

**SPECIAL SERVICE OF EMERGENCY RIGHTS MANAGEMENT - EYED**

## **DISTRIBUTION RULES**

Royalties Distribution Regulation

as implemented on 23 October 2018



SPECIAL SERVICE OF EMERGENCY  
RIGHTS MANAGEMENT – E.Y.E.D

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## 1. INTRODUCTION

The Special Service of Emergency Rights Management- EYED, as laid down in art. 11 of Presidential Decree 311/1994, was established according to art. 45, par. 5 & 7 of Law 4531/2018, with the competence to proceed all the actions necessary for the emergency management of the rightholders's- members's of collective management organization or independent management entity members of art.50 of Law 4481/2017 ( A' 100 ), which license was withdrawn, copyrights, to conclude new assignement and representation agreements with the rightholders, to collect, distribute and pay the royalties of the rightholders, to monitor the legitimate use of copyright protected works and update the rightholders for the progress of the emergency management of their copyrights. The Special Service of Emergency Rights Management- EYED will be operating as long as OPI performs the duties of art. 51A of Law 4481/2017 and it is supervised directly by the Board of Directors of OPI. EYED is administrated by the person who is appointed head of it (the temporary manager) ( as amended by art. 45, par.5 Law 4531/2018).

As provided at the Ministerial Decision No 262844/18408/13772/689/04.06.2018 (Greek Government Gazette B' 2085/07.06.2018), EYED was assigned the emergency management of copyright of the rightholders- members of the Independent Management Entity with the distinctive title "AEPI SA", whose license was withdrawn by Ministerial Decision No 224747/4952/15.05.2018 (Greek Government Gazette B' 1767/17.5.2017 ), according to art. 51A, par. 2 of Law 4481/2017, as in force.

EYED operates according to the above described legal framework , the copyright law as in force each time, the International Conventions, EU Directives, agreements concluded with the authors / rightholders for both the Greek and the foreign repertoire, the agreements concluded with the foreign Collective Management Organizations, the CISAC Professional Rules and its Regulation, which govern economic and otherwise relationships, , between EYED and its members, Greek and foreign, and which reads as follows:

## 2. DOCUMENTATION

### 2.1 General Remarks on Documentation

Documentation is the process of collecting, assembling, storing, managing, processing and exchanging of oral information and documents (electronic or otherwise), that are required for the management of copyright issues (paternity of works, licensing, collection and distribution) related to:

- Authors
- Works
- Publishers and other rightholders
- Agreements

ultimately aiming that authors, publishers and other rightholders receive the royalties they are actually entitled to.

2.1.2 A full registration of identifiers that make up the identity of each work is required, such as (exact title, author's name, co-author's name, publisher's name or other rightholders', duration of work, creation / release date, share of each author / rightholder etc.) in order to document all works

To capture these elements the following are used:

- ❖ EYED's records (electronic and otherwise)
- ❖ Registrations of authors / rightholders, publishers, sub-publishers
- ❖ International archives that are part of the Common Information System (CIS) used by CISAC:
  - IPI (Interested Parties Information – Information on interested parties of the formerly CAE (International list of authors – publishers)
  - WID (Works Information Database – World Work List (WWL))
  - AVI (Audio-visual Index (AVI) and other information systems.
- ❖ Cue sheets
- ❖ Label copies from record companies
- ❖ Fiches Internationales

The process, of documentation, registration and creation of the (documentation) archive / EYED's repertoire is a constant process, so that it can, at any time, meet the requirements for licensing and collection / distribution of royalties.

The totality of the works of each author / rightholder constitutes his repertoire.

The repertoire of EYED, consists of the totality of the works of all authors / rightholders, Greek and foreign, which are represented and protected by EYED.-

- In particular, the following shall apply:

## **2.2 GREEK AUTHORS / RIGHTHOLDERS OR FOREIGNERS RESIDING PERMANENTLY IN GREECE**

- ❖ As a general principle it is reminded that according to art. 16 of Law 4481/2017 rightholders who have assigned to a collective management organization the whole management of their work are required upon their exclusive responsibility to declare in writing about the works they have in any way published, as well as for any new work that is published after the management assigning to the organisation. In this context, EYED annually reminds the rightholders this obligation and simultaneously provides them the possibility to inform EYED by electronic means as email/intranet/ user space.
- ❖ Greeks or foreigners residing in Greece, copyright authors and rightholders are required upon their exclusive responsibility, over both EYED and any co-authors and co-rightholders and other third parties, to declare in writing to EYED within ten (10) days following the signing of the agreement, their full and detailed repertoire, giving specific titles and categories of their works, their capacity in the work, the duration thereof, the year of their production, the year of first release or first performance, the names of other composers, lyricists or co-rightholders, the shares of participation of each, the characterization, original or adaptation or translation (giving full details of the original), elements that characterize or distinguish the work, the text, the score, as well as any other relevant information for the work and the identification, processing and distribution of royalties.
- ❖ This same obligation also applies in relation to all other works they may compose or co-write in the future.

- ❖ The author / rightholder may, upon his registration with EYED, make use, outside his official name, one or more artistic nicknames, which must be declared and accepted by EYED. Aliases must have not already been used by third parties, nor risk any confusion with other beneficiaries.
- ❖ The registration of an alias in EYED, at a later date than the time of (member) registration, is valid from the date of notification to EYED.
- ❖ The declaration of works by a band must be made by each author-member of the band-, separately.
- ❖ Ignoring the prescribed conditions for registration of works / repertoire and other aforementioned factors, the author / rightholder will not be able to raise any such claim or demand against EYED.
- ❖ EYED bears no responsibility for non-collection or non-distribution of royalties of any category and right, for works that either were not declared, as above, by the author / rightholder, or in case they were declared incorrectly.
- ❖ If a author / rightholder, at the time of the submission, made false or inaccurate statements, EYED will have the right to take action against him, taking, on its discretion, all the appropriate measures.
- ❖ EYED is not liable in case it is proven that an author / rightholder has received unduly royalties due to false or inaccurate declaration. In this case EYED is entitled to immediately and without any prior warning, proceed to accounting settlement by debiting the account of the rightholder and crediting the account of the legitimate rightholder.

### **2.3 GREEK AUTHORS / RIGHTHOLDERS**

The documentation for works of Greek authors / rightholders is done:

#### **❖ By agreement**

- The authors agree among themselves the participating shares which each one is entitled to on the product of exploitation of their work.
- They also agree among themselves and with the publisher, the participation portion of the latter, which, on the basis of international practice, may not exceed 50% of the distributable Mechanical and Performance royalties.
- Even in the event that the authors are not members of EYED, but only the publisher, his participation share in the work cannot exceed 50% for the Mechanical and / or Performance rights based on the international regulation of



Collective Management Organisations within the framework of CISAC ( International Covfederation of Societies of Authors and Composers).

- The authors and / or publishers are obliged to immediately declare these agreements to EYED, so as to form the distribution key of the royalties between them.
- If the declared agreements contain contradictory or incomplete data, EYED shall obtain clarification or additional information.
- If contradictory or incomplete information relate to the distribution key, EYED sets the works with the respective royalties as pending, after informing the interested parties, until the issue is settled in any way.

**❖ Lack of Agreement**

- If there is no agreement between authors / rightholders regarding the participation shares of each in the musical work, or the agreement is not declared to EYED, EYED is entitled to place the rights in suspense, until the issue is settled.
- EYED will request the details of the agreement from the interested authors / rightholders, and additionally, from any related third party e.g. producer, publisher, who can reasonably and in good faith provide evidence. If a settlement or even a temporary agreement between the authors / rightholders cannot be brought about, then EYED is entitled to distribute royalties in accordance with its own distribution key as referred to in paragraph 4.

**❖ Royalties of Greek Authors / RightHolders from abroad**

- The rights of members, authors / rightholders of EYED, resulting from exploitation of their works abroad, are collected by the respective, in each country, Collective Management Organization with which EYED is affiliated, unless there is possibility of direct collection.
- The collection and distribution rules are defined in each country by the respective foreign local CMO based on:

- Its Regulations
- According to the agreements signed with EYED
- National Laws
- Publishing Agreements

- EYED's distribution keys
- Documents communicated by EYED to foreign CMO's
- WID and international declarations (fiches internationales) as well as the adjustments derived from the declarations of EYED's members and its distribution keys.
- If, during the processing of the distribution statements received from foreign societies, contradictory or incomplete documentation of works is found, then the one with the corresponding rights, is put in suspense, until the situation is settled.
- ❖ Subsequently EYED effects the following procedure:
  - Calls for clarifying data from the foreign CMO
  - Informs the author / rightholder and requests further additional information, if necessary

#### **2.4 FOREIGN AUTHORS / RIGHTHOLDERS FOREIGN RESIDENTS, MEMBERS OF FOREIGN ORGANIZATIONS**

- The documentation for foreign authors/ rightholders is drawn by foreign organizations (with whom EYED has signed reciprocal representation agreements) and in which each author / right holder is a member.
- All information concerning the works and their documentation, is registered in EYED's database, and this existing notified data for Greece, which is the country of use and exploitation of the works, is taken into account.

For documentation of the works, use is made of the following:

- ❖ Fiches Internationales
- ❖ Cue sheets
- ❖ Circulars for general and specific agreements
- ❖ International data that are part of the CIS (Common Information System) of CISAC
  - IPI (Interested Parties Information) formerly CAE (International listing of Authors / Publishers)
  - WID (Works Information Database)
  - AVI (Audiovisual Index) and information systems

When works are documented and complete data is not available, the documentation remains incomplete, to the extent that the recognition of authors / rightholders is not sufficient, without prejudice to the provisions of the title **NON-DISTRIBUTABLE**.

❖ Request for written documentation:

When foreign works, from any form of exploitation e.g. concerts, broadcasts, performances, films, television productions, recording / reproduction physical or digital audio and visual carriers, or web use, are documented and there is lack of the necessary information for the documentation, a written documentation request is made to foreign organizations of the corresponding works of the authors / rightholders.

## **2.5 FOREIGN AUTHORS / RIGHTHOLDERS**

### **Collection and distribution**

The royalties of: a) members of the foreign organisations contracted with EYED, b) foreign authors whose permanent residence/or registered office is abroad and are direct members of EYED, are collected with the same terms and conditions, as those of the Greek rightholders.

The distribution of royalties of works of foreign right holders, members of foreign CMO's, is made simultaneously with the royalty distribution of works of Greek rightholders.

- ❖ The conditions and the distribution key for foreign rightholders are subject to:
  - The agreements signed by each foreign CMO with EYED
  - The notified elements and the distribution keys of the corresponding foreign CMO, of which the rightholder is a member
  - The present regulations
- ❖ The terms and keys of distribution for foreign rightholders whose permanent residence/ or registered office is abroad and are direct members of EYED are laid down from this regulation as in force at the respective time.

### **2.5.1 DISTRIBUTION BASED ON EXISTING OR CONFLICTING DATA**

The applicable distribution key for foreign rightholders are the keys of the foreign CMOs of which they are members, provided that:

- None of the rightholders is a member of EYED,  
and

- Distribution key documents of foreign CMO's exist
- ❖ If the documents of foreign CMO's have a contradictory key, and no rightholder is a member of EYED, then additional clarifying information is requested from these organizations.
- ❖ The distribution of these works remains pending, until the situation is clarified.
- ❖ If the situation is not clarified in three years, as to the contradictory key, then the distribution is made by applying the EYED distribution keys, as indicated in article 4.

### 2.5.2 DISTRIBUTION WITHOUT WRITTEN DOCUMENTATION

If the foreign CMOS's have not provided EYED the full details for documenting a work, then EYED, after having exhausted all possibilities for documentation, may apply what has been internationally resolved.

- ❖ For **mechanical royalties**, the Rome Convention adopted by BIEM (issued in 1976 and updated in 1993), which states that:
  - «If for a work recorded on sound or sound and image carrier, there is no documentation, at the time of distribution, but, one of the original rightholders can be identified as a member or rightholder of a foreign CMO, all copyright royalties shall be settled to this organisation of the author or publisher, which shall carry out the distribution based on the documentation available.»
- ❖ For **public performance** rights, the Warsaw Convention adopted by CISAC (issued in 1934 and updated in 1993), which states that:
  - «If at the time of any distribution of performing rights, the distributing society has no documentation on a certain work that was performed or broadcasted, but the identification of one of the original rightholders, in his position as a member or rightholder of a foreign CMO is possible, then the total royalties relating to such work shall be paid to this organisation which shall in turn carry out the relevant distribution based on the documentation available in its records. »

If the author or rightholder cannot be identified, but only the publisher, as a member / agent of the foreign organisation, then all copyright royalties deriving from the said work should be paid to that CMO.

Where the Warsaw Convention applies, the organisation to which the distribution is remitted should:

- provide EYED, as soon as possible, documentation data, for the works that it is not entitled to receive the total of royalties,  
and
- notify EYED whether, for some reason, it is not in a position to distribute the royalties in question.

In cases where neither the Rome nor the Warsaw Conventions can be applied, then EYED shall circulate a so-called “Inquiry List” (application for information) for documentation to the foreign CMO’s.

### **2.5.3 DOCUMENTATION APPLICATION “Inquiry List”**

- ❖ EYED sends annual statements of “Inquiry Lists” to all CMO’s and to all local publishers, including all works that cannot be documented-recognized.  
After collecting the written documentation information, EYED updates its files with the proper documentation and proceeds to accounting settlement of the amounts (Title 7 **CREDIT ADJUSTMENTS/** Rectification Accounts).
- ❖ The works, which cannot, despite all efforts, be recognized (non-identified), even if the conventions of Rome and Warsaw is applied, and the dispatch of documentation requests (Inquiry Lists) remain pending for a period of three years, during which it is possible that they are claimed a posteriori, or potential right holders raise delayed claims by. After the period of three years expires and no legitimate rightholders have been found, the procedures provided in the title “NON-DISTRIBUTABLE & Redistributions” are followed.

### 3. EYED DISTRIBUTION KEY

- ❖ If
  - There is no agreement between Author / RightHolder, or
  - Or a conflicting agreement exists
- ❖ Or no agreement between the Authors / RightHolders has been registered with EYED, regarding the participation shares of each one in the work
- If despite all efforts to resolve the situation, three years have elapsed without reaching an agreement or arrangement, EYED will apply its own distribution key, called EYED's key, which is configured as follows:

#### **WORKS WITH A PUBLISHER**

3/12 A (Author)  
3/12 C (Composer)  
6/12 E (Publisher)

#### **WORKS WITHOUT A PUBLISHER**

6/12 A (Author)  
6/12 C (Composer)

#### **DOMAINE PUBLIC**

##### **ADAPTATION OF TEXT WITHOUT MUSIC**

6/12 AD (Adaptor)                      12/12 AD (Adaptor)  
6/12 E (Publisher)

##### **ARRANGEMENT OF MUSIC WITHOUT TEXT**

6/12 AR (Arranger)                      12/12 AR (Arranger)  
6/12 E (Publisher)

#### **NEW TEXT WITH PUBLIC DOMAIN ARRANGED MUSIC**

3/12 A (Author)                      6/12 A (Author)  
3/12 AD (Adaptor)                      6/12 AD (Adaptor)  
6/12 E (Publisher)

## **DP TEXT WITH NEW MUSIC**

..... A (Author)	..... A (Author)
3/12 AD (Adaptor)	6/12 AD (Adaptor)
3/12 E (Publisher)	

In this case EYED shall not bear no responsibility towards the authors or publishers for any possible objections on their behalf, concerning the participation shares.

In relation to adaptations of protected works of Greek or foreign authors, EYED cannot apply the distribution key, because, a vital condition for participation of the adapted work in the distribution, is the prior consent of the original authors, publishers, sub-publishers, where required, who at the same time set the participation share of the adaptor.

### **4. COUNTERCLAIMS/ CLAIMS IN QUESTION**

- ❖ This Article applies to cases in which , either the ownership or the control of a protected work, or the claim for the economic rights of from the work, is disputed challenged by one or more parties, who raise a claim on the work, or, in which there is a disagreement, whether and to what extent a work reproduces in whole, or a significant part of another work, or whether it constitutes an unauthorised adaptation of another work.
- ❖ In these cases, EYED will contact the parties concerned, in order to resolve the dispute.
- ❖ In the event, that conflicting demands of more members-rightholders are raised, EYED is obliged to keep the distribution pending, until a joint statement of the disputing parties is submitted, or a binding decision for the parties, is taken.
- ❖ If the view /or any help of EYED, in a dispute or counterclaim between its members is requested, EYED's intervention will be limited only to the provision of all available records and data in its possession which relate to the dispute.
- ❖ EYED is not obliged to take a position or to intervene in court in favour of any party if both parties are members of EYED.

- ❖ In case where disputes are reported to EYED, these should contain specific information to facilitate their audit.
- ❖ The necessary information refers includes:
  - Full details of the work in dispute, including indicatively any Letter of Directions etc.
  - Full details of the parties having the conflict
  - The level or / the participation share of the royalties or other monetary amounts in dispute
  - Full details of any known use and exploitation of the work
  - The nature and basis of the alleged claim or dispute.
  - The conflicting parties' (authors / rightholders) consent that EYED should continue to grant licenses of the disputed work, in all categories of uses and to collect the attributable royalties, which EYED will remit to the one decided by Courts or to the that one the parties consent that he/ she is entitled to receive them.

In any case, when a dispute arises, the guidelines of the implementation of CISAC “Harmonization procedures for the handling of counterclaims” as stated in this regulation will predominate.

## **5. DISTRIBUTION**

### **5.1 GENERAL REMARKS ON DISTRIBUTION**

#### **5.1.1 INTRODUCTION**

The distribution of royalties is the processing of data, the documentation and the specific procedure followed, so that the royalties received from the music users are distributed to the members of EYED (composers, authors, publishers, sub-publishers, foreign collecting societies and in general, to copyright holders ). The following conditions which should be fulfilled in order to make the distribution: the works must have been exploited in the respective periods, the relative amounts of royalties must have been collected and the specific documentation and data must be available and processed.



### **5.1.2 GENERAL PRINCIPLES FOR THE METHODOLOGY OF DISTRIBUTION**

The amounts which EYED proceeds with the corresponding distributions, must have been invoiced and collected in accordance with the current published tariffs that are valid for each different use of musical works. (<https://www.opi.gr/index.php/osd/amoivologia-osd>)

Amounts that have been invoiced and collected by each user as interest shall be distributed.

EYED distributes royalties bases on procedures and methods ensuring on its part, that all the resources and information at its disposal are exhausted in order to implement a fully transparent fair, accurate, objective, comprehensive distribution for the benefit of its members.

The invoicing and collection of royalties of works of foreign rightholders, members of foreign Collective Management Organizations, is performed under the same licensing conditions as those of EYED's members and distribution is carried out simultaneously with the distribution of works of EYED's members. (Greek and foreign).

The distribution of royalties by EYED in cases of "blanket licenses", for previous periods of use, is based on the current documentation of works.

Documentary records and data are used for the distribution, in order to identify the musical works and thus their authors / rightholders, to whom the royalties will be distributed. EYED tries to have as many documentary records as possible.

In cases when music users do not provide the necessary specific documentary data, as required under art.24 of Law. 4481/2017, or when they provide incomplete or inaccurate documentary records, EYED uses for distribution:

a) a series of methods for on-spot registration of data, including recognition music and electronic fingerprint services.

b) a number of methods for the benefit of its members for the better use of already existing data and their analysis, in order to provide, based on these data, a statistically representative information on the use of music and the distribution of royalties.

### **5.1.3 CONTROL AND INTERSECTION OF DATA**

The music users are obliged under art.24 of Law. 4481/2017 to deliver to EYED information and documentary records (lists of the exploited musical works, sales / recordings production lists of physical carriers etc.) based on the formats published on the website of Hellenic Copyright Organisation- HCO (<https://www.opi.gr/index.php/osd/morfotypoi>).

EYED is in no way responsible for the completeness and accuracy of the data delivered by the users of music, and it is also not liable in the event that this data is not delivered by the users of music.

Nevertheless, EYED carries out on spot checks to register data, (in venues where works are performed publicly, in warehouses of record labels and pressing plants etc.), in order to cross check the correctness, completeness and accuracy of the data delivered by music users. Should it prove that the information is inaccurate or incorrect, EYED is entitled not to include these in the distribution of royalties.

### **5.1.4 DOCUMENTARY RECORDS AND DATA**

All programs, playlists, record sales statements etc.,- documents that include the titles of works, repeatability, the number of physical carrier copies sold and other data, all form the basis of the distribution of royalties.

In cases when a) the music users do not deliver to EYED programs, b) the volume of the received data is large c) the costs for collecting on-spot registration of data is high d) the data cannot be processed, EYED can only use the data on programs received or part of them.

If, for any reason, the credibility of a program is questioned, because it is illegible, inaccurate or incomplete, EYED is entitled not to include it in the distribution and it can replace it with another cross-checked and documented program, by the same artist and the same period, after he/she is informed and he does not dispute within 3 days.

Late documented and reliable programs and information EYED receives after the distribution, will be used and will be included in the next distribution.

In cases when titles of musical works appear in programs that refer to more than one work with the same title, the most recognizable and popular will be chosen. The number of performances, re recordings and adaptations of each work, as well as the number of carriers in which it has been included, will be taken into account as criteria. In case this cannot be clearly and securely defined, the questioned works will be deleted and they will not take part in the distribution.

#### **5.1.5 DISTRIBUTION PERIODS**

The distribution of rights to authors/ rightholders according to art. 19 of Law 4481/2017 has to be made no later than nine months from the end of the fiscal year during which the copyright royalties were collected, unless there are objective reasons, related to the submission of reports on behalf of the users, the definition of copyrights, the identification of the rightholders or the correlation of information for works and other protected objects, which do not allow EYED to withhold this deadline.

The distribution of rights to authors / rightholders is made twice a year, namely in June and December of each year, **provided that the royalty amounts have been collected and the necessary documents and data for the distribution are available and processed.** The deduction rates and distribution schemes are listed in appendix B of the present Regulation.

DISTRIBUTION CATEGORIES	PERIOD OF DISTRIBUTION
<p>GENERAL PERFORMING RIGHT</p> <p>PUBLIC PERFORMANCE RIGHT FOR RADIO BROADCASTED WORKS</p> <p>PUBLIC PERFORMANCE RIGHT FOR TELEVISION BROADCASTED WORKS</p> <p>MOTION PICTURE PROJECTION RIGHT</p> <p>PUBLIC PERFORMANCE RIGHT FOR MECHANICALLY REPRODUCED WORKS PUBLIC</p> <p>PERFORMANCE OF AUDIO &amp; VISUAL CARRIERS</p>	<p>Invoices issued: from 1/3 until 31/8 each year &amp; from 1/9 until 28/2 forthcoming year</p>
<p>MECHANICAL REPRODUCTION &amp; DISTRIBUTION RIGHT (covered by the Cannes Agreement)</p> <p>MECHANICAL REPRODUCTION &amp; DISTRIBUTION RIGHT (NOT covered by the Cannes Agreement)</p> <p>MECHANICAL REPRODUCTION &amp; DISTRIBUTION RIGHT (covered by the Centralized license)</p>	<p>The preceding calendar half-year</p>
<p>RADIO BROADCAST RIGHT</p> <p>TELEVISION BROADCAST RIGHT</p>	<p>Yearly and no later than nine months after the payment</p>
<p>MOTION PICTURE PRODUCTION RIGHT</p> <p>PRODUCTION, REPRODUCTION &amp; DISTRIBUTION OF VISUAL CARRIERS RIGHT</p>	<p>Within 30 days from the collection the latest</p>
<p>COMMERCIAL ADVERTISING RIGHT</p>	<p>Within 30 days from the collection the latest</p>
<p>USES VIA NETWORKS (Internet, Mobile etc.)</p>	<p>The preceding calendar half-year</p>
<p>RIGHTS FROM ABROAD</p>	<p>After receiving the wire transfer of</p>

	the preceding calendar half-year
RIGHTS PROVIDED BY ARTICLE 18 LAW 2121/93	The preceding calendar half-year

### 5.1.6 METHODOLOGY BASIS FOR DISTRIBUTION

The distribution of royalties is based on the following methods:

**a) Actual data/Census:** Method used for the distribution of royalties based on actual documentary records and data, which the users of music are required to provide (under art. 24 of Law 4481/2017) for specific music uses (e.g. record sales statements, playlists of radio and tv broadcasters, programs from entertainment venues, internet and mobile use playlists etc.)

**b) Sample:** Method used for the distribution of royalties based on representative sampling collections of programs from users of licensed premises, on-spot checks, statements from members and foreign Collecting Management Organisations.

The criteria EYED uses for sampling are:

- ❖ Representative sample programs from users who have paid royalties.
- ❖ Representative sample programs from Athens and Thessaloniki.
- ❖ Sample programs from representative urban cities throughout Greece (except Athens and Thessaloniki)
- ❖ Sample programs from representative categories of users (clubs, bars, venues with live music, hotels, cafeterias, taverns, restaurants, music scenes, malls, airports, gyms, hairdressing saloons etc.)

**c) Analogy:** Method used for the distribution of rights based on on-spot noting down of data, radio stations, programs, historical archive, special repertoires, all-time great repertoires, sales of physical carriers.

### **5.1.7 WEIGHTINGS**

For the distribution of royalties on certain uses of musical works, an emphasis is given on specific elements, such as the duration of each musical work and time - "zones" of broadcast with respect to the use of works by tv broadcasters.

### **5.1.8 POINTS AND POINT VALUE**

The unit "value" varies according to the distribution usage and it depends on whether licenses have been granted as "blanket licenses" or "work by work".

The unit value varies from distribution to distribution, because it is related on the level of and collection of royalties, as well as the number and repeatability of the works participating in each distribution.

### **5.1.9 PARAMETERS USED FOR THE DISTRIBUTION OF ROYALTIES**

- ❖ Current tariffs in force for each type of music usage
- ❖ Unit values per distribution category
- ❖ Documentary records and data, as described in detail, in each of the following distribution category sections
- ❖ Weightings (in whichever categories it applies, as described in detail in the following respective distribution category sections)
- ❖ Documentation tools of works (as described in Title Documentation)

### **5.1.10 PROCEDURE FOLLOWED FOR THE PROCESSING AND THE FINAL STAGE OF DISTRIBUTION**

- ❖ After EYED receives the provided data and documentary records, it proceeds to their detailed examination.
- ❖ Additional informative-explanatory data is requested and received
- ❖ The relevant EYED department processes the documentation of the works that will take part in the distribution.
- ❖ Entry of all data (numerical, documentation) to the EYED database

- ❖ Electronic processing all of the above data in combination with the parameters and methodology described in each distribution category.
- ❖ Distribution results

### **5.1.11 DECLARATIONS BY AUTHORS / RIGHTHOLDERS FOR APPEARANCES AND PERFORMANCES**

**Timely** statements received by EYED (full and accurate programs in which the performed works, their authors, the place and date of the performance, are noted), or by EYED's members, (as per art.8.c of the membership agreement with EYED,) or by foreign collecting management organisations, are taken into account for the distribution of royalties, on certain categories of distributions (as further described below, per distribution category).

Should it prove that these statements are inaccurate, false, or incomplete, then EYED is entitled not to take them into account in the distribution of royalties.

EYED is not liable, in case it is proven that a member has been unduly paid royalties as a result of providing EYED with an inaccurate, false or incomplete declaration for appearances or performances of his works. In this case, EYED is entitled, immediately and without any prior warning, to proceed to an accounting settlement by debiting the member's account and crediting the account of the legitimate rightholders.

#### **5.1.12.1 DISTRIBUTION CATEGORIES**

- ❖ Mechanical Rights
- ❖ Radio Broadcasting Rights
- ❖ Television Broadcasting Rights
- ❖ Public Performance Rights
- ❖ On line Rights
- ❖ Royalties from Abroad
- ❖ Rights provided in Article 18 Law 2121/93
- ❖ Redistributions

Credit adjustment (as described in detail in the following sections)

### **5.1.12. OBLIGATION FOR INFORMATION**

EYED posts in its website at least the following information concerning particularly:

1. The way of distribution of the amounts owed to the rightholders and the royalties distribution regulation per each rightholders' category, in which the exact method of distribution is reflected,
2. The management fees and their way of calculation
3. The deductions from the revenue of royalties and the revenue of the investment of these revenue, excluding the management fees.
4. The catalogue of the representation agreements, which it has concluded and the names of the collective management organisations contractors.
5. The use of NON-DISTRIBUTABLE amounts, including the amounts given for social, cultural and educational activities.

Likewise, EYED based on art.30 of Law 4481/2017 draws up and publishes annual transparency report which is obligatory to include

- a) Financial information relevant to the revenue of these royalties, per category of right managed by EYED and per category of use with in which information about the revenue that came out from their investment, from the copyrights and the use of these revenue (either they are distributed in rightholders or other collective management organizations or they are used in another way).
- b) The total amount related to the rightholders and has not yet been distributed to them, with distribution per right category managed by EYED and the specific use in compliance with the fiscal year in which these amounts were collected
- c) the reasons for the delay in case EYED has not fulfilled the distribution and payments within the deadline provided in the this regulation and by by law deadlines
- d) The height of the total NON-DISTRIBUTABLE amounts accompanied by an explanation of their use



- e) Information about the relations with other collective management organisations including information on the he following at least :
  - aa) the amounts received from other collective management organisations and the amounts paid to other collective management organisations, with allocation per authorities category and per category of use and per collective management organization.
  - bb) the management fees and other deductions from royalties owed to other collective management organisations, per category of authorities and per category of use and per collective management organisation.
  - cc) the management fees and other deductions from the amounts deposited directly to rightholders from the part of other collective management organisations, with allocation per authorities category and per collective management organisation
  - dd) The amounts distributed directly to rightholders which come from other collective management organisations, with allocation per authorities category and per collective management organisation according to art. 37, par. 3 of Law 4481/2017.

Finally, EYED annually submits special report concerning the use of the amounts that may be spent for the purposes of the social, cultural and educational activities as provided by art. 29, par.2 of Law 4481/2017.

## **5.2 MECHANICAL ROYALTIES**

The distribution of mechanical royalties resulting from the use of musical works that have been recorded on physical carriers and means, their mechanical reproduction thereof, as well as the integration of musical works in commercials, films etc.

### **5.2.1 MECHANICAL REPRODUCTION ROYALTIES (audio, audio & visual carriers)**

**INTRODUCTION:** It refers to the distribution of royalties from the use of musical works in audio / audio & visual physical carriers, and where the music is an essential element (CDs, CD Singles, music DVDs, etc.) –right g-

**ROYALTY SOURCES:** Record companies, independent producers, newspaper and magazine publishers, etc., to whom EYED has granted the relevant license.

**DOCUMENTARY RECORDS AND DATA:**

- ❖ Label copies (lists of the musical works that appear in a physical carrier).
- ❖ Physical Carrier Sales Reports that each user is obliged to deliver to EYED.
- ❖ Number of manufactured copies that each pressing plant is obliged to deliver to EYED.
- ❖ Documentation and recognition of musical works

**DISTRIBUTION METHODOLOGY:** The distribution of royalties is made with actual data per proportion, for as long as this is plausible, to the real use of works (art.19 of Law 4481/2017). For the distribution of royalties from such use, beside the above mentioned factors, the unit value per carrier and the number of copies sold or manufactured, are taken into account.

**WEIGHTINGS:** In this case the following are used to distribute the royalties: the duration of each musical work contained in a physical carrier with respect to the overall duration of the physical carrier,.

**PERIODS OF DISTRIBUTION:** The distribution of royalties due to the specific use of musical works, takes place twice a year, namely in June and December each year, and corresponds to the use of the immediately preceding calendar semester, **provided that the royalty amounts have been collected and the necessary documentary records and distribution data are available and processed.**

**5.2.2 MECHANICAL REPRODUCTION ROYALTIES (audio & visual carriers)**

**INTRODUCTION:** It refers to the distribution of the royalties from the use of musical works contained in audio and visual physical carriers and where the music is useful (CD Rom, DVDs etc.) –right j-

**ROYALTY SOURCES:** Producers of audiovisual works (films, documentaries), newspaper and magazine publishers, etc., to whom EYED has granted the relevant license.

**DOCUMENTARY RECORDS AND DATA:**

- ❖ Cue sheets (lists of musical works that are included in films, documentaries etc.)
- ❖ Physical Carrier Sales Clearances that each user is obliged to deliver to EYED
- ❖ Number of manufactured copies that each pressing plant is obliged to deliver to EYED
- ❖ Documentation and recognition of musical works

**DISTRIBUTION METHODOLOGY:** The distribution of royalties is made **with actual data**. For the distribution of royalties from such use, in addition to the above mentioned factors, the unit value per carrier and the number of copies sold or manufactured, are taken into account.

**WEIGHTINGS:** In this case, the duration of each musical work contained in a physical carrier with respect to the overall duration of the physical carrier, is used to distribute the royalties.

**REPRODUCTION RIGHT:** It is distributed where the consent of the author / rightholder is required to synchronize a musical work in an audio-visual work.

**PERIODS OF DISTRIBUTION:** The distribution of royalties from the specific use of musical works takes place twice a year, namely in June and December each year, and relates to the use of the immediately preceding calendar semester, **provided that the royalty amounts have been collected and the necessary documentary records and distribution data are available and processed.**

### **5.2.3 ROYALTY FEES FROM USAGE OF MUSIC IN COMMERCIALS**

**INTRODUCTION:** It refers to the distribution of the royalty fees from the use of musical works synchronized in commercial advertising spots, intended for broadcast on television, on radio, in cinemas, on the Internet, in public areas etc. – sync right g-

**ROYALTY SOURCES:** Advertising agencies and companies, individuals and any others that operate as producers of such use of musical works, in Greece or abroad, and to which EYED has granted the relevant license.

**DOCUMENTARY RECORDS AND DATA:**

- ❖ Work title and its authors / rightholders participating in the advertising spot
- ❖ Documentation and recognition of the musical work
- ❖ Prior consent of the authors / rightholders of the work

**DISTRIBUTION METHODOLOGY:** The distribution of royalties is made **with actual data**. For the distribution of the royalties from such use, beside the above mentioned factors, the negotiated lump sum is taken into account, separately for each case.

**PERIODS OF DISTRIBUTION:** The distribution of royalties from the specific use of musical works, takes place on a case by case basis, **provided that the royalty amounts have been collected and the necessary documentary documents and distribution data are available and processed**.

#### **5.2.4 ROYALTY FEES FROM MUSIC SYNCHORNIZATION WITH AUDIOVISUAL WORKS**

**INTRODUCTION:** It refers to the distribution of the royalty fees from the use of musical works synchronized in audio visual works (films, documentaries, tv series etc.)  
–right i

- ❖ It is noted that for the music synchronization work in audiovisual production a written authorization of the author /rightholder is required in any case before the publication/ circulation of the audiovisual work. A possible remuneration of the author/rightholder for the synchronization license composes a separate right and does not offset with possible mechanical reproduction rights and public performance or Television Broadcasting Rights or On Line Rights or any other audiovisual broadcasting that may come up.

**ROYALTY SOURCES:** Producers of audiovisual works, producers of tv telecasts, individuals and any others that operate as producers of such use of musical works, in Greece or abroad, and to whom EYED has granted the relevant license.

**DOCUMENTARY DOCUMENTS AND DATA:**

- ❖ Work titles and their authors / rightholders participating in these audio visual works, tv telecasts
- ❖ Documentation and recognition of the musical work
- ❖ Prior consent of the authors / rightholders of the work

**DISTRIBUTION METHODOLOGY:** The distribution of royalties is made **with actual data**. For the distribution of the royalties from such use, the negotiated lump sum is taken into account, separately for each case besides the above mentioned factors,

**PERIODS OF DISTRIBUTION:** The distribution of royalties takes place with actual data

The distribution of royalties from the specific use of musical works, takes place on a case by case basis, **provided that the royalty amounts have been collected and the necessary documentary documents and distribution data are available and processed.**

### **5.3 RADIO BROADCASTING ROYALTIES**

The distribution of the royalties from the use of musical works broadcasted, rebroadcasted via terrestrial / satellite signal. –right b-

70% of the amount is distributed as performance right and 30% as mechanical right, as established under international practice.

#### **5.3.1 PUBLIC AND PRIVATE RADIO STATIONS (NATIONWIDE RANGE)**

**INTRODUCTION:** It refers to the distribution of the royalties from the use of musical works broadcasted, rebroadcasted by radio stations, public and private, of nationwide range. The distribution is made separately for each station.

**ROYALTY SOURCES:** Radio stations, both public and private of nationwide range, to whom EYED has granted the relevant license.

**DOCUMENTARY RECORDS AND DATA:**

- ❖ Playlists with work titles and their authors / right holders, that each user is obliged to deliver to EYED.
- ❖ Timely declarations from members regarding idents (upon timely request, as provided for in sections 2.2 of this Regulation)
- ❖ Documentation and recognition of musical works

**DISTRIBUTION METHODOLOGY:** The distribution of royalties is made **with actual data**. For the distribution of the royalties from such use, beside the above mentioned factors, the unit value per work title, which is of the same value for each distribution separately, and the repetitiousness of the works, are taken into account. Annual royalties from radio stations exceeding €5,000 are distributed nominally per station and the name of the station is shown in the aggregated and detailed distribution statements received by the members.

**WEIGHTINGS:** The signal repeatability, of each radio station, may not exceed 5% of the total station repeatability and the corresponding royalty is 20% of the unit value.

**PERIOD OF USE:** The invoicing of royalties for each radio station is based on the financial data of the published balance sheet of the previous year. Therefore because the periods of publication of the radio stations balance sheets vary, the period of use is very different compared to the time of distribution.

**PERIODS OF DISTRIBUTION:** The distribution of royalties from the specific use of musical works, takes place twice a year, namely in June and December each year, and corresponds to an annual use. Distribution takes place **provided that the royalty amounts have been collected and the necessary documentary documents and distribution data are available and processed**.

### **5.3.2 PRIVATE-REGIONAL RADIO STATIONS (LOCAL RANGE)**

**INTRODUCTION:** It refers to the distribution of the royalties from the use of musical works broadcasted by private and regional radio stations of local range, who pay EYED the minimum amount of royalties, due to lack or minimal advertising revenue.

**ROYALTY SOURCES:** Radio stations of nationwide range, to which EYED has granted the relevant license.

#### **DOCUMENTARY RECORDS AND DATA:**

- ❖ Playlists with work titles and their authors / rightholders, that each user is obliged to deliver to EYED
- ❖ Declarations from members regarding musical signal (upon timely request, as provided for in sections 2.2 of this Regulation)
- ❖ Timely declarations from members of EYED and foreign CMO's
- ❖ Data usage from musical works recognition and electronic fingerprint service
- ❖ Documentation and recognition of musical works

**DISTRIBUTION METHODOLOGY:** The distribution of royalties from radio stations under €5.000 is made on the totality of the regional radio stations, i.e. the amounts collected from all local stations are accumulated, and then the distribution is made on the total amount:

**a) sampling:** Usage of station programs, that each user is obliged to deliver to EYED , the declarations from members and foreign collecting societies and information received from the music recognition and electronic fingerprint service.

**b) analogy:** A representative sample of musical works from the programs that have been delivered from similar radio stations, as well as recognition of music and electronic fingerprint data, are used.

In addition to the above mentioned data, the unit value per musical work title, which is of equal value for each distribution separately, and the repeatability of the works, is taken into consideration.

The names of the radio stations that have been used in sampling and analogy are listed on EYED's website, each distribution semester.

**WEIGHTINGS:** The signal repeatability, of each radio station, may not exceed 5% of the total station repeatability and the corresponding royalty is 20% of the unit value.

**PERIOD OF USE:** The invoicing of the royalties for each radio station, is based on the financial data of the published balance sheet of the previous year. Therefore because the periods of publication of the radio stations balance sheets vary, the period of use is very different compared to the time of distribution.

**PERIODS OF DISTRIBUTION:** The distribution of royalties from this specific use of musical works takes place twice a year, namely in June and December each year, and relates to an annual use. Distribution takes place **provided that the royalty amounts have been collected and the necessary documentary documents and distribution data are available and processed.**

#### **5.4 TELEVISION BROADCASTING ROYALTIES**

The distribution of the royalties from the use of musical works broadcasted, on Television via terrestrial / satellite signal. –right d-

70% of the amount is distributed as performance right and 30% as mechanical right, as established under international practice.

##### **5.4.1 PUBLIC AND PRIVATE TV (NATIONWIDE RANGE)**

**INTRODUCTION:** It refers to the distribution of the royalties from the use of musical works broadcasted, by public and private tv broadcasters, of nationwide range. The distribution is made separately for each station.

**ROYALTY SOURCES:** Tv broadcasters, both public and private of nationwide range, to which EYED has granted the relevant license.

**DOCUMENTARY RECORDS AND DATA:**



- ❖ Playlists with work titles and their authors / rightholders, that each user is obliged to deliver to EYED
- ❖ Cue sheets (lists of musical works contained in feature films, television series, documentaries, etc.)
- ❖ Timely declarations from members, regarding usage of their works in television commercials, trailers, tv broadcasters, music signals, films and tv series
- ❖ Usage of data from services that record the flow of tv commercials
- ❖ Documentation and recognition of musical works

**DISTRIBUTION METHODOLOGY:** The distribution of the royalties is made **with actual data**. For the distribution of the royalties from such use, beside the above mentioned factors, the unit value per which corresponds to 1' (minute) of music and which varies per year and per televisions station. Annual royalties from tv broadcasters exceeding €25,000 are distributed nominally per station and the name of the station is shown in the aggregated and detailed distribution statements received by the members.

**WEIGHTINGS:**, the unit value regarding In the distribution relevant to tv broadcasters changes depending on the time (televised zone) of the transmission of musical works. The categorization of the time zones is as follows:

- a) 20:00 – 23:59 (100%)
- b) 9:00 – 12:59 (80%)
- c) 13:00-19:59 και 00:00 – 1:59 (60%)
- d) 2:00 – 8:59 (40%)

For musical works used in advertising spots, trailers and music idents, the corresponding royalty is 20% of the unit value.

**PERIOD OF USE:** The invoicing of royalties for each radio station is based on the financial data of the published balance sheet of the previous year. Therefore the period of use is very different compared to the time of distribution.

**PERIODS OF DISTRIBUTION:** The distribution of royalties from the specific use of musical works takes place twice a year, namely in June and December each year, and concerns an annual use. Distribution takes place **provided that the royalty**

**amounts have been collected and the necessary documentary documents and distribution data are available and processed.**

#### **5.4.2 PRIVATE-REGIONAL TV BROADCASTERS (LOCAL RANGE)**

**INTRODUCTION:** It refers to the distribution of the royalties from the use of musical works broadcasted, by public and private tv broadcasters, of local range, which pay EYED the minimum amount of royalties, due to lack or minimal revenue.

**ROYALTY SOURCES:** Tv broadcasters, of local range, to which EYED has granted the relevant license.

#### **DOCUMENTARY DOCUMENTS AND DATA:**

- ❖ Playlists with work titles and their authors / rightholders, that each user is obliged to deliver to EYED, (based on law 4481/2017 ar. 24 ).
- ❖ Declarations from members and foreign CMO's
- ❖ Timely declarations from members, regarding usage of their works in television commercials, trailers, tv broadcasters idents, films and tv series
- ❖ Documentation and recognition of the musical works

**DISTRIBUTION METHODOLOGY:** The distribution of royalties from tv broadcasters less than €25.000 is made on the totality of the regional radio stations, i.e. the amounts collected from all local stations are accumulated, and then the distribution is made on the aggregated amount:

❖ **a) sampling:** The station programs that each user is obliged to deliver to EYED (only a small percentage of exact programs is delivered to EYED), the declarations from members and foreign CMO's.

❖ **b) analogy:** A representative sample of musical works from the programs that have been delivered from similar tv broadcasters.

In addition to the above referenced data, the unit value per musical work title, which is of equal value for each distribution separately, and the repeatability of the works, is taken into consideration.

The names of the tv broadcasters that have been used in sampling and analogy are listed on EYED's website, each semester distribution.

**PERIOD OF USE:** The invoicing of royalties for each tv broadcaster is based on its financial data of the published balance sheet of the previous year. Therefore the period of use is very different compared to the time of distribution.

**PERIODS OF DISTRIBUTION:** The distribution of the royalties from the specific use of musical works, takes place twice a year, namely in June and December each year, and corresponds to an annual use. Distribution takes place **provided that the royalty amounts have been collected and the necessary documentary documents and distribution data are available and processed.**

## **5.5. PUBLIC PERFORMANCE ROYALTIES**

**INTRODUCTION:** The distribution of the royalties from the use of musical works in various dining and entertainment enterprises, to which EYED grants a "blanket license", i.e. not work by work, but for the entire repertoire EYED represents. The invoicing of royalties varies according to the space, surface, geographical area, period of operation, and mode of transmission of musical works, etc. (EYED tariffs <https://www.opi.gr/index.php/osd/amoivologia-osd>)

**VENUES OF PUBLIC PERFORMANCE OF MUSIC WORKS:** Recreation centers, clubs, bars, cafeterias, taverns, restaurants, venues of health interest, concerts, exhibition halls, music halls, festivals, cinemas, shops, entertainment halls, bakeries, gyms, salons, boats, airplanes, airports , underground, casinos, hotels, super markets etc.

### **5.5.1 ROYALTIES FROM PERFORMANCES WITH LIVE MUSIC**

**INTRODUCTION:** The distribution of the royalties because of from of live performances of musical works which are included in the program of a musical event, such as concerts, festivals, cultural events, etc., and which are held both indoors and outdoors and for which music constitutes an essential element, as a musical product. - right a-

**ROYALTY SOURCES:** Concert organizers, Municipalities, Cultural clubs, festivals, individuals, Ministries, Organizations and generally anyone organizing musical events, to which EYED has granted the relevant license.

**DOCUMENTARY RECORDS AND DATA:**

- ❖ Playlists with work titles and their authors / rightholders, that each user is obliged to deliver to EYES
- ❖ Declarations from members of EYED and foreign CMO's
- ❖ Timely declarations from members of EYED (complete and accurate programs of their appearances) and foreign CMO's.
- ❖ On spot recording of data
- ❖ Documentation and recognition of musical works

**DISTRIBUTION METHODOLOGY:** The distribution of royalties is made **with actual data**. In addition to the above mentioned factors, the following are taken into account for the distribution of the royalties from such use: the invoiced and collected amount separately, for each concert or musical event, which is distributed equally to the musical works that have been performed in the relevant concert or musical event.

**WEIGHTINGS:** In case EYED has in its possession more than one of the aforementioned documentation and data for a musical event (and these do not match), the musical works that have emerged from the on spot recording of data, take place in the distribution.

**PERIODS OF DISTRIBUTION:** The distribution of royalties from the specific use of musical works takes place twice a year, namely in June and December each year. The June distribution relates to royalties **invoiced** between September previous year, until February each year, and the December distribution corresponds to royalties **invoiced** between March and August of each year, **provided that the royalty amounts have been collected and the necessary documentary documents and distribution data are available and processed.**

## **5.5.2 ROYALTIES FROM MUSIC HALLS WITH LIVE MUSIC**

**INTRODUCTION:** The distribution of the royalties from the use of musical works which are included in the live program of a musical stage, where the music is an essential element, -right a-

**ROYALTY SOURCES:** Night Clubs, clubs, music halls enterprises etc., to which EYED has granted the relevant license.

### **DOCUMENTARY RECORDS AND DATA:**

- ❖ Playlists with work titles and their authors /rightholders that each user is obliged to deliver to EYED.
- ❖ Timely declarations from members of EYED and foreign CMO's.
- ❖ On spot recording of data
- ❖ Documentation and recognition of musical works

**DISTRIBUTION METHODOLOGY:** The distribution of royalties is made **with actual data** for each one of the venues, separately. In addition to the above mentioned factors for the distribution of the royalties from such use, the invoiced and separately the collected amount, for each venue are taken into account as distributed equally to the musical works that have been performed in the said venue..

**WEIGHTINGS:** In case EYED has in its possession more than one of the aforementioned documentation and data (and these do not match), the musical works that have emerged from the on spot recording of data, take place in the distribution.

**PERIODS OF DISTRIBUTION:** The distribution of royalties from the specific use of musical works takes place twice a year, namely in June and December each year. The distribution of June relates to royalties **invoiced** between September previous year, until February of each year, and the distribution of December relates to royalties **invoiced** between March and August of each year, **provided that the royalty amounts have been collected and the necessary documentary documents and distribution data are available and processed.**

### 5.5.3 ROYALTIES FROM ENTERTAINMENT HALLS

**INTRODUCTION:** The distribution of the royalties from the use of musical works which are performed in various entertainment halls, either live or with mechanical means, where the music is an essential element, as a musical product. –right a,c,e,h,k-

**ROYALTY SOURCES:** Bars, clubs, discos, music stages, taverns enterprises etc., to which EYED has granted the relevant license.

#### **DOCUMENTARY DOCUMENTS AND DATA:**

- ❖ Playlists with work titles and their authors / rightholders that each user is obliged to deliver to EYED ( art. 56 § 4 of Law 2121 / 93 ).
- ❖ Timely declarations from members and foreign CMO's.
- ❖ On spot recording of data
- ❖ Radio stations programs
- ❖ Special repertoire
- ❖ All time classic repertoire (evergreen)
- ❖ Historical archive
- ❖ Physical carriers sales
- ❖ Documentation and recognition of musical works

**DISTRIBUTION METHODOLOGY:** The distribution of royalties is based on the totality of these venues, the respective amounts collected are accumulated and then the total amount is distributed, according to the following methods :

**a) sampling:** The programs that users are obliged to deliver to EYED, the on spot recording of data, as well as the declarations from members of EYED and foreign collecting societies, are used.

**b) analogy:** The parameters used for the distribution are as follows:

- A representative sample of musical works from the programs that have been delivered to EYED by music users of licensed venues
- A representative sample of on-spot recorded data

- A representative sample from radio stations programs (the names of the radio broadcasters that have been used in the analogy parameter, are listed on EYED's website each distribution semester)
- Special repertoires (e.g. Cretan, Pontian, orchestral, jazz, children's music etc. according to the region or the venues where the musical works are performed)
- All time classic repertoire (evergreen) (works which have been released, at least 10 years ago, but continue to participate in distributions within the last 10 years)
- Historical archive
- Statistics from physical carrier sales

Besides all the above, the unit value per work title, which is of equal value for each distribution separately and the repeatability of the works, are taken into account.

**PERIODS OF DISTRIBUTION:** The distribution of royalties for the specific use of musical works takes place twice a year, namely in June and December each year.

The June distribution relates to royalties **invoiced** between September previous year, until February each year, and the December distribution relates to royalties **invoiced** between March and August of each year, **provided that the royalty amounts have been collected and the necessary documentary documents and distribution data are available and processed.**

#### **5.5.4 ROYALTIES FROM RESTAURANTS/EATING ESTABLISHMENTS AND MERCHANDISE SHOPS**

**INTRODUCTION:** The distribution of the royalties from the use of musical works which are performed in various restaurants/eating establishments, either live or with mechanical means, where the music is a useful element for the entertainment of the public. -right a,c,e,h,k-

**ROYALTY SOURCES:** Hotels, shipping companies, airline companies, merchandise shops, super markets, salons, casinos etc. to which EYED has granted the relevant license.

**DOCUMENTARY DOCUMENTS AND DATA:**

- ❖ Playlists with work titles and their authors / rightholders that each user is obliged to deliver to EYED).
- ❖ Timely declarations from members and foreign CMO's.
- ❖ On spot recording of data
- ❖ Radio stations programs
- ❖ Special repertoire
- All time classic -time repertoire (evergreen) (works which have been released, at least 10 years ago, but continue to participate in distributions within the last 10 years)
- ❖ Historical archive(works that have participated in the last six distributions)
- ❖ Statistics from physical carrier sales

**DISTRIBUTION METHODOLOGY:** The distribution of royalties is based on the totality of these venues, i.e. the respective amounts collected from these venues, are accumulated and then the total amount is distributed, according to the following methods:

- ❖ **a) sampling:** The programs that users are obliged to deliver to EYED, the on spot recording of data, as well as the declarations from members of EYED and foreign CMO's, are used.
- ❖ **b) by analogy:** The parameters used for the distribution of the royalties, are as follows:
  - A representative sample of musical works from the programs that have been delivered to EYED from music users of licensed venues
  - A representative sample of on-spot recorded data that EYED has recorded



- A representative sample from radio stations programs (the names of the stations that have been used in the analogy parameter, are listed on EYED's website each distribution semester)
- Special repertoires (e.g. Cretan, Pontian, orchestral, jazz, children's music etc. according to the region or the venues where the musical works are performed)
- All time classic repertoire (evergreen) (works which have been released, at least 10 years ago, but continue to participate in distributions within the last 10 years)
- Historical archive (works that have participated in the last six distributions)
- Statistics from physical carrier sales

Besides all the above, the unit value per work title, which is of equal value for each distribution separately and the repeatability of the works, are taken into account.

**PERIODS OF DISTRIBUTION:** The distribution of royalties from the specific use of musical works takes place twice a year, namely in June and December each year.

The June distribution relates to royalties **invoiced** between September previous year, until February each year, and the December distribution relates to royalties **invoiced** between March and August of each year, **provided that the royalty amounts have been collected and the necessary documentary documents and distribution data are available and processed.**

### **5.5.5 ROYALTIES FROM CINEMAS**

**INTRODUCTION:** The distribution of the royalties from the use of musical works which appear in movies, documentaries and are projected in cinemas, or special events -right f-

**ROYALTY SOURCES:** Cinemas, organizers of special events, to which EYED has granted the relevant license.

#### **DOCUMENTARY RECORDS AND DATA:**

- ❖ Lists with the films titles, that each user is obliged to deliver to EYED.
- ❖ Timely declarations from members of EYED and foreign CMO's.
- ❖ Cue sheets (lists containing the musical works that appear in a film)

- ❖ Number of tickets sold per movie, per cinema
- ❖ Documentation and recognition of the musical works

**DISTRIBUTION METHODOLOGY:** The distribution of royalties is made with **actual data**. For the distribution of the royalties from this type of use, beside the above mentioned factors, the unit value per title of musical work that appears in each film is taken into account.

**PERIODS OF DISTRIBUTION:** The distribution of royalties from the specific use of musical works takes place twice a year, namely in June and December each year. The June distribution relates to royalties **invoiced** between September previous year, until February each year, and the December distribution relates to royalties **invoiced** between March and August of each year, **provided that the royalty amounts have been collected and the necessary documentary documents and distribution data are available and processed.**

## **5.6. ONLINE ROYALTIES**

**INTRODUCTION:** The distribution of the royalties from the use of musical works via networks (internet, mobile etc.) for the totality of the represented repertory. – rights m,n-

In cases of downloading, 75% of the amount is distributed as mechanical right and 25% as performing right as established by international practice.

In cases of streaming, 25% of the amount is distributed as mechanical right and 25% as performing right as established by international practice.

### **5.6.1 INTERNET ROYALTIES - DSPs**

**INTRODUCTION:** The distribution of the royalties from the use of musical works on the internet, for the totality of the represented repertory. The use may be interactive or/and non-interactive.

**ROYALTY SOURCES: DIGITAL SERVICE PROVIDERS:** Online digital record stores, simulcasting, web radios, web tv, sites, Internet Protocol television (IPTV), Video on demand, background music services, etc.

### **5.6.1.1 ROYALTIES FROM ONLINE DIGITAL SERVICE PROVIDERS (DSPs)**

**INTRODUCTION:** The distribution of the royalties from the digital disposal of musical works on the internet, for the totality of the represented repertoire.

**ROYALTY SOURCES:** Digital Service Providers i.e. You Tube, i-tunes, Spotify, Deezer, Napster etc.) to whom AEPI has granted the relevant license.

#### **DOCUMENTARY RECORDS AND DATA:**

**DDEX** (Digital Data Exchange) and **CCID** (Claim Confirmation and Invoice Details ) applications (taking into consideration the exclusions of repertoire)

**DISTRIBUTION METHODOLOGY:** The distribution of the royalties is made **with actual data**. For the distribution of the royalties from such use, beside the above mentioned factors, the unit value per work title, which is of the same value for each distribution separately, and the repetitiousness of the works, are taken into account.

**PERIODS OF DISTRIBUTION:** The distribution of the royalties from such use is made twice a year, each June and December, for the preceding calendar half-year, **provided that the royalty amounts have been collected and the necessary documentary documents and distribution data are available and processed.**

### **5.6.1.2 ONLINE ROYALTIES - SIMULCASTING**

**INTRODUCTION:** The distribution of the royalties from the use of musical works on the internet – simulcasting, for the totality of the represented repertoire.

**ROYALTY SOURCES:** Radio and Tv broadcasters, to whom EYED has granted the relevant license.

#### **DOCUMENTARY RECORDS AND DATA:**

- ❖ Playlists with the titles of musical works and their authors that each user is obliged to deliver to EYED. (The playlists are the same with those delivered to for radio stations that broadcast via terrestrial signal)
- ❖ Timely declarations from members

❖ Documentation and recognition of the musical works

**DISTRIBUTION METHODOLOGY:** The distribution of the royalties is made on the totality of the radios and televisions i.e. the amounts collected from all the radios and televisions are accumulated, and then the distribution is made on the aggregated amount:

**a) sampling:** The station programs that are delivered to EYED (only a small percentage of exact programs is delivered to EYED, the declarations from members of EYED.

**b) analogy:** A representative sample of musical works from the programs that have been delivered from similar radio and tv broadcasters.

In addition to the above referenced data, the unit value per musical work title, which is of equal value for each distribution separately, and the repeatability of the works, is taken into consideration.

**PERIODS OF DISTRIBUTION:** The distribution of the royalties from such use is made twice a year, each June and December, for the preceding calendar half-year, **provided that the royalty amounts have been collected and the necessary documentary documents and distribution data are available and processed.**

### 5.6.1.3 ONLINE ROYALTIES - WEBSITES

**INTRODUCTION:** The distribution of the royalties from the use of musical works on the internet and are incorporated in websites, for the totality of the represented repertory.

**ROYALTY SOURCES:** Website owners, to whom EYED has granted the relevant license.

**DOCUMENTARY RECORDS AND DATA:**

- ❖ Playlists with the titles of musical works and their authors that each user is obliged to deliver to EYED.
- ❖ Timely declarations from members
- ❖ Documentation and recognition of the musical works

**DISTRIBUTION METHODOLOGY:** The distribution of the royalties from this type of use is made with:

- a) **Actual data:** For the distribution of the royalties from such use, beside the above mentioned factors, the unit value per work title, which is of the same value for each distribution separately, and the repetitiousness of the works, are taken into account.
- b) **sampling:** For websites that users have not provided the relevant Playlists, the distribution is made on the totality of royalties collected from users who have not provided such Playlists. The sampling is based on whichever Playlists have been delivered from these type of uses relating to the corresponding time period of usage.

**PERIODS OF DISTRIBUTION:** The distribution of royalties from the specific use of musical works takes place twice a year, namely in June and December each year, and relates to the preceding calendar half-year, provided **that the royalty amounts have been collected and the necessary documentary documents and distribution data are available and processed.**

#### **5.6.1.4 ONLINE ROYALTIES - WEB RADIO / WEB TV**

**INTRODUCTION:** The distribution of the royalties from the use of musical works on the internet and are broadcasted via web radios and web tv.

**ROYALTY SOURCES:** Owners / enterprises of web radios, web tv, to whom EYED has granted the relevant license.

#### **DOCUMENTARY RECORDS AND DATA:**

- ❖ Playlists with the titles of the musical works and their authors that each user is obliged to deliver to EYED.

- ❖ Timely declarations from members
- ❖ Documentation and recognition of musical works

**DISTRIBUTION METHODOLOGY:** The distribution of the royalties is made on the totality of the web radios and web tv, i.e. the amounts collected from all the web radios and web tv are accumulated, and then the distribution is made on the aggregated amount:

**a) sampling:** The station programs that are delivered to EYED (only a small percentage of exact programs is delivered to EYED) and the declarations from members.

**b) analogy:** A representative sample of musical works from the programs that have been delivered from similar radio stations, as well as recognition of music and electronic fingerprint data.

In addition to the above referenced data, the unit value per musical work title, which is of equal value for each distribution separately, and the repeatability of the works, is taken into consideration.

**PERIODS OF DISTRIBUTION:** The distribution of royalties from the specific use of musical works takes place twice a year, namely in June and December each year, and relates to the preceding calendar half-year, provided **that the royalty amounts have been collected and the necessary documentary documents and distribution data are available and processed.**

## **5.6.2 ROYALTIES FROM MUSIC SERVICE PROVIDERS IN PUBLIC PERFORMANCE VENUES - BACKGROUND MUSIC SERVICES**

**INTRODUCTION:** The distribution of the royalties from the use of musical works via the internet and are made available to the public, in public performance venues.

**ROYALTY SOURCES:** Enterprises which provide these type of services (background music services) to their clients, to whom EYED has granted the relevant license.

#### **DOCUMENTARY RECORDS AND DATA:**

- ❖ Playlists with the titles of musical works and their authors that each user is obliged to deliver to EYED, and / or the person providing this music service.
- ❖ Documentation and recognition of musical works

**DISTRIBUTION METHODOLOGY:** The distribution of royalties is made **with actual data**. For the distribution of the royalties from such use, beside the above mentioned factors, the unit value per work title, which is of the same value for each distribution separately, and the repetitiousness of the works, are taken into account.

**PERIODS OF DISTRIBUTION:** The distribution of the royalties from such use is made twice a year, each June and December, for the preceding calendar half-year, **provided that the royalty amounts have been collected and the necessary documentary documents and distribution data are available and processed.**

#### **5.6.3 ROYALTIES FROM MOBILE COMPANIES**

**INTRODUCTION:** The distribution of the royalties from the exploitation/distribution (downloading / streaming) of musical works via mobile networks.

**ROYALTY SOURCES:** Mobile companies, to which EYED has granted the relevant license.

#### **DOCUMENTARY RECORDS AND DATA:**

- ❖ Playlists with the titles of musical works and their authors that each user is obliged to deliver to EYED.
- ❖ Documentation and recognition of musical works

**DISTRIBUTION METHODOLOGY:** The distribution of royalties is made **with actual data**. For the distribution of royalties from such use, beside the above mentioned factors, the unit value per work title, which is of the same value for each distribution separately, and the repeatability of the works, are taken into account.

**PERIODS OF DISTRIBUTION:** The distribution of the royalties from such use is made twice a year, each June and December, for the preceding calendar half-year, **provided that the royalty amounts have been collected and the necessary documentary documents and distribution data are available and processed.**

#### **5.6.4 ROYALTIES FROM INTERNET PROTOCOL TV (IPTV) – VIDEO ON DEMAND**

**INTRODUCTION:** The distribution of the royalties from the use of musical works via broadband connection (internet protocol).

**ROYALTY SOURCES:** Enterprises providing internet protocol tv (IPTV) and Video on Demand, to which EYED has granted the relevant license.

#### **DOCUMENTARY RECORDS AND DATA:**

- ❖ Playlists with the titles of the audiovisual works and musical works and their authors that each user is obliged to deliver to EYED.
- ❖ Documentation and recognition of musical works

**DISTRIBUTION METHODOLOGY:** The distribution of royalties is made **with actual data**. For the distribution of the royalties from such use, beside the above mentioned factors, the unit value per work title, which is of the same value for each distribution separately, and the repetitiousness of the works, are taken into account.

**PERIODS OF DISTRIBUTION:** The distribution of the royalties from such use is made twice a year, each June and December, for the preceding calendar half-year, **provided that the royalty amounts have been collected and the necessary documentary documents and distribution data are available and processed.**



## 5.7. ROYALTIES FROM ABROAD

**INTRODUCTION:** The distribution of the royalties for musical works of EYED's members, from exploitation outside the Greek territory. – it covers all rights -

**ROYALTY SOURCES:** Foreign Collective Management Organizations, with which EYED has entered into reciprocal agreements of representation.

### **DOCUMENTARY RECORDS AND DATA:**

- ❖ Lists, delivered to EYED by each foreign CMO, containing the titles of the musical works exploited abroad, by distribution category, and the respective amounts per work.
- ❖ Documentation and recognition of musical works

**DISTRIBUTION METHODOLOGY:** The distribution of the royalties is made **with actual data**, based on the above referenced lists.

Respective royalties concerning transmission of Greek state television abroad (Cable / Satellite Television) are delivered to EYED by foreign CMOs without specific documentation.

The amounts of these royalties, are accumulated per year of use, and are distributed once a year, with the playlist of the said state channel of the corresponding year.

**PERIODS OF DISTRIBUTION:** The distribution of the royalties from such use is made twice a year, each June and December.

The June distribution relates to royalties **invoiced** between July until December of the previous year, and the December distribution relates to royalties **invoiced** from January until June of each year, **provided that the royalty amounts have been collected and the necessary documentary documents and distribution data are available and processed.**

## **5.8 REMUNERATION FROM THE REPRODUCTION OF WORKS FOR PRIVATE USE – PRIVATE COPYING LEVIES (ACCORDING TO ART. 18 OF LAW 2121/93, AS IN FORCE)**

**INTRODUCTION:** Distribution of the remuneration for the free reproduction of audio works for which technical means are used, such as, recording devices for audio or visual or audiovisual, or/and other physical carriers appropriate for the reproductions of sound or sound and image, as provided for from the relevant applicable legislation and currently from art. 18.

**ROYALTY SOURCES:** Producers and or importers of blank carriers or means for recording / reproduction of musical works and/or audiovisual works, technical means in general eligible for audio or visual or audiovisual reproduction, in which physical carriers of digital recording, namely CD-RW, CD-R, DVD and other storage instruments with capacity over than 4GB, computers, laptops-tablets, smart phones, devices or gadgets, irrespective of their use as attached to computers or not and , are included and are used for the digital copy, transfer or in any other way reproduction, according to art. 18 of Law 2121/1993 as in force.

### **DOCUMENTARY DOCUMENTS AND DATA:**

Specific documentation and information are not available since private use is concerned.

### **DISTRIBUTION METHODOLOGY:**

For the distribution of such remuneration, two categories of distribution are carried out, as follows:

a) private copy – AUDIO (Physical carriers, recording / reproduction devices of musical works.

The calculation is based taking into consideration mechanical reproduction distributions (CD) and radio stations distributions (mechanical rights) of the respective periods.

b) private copy – AUDIOVISUAL (Physical carriers or recording / reproduction devices of audiovisual works.

The calculation is made based on the mechanical reproduction distributions of audiovisual works (DVD) and tv broadcasters distributions (mechanical rights) of the respective periods.

In both cases, the remuneration is distributed both to EYED members and foreign authors / rights holders (who participated in the above mentioned distributions) pro rata based on of the principles of equal and fair treatment.

**PERIODS OF DISTRIBUTION:** The distribution of the royalties from such use is made twice a year, each June and December, and corresponds to the remuneration that was invoiced during the preceding half-year, **provided that the royalty amounts have been collected and the necessary documentary documents and distribution data are available and processed.**

#### **5.9 NON-DISTRIBUTABLE- REDISTRIBUTIONS**

EYED takes all the necessary measures for the identification and location of the rightholders and verifies that the archives referred to in art.13 par. 4 of Law 4481/2017, as well as other archives directly available. No later than 3 months after the expiration of the deadline stated in art. 19 par.2 of Law 4481/2017, as in force, the collective management organization provides information about the works and other objects of protection for which one or more rightholders have not been identified or detected:

- a) To the rightholders it represents or, if EYED has as members entities that represent the rightholders ( ie. Publishers), to these entities and
- b) To all the CMO's, with which EYED has signed representation agreements. In the information of the second subparagraph the following, if available, are included:
  - aa) the title of the work or another object of protection
  - bb) the name of the rightholder
  - cc) the name of the publisher or the producer,
  - ee) Any other relevant information which may help to identify the rightholder.

If the above-mentioned measures do not bring any results. EYED makes these information available to the public 1 year the latest following the expiration of the 3- months deadline.

If it is not possible to distribute the amounts owed to the rightholders after the end of the 3 month period from the end of the fiscal year within which the incomes from the copyrights were collected and as long as EYED or eventual successor CMO has taken all the necessary measures for the identification and detection of the rightholders, as mentioned in art. 9 par. 4 of Law 4481/2017, these amounts are considered to be non-distributed.

This provision also applies to non-distributable sums from the recovery of reasonable remuneration.

- B) The General Assembly of the members of the CMO's or the Authors' Supervisory Body, under mandate, decides about the use of the NON-DISTRIBUTABLE amounts, with prejudice to the rightholders' right to claim these amounts from the collective management organisation or the independent management entity of art. 51 of Law 4481/2017 as in force, if they have been cancelled.
- c) Only half of the NON-DISTRIBUTABLE amounts can be used from EYED for investments, while the other half can be used in a separate and independent way, to fund social, cultural and educational activities for the benefit of the rightholders. By a decision of the General Assembly of Members or the Supervisory Board, if it has a relevant mandate, the amount of the non-distributable investments can be increased. Also, the General Assembly of members of collective management organisation or respectively the Supervisory Board, accordingly, can decide that part of the non-distributable amounts will be distributed to rightholders, if this decision does not clash with the ability of the rightholders to claim and receive the amounts corresponding to claims that are not time-barred.

### **5.9.3. REDISTRIBUTION**

By a decision of the General Assembly of Members or the Supervisory Board, in a case as described in the paragraph above the amount of the percentage of the NON-DISTRIBUTABLE amounts that can be distributed to the rightholders is decided according to the following rules:

- a) For each work that the amount of royalties exceeds 10 €, EYED proceeds to its re-documentation, based on information and documentation received, in the meantime,

from foreign collective management organizations, declarations from publishers statements, inquiry lists etc.

b) For the remaining works, for which, despite the actions taken, data has not been collected, and the amount of royalties is less than 10 €, as well as for works, for which, despite all the efforts of EYED, including the application of the Rome and Warsaw conventions, documentation has not been achieved, the rights are redistributed both to EYED members and to foreign authors / rightholders (who participated in the original yearly distribution) based on pro rata and the principles of equal and fair treatment.

c) Return of royalties from foreign CMO's (Fees in error): After sending royalties to foreign CMOs and after their corresponding processing carried out, it may be proven that some royalties correspond to rights relating to foreign repertoire which are not represented by them. These non-represented royalties are returned to EYED without analysis of musical works. The sums from these royalties are included in the redistributions and they are distributed on pro rata based on the principles of equal and fair treatment.

## **6. LIMITATION PERIOD**

According to art. 19 par. 8 of Law 4481/2017, as in force, rightholders' claims for rights revenue against collective management organisations shall be time-barred ten (10) years from the end of the financial year in which they were collected. If the rightholders are not identified or located, the abovementioned ten (10) years period is calculated from the date of the completion of the procedure referred to section 5.9.1.

## **7. CREDIT ADJUSTMENTS**

In order to rectify accounts, the specific minimum amounts specified under the BIEM / CISAC regulations i.e., currently the amount of 10 € per work, are taken into account.

If the request is well-founded and justified, then EYED proceeds with the corresponding accounting settlement as a "credit adjustment" no later than six (6) months from the date of the request.

### **7.1 EYED Members**

A request by EYED members to proceed to credit adjustment is examined if this is submitted within six (6) months following the issuance of the royalty statements that members receive for each distribution.

The member of EYED wishing to apply for credit adjustment, must submit an application to EYED's competent department in writing, together with all the available data substantiating his claim.

EYED shall then examine the data and will contact the other interested parties, asking for their acceptance and approval, in order to proceed with the corresponding credit adjustment of all stakeholders.

In case of dispute or doubt from the contracting parties the CSB will judge, after interrogation of all the existing elements that are considered necessary, about the request.

### **7.2 Foreign Collective Management Organisations**

Foreign Collective Management Organizations may submit a written request to EYED for credit adjustment, accompanied by the proper documentation of the works in question, represented by them.

Cases where, adjusting entries related to works belonging to members of foreign collective management organizations, may arise are:

a) where EYED has distributed and paid royalties to a foreign CMO for works which are not, wholly or partly owned, included in its repertoire, but belong to another foreign CMO or even to a right holder - member of EYED.

b) where EYED has distributed and paid royalties to a CMO, for a share of a musical work, but which is wholly represented by that CMO.

c) where EYED has distributed and paid royalties to a foreign CMO for works, based on Rome and Warsaw conventions.

d) where EYED gathers information about works that have been included in inquiry lists.

Retroactivity: Corrective entries made for the previous three years, as defined by what is applicable under the BIEM / CISAC Regulations.

## **8. ROYALTIES PAYMENT**

After completing the processing of all kinds of royalty distributions (mechanical, public performance, radio, television, etc.), the Distribution Calendar is issued. Subsequently the individual card of each royalty holder, to whom royalties from Distributions have emerged, is updated.

At the end of each month during which distribution took place, EYED issues statements which illustrate:

- The gross royalty amounts attributable to each rightholder, with a breakdown of all categories of distributed royalties.
  - The amounts of the rightholder, after deducting EYED's commission
  - The amount of withholding taxes, the amount of social security, where applicable, with the rightholder's participation in this amount, and any other lawful charge, expressly provided by law, or required by any court or other authority.
  - The net payable amount.
- 
- ❖ The royalty statements are delivered or dispatched to the members - authors and remaining rightholders.

- ❖ The rightholder, depending on his professional capacity and if he is liable to issue a tax document, issues and delivers to EYED the projected lawful document, otherwise, EYED issues, to the right holder, whatever it is each time required by the applicable tax legislation.
- ❖ The ROYALTIES PAYMENT is made either by cash or by issuing a check or by deposit in a bank account of the beneficiary's choice, which has been notified in writing to EYED.
- ❖ In particular, for the heirs of intellectual property rightholders, the respective anticipated tax documents are issued and the specific procedure of inheritance tax is followed.
- ❖ In particular for a member that is both a user of musical works (with the same VAT) and owes EYED attributable royalties, then EYED offsets that debt with the royalties he is entitled to receive, as an author / rightholder, from the next distributions.
  
- ❖ For amounts to be disbursed to foreign tax residents (natural and legal persons), EYED is obliged by under tax legislation, to follow an additional procedure described below:
  - During the year, foreign tax residents provide EYED with double taxation exemption certificates, if the country in which they are tax residents, has entered into a Transnational Agreement with Greece, to be taxed by the current (per contract) tax rate.
  - EYED submits these certificates to the relevant Ministry of Finance.
  - EYED issues Tax statements for each tax resident individually, with the amount of royalties that have emerged from each distribution, the tax rate and the amount of tax calculated in accordance with the applicable tax provisions.
  - The tax statements are sent to the competent Service of the Ministry of Finance and, after examination, and debt identities are issued, they are returned to EYED so that the corresponding taxes are paid.
  - Once the tax is paid, the process of payments moves on.
  - Amounts to be disbursed in bank accounts abroad, should be larger than any costs which may arise during the specific transaction. Bank charges from the specific transactions, burden the beneficiary.



## **9. AUTHORS' SUPERVISORY BODY**

In EYED, a Supervisory Body consisted of 9 members operates in accordance with the provisions of art. 10 of Law 4481/2017.

The representation of the members is fair and balanced as provided in the related regulating texts of CISAC professional rules and GESAC.

## **10. INTERNATIONAL GUIDES (BIEM-CISAC)**

The International Documentation and Distribution Guides of BIEM and CISAC (Professional Rules, Binding Resolutions and Best Practices) will consist an integral part and supplement hereby the Distribution Rules of EYED.

## **11. PROVISIONS – AMMENDMENTS**

The provisions of this Regulation may be amended by EYED, when and if circumstances so require.

The amount of royalties, for each category of music usage, may be adjusted each time, depending on the conditions of the music market.

Amendments on the Distribution Rules will apply, when circumstances require so, both by decision of the General Assembly of EYED, as well as Authors' Supervisory Board, based on a lawful mandate with a view to ensure an equitable distribution of royalties collected by EYED.

EYED makes available on its website information about the way of distribution of the amounts owed to the rightholders and the royalties distribution rules per rightholders' category, in which the exact method of distribution, as required by art. 28 par.1 of Law 4481/2017, is provided.

This regulation has been translated in English, as required from the statutes of CISAC-  
CISAC Professional Rules for musical societies, as in force, which EYED voluntarily  
observes.

Date of last amendment: 23 October 2018

## APPENDIX A

### DEDUCTION RATES

REGULATION PARAGRAPH	COPYRIGHTS' DESCRIPTION	DEDUCTION RATE
5.2	<b>MECHANICAL RIGHTS</b>	
5.2	MECHANICAL REPRODUCTION AND DISPOSAL RIGHTS (PHYSICAL AUDIO/ AUDIOVISUAL CARRIERS) WHETHER SUBJECTED TO THE CANNES CONVENTION OR NOT	15%
5.2	MECHANICAL REPRODUCTION AND DISPOSAL RIGHTS (PHYSICAL AUDIO/ AUDIOVISUAL CARRIERS) WHETHER SUBJECT TO THE CANNES CONVENTION OR NOT	15%
5.2	MECHANICAL REPRODUCTION AND DISPOSAL RIGHTS (FROM ABROAD)	5%
5.2	MECHANICAL REPRODUCTION AND DISPOSAL RIGHTS (SUBJECT TO THE CENTRALISED LICENSE CONVENTION)	8.25%
5.2	SYNCHRONIZATION RIGHTS IN COMMERCIALS	10%
5.2	SYNCHRONIZATION RIGHTS IN AUDIOVISUAL WORKS	15%
5.3	<b>RADIO BROADCASTING PERFORMANCE RIGHT</b>	
5.3	PUBLIC AND PRIVATE RADIO STATIONS (NATIONWIDE RANGE)	18%
5.3	PRIVATE-LOCAL RADIO STATIONS (LOCAL RANGE)	18%

<b>5.4</b>	<b>TELEVISION BROADCAST PERFORMANCE RIGHTS</b>	
5.4	PUBLIC AND PRIVATE TV BROADCASTERS (NATIONWIDE RANGE)	18%
5.4	PRIVATE-LOCAL TV BROADCASTERS (LOCAL RANGE)	18%
<b>5.5</b>	<b>PUBLIC PERFORMANCE RIGHTS (RADIO/TELEVISION BROADCASTED AND MECHANICALLY REPRODUCED WORKS)</b>	
5.5	ROYALTIES FROM PERFORMANCES WITH LIVE MUSIC	21%
5.5	ROYALTIES FROM MUSIC HALLS WITH LIVE MUSIC	21%
5.5	ROYALTIES FROM ENTERTAINMENT HALLS	21%
5.5	ROYALTIES FROM RESTAURANTS/EATING ESTABLISHMENTS AND MERCHANDISE SHOPS	21%
5.5	ROYALTIES FROM CINEMAS	21%
<b>5.6</b>	<b>ONLINE (VIA NETWORKS) INTERACTIVE AND NON-INTERACTIVE USE OF MUSIC ROYALTIES</b>	
5.6	ONLINE ROYALTIES	15%
5.6	ONLINE ROYALTIES- DIGITAL DOWNLOAD STORES	15%
5.6	ONLINE ROYALTIES- SIMULCASTING	15%

5.6	ONLINE ROYALTIES-WEBSITES	15%
5.6	ONLINE ROYALTIES-WEB RADIO/WEB TV	15%
5.6	ONLINE ROYALTIES FROM BACKGROUND MUSIC SERVICE (renting – streaming background music service)	15%
5.6	ONLINE ROYALTIES FROM MOBILE COMPANIES	15%
5.6	ONLINE ROYALTIES FROM IPTV-VIDEO ON DEMAND	15%
<b>5.7</b>	<b>ROYALTIES FROM ABROAD</b>	10%
<b>5.8</b>	<b>PRIVATE COPYING LEVIES PROVIDED IN ART. 18 OF LAW 2121/1993. AS IN FORCE</b>	8%