

Screen Composers Guild of Ireland Pre-budget Submission, September 2021

Key Asks:

- Implementation of the Copyright Directive without further delay and increased recognition of the value of creative IP.
- Introduction of an AVMS Levy to support a newly created fund with focus on Irish IP owned productions, using Irish Creative talent.
- Inclusion of wording on music in Section 481 Culture Test to ensure greater access to employment opportunity for Irish based composers, music performers and associated music services.
- Enhancement of existing Artists Tax Exemption as recommended in the Arts and Culture Recovery Taskforce report: Life Worth Living (recommendation 2.b)
- Delivery of a Basic Income Scheme for Irish arts workers.

Introduction:

Screen Composers Guild of Ireland wishes to take this opportunity to thank Minister Catherin Martin, the Taoiseach and the wider Government along with the officials in the Department of Tourism, Culture, Arts, Gaeltacht, Sport and Media for their support of artists, creators and representative organisations throughout 2020 and 2021. The recognition of the value of the arts backed up by an increase of funding and improved access to the department has proved invaluable through this period of crisis. SCGI hopes this investment and support will continue and that from this period we will see a continued pledge of support for the creative sector in Ireland.

As we approach budget for 2021-22 Screen Composers Guild make the following asks of the Government.

- 1. Implementation of Copyright Directive to strengthen the protection of creator's rights and the recognition of the value of copyright to cultural and creative industries.**
 - ***Key Stakeholders: Department of Business and Enterprise and Department of Tourism, Culture, Arts, Gaeltacht, Sport and Media***

The European copyright directive is now close to 4 months overdue being implemented into Irish law. This is a crucial piece of legislation for SCGI members and all Irish creators,

delivering recognition of and protection for the value of copyright. SCGI call on the Department of Business and Enterprise to make the implementation of the copyright directive into Irish law a priority and to engage with industry representatives throughout the process. The implementation should additionally be supported with investment in education and legal support to assist creators, who are in the main sole operators without access to significant resources, and to their representative organisations, to help creators realise the full benefit of the legislation in its intended form.

Creative copyright is a key funding element in the economic ecology of both screen and music industries. With correct and fair exploitation of copyright the resulting economic returns help fund lifelong careers for creators and help support a sustainable domestic creative industry in Ireland. The economic benefits of creative IP to a creator's home economy are manyfold including returning a share of profits from the success of their work through royalties, funding further creative enterprise and supporting employment within creative industries both for creators and performers. SCGI feel there should be an increased recognition of the value of creative copyright at Governmental level and within the Arts Council.

SCGI feel that expertise in this field should be situated within the Department of Tourism, Culture, Arts, Gaeltacht, Sport and Media to support creators working in this industry in realising the full potential of their copyright.

2. Funding for Irish Creative Screen Industry.

- ***Key Stakeholders: Department of Tourism, Culture, Arts, Gaeltacht, Sport and Media***

SCGI call for the introduction of a levy on income earned by international media service providers from Irish audiences as accommodated within Article 13 of The Audio-visual Media Services Directive. We, along with our partners in the Creative Content Audio Visual Joint Sectoral Group call upon the Minister for Arts, Culture and Media, Catherine Martin, to put in place as soon as possible, the arrangements for a levy-based production fund to support film and television production in Ireland. Each month's delay in setting up the fund results in a loss to the creative Irish film sector both in earning and international competitiveness as other EU countries move ahead in their implementation.

This fund will stimulate growth in the creative Audio Visual industry in Ireland, support the creation of Irish IP led projects and create opportunities for Irish composers for screen alongside producers, writers and directors affording them international visibility. For further information please watch this short film made by the Creative Content Audio Visual Group using Irish film making talent including music by SCGI member, composer Ray Harman:

<https://vimeo.com/554803091>

- 3. Inclusion of Music in the Cultural Test for Section 481 and Funding of Music for Screen.**
- **Key Stakeholders: Department of Finance and Department of Tourism, Culture, Arts, Gaeltacht, Sport and Media**

Access to work at all levels of AV productions is crucial for the continued development of music for screen in Ireland. This is key to support the development and growth of talent and skills in this area and facilitate investment in music creation infrastructure in line with the development of the other elements within Irish audio-visual creativity and production. Music for screen is highly international and competitive and in order to compete successfully we feel it is important that music creation is supported overtly within the Irish Audio Visual tax credit mechanism. Data collected over a number of years by SCGI shows the level of productions in receipt of Section 481 tax credit who employ an Irish based composer or any Irish based music contribution, continues to remain static at just 25%. This falls short of what SCGI consider an acceptable level of benefit to a key creative element from a tax credit intended to incentivise audio visual production in Ireland. SCGI would hope to see this level increase to 45-50% within the next five years and would see the overt mention of music within the mechanism of the tax credit as key to achieving this. We have been in continued communication with the Department of Tourism, Culture, Arts, Gaeltacht, Sport and Media regarding this and in lieu of music being included as a numbered element within the current cultural test we would accept the addition of a note to complement the test along with communication of same to relevant stakeholders.

In recognition of the relatively disproportionate benefit to music for screen from funding for audio visual production in Ireland, SCGI call for ring fenced funding via the relevant agencies for Irish composers for the creation of original music as an element of screen content made for Film, TV, Animation and Video Games in Ireland.

- 4. Enhancement of existing Artists' tax exemption to assist with recovery of sector.**
- **Key Stakeholder: Department of Finance**

Artists' tax exemption on income earned from the sale or exploitation of original works remains key to supporting creators to recover and withstand the continuing and knock on effects of the Covid crisis. SCGI members as professional composers for screen, are very aware of the unpredictable and precarious nature of employment in the arts. Income and work opportunities can vary hugely from one year to the next and continuous investment is required to maintain the profile and skills needed to attract new work, both in the form of CPD and through procurement of international standard hardware and software to deliver music to expected high production quality. With this in mind SCGI ask that the Department of Finance revisit the current tax exemption and to deliver upon the recommendations outlined in Life Worth Living: Arts and Culture Taskforce Report 2020 to:

- Expand the current definitions of 'cultural and artistic merit' to allow for all original musical works created for inclusion in Audio Visual content to be included in qualifying earnings. This better reflects the importance of works created for

commercial usage in the earning and investment ecology of a composer and the increasing shifting of the nature of these works into cultural and artistic space.

- Allow for income to be assessed over a period of years, we would suggest five years, to better reflect the earning patterns experienced by composers and the amount of investment required over a number of years that is required to secure an high income opportunity.

5. SCGI join the call for delivery of a Basic Income Scheme for arts workers in Ireland.

- ***Key Stakeholders: Department of Finance, Department of Social Protection and Department of Tourism, Culture, Arts, Gaeltacht, Sport and Media***

We applaud this Governments recognition of the many societal benefits of a thriving cultural and arts sector. By definition a career in the arts is often perilous and without security requiring many years of investment by artists before achieving the profile and recognition which can lead to any level of economic success. This often results in arts workers being locked out of secure housing, accessing a pension, health insurance or having financial fallback in the event of illness or incapacity through their formative years if not their entire career. Access to a basic income which would allow artists the security to invest in their careers will also offer greater equality in who can pursue careers in the arts and ultimately deliver an economic, social and cultural return to Ireland. We additionally request that artist led organisations are afforded consultation in the design of any scheme particularly the mechanisms by which access to such a scheme are defined.

About The Screen Composers Guild of Ireland

SCGI is a representative organisation for composers who create music for audio-visual content (Film, TV, Animation, Video Games and Advertising). The aim of SCGI is to improve the status, visibility and rights of composers for screen in Ireland.

Our members work at all levels both domestically and internationally in creating original music for screen content. Irish composers for screen return millions of euro annually in the form of music royalties, they employ many music performers including working with both of our national orchestras and bring Irish music to AV audiences all over the world.

SCGI members composed original music for recent Irish screen industry high profile productions including; Normal People, Wolfwalkers, Hunger: The Story of The Famine, Bloody Sunday documentary, Two x Two Overboard animation amongst others.

SCGI is supported by Screen Ireland, IMRO, BAI and Screen Skills Ireland.

For more information please visit www.screencomposersguild.ie or Contact: Sarah Glennane sarah@screencomposersguild.ie