

Abstract

**Protecting Audiovisual Performers' Rights through
Collective Bargaining**
: Focusing on the Cases of the US and the UK

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This article analyzes the audiovisual performer compensation systems established through collective bargaining in the United States (SAG-AFTRA) and the United Kingdom (Equity), with the aim of drawing implications for Korea. The U.S. model has been built upon the long-standing foundations of the work-for-hire doctrine and union security agreements; compensation under its collective bargaining agreements consists of residuals and the success bonus newly introduced in 2023. The U.K. model has taken shape on a statutory right to remuneration confined to rental rights under the Copyright, Designs and Patents Act 1988, together with the path dependence inherited from the former closed-shop era; through the collective agreements concluded by Equity with the Producers Alliance for Cinema and Television (PACT) and with online video service providers, compensation is collected in the form of pre-purchase payments. The U.S. and U.K. cases ultimately suggest that collective bargaining between the parties becomes feasible only when underpinned by a legislative foundation that supports it. In Korea, however, no such institutional foundation exists to support the collective bargaining of audiovisual performers, and as a result Korean audiovisual performers are left unable to claim, against global online video service providers, either remuneration under copyright law or remuneration through collective agreements.

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Keywords

Audiovisual Performer, Collective Agreement, Right to Equitable Remuneration, SAG-AFTRA, Equity, Union Security Agreement, Special Cases Concerning Cinematographic Works