

## Distribution Rules & Policies with regard to Performers' Remuneration

### The Members of BECS have approved adoption of the Distribution Rules and Policies in the Annual General Meeting of 2nd December 2016

BECS makes every effort to develop appropriate rules for the way in which different sources of revenue are allocated to performers and their performances.

“Performers’ remuneration” is defined in the Articles of Association of BECS. BECS does not itself issue licences against which performers’ remuneration is collected directly by BECS.

Instead BECS enters into representation agreements with third party Collective Management Organisations (CMOs) to ensure that the rights of BECS’ members to collect performers’ remuneration are asserted and protected.

The representation agreements provide for monies collected by other Collective Management Organisations to be processed and allocated to performers in accordance with the distribution rules and policies of such organisations.

Some organisations allocate monies by reference to programmes within which the performances of BECS’ Members and other performers are fixed, whilst others allocate monies directly against cast lists or specified performers whose performances are fixed in particular programmes.

Subject to this BECS takes into account a number of factors when determining how money should be shared between programmes and performers.

The following rules and policies currently apply when sharing income between programmes and performers:

### Graded Productions

If performers’ remuneration received by BECS from other Collective Management Organisations is not already split between performers by the originating collecting society, BECS apportions performer shares according to time spent on screen and programme duration.

This entails classifying productions as either ‘film character’ or ‘ensemble’ and grading performances according to the importance of the character played. Performers’ rights are only paid to credited cast members.

‘Film character’ productions are split into four grades:

- **Principal Performer (PP)** Leading characters in a production around whom the story revolves.
- **Featured Performer (FP)** Major characters who are integral to the storyline but secondary to the principals.
- **Secondary Performer (SP)** Secondary characters who, whilst part of the storyline, do not have a focal role.
- **Cast Member (CM)** All remaining characters on the cast list.

'Ensemble' productions are split into two grades:

- **Main Artist (MA)** All members of the standing cast of an ensemble programme.
- **Cast Member (CM)** Other performers in an ensemble production.

## Claims

BECS endeavours to ensure that all qualifying performers are included on cast lists and that performers are allocated the appropriate grade. There are two grounds on which a performer may make a claim against a grading decision:

- If a performer believes they have been left off a cast list;
- If a performer believes they have been allocated the wrong grade.

In the first instance, BECS will attempt to resolve claims by discussion with the performer. Performers may be asked to provide documentary evidence to substantiate their claim.

## VAT

VAT is levied on some payments that BECS administers dependent on national/international law. Performers who are VAT registered are asked to complete and return a self-billing VAT form, which is downloadable from the Download Forms section of the BECS website.

## BECS Distribution of Performers' Remuneration

When Performers' Remuneration has been collected and all relevant reporting and cast list data has been checked by BECS, monies are able to be allocated onto the payment accounts of individual Performers.

BECS makes a distribution of all performers' remuneration processed and held on the accounts of individual performers not less than once in each year. Usually the main annual distribution takes place in July.

In addition monthly mini-distributions are made for smaller totals when sums are due to performers and agreed minimum thresholds for payment against an individual account have been reached.

## Minimum payment thresholds

BECS will not usually include payments in a distribution run until the payments due have reached a minimum of £10 for BACS and £50 for wire transfers. However, sums due can be added to distributions if an individual account has been inactive for some time or the Board of Management instructs that payments held below the usual threshold should be included within a distribution run.

**BECS' Investment Policy and Policy on Deductions are applied to all Performers' Remuneration collected and paid to BECS.**

**BECS has also agreed and published a Policy on Administration of Undistributed Amounts. This Policy shall be applied in conjunction with the above Distribution Rules.**