

Annual Transparency Report of British Equity Collecting Society Ltd (company no. 03547531) for the year ended 30 April 2017

Introduction

The non-executive Directors of BECS, as detailed in section 6, have been appointed by the Members of BECS to provide the supervisory function over BECS as required by the Regulations.

The non-executive Directors of BECS present this Annual Transparency Report¹ to the Members of BECS for consideration at the Annual General Meeting of the Members of BECS, to take place from 1pm on Friday 15th December 2017.

The Collective Management of Copyright (EU Directive) Regulations 2016 (“the Regulations”)

The Regulations came into force on 10 April 2016. The purpose of this Annual Transparency Report is to supply the information required by the Regulations.

The Directors’ Report and Financial Statements for the year ended 30 April 2017 shall be deemed part of this Report for consideration by Members of BECS.

Audit and Publication

The non-executive Directors of BECS have appointed Moore Stephens LLP of 150 Aldersgate Street, London, EC1A 4AB to audit the accounting information referred to in this report for the purposes of compliance with Regulation 21 (2) of the Regulations².

Individual Statements have been made by each non-executive Director to support the publication of this Annual Transparency Report, including all declarations of conflicts of interest made and approved by the Board of Directors and noted in the company’s Register of Interests.

Once adopted by the Members of BECS, this Annual Transparency Report will be published alongside the Directors’ Report and Financial Statements³ on the BECS’ website⁴ at www.becs.org.uk for the purpose of reporting the activities of the company during the financial year ended 30 April 2017.

The Annual Transparency Report will remain available on the BECS website for at least 5 years⁵. For the purposes of the year ended 30 April 2017, this Annual Transparency Report shall refer to and apply to:-

¹ Regulation 21 (1) (a)

² Regulation 21 (2) (b)

³ Regulation 21 (4) (a)

⁴ Regulation 21 (1) (b)

⁵ Regulation 21 (1) (c)

1. BECS Members

All applicants for Membership of BECS are required to complete and sign a Membership Registration Form. BECS currently has 33,480 members.

Members mandate BECS to represent the rights specified in Membership Registration Form.

BECS does not operate any Extended Collective Licensing (“ECL”) scheme.

BECS operates a **Code of Conduct** relating to its activities. BECS’s published Code of Conduct includes details of the complaints procedure to be adhered to, should a complaint be made.

2. Governance Structure of BECS⁶

BECS is a private company limited by guarantee and has no share capital.

BECS have no subsidiary undertakings⁷.

BECS operates on a not-for-profit basis. BECS operates as a collective management organisation for the purposes of the Regulations⁸.

3. Amounts deducted for the purposes of Social, Cultural and Educational services⁹

As per company policy, BECS has not made any deductions for third party social, cultural or educational services during the financial year ended 30 April 2017.

4. Affiliations

During the financial year ended 30 April 2017, BECS recorded the following expenses:

- British Copyright Council (BCC):
 - o £2,000 as membership fees (01/07/2016 – 30/07/2017)
 - o £1,200 to support and sponsor the annual BCC/WIPO training course
- Societies’ Council for the Collective management of Performers’ Rights (SCAPR):
 - o £25,250 (€29,400) for fees relating to the development of the VRDB system in 2016
 - o £5,332 (€5,878) as membership fees
 - o £16,966 (€20,000) as 2017 fees for VRDB2
 - o £11,902 (€13,544) as 2016/17 fees relating to IPD

The above fees are based on BECS’ membership numbers and collections.
- AEPO ARTIS
 - o £3,395 (€3,960) as the year’s contribution. This charge is based on BECS’ collections in the year

For further information on the above organisations, please visit their websites:

www.britishcopyright.org

www.scapr.org

www.aepo-artis.org

⁶ Regulation 21 (4) (d)

⁷ Regulation 21 (4) (e)

⁸ Regulation 21 (4) (b)

⁹ Regulation 21 (3) and 21 (4) (g)

4. Information on refusals to grant a licence¹⁰

BECS does not grant licences and therefore this information is not applicable.

5. The Financial Statements for British Equity Collecting Society Ltd (company registration number 03547531) for the year ended 30 April 2017, including the Directors' Report form part of this Annual Transparency report.

The Financial Statements and the Directors' Report for the year ended 30 April 2017 include: -

- The total revenue for the year ended 30 April 2017
- The total costs incurred by BECS as administration costs
- A breakdown of personnel costs

A detailed breakdown of BECS' administration expenditure is as follows:

	2017	2016
	£	£
Directors' salaries	110,860	90,296
Directors' national insurance contributions	14,179	11,341
Staff salaries and related costs	253,296	313,194
Office costs	62,028	84,020
Database materials / System Expenditure	90,208	202,084
Travel and subsistence	15,535	10,376
Communication costs	19,705	15,639
Affiliations	56,975	26,941
Sundry expenses	3,900	1,141
Legal and professional fees	31,891	23,465
Other consultancy expenses	29,078	49,594
Auditors' remuneration	6,150	6,000
Amortisation of intangible assets	70,841	71,035
Depreciation	2,215	3,957
Bank charges	2,502	4,399
	769,363	913,482

¹⁰ Regulation 21 (4) (c)

6. Directors and officers

Procedures for the appointment of Directors are set out in the BECS Articles of Association which are published and made accessible on the BECS website at <http://www.becs.org.uk/articles-of-association>.

The directors who served on the BECS Board during the year ended 30 April 2017 were:

- Jean Rogers (Chair)
- Peter Barnes (Vice Chair)
- Andy Prodger (CEO)
- Ian Barritt - appointed October 2016
- Maureen Beattie - appointed October 2016
- Jo Cameron Brown – resigned October 2016
- Bryn Evans
- Nicholas Fletcher – resigned January 2017
- Natasha Gerson
- Graham Hamilton (JGH McOwat) – resigned October 2016
- Steve Kenis
- Andrew Macbean - appointed October 2016
- Frederick Pyne
- Louis Rolston
- Nicholas Woodeson – resigned July 2016

No remuneration was paid for the services of any Non-Executive Director during the year. The following Non-Executive Directors received payments made by BECS in respect of their rights as Performers and as reimbursement of expenses¹¹:

	Royalties	Expenses
Jean Rogers	60	471
Peter Barnes	32	78
Ian Barritt	332	0
Maureen Beattie	950	89
Jo Cameron Brown	77	773
Nicholas Fletcher	412	0
Natasha Gerson	68	972
Andrew Macbean	195	0
Louis Rolston	33	505
Nicholas Woodeson	8,435	0

¹¹ Regulation 21 (4) (f)

The Chief Executive Director's remuneration for the year is as follows:

	Basic Salary	Compensation	Basic Pension	Medical Insurance	Expenses
Andy Prodger	88,688	25,941	15,077	1,655	442

BECS paid £1,852 for insurance to cover its Directors and Officers against liabilities in relation to their duties to the company.

7. BECS Activities in the year¹²

In addition to working as a CMO, BECS also operated as a distribution agent for Equity, the performers' Union for part of the year. In the financial year 2016/17, BECS managed payments of the following amounts in this capacity:

SCR	£
BBC 2014	4,096,107
ITV 2014	181,535
C4 2014	63,260
	4,340,902
Contractual	
BBC 4 Extra	470,328
4 Seven + 4oD	511,625
BBC iPlayer and Stacking	719,230
	1,668,728
Cast Albums and Films	4,379,548
TOTAL	10,389,178

The amounts above are the last payments processed by BECS on behalf of Equity as the Union has now taken back these processes in-house; as reported in the last annual report.

The following is a report by the Board on significant developments in the year.

Distributions on behalf of Equity

As outlined in the 2016 Transparency report, negotiations continued with Equity regarding BECS's position as the Union's distribution agent.

¹² Regulation 21 (4) (b)

As expected, despite the BECS Board's efforts and guidance from the Intellectual Property Office that BECS could continue to manage contractual distributions and still be within the CMO regulations, subject to the decision of BECS members, Equity finally took the decision to take in-house all the distributions previously undertaken by BECS. BECS carried out the final distribution on behalf of Equity in February 2017.

Prior to the termination, BECS offered to pay out approximately £2 million to performers for whom BECS had no bank details and/or who had monies pending less than the usual £10 payment threshold either by cheque or direct payment to the performer's agent. This offer was rejected by the Union. BECS was aware that Equity did not, at this point, have a system in place and therefore offered to assist the Union by distributing any monies due to performers up until the time the Union's distribution system was ready. This offer was also rejected. Equity's rejection of this second offer from BECS has unfortunately led to significant delays in payments to performers.

Since the end of February, BECS has been in negotiation with Equity regarding the transfer of money and data held on the BECS' system with a view of transferring both when the Equity system was ready. In advance of this, BECS has co-operated with the Union and has supplied sufficient data for the Equity system to be tested. The build of the Equity system commenced in January following an agreement between BECS and the system developer which allowed jointly owned coding to be used for the Equity system for an agreed payment of £55,830.

In addition, BECS has identified work which was undertaken by BECS for the Union before the termination of the agreement and is seeking payment for the work undertaken. Equity has disputed that there is a requirement to compensate BECS for this work and this matter is in dispute. Both BECS and Equity have agreed that this matter will be decided in arbitration if a mutual resolution cannot be found.

The system provider, for both systems, has been engaged by Equity to copy the agreed data from BECS' system and transfer that data to the Equity distribution system. Counsel's advice was jointly sought on the question of responsibility and data protection with advice received on the 12th February 2017. An outline agreement was reached in March.

The work to separate the data then commenced. This work proved more challenging than either organisation or the system developer envisaged and it was not until 23rd August 2017 that BECS staff were shown the results. Unfortunately, the work had not been completed as per the agreement and further work was required before the final transfer of data.

The money held by BECS relevant to Equity distributions amounting to £7,103,835.33 was transferred on 24th August 2017 to the Union.

BECS Staff

Because of the transfer of work from BECS to Equity, the BECS Board needed to reassess staffing requirements. Following discussions with Equity and BECS staff members, it was agreed to transfer two members of staff, Angela Lyttle and Adrian Tulley, to Equity using the TUPE provisions. Both members of staff were agreeable with this transfer and, on joining Equity, were engaged on similar terms as those enjoyed whilst employed at BECS.

Unfortunately, these staff reductions alone would not provide sufficient cost reductions required by BECS due to the projected decrease in income for the Company. The CEO was asked to present a staffing proposal for the company moving forward.

Thanks to the additional income from the AISGE Fundación collaboration agreement (details below) a proposal was submitted and accepted by the Board which avoided any redundancies and the extra cost these redundancies would incur. It was agreed that the CEO's hours would reduce from 30 hours per week to 15 hours per week thus halving the CEO's pay and hours; with a fixed term contract of two years (extendable by 12 months subject by mutual agreement) with a compensation payment equivalent to three months' salary for the reduction of hours and commensurate salary. To cover some of the CEO's responsibilities and to perform the work previously carried out by the Head of Distributions, the Director of Finance post was re-graded to Chief Operations Officer with the time increased from 3 to 4 days.

AISGE Fundación Collaboration Agreement

The BECS Board have signed a collaboration agreement with the AISGE Fundación, which is the charity arm of the AISGE (Spanish) collecting society based in Madrid. The purpose of the agreement is to promote and foster activities for the benefit of performers. This includes the protection of performers' intellectual property rights as well as facilitating and providing promotional and professional enhancement activities for the collective benefit of members of the two collecting societies.

The AISGE Fundación is a charitable organisation established under statute to receive monies prescribed by the Spanish Intellectual property law with the sole purpose of providing welfare services and promotional activities to performers. Although the Fundación provides its services and activities in Spain, it acknowledges that the UK is a primary centre for the European Audio-Visual Industry, where many Spanish performers live and/or work. Therefore, the Fundación was seeking to collaborate with a company based in the United Kingdom to help provide its services and activities to performers in the UK, whilst promoting the visibility of the Spanish scenic and audio-visual arts. Under the agreement, BECS will provide Fundación AISGE with support for the development, coordination and organisation of promotional and professional enhancement activities addressed to Spanish performers in the UK as well as to BECS members.

The financial contribution from the AISGE Fundación of £100,000 per year for the next three years, has enabled BECS to find new premises, retain staff and develop training opportunities with the Fundación which are hoped to commence in November 2017.

New Premises

Following the agreement with the AISGE Fundación and with our lease at Guild House expiring at the end of June 2017, BECS sought suitable offices to carry out both its CMO function and to provide space for training, educational and promotional activities.

During the search BECS was approached by the Equity Charitable Trust whose tenants had given notice. On inspection, the Trust's building, Plouviez House, proved ideal and after a quick and pleasant negotiation, terms favourable to both BECS and the Trust were agreed and a five-year lease, with a possible five-year extension, was signed on 31st May 2017. The office was quickly refurbished and the BECS staff successfully moved in to the new offices on 27th June.

Future Strategy

The CEO has been instructed by the Board to look at other ways of fortifying BECS' future following Equity's decision to process its distributions in-house. The CEO has produced a number of proposals which will be discussed in full by the Board in forthcoming meetings.

8. Revenues

Below are the amounts earned by BECS for distributing the monies on behalf of Equity:

Commission on SCR	437,448
Commission on Cast Albums	17
Other Commissions	4,024
New Media Fees	50,000
Film Admin Fees	39,626
	531,115

Please note that the commission rates charged on SCR and Cast Albums above were as instructed by Equity.

Total revenue for the year including the above is shown in the Directors' Report and Financial statements for the year.

9. Distribution Policy

The BECS' Members have seen and approved the Distribution Policies applied by BECS and the Collective Management Organisations from whom BECS received payments of Performers Remuneration for the purposes of proposing and (subject to required approvals) making distributions to BECS Members.

The approved Distribution Policies are referred to on the BECS website at www.becs.org.uk/distribution-rules-policies

10. Allocations to categories of right holders¹³

Each BECS Member mandates BECS to represent their rights to collect "Performers Remuneration" as defined in the Articles of Association.

BECS does not currently recognise any monies collected for distribution that it considers as non-distributable.

As at 30th April 2017, BECS had £12.31 million recorded as distributable to members. The full amount is recognised as a current liability which has since either been paid out to the performers or agents, or refunded back to Equity as agreed for the transfer back of the distributions to their in-house team. Within this amount there are also some monies awaiting further information to enable payment; or is below our minimum individual payment threshold and will be paid out as soon as the threshold is reached.

¹³ Regulation 21 (4) (j)

11. Management Fees¹⁴

BECS's total deductions for administering performers' rights payments during the year ended 30 April 2017 were £182,000.

Below is the detail for amounts received from sister collecting societies in the year and the deductions made to cover administration expenses:

Region	Amount collected	Fee	Amount allocated
Belgium	77,201	3,000	74,201
Czech Republic	9,092	0	9,092
France	485,733	24,000	461,733
Germany	122,835	5,500	117,335
Hungary	21,936	1,000	20,936
Italy	951,124	47,000	904,124
Netherlands	415,137	20,500	394,637
Norway	280,048	13,500	266,548
Portugal	7,089	0	7,089
Spain	1,218,666	60,500	1,158,166
Sweden	145,851	7,000	138,851
Total		182,000	3,552,712

12. Income arising from Investment of Rights Revenue¹⁵

Bank income received by BECS from holding monies on behalf of BECS Members pending distribution as authorised together with company funds amounted to £96,211.

With the approval of BECS Members, the company used the interest payments earned to meet approved management costs, rather than allocating the monies as an identified separate part of the net revenue distributions authorised and made to BECS Members during the year.

¹⁴ Regulation 21 (4) (i)

¹⁵ Regulation 21 (4) (h)

13. Information on Relationships with other Collective Management Organisations¹⁶

Below follows a schedule of Bilateral Agreements held by British Equity Collecting Society Limited. Company limited by guarantee – registered in England under Company No. 3547531. Registered Office – Plouviez House, 19-20 Hatton Place, London EC1N 8RU.

1. Belgium

Date Agreement signed 27 April 2001

Collecting Society:

URADEx, UITVOERDERSRECHTEN-ASSOCIATIO DROITS D'EXECUTANTS

URADEx S.C.R.L.
Bld. Belgica 14
1080 Bruxelles
Belgique

Tel : 32/(0)2 421.53.41
Fax : 32/(0)2 426.58.43
Email: info@playright.be

Changed named to PlayRight in December 2011

Authorisation for collection covering:

- Equitable remuneration for rental right
 - Remuneration for private copying limited to the audio-visual sector
 - Remuneration for cable retransmission.
- After specific agreement the terms can be extended to cover the right to an equitable remuneration for the broadcasting or playing of films.

2. Norway

(a) Date of Agreement November 2008 with effect from 1 January 2005

Collecting Society :

NORWACO Org.nr 961 085 993
Mollergata 8
P O Box 8903 Youngstorget
NO 0028 Oslo Norway.

Tel 23 31 68 11
Fax 23 31 68 01
Email norwaco@norwaco.no

Authorisation for collection covering

Compensation for the private copying of audio and audio-visual works to be paid to individual rights holders in compliance with a statutory exception or limitation to the exclusive right of reproduction recognised in national and international rules. (Ref section 12 Norwegian Copyright Act).

¹⁶ Regulation 21 (k)

Cable retransmission agreement with NORSK SKUESPILLERFORBUND of Wesselsgt, 8, Oslo covered some transfers of relevant monies being made to BECS for the period from 1995.

BECS has concluded a further agreement with NORWACO to confirm new arrangements for the exchange of cable retransmission revenues and monies from the off-air recording of broadcasts for non-commercial educational use – see 2 (b) below.

(b) Date of Agreement 8 October 2012

Collecting Society

NORWACO Org.nr 961 085 993
Mollergata 8
P O Box 8903 Youngstorget
NO 0028 Oslo Norway.

Tel 23 31 68 11
Fax 23 31 68 01
Email norwaco@norwaco.no

Authorisation for collection covering

- Simultaneous, unaltered and unabridged retransmission of a broadcast by wire or wireless means; and
- Recording of broadcast programmes by educational institutions for non-commercial educational purposes.

Term: Deemed to have taken effect from 1 January 2005 and applies for an initial period ending 31 December 2012. Annual extensions thereafter unless terminated on not less than 6 months' notice.

3. France

Date of Agreement 19 February 2003 with effect from 1 January 2000.

Collecting Society

ADAMI
Société Civile pour l'administration des droits des Artistes et Musiciens interprètes
Registered: Paris Trade and Companies Register D 784412900
Registered Office 14-16-18 rue Ballu – 75009 Paris France.

Authorisation for collection covering

Compensation for audiovisual private copying

Includes provision to extend agreement for other forms of remuneration which may be collected by BECS which are due to those performers for whom ADAMI holds an international mandate.

4. **Denmark**

Date of Agreement 23 October 2002 with effect from 1 January 1997

Collecting Societies (Filmex and Artex)

(a) Dansk Skuespillerforbund/Filmex

Sankt Knuds Vej 26, 1903 Frederiksberg
dsf@skuespillerforbundet.dk
Tel.: 33 24 22 00

Authorisation for collection covering

- Cable retransmission
- Private copying
- Rental or lending of videograms
- Reproduction for educational purposes.

Relevant to Actors, Dancers, Opera singers and Choreographers in the audio-visual area.

(b) Dansk Artist Forbund (DAF)/ARTEX

Vendersgade 24
DK1363, Copenhagen, Denmark

Relevant to circus performers, variety artists and singers in popular music in the audio-visual area.

Authorisation for collection covering

- Cable retransmission
- Private copying
- Rental or lending of videograms
- Reproduction for educational purposes

However, as regards reproduction for educational purposes the parties agreed that pending further agreement to the contrary they will represent each other on a repertoire only basis in respect of reproduction for educational purposes and that due to lack of data, cost of administration and small sums involved no exchange of remuneration will take place.

5. **Netherlands**

Date of Agreement 7 March 2001 with effect from 1 July 1993.

Collecting Society

Stitching Norma, Dutch collecting society for performing artists.
Registered Office Koningslaan 39, 1075 AM Amsterdam, The Netherlands

Purpose of Agreement

To facilitate payment of monies in respect of

- Rental right
- Lending right
- Cable re-transmission of audio-visual product including recorded performances (except in respect of the simultaneous retransmission of broadcasts made by the BBC)
- Blank tape levy (together "Performers Remuneration").

6. Czech Republic

Date of Agreement (BECS signed 30 June 2010 and Intergram signed 14 July 2010) with effect from 1 January 2005.

Collecting Society

INTERGRAM – non-profit making company registered in the Czech Republic.
Na Porici
Praha 1
110 00 Czech Republic

Authorisation for collection covering

- Relevant Equitable Remuneration for audio visual performers.
- Private copying and cable retransmission monies collected in the Czech Republic, pursuant to Act no 121/2000 Sb on Copyright, Rights Related to Copyright and the Amendment of Certain Laws.

7. Italy

Date of Agreement 16 October 2002 (now relevant to IMAIE Administration)

Collecting Society

I.M.A.I.E. – Istituto Mutualistico Artisti Interpreti ed Esecutori – Istituto per la Tutela dei Diritti degli Artisti Interpreti ed Esecutori.

IMAIE represented all artistic performers of musical, cinematographic, and audio-visual works under the Italian law n.93 of February 5th 1992 and of art. 84 on the law of copyright.

Address C.F. 80349

Authorisation for collection covering

Communication to the public right under art 84 of the Italian law on copyright for films produced or co-produced by companies in the UK when programmed by the national networks operating in Italy (including performances by BECS members).

A new company Nuovo IMAIE has now been set up to operate as a collecting society in Italy with mandates to replace those previously held by IMAIE

Date of Agreement: (Signed by BECS 29 August 2012)

Collecting Society

Nuovo IMAIE (Nuovo Istituto per la Tutela dei Diritti degli Artisti Interpreti
Escutori)
Address: Via Piave 66, 00187 Rome, ITALY
Phone: + 39 06 46208431
Fax: + 39 06 46208401

Purpose of Agreement

- Communication to the public – broadcasting – commercial and communal use
- Sale of rental copies and private copying of recorded audiovisual works.

BECS to exchange education off air monies – first payment for use prior to
31 December 2011 before 31 December 2012.

Duration: Remuneration from 14 July 2009 – and operated from signature until the end
of the third calendar year following this.

8. Greece

Date of Agreement 1 July 2001

Collecting Society

DIONYSOS – Greek Performers Royalties Collecting Society
39 Stournari Street 10682, Athens Greece

Purpose of Agreement

To facilitate payment in respect of

- Rental right
- Lending right
- Cable re-transmission of audio visual product including recorded performances
- Blank tape levy (together "Performers Remuneration").

9. Germany

Date of Agreement 30 October 2012

Collecting Society

GVL – Gesellschaft zur Verwertung von Leistungsschutzrechten mbH.
Registered Address – Posdubielskiallee 64, 14195 Berlin, Germany

Purpose of Agreement

The Agreement replaced the previous agreement between the parties dated October
2004 with effect from 1 January 2011.

Term to apply to 31 December 2013 and thereafter on an annual basis unless or until six
months notice of termination is given by either party.

Rights to enter into licensing agreements or schemes in respect of the rights of performers in audio-visual works and recorded performances and to collect fees for equitable remuneration for

- Public performance and Cable retransmission
- Lending and rental
- Private copying

Rights granted to not prejudice or limit any statutory representation of rights management afforded to BECS or GVL on the basis of national laws.

Date of (previous) Agreement 18 October 2004 effective from 1 January 2003.

Collecting Society

GVL – Gesellschaft zur Verwertung von Leistungsschutzrechten mbH.
Registered Address – Posdbielskiallee 64, 14195 Berlin, Germany

Purpose of Agreement

Rights to enter into licensing agreements or schemes in respect of the rights of performers in audio-visual works and recorded performances and to collect fees for

- Cable retransmission
- Private copying
- Rental of videograms
- Communication to the public.

Rights granted to not prejudice or limit any statutory representation of rights management afforded to BECS or GVL on the basis of national laws.

10. Hungary

Date of Agreement Signed by EJI 30 September 2009 and countersigned by BECS 12 October 2009 with effect from 1 January 2009.

Side letter 14 October 2009.

Collecting Society

EJI – Művészeti Szkszervezetek Szövetsége Előadóművészi Jogvédő Iroda.
Address H-1068 Budapest, Városligeti fasor 38. Hungary.

Purpose of Agreement

EJI to distribute remuneration for private copying and cable retransmission of performances incorporated in audio-visual performances incorporated in audio-visual recordings collected in Hungary, pursuant to Article 2- and 28 of Act LXXVI of 1999 on Copyright.

11. Switzerland (and Liechtenstein)

Date of Agreement Revised Agreement dated 16 March 2015 (Signed by BECS 9 March 2015 and Swissperform 13 March 2015)

The Revised Agreement supersedes the Agreement that was signed by SwissPerform 7 February 2008 and by BECS 11 February 2008 with effect from 1 January 2007 (superseding an earlier Agreement dated 14 December 1998).

The Agreement of 16 March 2015 is agreed to apply with effect from 1 January 2011.

Collecting Society

SWISSPERFORM Société pour les droits voisins.
Address – Kasernenstr. 23 Postfach 1868 CH-8021 Zurich – Switzerland
Telephone 44 269 70 50
Fax 44 269 70 60
Email info@swissperform.ch

Purpose of the Agreement

Safeguarding all performer's rights of actors, dancers and singers in the audio-visual area, insofar as they are vested in performing artists under national law, within relevant territories subject to a requirement of legal and material reciprocity.

- Private copying of audiovisual recordings and broadcasts
- Use of audiovisual recordings for educational purposes
- Companies in-house use of audiovisual recordings and broadcasts.

(The additional rights subject to clarification of reciprocity are described as:-

- retransmission of commercially available audiovisual recordings in television broadcasts;
- public reception of commercially available audiovisual recordings in television broadcasts; and
- public performance of commercially available audiovisual recordings.)

12. Portugal

Date of Agreement 28 June 2006 with effect from 1 January 2004 for cable retransmission and after September 2004 for private copying levies.

Side Declaration dated 27 June 2011 to cover distribution payments due for 2004 to 2009.

Collecting Society

GDA Cooperativa GDA – Cooperativa de Gestão dos Direitos dos Artistas Intérpretes ou Executantes, CRL.
Cooperative, a neighbouring right management entity, of Portuguese performers (actors: musicians and dancers) organised under the laws of Portugal.
Corporate number 503 594 504 – Registered at the Commercial Registry in Lisbon under number 6151.

Address – Rua Joaquim Agnostinho, no 14 B, 1750-126 Lisboa, Portugal.

Purpose of Agreement

Performers rights – Private Copy – after September 2004 and Cable retransmission right.

Portuguese Code and law of Copyright and Related rights (Portuguese Decree-Law nr 63/85, from 14/03/1985, amended by Law nr 45/85 from 17/09/1985, by Law nr 114/91 from 03/09/1991, by Decree Law nr 332/97 from 27/11/1997 and by Decree Law nr 334/97 from 27/11/1997 – Law nr 62/98 of 01/09/1998 (private copy remuneration) – Law nr 83/2001 of 03/08/2001 and Law 50/2004 from 24/08/2004.

13. Spain

Date of Agreement 2 October 2007 with effect from 1 January 2008 (replacing earlier Agreement between the parties dated 1 May 2003).

Declaration dated 1 July 2011 concerning the transfer of payments relevant to private copying, rental and public communication carried out in 2009 by television broadcasters, cable and passenger transport operators in Spain.

Collecting Society

Artistas Intérpretes, Sociedad de Gestión (AISGE)
Authorised as a collecting society by Order of the Ministry of Culture of 30 November 1990 (Official State Gazette of 8 December 1990).
Registered at the National Registry of Associations of the Ministry of the Interior under number 125.534

Purpose of the Agreement

Administration of rights granted to performers by Spanish Law on Intellectual Property (Royal Legislative Decree 1/1996 of 12 April 1996, amended by Law 23/2006 of 7 July 2006) – which according to such laws are to be collectively managed.

The relevant rights are

- The right to an equitable remuneration for the communication to the public (Art. 108, sections 5 and 6) including cable retransmission (Art, 20.4).
- The right to an equitable remuneration for the making available (art. 108, sections 3 and 6).
- The right to an equitable remuneration for rental (Art. 109.3).
- The right to an equitable remuneration for private copy (Art. 25).

14. Sweden

Date of Agreement 22 May 2006 with effect from 1 January 1999.

Collecting Society

Copyswede (Registration number 1769602-003601)
Address: Industrigatan 2A, 10 tr, 112 46 Stockholm Sweden
Telephone: 08-545 667 00
Fax: 08-667 88 11

Purpose of the Agreement

Blank Tape Levy linked to rights of performers in audio-visual works.

15. Romania

Date of Agreement 1 August 2003

Collecting Society

The Romanian Centre for Managing Performers' Rights, CREDIDAM
Address: Str Jules Michelet, 15-17, etaj 2, ap.11
Telephone 40 216 502054

Purpose of the Agreement

To facilitate payments under the Law on Copyright and Neighbouring Rights (no 8 of 14 March 1996)

- equitable remuneration for any communication to the public of audio recordings and audio visual recordings, including broadcasting and transmission of broadcasts of audio and audio visual recordings; and
- equitable remuneration regarding reproduction of sound carriers and carriers of sound and image for private sound copy and for private audio visual copy

insofar as the payments relate to Performing Artists represented by BECS.

16. Chile

Date of Agreement: (Signed by BECS 17 September 2012)

Collecting Society

Corporación de Acrotres de Chile (CHILEACTORES)
Terranova 315, Providencia Santiago, Chile
Represented by María Esperanza Silva Soura

Duration: Applies from 1 January with an initial term of three years from
1 January 2012 to 31 December 2014.

17. Colombia

Date of Agreement: 20th November 2013

Collecting Society

Actores, Sociedad Colombiana De Gestión (Actores, SCG)
Avienda Carrera 15 No. 103-37, local 103, Bogata, Colombia
Represented by its Chief Executive Officer, Juan Carlos Grimaldo

Duration: Applies from 1 January 2013 for an initial term of three years (to 31 December 2015). Rolling renewal subject to 6 months' notice of termination).

**Registered Office:
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19-20 Hatton Place
London
EC1N 8RU**