

COPYRIGHT ACT 2021

COPYRIGHT (COLLECTIVE MANAGEMENT ORGANISATIONS) REGULATIONS 2023

CMO FORM 1

REQUEST FOR INVESTIGATION

General Instructions

- *This form is for members and users of CMOs to request IPOS to investigate a potential breach by a CMO of the Copyright (Collective Management Organisations) Regulations 2023.*
- **You should submit this request after you have duly exhausted the CMO's dispute resolution process.**
- *This form should preferably be typewritten to assist in processing.*
- *All sections and fields in this form **must** be duly filled, unless otherwise specified below. An incomplete form may be rejected.*
- *Please submit the completed form on our e-services portal, IPOS Digital Hub.*

Section A: Requestor's Particulars

Name: _____

Email address: _____

Telephone number: _____

Date of request: _____

Please fill up this part if you are submitting this request on behalf of your organisation.

Name of organisation: _____

Entity registration number: _____

Address of organisation: _____

Email address: _____

Telephone number: _____

Please acknowledge and confirm the following:

- I am authorised to submit this request on behalf of the above-mentioned organisation.

Have you previously submitted a request for investigation in respect of this or a related matter?

- Yes. Please state the reference number of your previous request: _____
- No.

Section B: Request for Investigation

Part 1: Information on CMO

Please provide the particulars of the CMO that is the subject of your request:

Name of CMO: _____

Address: _____

Email address: _____

Telephone number: _____

Please state your relationship with the CMO:

- A member of the CMO.
- An existing user of the CMO’s portfolio.
- An intending user of the CMO’s portfolio.

Part 2: Information on Dispute Resolution

Please confirm whether you have exhausted the process set out in the CMO’s dispute resolution policy in respect of the subject matter of your request for investigation.

- I have given a notice of dispute in respect of this matter to the CMO in accordance with its dispute resolution policy and exhausted the process set out in that policy, including all internal recourse (e.g., appeals). The matter remains unresolved.

If you select this option, please attach supporting documents that confirm you have exhausted the CMO’s dispute resolution process.

- I am unable to duly exhaust the process set out in the CMO’s dispute resolution policy because the CMO has no such policy / has failed to deal with the matter in compliance with its dispute resolution policy and/or the Copyright (Collective Management Organisations) Regulations 2023, Part 2 Division 5 (Dispute resolution policy and mediation). The matter remains unresolved.

Please provide details and attach any relevant supporting documents.

_____.

If you select this option, please attach any relevant supporting documents below.

Please select the appropriate response regarding mediation of this matter:

- I attended mediation with the CMO but the mediation did not resolve the matter.

Please state the date of the mediation: _____.

- There was no mediation in respect of this matter.

Please explain why there was no mediation in respect of the matter and whether mediation was discussed with the CMO or attempted.

Please confirm whether you are willing to attend mediation with the CMO if IPOS directs the CMO to mediate the dispute:

- Yes.
- No.

Part 3: Information on the CMO's Alleged Breach

Please indicate the area(s) in which there has been an alleged breach of one or more class licence conditions:

- Membership agreement.
- Membership policy.
- Distribution policy.
- Dispute resolution policy.
- Constitution of CMOs that are companies.
- Records and reports.
- Publication of information and documents.
- Other matters. Please specify: _____.

Please identify the provision(s) under the Copyright (Collective Management Organisations) Regulations 2023 that the CMO allegedly breached.

Section C: Declaration

Please acknowledge and confirm all of the following:

- The information provided in this request is, to the best of my knowledge, true and accurate, and all the documents attached are authentic.
- I understand and accept that IPOS may seek further information or documents from me, including a statutory declaration to attest to the veracity of the information or documents provided.
- I understand and accept that IPOS may inform the CMO of this request for investigation, direct it to provide IPOS with relevant information or documents, and direct it to undergo mediation with me or any other relevant person.
- I understand and acknowledge that IPOS retains the sole discretion to investigate the matters set out in this request and in deciding how to proceed. I further understand and acknowledge that IPOS may dismiss my request or suspend investigations, including if IPOS determines that:
 - my request is frivolous, vexatious, or submitted in bad faith;
 - my request has been submitted before duly exhausting the process set out in the CMO’s dispute resolution policy; or
 - I have refused without good reason to attend an IPOS-directed mediation in relation to the matter.
- I understand and accept that all or some of the information provided by me may be disclosed to other parties, including the CMO that is the subject of this request and/or other government agencies.
- I understand and accept that the information provided in this request may be used and disclosed by IPOS and/or other government agencies for investigations and follow-up purposes in accordance with the applicable laws.

Name: _____

Signature: _____

Date: _____