



MINISTRY OF DOMESTIC TRADE
AND COSTS OF LIVING



PERBADANAN HARTA INTELEK MALAYSIA
INTELLECTUAL PROPERTY CORPORATION OF MALAYSIA

GUIDELINES OF COPYRIGHT

COLLECTIVE MANAGEMENT ORGANIZATION 2025

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INTELLECTUAL PROPERTY CORPORATION OF MALAYSIA
(MyIPO)

COPYRIGHT ACT 1987
GUIDELINES OF COPYRIGHT
(COLLECTIVE MANAGEMENT ORGANIZATION) 2025

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GUIDELINES OF COPYRIGHT (COLLECTIVE MANAGEMENT ORGANIZATION) 2025

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COPYRIGHT ACT 1987
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ARRANGEMENT OF PARAGRAPHS

PART I
PRELIMINARY

1. Citation and commencement
2. Scope and application of these Guidelines
3. Interpretation

PART II
THE SCOPE OF OPERATION OF
COLLECTIVE MANAGEMENT ORGANIZATION

4. Body corporate structure
5. Limitations of the scope of operation of collective management organization
6. Class of licensing schemes
7. Exceptions and limitations of licensing schemes
8. Licensing agent of collective management organization
9. Collection and distribution system
10. Responsibility of collective management organization to users

PART III
GOVERNANCE REQUIREMENTS

11. The composition of the board of director
12. The qualification of the board of director
13. Tenure of appointment
14. Annual general meeting
15. The board of directors' meeting minutes

PART IV
MEMBERSHIP REQUIREMENTS

16. The membership agreement

PART V
TRANSPARENCY AND ACCOUNTABILITY REQUIREMENTS

17. The financial record
18. Distribution policy
19. Information to the public

PART VI
DISPUTE SETTLEMENT REQUIREMENTS

20. Dispute resolution policy
21. Copyright Tribunal

PART VII
RENEWAL OF DECLARATION

22. Renewal of declaration documents

PART VIII
MISCELLANEOUS

23. The collective management organization obligation
24. The copyright voluntary notification

PART IX
DECLARATION, RENEWAL AND REVOCATION

25. List of declared and renewed collective management organization
26. List of revoked collective management organization

FIRST SCHEDULE
SECOND SCHEDULE

COPYRIGHT ACT 1987
GUIDELINES OF COPYRIGHT (COLLECTIVE MANAGEMENT ORGANIZATION) 2025

THESE GUIDELINES are issued in the exercise of the power conferred upon the Controller by section 27M of the Copyright Act 1987 [*Act 332*].

PART I
PRELIMINARY

Citation and commencement

1. (1) These Guidelines may be cited as Guidelines of Copyright (Collective Management Organization) 2025.

(2) These Guidelines come into operation on **16 January 2026**.

Scope and application of these Guidelines

2. (1) These Guidelines form the regulatory framework for the operation of collective management organization in Malaysia which shall be read together simultaneously with the provisions of the Copyright Act 1987 and Copyright (Collective Management Organization) Regulations 2022.

(2) In order to assist with the interpretation of the requirements under these Guidelines and their application, explanation, illustration or examples have been inserted, where appropriate. Any action or conduct which departs from the explanation, illustration or examples shall be taken into account by the Controller in determining compliance to these Guidelines as well as the Copyright Act 1987 and Copyright (Collective Management Organization) Regulations 2022.

(3) These Guidelines shall apply to the collective management organization declared or renewed by the Controller under section 27A Act or section 27A(3A) of the Act as listed in the First Schedule of these Guidelines.

(4) If the collective management organization referred to in paragraph 2(3) of these Guidelines refuses or fails to comply with any of the requirements under these

Guidelines, without reasonable excuse, the Controller may revoke its declaration according to section 27A(6)(cc) of the Act.

Interpretation

3. (1) Unless otherwise defined, all words or terms used in these Guidelines shall have the meaning as defined in the Copyright Act 1987.

(2) In these Guidelines, unless the context otherwise requires—

“Act” means the Copyright Act 1987;

“annual general meeting” includes extraordinary general meeting;

“distribution policy” means a set of rules as specified under paragraph 18 of these Guidelines;

“dispute resolution policy” means a set of rules as specified under paragraph 20 of these Guidelines;

“operation” means the main object of the collective management organization;

“membership agreement” means an agreement between a person and a collective management organization that governs the terms of the person's membership in the collective management organization;

“proxy” means a person appointed by the member of the collective management organization thinks fit to act on his behalf, either at a particular meeting or at all meetings of the collective management organization;

“members” means the copyright owners, authors or performers who are members of the collective management organization; and

“user” means any person who—

- (a) requires a licensing scheme from the collective management organization for the use of any copyright work; or
- (b) has been granted by the collective management organization to use the licensing scheme.

PART II

THE SCOPE OF OPERATION OF COLLECTIVE MANAGEMENT ORGANIZATION

Body corporate structure

4. (1) A collective management organization shall be a body corporate being a company limited by guarantee incorporated under the Companies Act 2016.

(2) The collective management organization, within the scope specified under the Act, shall—

- (a) manage the use of copyright works, including negotiating the term, granting permission or administering any terms of copyright or performance royalties; and
- (b) collecting licensing scheme and distributing royalties on behalf of its members.

(3) Subject to paragraph 4(2) of these Guidelines, any collective management organization shall not collect licensing schemes and distribute royalties other than on behalf of its members.

(4) For the purpose of paragraph 4(2)(b) of these Guidelines, the collective management organization shall ensure that all licensing schemes are collected in a timely manner.

Limitations of the scope of operation of collective management organization

5. (1) The scope of operation of the collective management organization shall be limited to the use of copyright works pursuant to section 27AA of the Act.

(2) For the purpose of clarity, any scope of operation that is inconsistent with these Guidelines shall be void.

Class of licensing schemes

6. (1) The licensing schemes operated by the collective management organization shall be consistent with the licensing scheme stated in section 27AA of the Act.

(2) Each class of licensing scheme operated by the collective management organization including the tariff rate should be displayed as a public document either through a brochure or on the collective management organization's website.

(3) The collective management organization shall provide clear and transparent rules and procedures for the collection of the licensing scheme as defined under the Act.

(4) The collective management organization shall ensure that the exclusive right granted by their members in the membership agreement is related to the licenses under section 27AA of the Act.

Illustration for paragraph 6(1)

Class of Licensing Scheme	Illustration
Reproducing the work	A person who wants to use a graphic work in his advertisement needs a license from a collective management organization to reproduce the picture in his advertisement.
Performing, showing or playing the work in public	Any party who wants to play a sound recording or use any musical work in a live event in front of

Class of Licensing Scheme	Illustration
	the public needs a license from a collective management organization to perform the song.
Communicating the work to the public	A restaurant owner who plays a movie using the television in his restaurant for his customers needs a license from the collective management organization.
Rebroadcasting the work	A broadcaster who wants to rebroadcast another broadcaster's work needs a license from the collective management organization.
The commercial rental of the work to the public	A shop that rents a copy of the work to their customer needs a license from the collective management organization.
Making adaptations of the work	A film producer who wants to make a film from a novel needs a license from the collective management organization.

Exceptions and limitations of licensing schemes

7. The licensing schemes operated by the collective management organization shall not prejudice any exceptions and limitations referred to in subsections 9(4), 13(2), 15(2) and 16A(2) of the Act.

Illustration for paragraph 7

Exceptions and limitations	Illustration
Paragraph 13(2)(a) of the Act – Fair dealing including for purposes of research, private study, criticism, review or the reporting of news or current events	A student took several quotes from Ahmad's literary works without permission and the quotes were commented on with long arguments to enable the student to complete his assignment. The student placed footnotes and references referring to Ahmad. The student is excluded from paying the licensing scheme to the collective management organization.

Exceptions and limitations	Illustration
Paragraph 13(2)(b) of the Act – Parody, pastiche, or caricature	Nana has entered the Jom Jenaka event with a musical theme. Nana delivered her jokes by using the popular “Titanic” song as background music for short duration to accompany the lyrics of her invented jokes which succeeded in entertaining the audience. Nana is excluded from paying the licensing scheme to the collective management organization but not Jom Jenaka's organizer.
Paragraph 13(2)(c) of the Act – Inclusion of works	A film producer is producing a documentary about the city of Taiping which includes a mural artistic work on an old building in Taiping. The inclusion of the artistic work in the documentary is something that can be seen by the public if they visit the city. There is no commercial element or prejudice towards the owner of the artistic work.
Paragraph 13(2)(d) of the Act – Reproduction and distribution of any artistic work situated permanently and publicly viewable works	A photographer takes a picture of the KLCC building. The KLCC building is an artistic work and is permanent in one place and can be viewed by the public. The sale of pictures of the KLCC does not require permission from the owner of the KLCC and is an exception under the Act.
Paragraph 13(2)(e) of the Act – Incidental inclusion	<p>(a) The photographer incidentally took pictures of a cityscape that included sculptures, advertising posters and murals that were copyrighted works by others.</p> <p>(b) Part of the film featured a scene in a hotel that incidentally showed the Mona Lisa and part of Kitaro's music.</p>

Exceptions and limitations	Illustration
	(c) A sound recording titled "Symphony of the Concrete Forest" incidentally recorded part of the voice of someone reciting a poem by Pyan Habib.
Paragraph 13(2)(f) of the Act – Illustration for teaching purposes	A teacher recites another person's poem to provide examples and understanding in the literature subject without making any copies of the poem. The teacher also tells the background of the writer of the poem and the meaning behind the poem. The teacher placed footnotes and references referring to the poet.
Paragraph 13(2)(ff) of the Act – Examination use	The Examination Board has prepared question papers by taking minimal portions of other people's works (except reprographic copy of musical work for performance) as examples or references in examination questions.
Paragraph 13(2)(g) of the Act – Reproduction for educational institutions	The SEED program in schools helps students become fluent in English by broadcasting recordings of readings of certain paragraphs of English storybooks in the school compound. Students are also exposed to the author of the book to make it easier to search for books in the school library.
Paragraph 13(2)(gg) and (ggg) of the Act – Private use of sound recordings or films	A person may privately record a concert performance intended solely for personal enjoyment, or recording a sports broadcast for personal replay with the recording kept privately.
Paragraph 13(2)(gggg) of the Act – Hearing impaired	A non-profit body produces subtitled films exclusively for the hearing impaired persons for non-profit purposes without commercial gain.

Exceptions and limitations	Illustration
Paragraph 13(2)(ggggg) of the Act – Person with print disability	A non-profit body produces a braille book exclusively for visually impaired persons for non-profit purposes without commercial gain.
Paragraph 13(2)(h) of the Act – Public reading or recitation	Guest speaker gave a talk by providing several quotes from famous academics in order to provide a clear explanation to the listeners in the studio or those listening to the radio broadcast.
Paragraph 13(2)(i) of the Act – Government and public institutions use under the direction or control of the Government	A national library may share newspapers for free in its catalogue considering no profit is derived and no admission fee is charged for such purpose.
Paragraph 13(2)(j) of the Act – Broadcasting reproduction	A TV station may record a copyright work for broadcasting and shall destroy such work within six (6) months unless agreed otherwise with the copyright owner. If a work has a documentary value, it may be archived by the TV station as an official record with the owner's consent. If extended use or public performance is required, a license from a collective management organization may be required.
Paragraph 13(2)(k) of the Act – Non-profit performances	A community theatre performs a play for free at an old folk's home for charitable purpose without any admission fee.
Paragraph 13(2)(l) of the Act – Judicial proceedings	A song had been played in a Court for the Judge to determine whether there is similarity between the song and the pirated song.
Paragraph 13(2)(m) of the Act – Quotation use	A journalist quotes many sources of information in his article by putting footnote and reference of every quote taken.

Exceptions and limitations	Illustration
Paragraph 13(2)(n) of the Act – Reproduction for news reporting	Broadcaster often uses published article by stating the source of the article if it is related to a current issue.
Paragraph 13(2)(o) of the Act – Public lecture or addresses	The press rebroadcasts records of lectures for informational purposes.
Paragraph 13(2)(p) of the Act – Rental of computer programs	A company may rent out computers that include pre-installed software as long as the software is not the main object of the rental.
Paragraph 13(2)(q) of the Act – Transient electronic copies	A service provider may create temporary electronic copies of copyright content to facilitate user access.
Paragraph 13(2)(r) of the Act – Accessible format importation	An authorized entity may import braille books for visually impaired individuals without requiring a license.
Paragraph 13(2)(s) of the Act – Accessible format exportation	An authorized entity may export braille books or other accessible format copies of copyright works to another country that is a member of the Marrakesh Treaty. This is allowed for facilitating access for persons with print disabilities provided it is done on terms determined by the Minister.

Licensing agent of collective management organization

8. (1) If a collective management organization appoints a licensing agent to collect the licensing scheme on its behalf, the collective management organization, within three (3) days from the date of appointment of the licensing agent, shall—

- (a) provide the information of their licensing agent as stated in paragraph 8(2) of these Guidelines to the Controller; and
- (b) publish and update the information of their licensing agent including the details as stated in paragraph 8(2) of these Guidelines on their official website.

(2) For the purpose of paragraph 8(1) of these Guidelines, the information to be provided is as follows:

- (a) if the licensing agent appointed is an individual, the name, identification number, designation of the person and the contact information of the licensing agent; or
- (b) if the licensing agent appointed is a body corporate regulated by the laws of the Companies Commission of Malaysia, the name, body corporate's registration number and the contact information of the licensing agent; and
- (c) the location and area of collection designated to that licensing agent; and
- (d) the legal document establishing the connection between the licensing agents and the collective management organization.

(3) The Controller, upon receiving the information in paragraph 8(1) of these Guidelines, shall record the licensing agent appointed by the collective management organization and publish the information of the registered licensing agent in the Corporation's official website.

(4) If the collective management organization appoints any new licensing agents, the collective management organization shall comply with the requirements stated in paragraphs 8(1) and 8(2) of these Guidelines within fourteen (14) days from the date of the new licensing agent being appointed and paragraph 8(3) of these Guidelines shall apply accordingly.

(5) The collective management organization shall ensure that the licensing agents comply with the provisions of the Act, Copyright (Collective Management Organization) Regulations 2022 and these Guidelines and the collective management organization shall be responsible for the actions and conduct of its licensing agents in relation to the collection of licensing scheme activities undertaken on behalf of the collective management organization.

Collection and distribution system

9. (1) The collective management organization shall establish and maintain a system for the collection of licensing scheme from users and the distribution of royalties to its members.

(2) The collective management organization shall ensure the system under paragraph 9(1) of these Guidelines—

- (a) has been agreed upon by its members by obtaining the majority vote in the annual general meeting; and
- (b) is up to date and specifically developed with due care, skill and diligence for the benefit of its members.

(3) The system under paragraph 9(1) of these Guidelines shall be designed to keep track of the use of copyright works and able to calculate licensing schemes to be paid by users, and able to distribute royalties to the members in accordance with the distribution policy.

(4) Subject to paragraph 9(2) of these Guidelines, the collective management organization shall establish a mechanism of use of a work by the user to form part of the needs of the system.

Responsibility of collective management organization to users

10. (1) The collective management organization shall provide for users with—

- (a) a comprehensive list documenting the use of the works or performances the users have utilized; and
- (b) detailed written explanations about each class of licensing scheme offered by the collective management organization under paragraph 6 of these Guidelines.

(2) If a licensing agent is appointed by the collective management organization in paragraph 8 of these Guidelines, the collective management organization shall publish the list of the appointed licensing agent including the details stated in paragraph 8(2) of

these Guidelines on their official website within three (3) days from the date of appointment or amendment of such appointment.

(3) Any user shall not pay any collection of licensing scheme to any person other than the licensing agent appointed by the collective management organization as published according to paragraph 10(2) of these Guidelines.

(4) If a collective management organization enters into an agreement for payment of a licensing scheme with a user, the agreement shall contain the following details:

- (a) class of licensing scheme;
- (b) tariff rate;
- (c) duration of agreement agreed between parties; and
- (d) agreed administration cost to be charged by the collective management organization subject to paragraph 17(4) of these Guidelines.

PART III GOVERNANCE REQUIREMENTS

The composition of the board of director

11. (1) The board of directors of the collective management organization shall consist of directors as the following:

- (a) a chairman;
- (b) at least one (1) resident director; and
- (c) at least one (1) director representing the members in the collective management organization referred to in subsection 27A(1) of the Act.

(2) The composition of board of directors shall comprise of a majority of qualified person as defined under the Act.

(3) Notwithstanding paragraph 11(1)(c) of these Guidelines, if the collective management organization represents more than one type of member, the collective management organization shall appoint an alternate director to represent each type of member.

Illustration for paragraph 11(3)

A collective management organization Film Rights Malaysia (FRM) is a newly declared collective management organization by the Copyright Controller and represents members which are comprising of two types of members which are film directors or producers. To avoid any form of monopolistic practice or unhealthy competition, the appointment of the director shall not be among the person who represents both types of members. FRM needs to appoint an alternate director for such director's appointment even if the candidate has the highest vote. One director shall represent one type of member only.

(4) The board of directors may include directors with expertise in areas such as finance, law, technology or any other relevant field in order to provide the necessary guidance and view to the collective management organization.

The qualification of the board of director

12. (1) A person is qualified to be a director of the board of directors if he—
- (a) is qualified under the Companies Act 2016 to be a director of a company;
 - (b) has gone through security vetting by the Royal Malaysia Police or any relevant authority with a copy of the vetting report to be provided by the collective management organization to the Controller upon request; and
 - (c) for the re-appointed board of directors, shall go through a Directorship Performance Review to justify their re-appointment in the collective management organization based on terms of requirements set by the Institute of Corporate Directors Malaysia (ICDM) or other recognized Institute of Directors in Malaysia.

(2) A director who fulfils the qualification under paragraph 12(1) of these Guidelines may be appointed as a director of the collective management organization if he has been elected by the members by obtaining their majority votes in the annual general meeting.

(3) Any appointed director under paragraph 12(1) of these Guidelines is required to act in the collective management organization's best interest, and he shall not compromise this obligation in the event of a conflict with his other obligations to the collective management organization.

Tenure of appointment

13. (1) A director of the board of directors shall, unless he sooner resigns or vacates his office or his appointment is sooner revoked, shall hold his office for not exceeding four years.

(2) Notwithstanding paragraph 13(1) of these Guidelines, a director of the board of directors may be eligible for reappointment after two years from the end date of his term as the director of board of directors.

Illustration for paragraph 13(2)

The constitution of the collective management organization shall specify that each director shall hold office for a term of not exceeding four years. If Johan is appointed as director on 1 January 2020, his term will expire on 1 January 2024, unless he resigns or vacates his office or his appointment is revoked before that date. After the end of his term on 1 January 2024, Johan will not be eligible for reappointment as a director until at least two (2) years have elapsed since the end of his previous term.

Annual general meeting

14. (1) An annual general meeting of a collective management organization shall be held at least once every financial year end.

(2) The procedures for the annual general meeting under paragraph 14(1) of these Guidelines shall include the following:

- (a) the right of a member to be called for the annual general meeting;
- (b) the conditions for the members to propose or pass a resolution at the annual general meeting;
- (c) the minimum quorum required to convene the annual general meeting;
- (d) the conditions allowing a member to attend and vote at the annual general meeting remotely;
- (e) the voting method at the annual general meeting including proxy voting, with limitations that may be imposed on proxies;
- (f) the criteria for determining voting powers and calculation of votes; and
- (g) the procedures to ensure that every member has knowledge of his right to vote at the meeting.

(3) The collective management organization shall use the voting method of one-member-one-vote in the matters—

- (a) relating to the transparency and good governance of the appointment of the board of directors stated under paragraph 12 of these Guidelines;
- (b) stated in paragraph 9(2) of these Guidelines; and
- (c) relating to administration costs and any additional costs mentioned in paragraph 17(4)(b) of these Guidelines.

Illustration for paragraph 14(3)(a)

A MusicRight (MR) collective management organization holds its annual general meeting where a key agenda item is the appointment of new board members. To ensure transparency and fairness, each member has one vote, regardless of their membership type, a number of works they have or the revenue they received. Candidates for the board are introduced during the meeting, and each member is given right to cast a single vote for their preferred candidates. This voting method allows every member to have an equal say in selecting the board, ensuring that the election process is democratic and in line with the organization's commitment to transparency and good governance.

Illustration for paragraph 14(3)(b)

A ReproRight (RR) collective management organization decides to implement a new royalty distribution system to better identify and distribute royalty to its members. At the annual general meeting, each member has one vote on the proposed system, which is presented in detail and gains approval through a majority vote, with members agreeing that the system will improve transparency and accuracy in royalty distribution.

(4) Any collective management organization which conducts the annual general meeting without following the standard stated under paragraphs 14(1), (2) and (3) of these Guidelines shall be deemed to have failed to comply with the requirements of the Act, Copyright (Collective Management Organization) Regulations 2022 of and these Guidelines.

(5) Subject to paragraph 14(3) of these Guidelines, the collective management organization may use a weighted voting system and the value of one vote shall be Ringgit Malaysia twenty-five thousand (RM25,000.00) from the total audited royalty received by the member from the latest financial year.

Illustration for paragraph 14 (5)

At the Motion Pictures (MP) collective management organization annual general meeting, the organization decides to use a weighted voting system to decide on the motion of strategic investments which is not a matter under paragraph 14(3) of these Guidelines. Under this system, each member's vote is weighted based on the royalties they received in the most recent audited financial year as follows:

Total royalties received for the recent audited financial year (RM100,000)

RM0.00 until RM25,000 = 1 vote

RM25,001 until RM50,000 = 1 additional vote

RM50,001 until RM75,000 = 1 additional vote

RM75,001 until RM100,000 = 1 additional vote

Based on the above, a member who received Ringgit Malaysia one hundred thousand (RM100,000) in royalties would have four votes.

(6) Subject to paragraphs 14(2) and (3) of these Guidelines, the procedure of the annual general meeting shall only be amended in the annual general meeting.

(7) The Controller shall direct any of his representatives to be present at the annual general meeting as an observer and the collective management organization shall offer invitations, and allow such representatives to attend the annual general meeting, and offer any necessary amenities.

The board of directors' meeting minutes

15. (1) Every board of directors' meeting minutes shall be recorded in writing, and a copy of the minutes shall be sent to the Controller within fourteen (14) days from the board of directors' meeting being conducted.

(2) The minutes mentioned in paragraph 15(1) of these Guidelines shall be an official record of the board of directors' meeting for the purpose of complying with these Guidelines including a record of attendance, subjects discussed, decisions made, and any actions to be executed by the collective management organization.

PART IV
MEMBERSHIP REQUIREMENTS

The membership agreement

16. (1) A person may become a member of the collective management organization by entering into a membership agreement with the collective management organization.

(2) The collective management organization shall provide a copy of the duly signed membership agreement to—

- (a) each member for their safekeeping; and
- (b) the Controller for the purpose of complying with these Guidelines or upon request by the Controller.

(3) The membership agreement shall consist of the following matters:

- (a) the specification of the works that the collective management organization will manage under the membership agreement;
- (b) the specification of the nature of the rights that the collective management organization will exercise over each work under the membership agreement; and
- (c) the conditions and the procedures for terminating the membership agreement.

(4) In addition to paragraphs 16(1), (2) and (3) of these Guidelines, if the member and the publisher or any other person enter into a publishing agreement or any other legal document relating to the copyright work granted to the collective management organization, a copy of the agreement or other legal document between the member and the publisher or any other person shall be delivered by the collective management organization to the Controller for the purpose of complying with these Guidelines or upon request by the Controller.

PART V
TRANSPARENCY AND ACCOUNTABILITY REQUIREMENTS

The financial record

17. (1) The collective management organization shall maintain proper financial records which shall include records of—

- (a) the latest total amount of collection of the licensing scheme received by the collective management organization in respect of their activities under section 27AA of the Act; and
- (b) the latest total amount of collection of licensing scheme received by the collective management organization based on the breakdown including as follows:
 - (i) electronic and physical collection of licensing scheme;
 - (ii) foreign and national collection of licensing scheme; and
 - (iii) the administration cost and additional cost, if any; and
- (c) the total amount of distributions of royalties from those collections of licensing scheme, including—
 - (i) a list of members who received distributions including amounts of distribution of royalties to the said members;
 - (ii) the information that the distribution policy has been provided to a member when making a distribution;
 - (iii) the total collection of licensing scheme and distribution of royalties, along with the calculation of the actual distribution of royalties received by each member, shall be stated in a distribution notice;
 - (iv) the total amount of undistributed royalties available to the members. In cases where the undistributed royalties cannot be distributed to the members, the collective management organization shall follow the procedures set forth in Unclaimed Moneys Act 1965; and
- (d) a balance sheet or a statement of assets and liabilities of the collective management organization; and

- (e) list of reciprocal agreements signed by the collective management organization; and
- (f) the total amount paid or distributed to all partnering collective management organizations by reciprocal agreement in that financial year.

(2) The collective management organization shall furnish the Controller with the financial records in paragraph 17(1) of these Guidelines within three (3) days from the date of request made by the Controller.

(3) The collective management organization shall permit a member to inspect the collective management organization's financial records at least once every financial year limited to the member's portfolio and excluding inspection of other member's portfolio.

(4) For the purpose of paragraph 17(1)(b)(iii) of these Guidelines, the administrative cost to be imposed by the collective management organization is subject to the following conditions:

- (a) the administrative cost shall be capped at a maximum of ten percent (10%) of the total collection of licensing scheme solely for administration purposes; and
- (b) notwithstanding with paragraph 17(4)(a) of these Guidelines, the administration cost together with any additional cost imposed by the collective management organization including but not limited to—
 - (i) social and cultural activities for its members;
 - (ii) membership fees and subscription fees for regional or international bodies relevant to the collective management organization; or
 - (iii) any other relevant fees imposed by the collective management organization to its members,

may exceed ten percent (10%) of the total collection of licensing scheme but it shall be approved by a majority vote of members present at the annual general meeting; and

- (c) for any new collective management organization declared by the Controller, the administrative cost shall be capped at a maximum of forty percent (40%) per year of the total licensing scheme collected for the first three years of operation, subject to the following conditions:

- (i) the administration cost shall be approved by a majority vote of members present at the annual general meeting; and
 - (ii) the collective management organization shall operate efficiently to ensure that the collective management organization is able to comply with paragraphs 17(4)(a) and 17(4)(b) of these Guidelines from the fourth year onwards.

- (5) For the purpose of paragraph 17(4)(c) of these Guidelines, “new collective management organization” means a collective management organization which is declared by the Controller on or after 16 January 2026.

Distribution policy

18. (1) The collective management organization shall establish and maintain a distribution policy, which shall govern the collection of the licensing scheme from users of the copyright works, as well as the distribution of the royalties to the members.

- (2) The distribution policy shall include—

- (a) guidelines for the distribution of collected licensing scheme, including the allocation of royalties to members based on usage and other relevant factors;
 - (b) procedures for resolving disputes relating to the distribution of royalties, including the handling of complaints and appeals by the members;
 - (c) requirements for auditing the distribution processes to ensure compliance with the policy and legal requirements;

- (d) mechanisms for regularly reviewing and updating the policy to ensure its effectiveness; and
- (e) procedures for the distribution of unidentified and unclaimed royalties retained by the collective management organization.

(3) For the purpose of paragraph 18(2)(e) of these Guidelines, any unidentified and unclaimed royalties by the unknown recipients that cannot be distributed, the collective management organization shall follow procedures under Unclaimed Moneys Act 1965.

- (4) The collective management organization shall—
 - (a) ensure that the distribution of royalties is accurate according to the usage report of the work;
 - (b) make the distribution policy available to its members and the public;
 - (c) inform the distribution and the frequency of the distribution cycle to its members;
 - (d) provide the calculation method as a reference for members and the public;
 - (e) clearly state the cut-off date of any claim for the distributed royalties;
 - (f) ensure the distribution document is audited by the certified auditor;
 - (g) ensure the distribution of royalty statements are provided to members when the royalties are distributed; and
 - (h) prepare to prove the list of works managed by the collective management organization on behalf of its member if review is required by the Controller.

Information to the public

19. (1) The collective management organization shall publish on their official website and keep up to date the following matters:

- (a) its constitution, tariff rates information, distribution policy and terms on termination of membership;

- (b) the information on the deducted amounts used from the collection of licensing schemes such as any administration cost or any additional cost incurred under paragraph 17(4) of these Guidelines;
- (c) the information of any unidentified and unclaimed royalties by the unknown recipients that cannot be distributed under paragraph 18(2)(e) of these Guidelines;
- (d) complaint and dispute resolution procedures; and
- (e) the updated list or organizational chart of the collective management organization's board of directors, management and licensing agent.

(2) Any revision or amendments to be made to the tariff rates in paragraph 19(1)(a) of these Guidelines shall be informed and approved by the Controller.

(3) Any information on tariff rates in paragraph 19(1)(a) of these Guidelines which is published without the approval of the Controller shall not be enforceable on any users.

(4) For the purposes of approving the tariff rates under paragraph 19(2) of these Guidelines, the Controller shall convene a committee comprising members from the government, industries and others as the Controller deems fit.

PART VI DISPUTE SETTLEMENT REQUIREMENTS

Dispute resolution policy

20. (1) The collective management organization shall provide a dispute resolution policy outlining the procedures for resolving disputes between—

- (a) the organization and its members;
- (b) among its members; and
- (c) the organization and its users.

(2) The dispute resolution policy shall include—

- (a) procedures involved in the negotiation process, emphasizing the importance of good faith effort and mutual agreement; and

- (b) if negotiation fails, any other alternative dispute settlements including the Copyright Tribunal of Malaysia detailing the Tribunal's jurisdiction and procedures for its members and users.

Copyright Tribunal

21. (1) The collective management organization shall advise its members or users of their right to file a complaint to the Copyright Tribunal of Malaysia if the dispute cannot be settled amicably between the collective management organization and its members or users.

(2) The collective management organization shall provide its members or users with information on the jurisdiction, procedures and requirements for filing a complaint with the Copyright Tribunal of Malaysia.

PART VII RENEWAL OF DECLARATION

Renewal of declaration documents

22. (1) The collective management organization shall provide the following documents along with Form CMO-2 from the Second Schedule of the Copyright (Collective Management Organization) Regulations 2022:

- (a) the latest collective management organization constitution duly certified by the company secretary;
- (b) the latest membership agreement including any agreement or other legal document between the member and the publisher or any other person as stated in paragraph 16(4) of these Guidelines;
- (c) the latest list of members of the collective management organization;
- (d) the latest of the collective management organization annual general meeting minutes certified by the company secretary;
- (e) the latest financial records as stated under paragraph 17 of these Guidelines including the company financial statements, audited

- reports and the latest company statement of comprehensive income;
and
- (f) the collective management organization's annual report which shall contain the following information:
- (i) a list of the collective management organization's activities and achievements;
 - (ii) a summary of the financial performance of the collective management organization;
 - (iii) details of any events or developments impacting the collective management organization and its members; and
 - (iv) information on the collective management organization's governance structure.

PART VIII MISCELLANEOUS

The collective management organization obligation

23. (1) A collective management organization shall be required to act in an equitable, transparent and non-discriminatory manner, and to ensure clarity in its published materials, including but not limited to its constitution, membership terms and distribution policy.

(2) A collective management organization may only refuse a request to become a member of the collective management organization based on objectively justifiable factors. These factors shall be clearly defined and transparently communicated to ensure fairness and consistency in the membership process.

(3) If a membership request is refused, the applicant shall be given a written notice detailing the grounds of refusal by the collective management organization within a reasonable period of time.

The copyright voluntary notification

24. In order to enforce the rights of its members, the collective management organization may apply for copyright voluntary notification and register the works in the Register of Copyright on their behalf, according to the requirements stated under the Act.

PART IX DECLARATION, RENEWAL AND REVOCATION

List of declared and renewed collective management organization

25. A collective management organization, upon being declared and renewed by the Controller under section 27A(3) and 27A(3A) of the Act by the Controller, shall have its name specified in the First Schedule of these Guidelines.

List of revoked collective management organization

26. (1) A collective management organization, upon being revoked under section 27A(6) of the Act, shall have its name specified in the Second Schedule of these Guidelines.

(2) These revoked collective management organizations shall have no rights to operate under section 27A of the Act and make any collection of licensing schemes from users.

(3) Notwithstanding paragraphs 26(1) and (2) of these Guidelines, any licensing scheme collected prior to the revocation shall be distributed by the collective management organization to the members according to the requirements under the constitution, membership agreement or any other agreements.

FIRST SCHEDULE

[Paragraph 25]

LIST OF DECLARED AND RENEWED COLLECTIVE MANAGEMENT ORGANIZATION

Item.	Collective Management Organization	Period of Declaration and Renewal	Members Representation, Category and Industry
1.	Music Authors Copyright Protection Berhad (MACP)	18 March 2024 – 17 March 2026	Authors Works: Literary or Music Music Industry
2.	Public Performance Malaysia Berhad (PPM)	18 March 2024 – 17 March 2026	Owners Works: Sound Recording Music Industry
3.	Recording Performers Berhad (RPM)	18 March 2024 – 17 March 2026	Performers Works: Sound Recording Music Industry
4.	Music Right Sarawak Berhad (MRSB)	18 March 2024 – 17 March 2026	Owners, Authors or Performers Works: Literary, Music or Sound Recording Music Industry
5.	Music Rights Sabah Berhad (MRS)	18 March 2024 – 17 March 2026	Owners, Authors or Performers Works: Literary, Music or Sound Recording Music Industry
6.	Malaysia Reprographic Rights Centre Berhad (MARC)	18 March 2024 – 17 March 2026	Owners or Authors Works: Literary or Artistic Reprographic Industry

SECOND SCHEDULE

[Paragraph 26]

LIST OF REVOKED COLLECTIVE MANAGEMENT ORGANIZATION

Item.	Collective Management Organization	Declaration Date	Members Representation, Category and Industry	Revocation Date
1.	Music Rights Malaysia Berhad (MRM)	1 January 2017	Existing Collective Management Organization: Music Authors Copyright Protection Berhad (MACP) Public Performance Malaysia Berhad (PPM) Recording Performers Berhad (RPM) Performers Rights Interest Society of Malaysia (PRISM) Berhad	27 July 2020
2.	Performers Rights Interest Society of Malaysia (PRISM) Berhad	1 July 2013	Performers Works: Sound Recording Music Industry	3 April 2019
3.	MPLC (Malaysia) Sdn Bhd	1 January 2019	International Copyright Owners Works: Films Films Industry	4 June 2024

COMPLIANCE CHECKLIST

Item.	Paragraph	Details
1.	4	Body corporate structure
2.	5	Limitations of the scope of operation of collective management organization
3.	6	Class of licensing schemes
4.	7	Exceptions and limitations of licensing schemes
5.	8	Licensing agent of collective management organization
6.	9	Collection and distribution system
7.	10	Responsibility of collective management organization to users
8.	11	The composition of the board of director
9.	12	The qualification of the board of director
10.	13	Tenure of appointment
11.	14	Annual general meeting
12.	15	The board of directors' meeting minutes
13.	16	The membership agreement
14.	17	The financial record
15.	18	Distribution policy
16.	19	Information to the public
17.	20	Dispute resolution policy
18.	21	Copyright tribunal
19.	22	Renewal of declaration documents
20.	23	The collective management organization obligation
21.	24	The copyright voluntary notification

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MINISTRY OF DOMESTIC TRADE
AND COSTS OF LIVING



PERBADANAN HARTA INTELEK MALAYSIA
INTELLECTUAL PROPERTY CORPORATION OF MALAYSIA

GUIDELINES OF COPYRIGHT COLLECTIVE MANAGEMENT ORGANIZATION 2025

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