

# ACOFS Bulletin

## Australian Council of Film Societies

---

NUMBER 48

OCTOBER 2016

*This Bulletin has been compiled and edited by Ian Davidson, (ACOFS President) president@acofs.org.au*

**This Issue contains information important to your president, secretary, treasurer and programmers, so please pass it on to all your committee people - including those not on email.**

**And please ensure it does not get caught up in spam filters!**

---

In this issue:

1. From the President – What is a Not-for-profit Organisation?
2. The ACOFS DVD agreement.
3. More on Whether to Borrow or Buy.
4. Types of Screening Rights.
5. SAFFS - South Australia.
6. News from the Distributors.
7. DVD Titles in the FVFS Indie-Library.
8. New Titles from the SLC at the NFSA.
9. Letter from the NFSA.
10. DVD Loans Available from TYSPOM.
11. Red Bull on Demand.
12. Words of Wisdom.



---

### **1. From the President, Ian Davidson. – How much “profit” is acceptable?**

An essential requirement of being an approved Film Society is that it must be a true not-for-profit organisation (sometimes called a non-profit organisation). This is clearly true for organisations that become incorporated, but it is equally true for any organisation wishing to be a member of a State Film

Federation and hence ACOFS. But what does this mean?

According to the ACNC (The Australian Charities and Not-for-profits Commission) the definition is as follows:

#### ***“Definition of not-for-profit***

*Generally, a not-for-profit is an organisation that does not operate for the profit, personal gain or other benefit of particular people. This can include people such as its members, the people who run it or their friends or relatives. The definition of not-for-profit applies both while the organisation is operating and if it ‘winds up’ (closes down).*

*An organisation does not fail to be a not-for-profit if it simply provides a benefit to a member while genuinely carrying out its purpose. For example, organisations such as self-help groups can be not-for-profits if the benefits provided to members are consistent with the purposes of the organisation. In this example, a self-help group for young parents can provide counselling services to a young parent who is a member of the organisation. The member is also a person in need who is helped by the organisation.*

*The benefits provided by a not-for-profit can be direct (such as distributing money or gifts) or indirect (such as a member receiving assistance from the organisation that is consistent with its purpose). Staff or responsible persons (such as board or committee members or trustees) can of course be paid for their work, but not an unreasonable amount.*

*Not-for-profits can make profit, but any profit made must be applied for the organisation's purpose(s). Organisations can retain profits (instead of applying it towards their purpose), as long as there is a genuine reason for this related to its purpose. For example, a good reason to retain money may be to save up for starting a new project, building new infrastructure or to accumulate a reserve to ensure an organisation remains sustainable. By contrast, if an organisation continues to retain significant profits indefinitely without applying this to its charitable purpose, this may indicate that the organisation is not working solely towards its stated charitable purpose."*

The actual wording that should appear in the rules of a not-for-profit organisation is as follows:

- **the non-profit clause**  
"The assets and income of the organisation shall be applied solely in furtherance of the above-mentioned objects and no portion shall be distributed directly or indirectly to the members of the organisation except as bona fide compensation for services rendered or expenses incurred on behalf of the organisation."
- **the dissolution clause**  
"In the event of the organisation being dissolved, the amount that remains after such dissolution and the satisfaction of all debts and liabilities shall be transferred to another organisation with similar purposes which is not carried on for the profit or gain of its individual members."

To clarify the use of the word "profit" above, I prefer to say that a not-for-profit organisation may make a surplus (rather than use the term "profit") in any year, as long as that surplus is handled in accordance with the guidelines above. In fact I would argue that any organisation that makes a loss every year is bound for oblivion! It must generate a surplus to survive. But the question then becomes, what is an appropriate level of surplus to retain from year to year?

Many guidelines can be found on the internet as to what constitutes an appropriate level of surplus to retain. In general the view seems to be that an amount somewhere between half and twice the annual turnover of the organisation is appropriate, plus whatever is being "saved up" for specific projects which will require extra resources.

Write in to us with your thoughts to [president@acofs.org.au](mailto:president@acofs.org.au)

Ian Davidson, President ACOFS

## 2. ACOFS DVD Agreement

The DVD rights agreement Fact Sheet 3B is constantly being updated as new distributors come to our notice or existing ones change their contact details. Download one today to keep up to date. [www.acofs.org.au/resources/](http://www.acofs.org.au/resources/) .The latest version was uploaded to the website on 3rd July 2016.

The ACOFS agreement applies only to fully paid up societies that screen DVDs non-theatrically (ie to members only) and only where the society sources their own copy of the DVD. The agreement does not cover supply of the DVD from the distributor, although the society may make their own arrangements in this regard.

Arrange the rights well ahead of the screening to avoid the risk of still not having permission by the screening date, thus requiring a programme change at the last minute. Don't risk having to screen without permission. How would you feel if you screened a film prior to arranging the rights, but only later discovering that "Yes, you can have the screening rights – for \$350"!

If you are having trouble locating the rights holder in Australia, and no other film society appears to have screened the DVD, check out the Censor's database – [www.classification.gov.au](http://www.classification.gov.au) . If not listed, try another spelling of the title, or try searching under the director's name.

## 3. More on Whether to Borrow or Buy

The following response was received from Murrindindi Film Society in response to articles in previous Bulletins. (Reprinted with permission)

"Re: DVDs - borrow or buy.

Murrindindi Film Society is a small organisation with an average of 30 paid up members each season (April-September incl.) Our audiences can range from 15-30 on any given night, and the weather in Yea (cold, damp and foggy) can be a factor for audience numbers. We hire all our DVDs from NFSA screening loans as we don't have sufficient income to pay rights fees on commercial copies. It is a concern that the choices at NFSA are dwindling progressively but so far we have been able to find enough worthwhile content to make up a programme. Our audience particularly enjoys Australian productions and while the NFSA has been acquiring more films in this category, they are not all of a first rank status. However we will continue to hire from NFSA screening loans as long as we can find sufficient quality material. After that? We'll have to see.

I don't think we would have an interest in keeping DVDs after screening because of our small member base.

Regards,  
Jill Dwyer, Murrindindi Film Society."

Further input from other film societies would be very welcome.

## 4. Types of Screening Rights

**Home Screening rights** allow you to view a DVD in private, in your home environment, and usually come with every DVD (or BluRay) purchased commercially. The cost is included in the purchase cost of the DVD. As stated on almost every DVD, you are not permitted to copy the DVD or screen it in public.

**Commercial screening rights** allow you to screen a movie in a public situation where you charge admission to the screening. The charge is usually a percentage of the ticket income, or a flat minimum charge may be levied (usually up to about \$300 – but does depend on the age of the movie). A DCP copy of the film is usually supplied but DVDs and 35mm are also possible. Film Festivals and fund raisers usually pay this commercial rate.

A free screening, where public are invited to attend for free, is usually categorised as a commercial screening, but the fee may be negotiable, depending on the situation.

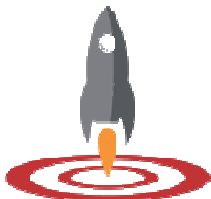
**Non-theatrical rights** apply where the screening is for members only and no additional charge is made for admission over the period membership fee. Any visitor should not be charged for an individual admission, and their attendance should be limited to once only. After that they would be expected to become a member.

The non-theatrical rights fee does not apply to screenings of 35mm or DCP films. The agreement that ACOFS has in place with distributors is that the film society will use their own copy of a DVD for non-theatrical screenings, although many distributors can supply a copy of the DVD for that purpose for a small additional charge. This is outside the ACOFS agreement however.

There is more information available in the ACOFS Fact Sheets 03A and 03B.

## 5. SAFFS - SA Federation of South Australia

We have received the following report from the SAFFS.



SOUTH AUSTRALIAN FEDERATION OF  
**FILM SOCIETIES**  
ADVENTURES IN MOTION

The South Australian Federation of Film Societies has been launched with four of the eight film societies in South Australia becoming members. These include Adelaide Film Study Group, Adelaide University Film Society, Barossa Film Club and Second Friday Film Group. A Constitution has been formally adopted, with some minor amendments approved at our last meeting on 9<sup>th</sup> October, we have a bank account, and a Committee consisting of Bill Biscoe (Barossa Film Club) as President, Ronald Evans (Adelaide Film Study Group) as Secretary, Yvonne Whittaker-Rush (Adelaide University Film Society) as Treasurer, and Patricia Ninnes Committee member.

Invitations to join have been sent to the other four Societies, and Michael Tye, of the Southern Fleurieu Film Society attended the October meeting and has taken the proposal to his Committee for a decision. The Reels Film Society, which is based at Mount Gambier, has decided not to join; Mount Gambier is right on the Victorian border and geographically closer to the Victorian Federation.

Up till now, South Australian Societies have been part of the Victorian Federation and have been very well served, so the obvious question is why form a separate group. The answer is that we have unique interests and geographic separation and a locally attuned body is more able to represent the needs of South Australian Clubs. The Victorian Federation has been most helpful and supportive, as has the national body.

The formation of this body has largely been due to the energy and enthusiasm of Prodos Marinakos, who has long been an advocate of state based film associations. He devised the Constitution and arranged the inaugural meeting, and we owe a great deal of thanks for his efforts.

ACOFS wishes the SAFFS all the best. For further information contact their President, Bill Biscoe, [wbiscoe@bigpond.net.au](mailto:wbiscoe@bigpond.net.au) or 08 8564 3290

## 6. News From the DVD Distributors

Owing to space constraints this issue contains only the distributors who have new acquisitions or have some changes in their contact details.

For contact details and websites see ACOFS Fact Sheet 3B on [www.acofs.org.au](http://www.acofs.org.au) (Updated regularly).

### Antidote Films

(Gil Scrine)

Antidote charge just \$35+ GST for screening rights for most of their DVD titles.

Web address [www.antidotefilms.com.au](http://www.antidotefilms.com.au)

Monsieur Mayonnaise, Aust. 2016, 95m. M.

Also, check out Beamafilm, Antidote's streaming company, [www.beamafilm.com](http://www.beamafilm.com) where they have over 300 films available for free to members of participating local libraries.

See <http://beamafilm.com/libraries.php>

### Aztec International Entertainment

(Nicki Jackson)

See the relaunch of their website at [www.aztecinternational.com.au](http://www.aztecinternational.com.au)

### Hi Gloss Entertainment

(Simon Killen)

Macadam Stories



### Label Distribution

(Tait Brady) [tb@labeldistribution.com](mailto:tb@labeldistribution.com) 0407 324 176

### Madman

(Susan Davidson at ACOFS) [dvdrights@acofs.org.au](mailto:dvdrights@acofs.org.au)

Cemetery of Splendour

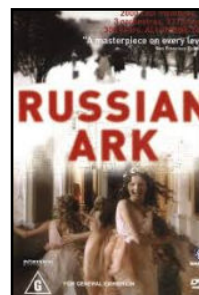
Perfect Day, A

Russian Ark

Second Mother, The

Sucker

Young Adam



Note that Madman does not hold non-theatrical screening rights for all titles listed on their website. Some titles might only have commercial or home entertainment rights while other titles might be listed by Madman on behalf of other smaller distributors. So always check apparent Madman titles with [dvdrights@acofs.org.au](mailto:dvdrights@acofs.org.au) before committing to a screening, and give plenty of notice!

### Potential Films

(Mark Spratt)

Heatwave

In The Shadow of Women

Nahid

Neon Bull

Wednesday, May 9



### Roadshow

(Chrystal Remington)

Roadshow charge for their DVD rights on the basis of average audience size, so if you have not registered your membership size with your State Federation you may be charged DVD rights at the highest rate! Check ACOFS Info Sheet 3A for details.

Bigger Splash, A  
 Blindspot Season 1  
 Dad's Army  
 Eddie the Eagle  
 Elvis and Nixon  
 Everybody Wants Some  
 Florence Foster Jenkins  
 Force of Destiny  
 Goldstone  
 Jungle Book, The (2016)  
 Justice League  
 Keeping Room, The  
 Man Who Knew Infinity, The



Marguerite  
 Mia Madre  
 Midnight Special  
 Nerve  
 Nice Guys, The  
 Queen of the Desert  
 Rams  
 Shelter  
 Sherpa  
 Star is Born, A  
 Wide Open Sky

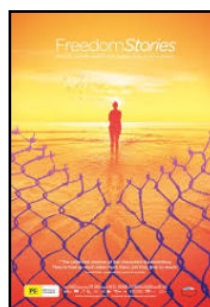
*Coming soon: (Nov – Dec)*  
 Beatles, The: Eight Days a Week  
 Free State of Jones  
 High-Rise  
 Indignation

Infiltrator, The  
 Love and Friendship  
 Sing Street  
 Sully

**Ronin Films**

*(Andrew Pike)*

By Compassion and Quran, 26 mins, G.  
 Freedom Stories, 99 mins, PG.  
 Hope, 104 mins, M.  
 Little Towns, Big Voices, 28 mins, PG.  
 Much Ado About Something, 93 mins, G.  
 Neon, 84 mins, PG.  
 Night Cries, 17 mins, G.  
 Ringtone, 30, G.  
 Silences, The, 73 mins, M.  
 Year of the Dogs, 86 mins, G.



For member purchase prices refer to the “private purchase” price, but remember you then have to pay the appropriate screening rights fee. Ronin will accept the standard \$50 plus GST for DVD screening rights. [www.roninfilms.com.au](http://www.roninfilms.com.au) for details and purchase prices.

**Sharmill Films**

*(Bec Brown)*

Louder than Bombs  
 Measure of a Man, The  
 Highly Strung  
 Our Last Tango  
 London Road  
 Mommy



Force Majeure  
 Winter Sleep  
 Soul Kitchen  
 Summer Coda  
 Much Ado About Nothing

**Shock**

*(Naomi Kume)*

Jekyll & Hyde  
 Jordskott  
 SAS: Who Dares Wins



Full Out  
 Walk Before Mickey  
 Captain Scarlet



## **Umbrella Entertainment**

*(Agathe Zocco Di Ruscio – now replacing Achala Datar)*

Courted

Endless Sleep

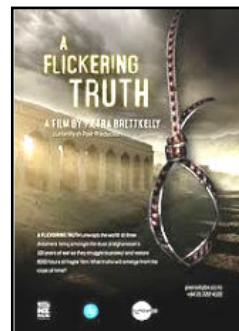
Eureka Stockade (Mini series)

Flickering Truth, A

Girl Asleep

Idol, The

Road Games (Remastered Aussie classic)



There are many more titles available for non-theatrical screenings - go to their website <http://www.umbrellaentfilms.com.au/public-performance/> and keep an eye on their website for their regular sales of **DVDs** that may be of interest to film societies and film buffs for as little as \$3 each. Many titles can be manufactured “on demand”.

They also have Westerns and classics – also check them out at [www.umbrellaent.com.au](http://www.umbrellaent.com.au)

## **7. DVD Titles in the FVFS Indie-Library**

The titles available for loan from the FVFS Indie-Library, are listed on [www.fvfs.org.au/indie-library/](http://www.fvfs.org.au/indie-library/). These DVDs are available for loan to authenticated film societies in all ACOFS-registered State Federations. All are written up on the FVFS website, with reviews from the FVFS viewing panel.

## **8. New Titles from the SLC at the NFSA**

The SLC (Screen Lending Collection) is part of the NFSA (National Film and Sound Archive) in Canberra. There are 1,603 DVD and BluRay titles, of which 870 are feature films available for loan to film societies at \$22 (as at January 2016 - including rights and delivery to you). See their catalogue at [loans.nfsa.gov.au](http://loans.nfsa.gov.au)

It would appear that no licenced DVD titles have been added in the last 90 days.

Also don't forget that the SLC may have some older titles which you will not be able to get elsewhere. Even where the original Australian distributor no longer holds current rights, the SLC may have purchased the screening rights themselves.

## **9. Letter from the NFSA**

We just received the following email from Michael Loebenstein, CEO of the NFSA.

“Dear friends and colleagues

As you may already be aware, on 10 November 2016 the National Film and Sound Archive will be holding the Digital Directions 2016 symposium, bringing together a range of thought-leaders to address the big-picture challenges of digitisation for heritage collections. This symposium, which the NFSA delivers in partnership with the National Archives of Australia, will address some of the key issues currently facing archives, libraries, museums and galleries grappling with the pressure to digitise and provide access to their diverse collections. I hope to see you there and would be grateful if you could share this flyer within your institutions and networks.

Best wishes

Michael Loebenstein

**Chief Executive Officer**

## 10. DVD Loans Available from TYSPOM

TYSPOM Film Library updates – small sample of new items for ACOFS Bulletin  
 Updated: Friday, 7 October 2016

- Over 100 more thought-provoking films – mainly documentaries -- have been added to the TYSPOM film library this last 3 months. Below, is a small sample:
- Available to ACOFS-registered Film Societies.
- DVD (on loan) + postage (both ways) + screening rights = \$17 (or less)  
*Note: Episodes from multi-part documentary series usually loaned as separate items.*
- Enquiries and bookings: Prodos: [info@tyspom.org](mailto:info@tyspom.org)
- Website: <http://TYSPOM.org>

### TYSPOM Film Library @ [TYSPOM.org](http://TYSPOM.org)

| Name of Film  | Country      | Year | Length     | Type           |
|---|--------------|------|------------|----------------|
| Art & Copy: Inside Advertising's Creative Revolution                  | USA          | 2010 | 90 min     | doco           |
| Athens: The Dawn of Democracy   | UK           | 2007 | 2 X 60 min | doco           |
| Climate Hustle: The Global Warming Shakedown                          | USA          | 2016 | 78 min     | doco           |
| Empire of the Air: The Men Who Made Radio                             | USA          | 1991 | 113 min    | doco           |
| Foundations of Wealth, The (9 part series of shorts)                  | UK           | 2004 | 110 min    | animation      |
| Israel: The Royal Tour with Netanyahu                                 | Israel       | 2013 | 60 min     | doco           |
| Obsession: Radical Islam's War Against the West                       | USA          | 2005 | 78 min     | doco           |
| Planet B-Boy: Break dancing has evolved                               | Korea<br>USA | 2007 | 95 min     | doco           |
| Ronald Reagan: Rendezvous with Destiny                                | USA          | 2009 | (60 min)   | doco           |
| Shakespeare Uncovered:<br>The Taming of the Shrew with Morgan Freeman | USA<br>UK    | 2014 | 60 min     | doco<br>series |
| The Singing Revolution: A Million Voices & the fall of a nation.      | Estonia      | 2006 | 94 min     | doco           |
| The Ticket: The Many Faces of School Choice                           | USA          | 2013 | 40 min     | doco           |



## 11. Red Bull on Demand

Sydney, Australia – October 10, 2016: Red Bull TV announced the release of *The Horn*, a brand new, original series chronicling the serious, life-saving daily work of the world's best air rescue team, Air Zermatt. Providing a real-life glimpse into the incredible team and their harrowing rescues, *The Horn* sheds light on the most virtuous aspects of putting one's own life at risk when saving others. Meet the high-altitude lifesavers when *The Horn* streams On Demand on Red Bull TV on October 17 at: [www.redbull.tv/TheHorn](http://www.redbull.tv/TheHorn).



Red Bull TV is distributed digitally across mobile phones, tablets, consoles, OTT devices and Smart TVs. Red Bull TV is free to watch.

## 12. Words of Wisdom

"The length of a movie should be directly proportional to the capacity of the human bladder." Alfred Hitchcock.

Did you know that Alfred Hitchcock's movie "Psycho" included a "first" for movies... the first time a toilet bowl was shown flushing on film!

---

### ACOFS - Australian Council of Film Societies

Incorporated in Victoria: A0057904W ABN: 69 667 887 179

**Secretary**, Email: [secretary@acofs.org.au](mailto:secretary@acofs.org.au)

If you want to have the ACOFS Bulletin emailed to you directly, please email me at [president@acofs.org.au](mailto:president@acofs.org.au) Our website is [www.acofs.org.au](http://www.acofs.org.au)

---

#### NOTES:

1. *If clicking on a highlighted link in this newsletter does not take you to your Internet browser, try copying it and pasting it into your browser search bar.*
2. *Please ensure your spam filter is NOT set to capture our emails which include relevant material from ACOFS, such as this Bulletin.*

*ACOFS and the State federations do not necessarily endorse the statements or view contained in any personal statements in articles, letters to the editor or in the films mentioned in this Bulletin.*