

July 2007.

## **Equity approves new BECS distribution policy for BBC simultaneous cable retransmission revenue (BBC SCR Revenue)**

### **Why BECS is involved**

The Equity Council has appointed BECS as its agent for the distribution of revenue agreed payable by the BBC to Equity in respect of the simultaneous cable retransmission of agreed BBC television services outside the United Kingdom.

Since the revenue negotiated by Equity is received on a strictly non contractual ex-gratia basis, Equity Council instructed BECS to devise a distribution policy to ensure that distributions are made to all professional performers who are engaged on an Equity style contract for a programme commissioned by the BBC and broadcast on a BBC service which is also simultaneously relayed by cable outside the United Kingdom.

When BECS was first appointed, only programmes broadcast on BBC1 and BBC 2 were the subject of cable retransmissions relevant to BECS distributions.

The Equity Council and the BECS Board therefore agreed that the fairest way of calculating payments was to divide the total revenue available by the total number of individual qualifying performances. This produced a flat rate payment for each individual qualifying performance.

Artists have received payments on this basis in recent years.

### **Where cable relays take place**

Approved cable relays of agreed BBC services take place in Ireland, Belgium and the Netherlands.

In addition to BBC1 and BBC2 ,relays of BBC3 , BBC 4, CBeebies and CBBC have now been made (to varying levels) in both Ireland and the Netherlands for some time.

The Equity Council and BECS Board have therefore agreed that, for BBC SCR Revenue received for cable relays in Ireland and the Netherlands **after 1 January 2005**, programmes broadcast on BBC3, BBC 4, CBeebies and CBBC should be taken into account for allocating payments to individual performers.

### **Why the new relays prompted a review**

The new services being relayed by cable included a much greater number of repeat showings of programmes that was traditionally the case for transmissions on BBC 1 and BBC 2.

The allocation of a single payment to each performance transmitted therefore favoured artists who gave performances in programmes that were repeated on multiple occasions on the same channel.

In addition the Equity Council and BECS Board had for some time been concerned that that single payment to all qualifying artists failed to take into account the duration of performance given. For example principal roles in a feature film of 2 hours duration were treated in the same way as a presenting role in a 10 minute programme aimed at children.

Equity Council therefore instructed BECS to devise a new distribution policy for BBC SCR Revenue which would :

- (a) distinguish relays in Belgium (where only BBC 1 and BBC 2 services were relayed) from relays in Ireland and the Netherlands (where relays of BBC3, BBC4, CBeebies and CBBC were also acknowledged as relevant);
- (b) provide for a system of adjusted transmissions to distinguish programmes that were given repeat transmissions; and
- (c) take account of different durations of programmes relayed.

#### **New distribution rules to apply for BBC SCR Revenue linked to cable relays that take place after 1 January 2005**

Following internal review of the pattern of BBC SCR payments made in recent years, the Equity Council and BECS Board approved the following the new distribution rules in July 2007:-

1. For monies received in respect of cable retransmissions in Belgium, only programmes transmitted on BBC 1 and BBC 2 should be taken into account (since BBC3, BBC 4, CBeebies and CBBC have not to date been relayed by cable stations in Belgium). This rule will be reviewed if such relays commence.
2. For monies received in respect of cable retransmissions in Ireland and the Netherlands after 1 January 2005 programmes transmitted on BBC 1, BBC 2, BBC 3, BBC 4, CBeebies and CBBC should be taken into account.
3. The number of "qualifying performances" under rules 1 and 2 should be confirmed by taking the number of performances by artists engaged under EC or Pact contracts and given in television programmes relayed by cable in the relevant period to which distribution applies on the relevant channels, but ignoring repeat transmissions to the extent that they fall within an "adjusted transmission".
4. The number of "adjusted transmissions" for a programme should be calculated by regarding :-
  - (a) any transmissions of a programme on BBC1 within the same 24 hours as a single transmission for the purposes of allocating cable

retransmission payments to that programme (and the performers in it);

(b) any transmissions of a programme on BBC 2 within the same 24 hours as a single transmission for the purposes of allocating cable retransmission payments to that programme (and the performers in it); and

(c) any transmission of a programme within one week in the transmission schedule for any one of the new channels (either BBC 3 or BBC 4 or CBeebies or CBBC).

5. Programmes given repeat transmissions outside "adjusted transmissions" should be regarded as separate performances for attracting payment for performers who have been engaged under EC or Pact contracts.

6. The number of "performers units" should be calculated by allocating a minimum of 1 point to each "adjusted transmission" of a programme including a "qualifying performance."

In addition, the number of points issued should be adjusted to reflect the duration of a programme including a qualifying performance in accordance with rule 7 below.

7. Points for qualifying performances should be allocated as to :-

(a) 1 per qualifying performance for each "adjusted tx" of programmes up to 30 minutes duration;

(b) 2 per qualifying performance for each "adjusted tx" of programmes up to 60 minutes duration; and

(c) 3 per qualifying performance for each "adjusted tx" of programmes over 60 minutes duration.

Each episode in a series or serial will be treated as a separate programme for applying the above duration rule.

Statements issued to those receiving payments will show separately payments made in respect of relays in

(a) Ireland and the Netherlands

(b) Belgium

when the payments relate to relays made after 1 January 2005.

Any outstanding payments made for relays made before 1 January 2005 will be made in accordance with the previous distribution rules.

British Equity Collecting Society  
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