

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

# **Electoral -Voting Regulation**

*as implemented on 11 September 2018*



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

**ELECTORAL - VOTING REGULATION**  
**FOR THE ELECTION OF THE SUPERVISORY BOARD**

**as implemented on 11 September 2018**

According to the provisions of article 9 paragraph 5 of Law n° 4481/2017, *“All members of the collective management organization have the right to participate in and to vote at the General Assembly of Members [.....] The General Assembly of members can limit the rights of participation and vote at the General Assembly of Members on the basis of the amounts received or due to a member and/or the duration of their membership, provided that these criteria are set and implemented with a fair and proportional manner...”*

Moreover, according to article 10 par.1 *“Each collective management organization must have a Supervisory Board, which monitors the activities and actions of the natural or legal persons managing the business activities of the organization. The members of the Supervisory Board may be from three (3) to nine (9).”*

Under this provision of law, taking into consideration the most efficient tactics applied in CMO's worldwide and notwithstanding the large number of EYED members (in comparison with other CMO's that legally operate in Greece), the elections regulation will acknowledge to all members the right to participation and vote at the General Assembly, but will, in parallel, confer an increased number of votes, taking into consideration the height of their distributions, to these members that annually receive gross distributions over than 2,000€, so that a fair and proportionate representation is established.

According to the above mentioned, the following voting regulation was voted from the G.A of members:

1. The Supervisory Board of EYED will be composed from nine (9) members, from which the six (6) will come from the category of the composers- lyricists- repertoire owners and the three (3) will come from the category of the music publishers and will be elected from the General Assembly.
2. The General Assembly is summoned and is in quorum as laid down by law.

3. All members from all categories, composers, lyricists, heirs and repertoire owners (1<sup>st</sup> category) and music publishers (2<sup>nd</sup> category), of EYED have the right to participate and vote in the General Assembly.
4. The members that during the past calendar year (annual) had gross income from distributions of AEPI greater than 2,000 €, depending on their income, will have a gradually increased in number right to vote in the G.A.
  - a. The sum of the distribution regarding each member, either it has been distributed to the natural person or to a legal person in which the natural person is partner, shareholder or legal representative, will be calculated to the income of each member of the 1<sup>st</sup> category.
  - b. The full annual gross income from distributions per repertoire is taken into consideration in case of heirs of a repertoire.
  - c. The full annual gross income from distributions per owner is taken into consideration in case of owners of more than one repertoires, and the owner thus has the right to vote.
  - d. In case of more than one heirs or repertoire owners of an author, only one of them, after a joint decision with the others, participates in and votes in the General Assembly.
  - e. For the income of each member of the 2<sup>nd</sup> category, in case of companies that belong to the same group of companies, the distribution will be calculated for the sum of the group of companies.
5. The General Assembly decides by show of hands for general matters with absolute majority of the members present, or with any other way the G.A., case by case, decides.
6. For a valid decision to be taken, a vote in favor from members of both categories is required.
7. The elections for the Supervisory Board are carried out with a ballot box, with secret vote and separately for the 1<sup>st</sup> category of members (authors- heirs- repertoire owners) and separately for the 2<sup>nd</sup> category of members (music publishers). The members that simultaneously belong in different categories, this meaning having the status both of the author and the publisher (or the partner or the legal representative of a publishing company) can participate in only one category of members, and are under the obligation to declare their choice to the Electoral Commission.
8. A joint list of candidates for every category of members is drawn up.

Members of both categories will receive a list of candidates of the relevant category in which they belong, on which the Electoral Commission will have set the number of votes that this member is entitled to, initialized and stamped.

Each member of the 1<sup>st</sup> category can put up to four crosses (i.e. preference signals) and each member of the 2<sup>nd</sup> category can put up to 2 crosses (i.e. preference signals).

The first six candidates with the larger number of votes of the 1<sup>st</sup> category and the first three candidates with the larger number of votes of the 2<sup>nd</sup> category are elected.

In case there are less than six candidatures in the 1<sup>st</sup> category, candidates from the 2<sup>nd</sup> category are elected in their place. In case there are less than three candidatures in the 2<sup>nd</sup> category, candidates from the 1<sup>st</sup> category are elected in their place.

9. The number of votes of each member is confidential and is not made known to third parties but the Electoral Commission, and is drawn up, respectively with the relevant annual gross income from the distribution as follows:

	<b>Amount up to</b>	<b>Votes</b>	<b>Rightholders with voting right</b>	<b>Total votes</b>
0	2000	1	12.342	12.342
2001	3000	2	165	330
3001	4000	3	124	372
4001	5000	4	84	336
5001	6000	5	58	290
6001	7000	6	39	234
7001	8000	7	36	252
8001	9000	8	29	232
9001	10000	9	21	189
10001	12000	10	31	310
12001	14000	11	19	209
14001	16000	12	18	216

16001	18000	13	17	221
18001	20000	14	11	154
20001	22000	15	10	150
22001	24000	16	6	96
24001	26000	17	9	153
26001	28000	18	3	54
28001	30000	19	7	133
30001	50000	20	31	620
50001	100000	25	18	450
100001	200000	30	2	60
200001		35	2	70
			<b>13.082</b>	<b>17.473</b>

10. Members who, according to the above mentioned, have the right to vote, can exercise their right either in person or by proxies. The proxy can represent only up to two (2) members. Each proxy is valid for only one (1) General Assembly of members. The proxy has the same rights in the general assembly of members with those of the members that appoints him. The proxy votes according to the instructions given to him by the member that appointed him.

The members- companies, irrespective of the category that they belong to, will have to be represented through written authorization from the legal representative of the company.

The authorizations should bear a certification of the originality of the signature of the authorizing person.

11. All members that have the right to vote have also the right to candidature. Especially for the members - companies, the candidate - natural person has to be appointed by the Board of Directors of the company he will be representing.

12. The electoral commission is constituted from one lawyer who is appointed by the Athens Bar Association and will be the President of the electoral commission and

from 4 members, who will be appointed from the G.A. The Electoral Commission will bear the responsibility to conduct the elections and draft the relevant records and protocols.

*This is a true and accurate translation from the original drafted in the Greek language*

*The translating and certifying attorney*

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