

*Акса/Ваг*

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**MINIMUM ROYALTIES (TARIFFS)  
FOR REPRODUCTION OF MUSICAL WORKS IN A SINGLE COPY AND  
MAKING THEM AVAILABLE TO THE PUBLIC ONLINE**

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## **1. Streaming of Musical Works**

If a **non-interactive<sup>1</sup> radio programme** is being transmitted simultaneously on the internet and/or other digital platforms – **4,5%** of receipts obtained from the respective internet site and/or other digital platform site (advertising proceeds and proceeds obtained users of the internet site and/or other digital platform site), but not less than **EUR 71,14** per month.

If an **interactive<sup>2</sup> radio programme** is transmitted on the internet and/or other digital platform – **5,5%** of receipts obtained from the respective internet site and/or other digital platform site (advertising proceeds and proceeds obtained users of the internet site and/or other digital platform site), but not less than **EUR 142,29** per month.

If a **live transmission of a concert or event** is made public via live **broadcast** online: **EUR 42,69** per concert (event).

### **Note:**

If a radio programme is simultaneously broadcasted and transmitted on the internet, royalty is set according to TR-05 “Minimum Royalties for Usage of Musical Works by Electronic Media”.

## **2. Streaming of Musical Works On-Demand**

The tariff is for musical works made available online on internet and/or other digital platforms, if it is possible to listen only in streaming mode.

The royalty to the musical work authors is calculated according to the highest of the three indicators:

- 1) royalty for the number of streamings during one reporting period;
- 2) royalty from the end users’ subscription fees;
- 3) minimum licence fee for a month.

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<sup>1</sup> A non-interactive radio program is webcasting, in the framework of which a data flow containing authors’ works is sent to an unlimited number of end users. The data flow does not include any markers, and it does not provide an opportunity to end users to correct the data flow, including, but not limiting to: pause the data flow, to pass one or several works included in the data flow, to filter the works included in the data flow, to individualize the works included in the data flow by sorting them according to individual selection criterions.

<sup>2</sup> An interactive radio program is webcasting, in the framework of which a data flow containing authors’ works is sent to an unlimited number of end users. The end users of the service have an opportunity to individualize the included works, that means, an end user has an opportunity to correct the data flow, including, but not limiting to: pause the data flow, to pass one or several works included in the data flow, generally to filter the works included in the data flow, to individualize the works included in the data flow by sorting them according to individual selection criterions. An end user does not have an opportunity to make a precise list of the works included in the data flow.

### 1) Royalty for the number of streamings during one reporting period

The royalty for the streaming of one work is **EUR 0,0014**. The royalty for the number of streamings during the reporting period is calculated by multiplying the registered number of streamings to **EUR 0,0014**.

### 2) Royalties from the end users' subscription fees

If the end users pay subscription fee for an opportunity to listen an unlimited number of musical works, the royalty to the authors of musical works is set as **12 %** of the end users' subscription fees in a month, but no less than **EUR 0,3** per one subscriber in a month.

The royalty payments are not applied during the first month after the provider begins to offer the mentioned service to end users.

If the end users pay subscription fee for an opportunity not only to listen an unlimited number of musical works under streaming mode, but also to download an unlimited number of musical works, see item 2.1. Making available musical works for download.

### 3) Minimum licence fee for a month

Minimum licence fee for a month depends on the number of works made accessible on the website during one month:

	<b>EUR</b>
If the number of the accessible works is less than 50	<b>17.07</b>
If the number of the accessible works is from 50 to 99	<b>34.15</b>
If the number of the accessible works is from 100 to 199	<b>68.30</b>
If the number of the accessible works is from 200 to 399	<b>136.60</b>
If the number of the accessible works is from 400 to 800	<b>273.19</b>
If the number of the accessible works exceeds 800	<b>284.57</b>

### 3. Audiovisual works with music

If an audiovisual work or a fragment of it containing musical work (with or without lyrics), the author of which is represented by AKKA/LAA, is made available, royalty for the authors of the musical work is set as a percentage of the receipts<sup>3</sup> collected by the content provider from end users.

Type of work	The share of royalties in the price of the service	Minimum royalty for 1 streaming/viewing, EUR		
		The length of a work in minutes		
		To 15 min.	15 – 45 min.	More than 45 min.
A musically audiovisual work (concert, music clip, etc.)	6%	0.0028	0.0056	0.03
Other audiovisual works (movies, TV broadcasts, etc.)	1%	0.001	0.002	0.004

Minimum royalty per monthly depends on the number of streamings:

#### **Minimum payment of the monthly royalty:**

- to 5 000 streamings – **25,00 EUR;**
- from 5001 to 15 000 streamings – **75,00 EUR;**
- from 15 001 to 25 000 streamings – **150,00 EUR;**
- more than 25 001 streamings – **250,00 EUR.**

### 4. Streaming of Musical Works when Delivering Background Music Services

The tariff is meant for making musical works available to the public, as delivered via the streaming technique, for the purpose to use the works in public performance when feeding the audio through public address systems covering commercial areas.

<sup>3</sup> The proceeds collected from the users of the site via Internet or another digital platform, as well as the proceeds from commercial advertising

In cases when the end user pays subscription fee in return for access to unrestricted quantities of works via the streaming technique, the royalties to the authors shall be **4.5%** of the end user's subscription fee, payable each month.

The minimum royalties are stipulated depending on the number of commercial areas to which the works are streamed:

**2.40 Euro** per month per commercial area;

**71.14 Euro** per month for a chain of stores where the number of commercial areas is 30 or higher.

The minimum license fee is **24.00 Euro** per month.

The tariff does not include the royalties for public performance, therefore a business using such services shall acquire a separate license for public performance of music.

