

COMMONWEALTH OF AUSTRALIA
Copyright Act 1968

IN THE COPYRIGHT TRIBUNAL OF AUSTRALIA
FILE NO. CT1 OF 2021

REFERENCE BY: Australasian Performing Right Association Limited ABN 42 000 016 099
Australasian Mechanical Copyright Owners' Society Limited ABN 78 001 678 851 (**APRA AMCOS**)

under Section 154 of the *Copyright Act 1968* (Cth)

ORDER

TRIBUNAL: PERRAM J (President)

DATE: 7 NOVEMBER 2023

WHERE MADE: SYDNEY



BY CONSENT, THE TRIBUNAL ORDERS THAT:

Set aside application

1. By 7 November 2023, the Respondents send to the Applicants and the Associate any affidavit evidence and written submissions (of no more than 6 pages) in response to the attached orders sought by the Applicants (**Set Aside Application**).
2. By 14 November 2023, the Applicants send to the Respondents and the Associate submissions in reply (of no more than 3 pages) in relation to the Set Aside Application.
3. The Set Aside Application be set down for hearing on 5 December 2023 at 10.15 am, unless the parties indicate that they are content for the application to be determined on the papers.

Document production

4. The time for compliance with the balance of the summonses issued to the Applicants dated 22 June 2023 and 8 August 2023 (excluding any categories subject to the Set Aside Application) be extended to 17 November 2023.
5. The time for compliance with the balance of the summons issued to The Walt Disney Company (Australia) Pty Ltd dated 5 July 2023 be extended to 10 November 2023.

6. The time for compliance with the summons issued to Network Ten All Access Pty Limited and Paramount+ Service dated 5 July 2023 be extended to 10 November 2023.
7. By 3 November 2023, Banki Haddock Fiora produce to the Tribunal and Respondents an unredacted copy of the arbitration award dated 25 March 2020 between Free TV Australia Limited and APRA.
8. By 17 November 2023, the Applicants produce to the Tribunal and Respondents copies of all APRA and/or AMCOS licences in respect of video on demand services (excluding any documents already produced in this proceeding).

Evidence and Submissions

9. Orders 8, 9, 10, 11 and 12 of the orders made on 22 February 2023 (as varied on 6 June 2023) be vacated.

Case Management Hearing

10. The matter be listed for a further case management hearing on 19 February 2024 at 9.30 am.

Date that entry is stamped: 7 November 2023



A handwritten signature in blue ink, appearing to read 'Nye Perram', is written over a horizontal dotted line.

The Hon Justice Nye Perram, President