members and to encourage more ladies to become part of the fold.

So, here's to all who share a passion for all things aural and I look forward to sharing this wonderful place called the ASD with you all.

Showcase: London Road



London Road
Cottesloe, National Theatre.
Opened 14th April 2011
Sound Design by Paul Arditti
Composed by Adam Cork
Book & Lyrics by Alexy Blythe
Directed by Rufus Norris

Associate sound designer/PSE: Mathew Smethhurst
Evans

No.1: Wayne Harris for the initial run, then Bique
Haddelsey for the extension

No.2: Becky Stockting
MD: David Shrubsole

***“the most genuinely interesting
and innovative new musical
I’ve seen for ages... At last we
have a really worthwhile,
home-grown, experimental
piece of musical theatre at the
National. Let’s hope London
Road starts a trend.***

Michael Coveney, What’s On Stage

London Road makes for a particularly interesting first show case for The Echo because it involves a collaboration between this year’s Olivier Award winner for Best Sound Design, Adam Cork, and previous two-time Olivier Award winner, Paul Arditti. It is also interesting due to its innovative form. Alecky Blythe is an exponent of verbatim theatre. Her theatre company, Recorded Delivery, has created six previous shows using this technique since 2003. Each show has involved interviewing people on location: their front room, on a street corner, etc, and recording those interviews with a dictaphone. These interviews then form part of the writing process for Alecky – who edits and structures them into a dramatic work. In previous shows the performers would each wear headphones which played back the interviews and would then mimic the recording as closely as possible, including the hesitations, coughs and stutters. The desire is for a performance that captures the energy of the interviewee as closely as possible, warts and all, because those warts often carry a sense of identity, character and truthfulness-to-life that is often missing from written dialogue.

When rehearsals of London Road began, whispers began to filter along the grapevine that it was some sort of verbatim musical, which raised more than a few eyebrows. And

rather than developing from a long-standing collaboration the show had been penned by two people who hadn’t worked together previously. Furthermore the subject matter seemed to be about the real-life serial murders of five prostitutes in the London Road area of Ipswich in 2006. Clearly London Road was a risky proposition for the National Theatre and its creative team, not only covering recent controversial events but doing so with an untried form from a writer and lyricist who had never worked together previously! The production opened with many eyes upon it to see if it would come a cropper. Fortunately it was a resounding success and is just nearing the end of an extended run in the Cottesloe space of the National Theatre.

Rather than focussing on the murders themselves, London Road looks more closely at the impact of the crimes on the community itself. Alecky’s first set of interviews was conducted just after the murders took place, amidst a sea of crime scene tape and journalists, whereas her final set of recordings took place during the trial of Steve Wright. The community had taken a very proactive approach to the blight upon their street and had banded together, hung lots of hanging baskets around the street and formed an association that organised social nights, quizzes, raffles and, as starts the show, a



London Road in Bloom competition.

The show starts (and ends) with playback of one of Alecky's interviews with the residents, and segues into a performer singing the same text, which reminds us, the audience, that everything we hear is exactly what was said, and said by real people.

Paul Arditti explained that the recordings featured heavily through the rehearsal process using 20 channels of in-ear monitors so that the actors could hear the recordings. Rehearsals were split into 'audio' sessions, using the recordings to hone the actor's delivery of the text, and music sessions in which the recordings weren't directly used but frequently referred to. Alecky was in rehearsals full-time and as the accents and inflections are so crucial she would update the script by editing the recordings on her laptop in Adobe Audition. CD's were burnt on a daily basis for the actors to take away and learn.

Adam's music has been written in response to the recordings, musically replicating some of the complex rhythmic patterns that can emerge from the cadence and hesitations that occur in everyday speech. "Begonias and... Petunias and... um, Impatience 'n' things" being the closest to what one would describe as the hook in one of the early songs. It was a huge task for Adam to

transcribe the recorded interviews, and then to find melodies within certain sections of text. Adam has described the process as finding the music from listening really closely to how people say things.

Adam: "The listener hears something very familiar at the outset – 'normal speech'. However there's a musical accompaniment which follows every twist and turn of the melodic line through all its (musically) anarchic movements, and when complex sections are reprised later in a number, the effect becomes decidedly musical."

There was a great concern all round that using music might seem to trivialise the events and people that the show documents. Rufus Norris, the director, was very keen to keep the transitions between the spoken and the sung words as imperceptible as possible. At the start of London Road you're not aware that it is a musical, with a seamless transition between underscored spoken dialogue and musical numbers.

Paul: "I was very keen to keep the amplification as natural as possible at all times. The radio mic amplification maintains a consistent margin of volume over the music, whenever it creeps in, so you're not too aware of it. Adam has brilliantly avoided obvious musical introductions and

buttons on the end of numbers. The dialogue and the lyrics are essentially the same material, and the music washes in and around the words”

Act One feels seamless with songs and underscoring segueing continuously throughout, whereas Act Two has longer dialogue-based scenes intervening between songs:

Adam: “The difficulty when tackling a serious subject using music is that music has always had a lot to do with the experience of pleasure, even if it carries serious thought or argument or character detail. Music also feels ritualistic in its inevitable repetitions, and balancing the moments of thought/music/ritual against moments of thought and character as naked speech was the right decision for the second half.”

To make the creative team’s challenge even greater, the staging is in thrust with the audience on three sides, and on three levels. The Cottesloe has no proscenium to speak of so the performers perform up to the feet of the audience in the first row. The band - two keyboards, an electronic drum kit, electric guitar, acoustic guitar, bass guitar, and three reeds - all sit on a platform upstage separated from the playing space by the scenery which provides enough acoustic separation for Paul to have almost 100% control over the band levels. Adam

worked hard to keep loud acoustic instruments to a minimum in his arrangements. Paul added to the existing Cottesloe sound system three centre clusters of six d&b T10s in the auditorium, to serve each of the three main audience sections.

Paul: “It was vital to have even coverage, so using compact line arrays with a wide enough horizontal dispersion to cover the seats, even with the very short throw distances, and very precise vertical coverage, enabled me to get audio to the audience without it splashing back into the mics. There are quite a lot of sneaky sidefills and delays to fill in the gaps where coverage drops.”

For a show that is rooted in location recordings from the Ipswich area, there is very little naturalistic atmos used throughout the piece. Adam and Alecky initially encouraged Paul to

“groundbreaking... the whole concept might sound deeply dodgy, but somehow it works, combining humour and compassion with what Wordsworth called ‘the still sad music of humanity’”

Charles Spencer, Daily Telegraph

add atmospheres to enhance scenes and locations. With many scenes in different locations, cross-fading and cross-cutting with each other, Paul felt that the atmos was unhelpful and so the acoustic (and physical) scenery was kept to a minimum. He was also keen to leave a “clean acoustic palate for Adam’s music to flavour”!

Adam: “One of the many great things about working with Paul is that he effortlessly makes the band and voices sound perfect. Paul augmented this with some wonderful atmospheric sound design, sometimes juxtaposed with the songs and sometimes within the scenes.”

Paul was equally complimentary about Adam, so clearly a successful first collaboration together:

Paul: “I think Adam is staggeringly talented, and I wanted my contribution to be worthy of him. And from the first time I heard Adam’s (irritatingly well-sung and smoothly produced) music demos, I knew that I had hitherto only seen the tip of Adam’s musical talent.”

Paul Arditti has a long-standing collaboration with director Rufus Norris, almost always involving significant musical content, and usually with radio mics and live instruments.



Before the London Road set was designed, Paul and Rufus discussed the location of the band, and the format of the auditorium, and what those things would mean for the sound system. Paul explained that Rufus is very savvy, and knows how important it is to get certain physical things right at the beginning, so that the sound designer has a fighting chance later on of getting the sound to work as it should.

Paul: "Rufus trusts me to get on with things. He doesn't micro-manage, or give me reams of notes concerning missed pickups or overloud drums. He knows that I'll already have the same notes. It's a great relationship, and gives us both space to work together on the things that need improving and changing in the show."

With such a new form, the first preview of London Road was always going to be an exciting one, and many eyes were upon it to see how the audience would react to what appears on paper to be such a bizarre proposition.

Paul: "The first preview of London Road was probably the most astounding first preview I have ever witnessed. All of the creative team believed in the show, but we genuinely had no idea whether it would work with an audience. It was all so untried. From the first few notes it was obvious that the audience loved it, and the

show's popularity was assured from then on."

"On the other hand, the vocal mix, band balance, and sound effects operation were very much work in progress. The first preview was very quiet, band-wise, because we were most concerned about vocal comprehensibility. There was little or no reverb on the voices, because I was keen that they sounded unamplified. As we progressed through the previews, we carried out the combination of rebalancing, technical fault-finding, reworking, adding, subtracting and learning that is the process in any new musical."

Adam: "The first preview was extraordinary. I often find the first preview to be a more exciting show than any other, because the cast and band and everyone else working on the show is experiencing car-crash adrenaline and they're all knackered after the tech. The first preview had a great quality of vulnerability as well, because the material was still finding its feet. We seemed to lose that around preview three when the show really clicked into place and vulnerability was usurped by a mastery of the material which was almost too dominating, given the subject matter. By press we had settled into a happy balance between both - the cast and band's knowledge of the score and familiarity with performing the show was such that they could allow it to be both vulnerable and controlled."



SPEECH TO SONG

Diana Deutsch, an American psychologist has spent a lot of time studying the often-blurred boundary between music and spoken language.

Her audio demonstration “Suddenly behaves so strangely” has become a classic example of the phenomena where the repetition of text can make it musical.

For more on this, visit:
<http://philomel.com/asai56th/deutsch.html>

Using copyrighted music in theatre in the UK

There are 2 bodies dealing with clearance of copyright for music in the UK: PRS for Music and PPL.

PRS for Music collect royalties for the people who published the music of the song. This is usually the song's composers, their estate or their publishers, not the performers. PPL collects royalties for the owner of the recording of a song. This is usually the performers of the music, or their estate or record company. If you are performing a song live, or quoting the lyrics of a song, you need to obtain permission from PRS. If you are playing someone else's recording of a song, you need to obtain permission from PRS and PPL.

This article was fact checked by PRS For Music and by PPL, August 2011

PRS for Music

PRS for Music have a Tariff T for Theatre usage. All fees below are ex VAT. A theatre can obtain licenses that cover the following:

An annual OEX Music license covering Overture, entr'acte and exit music (Pre- and Post-show music) but does not cover the use of music in the foyer and bar. This license costs between £123.20 and £739.16 depending on the size and type of the theatre. A weekly license covering Incidental (underscoring) or curtain music. This license costs between £7.84 and £30.89.

These first two licenses are for venues rather than for a production, and most established venues have these licenses in place. Licenses can be obtained for temporary venues. Typically a PRS Form is filled out for each production, that details what musical pieces are played, for how long and what category they fall into. This is so that PRS can determine how much to charge

you, and how much money to give to which artists. Example forms can be found in the ASD website. The PRS form is typically filled out by the show's producer, though sometimes the venue will do this given sufficient information.

There exists a third category called Interpolated music. This refers to any music that can be heard by or are performed by the characters of the production, or that the characters reference. This is the trickiest category to obtain permission for as PRS is not able to grant permission for all music tracks. Some artists have stipulated that their musical works cannot be used in film, TV, theatre, either at all, or with certain conditions, i.e. they don't want their music to be used to endorse a product or be used in a way that they don't like, for example to be used in a scene with drug abuse. If you wish to use music by The Beatles, Jimi Hendrix, Michael Jackson, Phil Spector, Bob Dylan, Richard Rogers or anything Disney related you should

talk to the PRS as soon as possible.

The idea is that you should contact PRS for Music at least 28 days before the first performance with a list of interpolated music and details of the production. A Dramatic Rights Clearance Application can be obtained by contacting PRS's Concert Sales department on 0845 300 60 33. PRS then contact the license holder – the Publisher - who might be the composer, their estate or their record company - to seek permission to license the music for use in the production. Some license holders won't mind and permission will be granted for use of the music through PRS at the rates below. Or PRS will contact you you and inform you that you need to arrange permission directly from the music publisher. This can be an arduous process. The publisher may want more information including script extracts and context of how their music is being used. They are free to set whatever price they like. Some publishing companies are very interested in film and TV usage as this gets large financial returns for them. Consequently they may try and apply those extremely high rates to your theatre production. Or they may have no interest in theatre, knowing that there's not a high return to be seen so they may not even reply - in this instance one can claim that you have used "best endeavors" to contact the rights holder. For

these reasons it is best to try and obtain clearance for interpolated music as far in advance as possible, particularly if a track is particularly integral to a performance.

Of course it is often the reality that no-one knows exactly what music is going to be used and how long it is going to be played for until a few days or even hours before the first performance. It is a copyright infringement to perform, or play a performance of a musical work without clearance, but one that out of necessity a lot of theatres infringe on a regular basis. A higher rate is therefore charged for all these licenses by PRS if they are applied for after performances have started, and there is always the risk that the copyright owner may take legal action. The best strategy to remain within the law is to seek permission in advance for a number of tracks that you might use and then only pay for the one that you do use. The rates for interpolated music licensed through PRS For Music are varied. For productions where more than 30% of the running time has interpolated music controlled by PRS For Music, the rate varies from 1% to 9% of net box office receipts. For productions where less than 30% of the running time has interpolated music controlled by PRS, the cost per performance is shown in Fig.1. This is the standard royalty for a West End

theatre with less than 1001 seats. These rates are increased or decreased for different size and theatre types. For example a non-West End theatre with less than 1001 seats will have the rates decreased by 12%.

PRS for Music does not control the rights for ballets, opera, panto or musicals whose music has been specially written for them if you are performing that ballet, etc. But if you use the music from a ballet, opera, panto or musical in another performance you need to obtain a license from PRS.

FIG. 1: PRS COST PER PERFORMANCE

Duration	Standard rate	Higher rate
0-2 minutes	£1.245	£1.868
2-4 minutes	£2.470	£3.705
4-8 minutes	£4.925	£7.388
8-12 minutes	£9.855	£14.783
12-16 minutes	£14.795	£22.193
16-20 minutes	£19.715	£29.573
20-24 minutes	£27.855	£41.783
24-28 minutes	£36.135	£54.203
28-32 minutes	£44.355	£66.533
32-36 minutes	£52.535	£78.803
36-40 minutes	£62.425	£93.638
40-44 minutes	£72.270	£108.405
44-48 minutes	£85.420	£128.130
48-52 minutes	£98.550	£147.825
52-56 minutes	£111.675	£167.513
56 minutes and over	£124.850	£187.275

PPL

A theatre can obtain a flat fee license (“PPLPO31 Background Music Tariff - Theatres”) of £104.06 plus VAT per year to cover foyer, pre-show, post-show and interval background music. This license is typically obtained by the venue rather than the theatre company.

There is a second tariff (“PPLPO32 Theatrical Productions Tariff”) for music used in a performance. The fees apply per performance, based on total amount of time played ex VAT (shown in Fig.2): This license is more likely to be obtained by the theatre company than the venue, though some venues will obtain this if given the required information PPL have a separate tariff for “PPLPO30 Amateur Theatrical Productions” that covers both pre-show, post-show, interval and music used in a performance for £52.55 plus VAT per year.

FIG. 2: PPL COST PER PERFORMANCE

Duration	Rate
0 - 2,5 minutes	£2.30
2.5 - 5 minutes	£3.29
5 - 10 minutes	£6.58
10 - 15 minutes	£9.87
15-20 minutes	£13.16
every extra 5 minutes	an additional £3.29

Finding out who owns the copyrights

This information is usually provided on a CD inlay cover. Typically this might look like this:
© Universal Music © Sony UK.

This indicates that Universal Music is the Publisher of the music, for the purposes of PRS for Music; and that Sony UK holds the rights to the recording of the song, for the purposes of PPL. Be aware that if you have bought a CD abroad it may show the details specific to that country - one company may hold or administer the rights for a certain song in the UK, but a completely different company might hold the rights for the same song in a different country.

Music downloaded over the internet very rarely contains information about who holds the copyrights. Finding this information is usually easy enough via Amazon.co.uk, Google, Wiki, etc. but again be careful that you get the information specific to your country.

If you (or PRS/PPL) are unable to identify or locate the copyright holders after a diligent search, you can classify the piece as an "orphan work". Using any work without having traced the copyright owner still means that at a future date the copyright owner can take legal action for the unauthorized use of their work. High-profile and long-running shows are more at risk

for using orphan works because it is more likely that the copyright holder will become aware that their work has been used. In the majority of cases there is little way for them to become aware that their work has been used though. The risks of exposure to legal action are reduced if you have made an extensive search and have documentary evidence of that search (dates of the searches, names of the resources used, the search terms employed, and any announcements made for example on a website or in a trade publication). In the case of an orphan work a statement can be made to PRS and PLL declaring "work still in copyright, right-holder could not be traced" and no payment is made. Clause 43 of the Digital Britain bill was recently rejected. This would have provided a central repository into which people would have paid to use orphan-works, such that the rights-holders could collect from it in the future.

Some places to track rights-holders for more obscure titles:
The European Digital Library -
<http://search.theeuropeanlibrary.org/portal/en/index.html>
WATCH -
<http://tyler.hrc.utexas.edu/>
The Guide to Musical Theatre (database of Grand Rights holders) -
<http://guidetomusicaltheatre.com/>

Length of copyright and works in the public domain

The length that a musical work remains under copyright in the UK is until 70 years after the death of the last surviving creator. This was changed from 50 years in April 2009. If the music originates from outside the EU the copyright lasts for as long as the music is protected by copyright in its country of origin, provided that that does not exceed 70 years. After that time the work falls into the Public Domain which simply means that it is not covered by any intellectual property rights, and hence it can be freely used, copied, sampled, translated, re-arranged or adapted in any way without permission. The duration before a work falls into the public domain varies from country to country.

This is a good resource dealing with using US published work in the UK:
<http://www.publicdomaintreasurehunter.com/2010/07/25/republishing-u-s-public-domain-works-in-the-u-k/>

Editing, sampling, remixing

There is a common myth that it is OK to sample a performance or recording so long as it is under 8 seconds, or 2 seconds. In fact anything that is recognizable as being part of a copyrighted work needs clearance, even if it is just a drum

beat. It is simplest to treat a sample as if it were the original work itself. If you use a 1 second drum beat 60 times, then obtain clearance for 60 seconds of that track.

Editing music is commonplace, however the forms that PRS and PPL have us submit information to them do not have anywhere to inform them about any edits or changes to the music that we have made. In the case of Interpolated music where PRS does not control the performing rights you will often make a deal directly with the music publisher. They often ask for extensive information about how the music is to be used, including script extracts and information about the play as a whole and its themes. Any hint that you've altered the original composition will make a simple clearance unlikely - you may well be asked to provide a CD of your edits or remix for approval by the publishers, which can take a considerable amount of time or be rejected on principle. Any music not played from its original release format does require the record labels permission before PPL will issue a public performance licence.

Usage

If you have cleared your music for use in a theatrical production, it does not mean you have the right to use that music on your website, trailers, etc. The permission you receive will

usually only cover its use in your theatre production for the dates and venue(s) specified, and any other use will require separate licensing and payments as would extending the run of the show or touring it.

Using TV clips

Getting clearance for TV clips is a much tougher affair as there are no central clearing agencies like PRS for Music or PPL. You need to contact the copyright holder directly. When they make a programme they do not necessarily gather the permissions that may be required for use beyond what is required for broadcast. They may need to contact and make an arrangement with each of the performers, creatives, crew originally involved with their production. Consequently costs can be high, so it is often cheaper to make something original. Dealing with larger companies like the BBC can be easier than tracing down production companies that might only have existed for the purposes of making a programme.

Using music abroad

Different countries across the world have different licensing bodies that work in different ways to clear music. Obtaining permission from a publisher often will usually only cover one country. The duration before a work falls into the public domain varies from country to country as well.

One publishing company may hold or administer the rights for a certain song in the UK, but a completely different company might hold the rights for the same song in a different country. Some countries don't recognize copyright usage in the same way we do and don't have similar means to collect and distribute royalties, or provide clearances. It is best to contact a venue in that country to obtain advice.

<http://www.prsformusic.com>
<http://www.ppluk.com>



Legal Notice

This information is given as a guide only and is not intended for use as a source of legal, business or financial advice. This guide contains descriptions of common practices in the UK theatre industry which, if copied, will result in copyright infringement. All attempts have been made to verify the information provided in this guide, however the Association of Sound Designers assumes no responsibility for errors, omissions or contrary interpretation of the contents. All figures are correct as of August 2011

Getting paid on time



“Only one third of PLC’s pay their bills within 30 days”

source: <http://payontime.co.uk>

If you’re a freelancer then you’re probably used to not being paid on time. There are those employers who don’t pay you until they’ve been paid by their client, there are those employers who just aren’t very organised and those employers who seem to have made it policy to pay as late as possible.

But there are some steps we can take to encourage prompt payment.

First of all, agree your payment terms in advance. The UK standard is “Thirty days from the date of invoice” and applies when an alternative hasn’t been agreed. If you wish to specify a shorter term or anything else it has to be agreed in advance.

Secondly, re-state the payment terms on your invoice. Use this as a template: “Payment is due within 30 days from date on invoice. If payment is not made within 30 days then interest will be invoiced for in accordance with the Late Payment of Commercial Debts [Interest] Act 1998 as amended and supplemented by the Late Payment of Commercial Debts Regulations 2002. The current interest rate is 8.5% per day.”

As well as making your payment terms clear to whoever is processing your invoice, it also makes your invoice look more professional and business-like.

There are times when you just have to grin and bear it on the assumption that being paid late is better than shouting at them and not getting employed next time around. But there are other times when you don’t want to be quite so diplomatic. In those instances it’s good to know your legal status and the tools at your disposal. Fortunately the law – the Late Payment of Commercial Debts (Interest) Act 1998 – is very clear and helpful, allowing us to seek both interest and administrative charges on late payments without any legal action.

The calculation of how much interest you are owed is slightly tricky, and the interest rates change every six months. However there is an interest calculator available online at <http://payontime.co.uk/> where you simply enter the amount owed, the date the money was due, and the date it was paid (or today’s date if it is still outstanding). If you are VAT registered, you calculate the interest on the gross amount of the debt i.e. including VAT – but you don’t

charge or pay VAT on the interest you invoice.

In addition to the interest owed, you can charge for having to chase the debt: currently £40 for debts up to £999, £70 for debts over £9,999.99, and £100 for debts of £10,000 or more. You can only charge this once, not each time you chase the debt.

So for a debt of £2,000 that is 30 days late you can charge £14.80 interest at the current rate and a £70 administrative charge.

Both the interest and compensation are payable by law – it is up to you whether to enforce this right. You can invoice companies for interest and compensation up to six years (five in Scotland) after they have paid you, and you don’t need to have notified them in advance that you would charge interest and seek compensation.

The simple act of sending a second invoice for the interest owed can be enough to push some companies into paying your invoice faster

We’ll look at the action you can take when you’re not paid at all another time.

Secret link

This track is **private**. These options are only visible to you.

Shared with: **Nobody yet**

Add/Remove people

Secret link: Make it short

Embed Code:

Make track public

Timed comments



SoundCloud for audio professionals

SoundCloud is one of the easiest ways to send high resolution audio files across the internet, whether for file transfer or to let someone listen to a track.

File transfer

With a SoundCloud account you can upload audio files of any resolution in virtually any format, from a low quality mp3 to a 24bit 192kHz wave file. Your SoundCloud account is measured in minutes not file size, each Lite account holding 4 hours of audio so there's no penalty for high quality audio. You can choose who can access your sound files by emailing them a 'secret link' and you can choose whether they can download it or just listen to it. You can also see how many time your audio track has been downloaded or listened to.

Auditioning

With a SoundCloud account you can upload sound files for directors and other collaborators to listen to. You can email them a 'secret link' so only they can listen to it and you can choose whether they can download it or not. Best of all SoundCloud lets them see a visual waveform of your audio file, which they can add comments to along the timeline, i.e. 'I really like this bit' at 00:01:42.

Portfolio

SoundCloud is the best place to host your audio portfolio. You can organise your files into sets, which are like playlists in iTunes. You can upload your work and place it into a set and make it available to the public. Then simply put the link to that set in the Portfolio field of your

Portfolio

8 tracks, 10.58 [garethfry](#) • 3 months ago

Share Edit Delete

0.07 / 1.30

1. [Anthony & Cleopatra](#) 1.13 16 plays
2. [Astronaut - Morning routine sped up](#) 0.19 6 plays
3. [Forest](#) 1.30 8 plays
4. [Fuming Machine](#) 3.04 10 plays
5. [Phaedra's Love](#) 0.44 14 plays
6. [Tony's theme](#) 2.12 20 plays
7. [Accrington Pals - Machine gun to sewing machine](#) 0.23 18 plays
8. [Dancing at Lughnasa Opening Cue](#) 1.30 19 plays

ASD Directory Profile. People browsing your profile then click on the link to browse through your work. You can also share your tracks on Twitter and Facebook with a simple click. Have a look at this example:

<http://soundcloud.com/garethfry/sets/portfolio-1>

Uploading files

You can upload files using the SoundCloud website, or you can use various third party utilities like 'Cloud Post' to batch upload a bunch of files.

Drop Box

You can easily place a drop box on your own website where people can send you audio files simply by clicking on the link.



Accessing your sound files at home

Another use for SoundCloud is to access your archive of past shows at home. You can use <http://www.logmein.com> to log into your computer at home, then use Cloud Post <http://cloudpostapp.com> to upload the sound files you want to your SoundCloud account. These files can then be downloaded to your laptop wherever you happen to be.

iPhone

SoundCloud for iPhone lets you access your SoundCloud Dashboard from your iOS device giving you access to all your files and statistics, as well as letting you record sound on your phone and upload it straight to your SoundCloud account.

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