Distribution Rules

A K M
SOCIETY OF AUTHORS, COMPOSERS AND MUSIC PUBLISHERS
REGISTERED COOPERATIVE WITH LIMITED LIABILITY

In Effect for 2 0 2 5

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S E C T I O N A
GENERAL PRINCIPLES OF ROYALTY DISTRIBUTION

Item 1
The principles of distribution of royalty payments are defined in § 22 and 23 of the AKM Bylaws. The present distribution rules constitute guidelines drawn up by the AKM Board.

Item 2
(1) Only the following parties qualify for benefit: composers, lyricists, authorized adapters, authorized arrangers and music publishers of protected works whose names are printed on the sheet music copy or who are indicated on the manuscripts. It may be that the production of sheet music copies is not suitable for the character of the work and its use: in this case, a standard sound carrier, the production of which has been initiated by the publisher, is treated as an equivalent to sheet music.

(2) On request of AKM composers and music publishers have to submit the manuscript copy or the printer's copy of a work as well as the publishing contract, if required. In case the work registration is submitted by a publisher, they are obliged to indicate the date of the publishing contract, too. In case of an arrangement or an adaptation it may be a precondition for royalty distribution that the publisher respectively the arranger or adapter forward a specimen copy of the work.

(3) To participate in the distribution a beneficiary has to register his or her works properly and in due time by means of the work registration forms provided by AKM.

Item 3
For melodramatic, choreographic and pantomimic works, the author of the textual manuscript whose name is printed on this document is considered the lyricist. For choreographic and pantomimic works, the author participates only in case of a scenic performance or a scenic TV program.

Item 4
If there is no lyricist for a work and the publishing rights are not assigned to a music publisher or if the work is published by the author him- or herself the composer receives the total royalty share for the work. If there are protected lyrics existing and the work is jointly published by lyricist and composer together, each of them receive half of the total royalty share. If the work is published by the composer (or the lyricist) alone he/she receives two thirds of the total royalty shares and the lyricist (or the composer) one third.

Item 5
(1) In case of unprinted adaptations or arrangements, the adapter or arranger who can submit an authorization from the corresponding rightholder(s) to adapt or arrange the original work, is considered as the beneficiary.

(2) For adaptations or arrangements for customary sound carriers the royalty share of the adapter/arranger is one eights (12,50 %). The arranger's or adapter's share is borne to equal parts by all groups of beneficiaries who participate in the work (composer(s), lyricist(s), music publisher(s).

Item 6
The adapter or arranger of protected works, whose name is printed on the sheet music copy, receives his/her due royalty share according to the instrumentation in the music setlist (program). If the instrumentation indicates "salon orchestra" respectively "dance orchestra" and there is no corresponding printed copy, the distribution is made to the adapter or arranger of a potentially existing authorised brass music arrangement.

If the instrumentation indicates "brass music" and there is no brass music arrangement, the royalties are distributed to the adapter or arranger of a potentially existing authorised salon orchestra or dance orchestra arrangement. If there is neither an authorised orchestra nor brass music edition, the royalty share is distributed to the adapter or arranger of the printed first edition. This also applies for performances with all kinds of instrumentations for which there is no individual edition.

Item 7
Adaptations or arrangements of non-protected works will only receive a share if the music setlist mentions the adapter's/adapters' or arranger's/arrangers' name(s).

Item 8
In case of several authorised adaptations or arrangements of a single instrumentation, the royalties are distributed to equal parts. This provision can only be waived if the publisher of the printed edition indicates a particular adaptation or arrangement (by means of the instrumentation in the music setlist) to be automatically taken into account for distribution. Precondition is that the other adaptations or arrangements are out of print or withdrawn from sale. These adaptations or arrangements of the same instrumentation will only receive a share if the music setlist mentions the adapter's or arranger's name.

Item 9
(1) The lyricist of a song with lyrics receives a royalty share even if the work is performed without lyrics. If lyrics are written at a later moment for an originally textless work, the author's share is only distributed if the lyrics are actually performed. An exception is made only in case that the work's appeal has been caused by the later created lyrics.

(2) If an authorised new lyrics version intended for the use in a film is added to a song with original lyrics, all the lyricists are participating in performances of the film, however, they receive royalties only for the length of time (in seconds) when the new lyrics are actually performed. The lyricist(s) of the original lyrics and the lyricist(s) of the new lyrics receive 50 % of the royalties each according to the principle of dividing in half.

(3) If an authorised new lyrics version is added to a song with original lyrics and the new version appears in print or as a sound carrier release, both the author of the original lyrics and the author of new lyrics, receive 50 % of the royalties. However, the new lyricist is only participating if the new lyrics version is actually performed. In case of an authorised lyrics adaptation edited in print, the lyrics adapter receives always 50 % of the lyricist’s share, even if his lyrics adaptation is not performed. The original lyricist receives the whole 100 % of the lyricist’s share if the music setlist shows clearly that the original version was performed.

Item 10
In the case of a light music work, the lyricist receives the whole lyricist’s share even if the lyrics are written only for a part of the song.

Item 11
If a work of serious nature is predominantly, but not entirely without lyrics, the lyricist's share is distributed according to the proportion of the duration of the lyrics part to the total duration of the work.

Item 12
(1) Collages of already existing lyrics are considered as adaptations if they are independent, intellectual creations.

(2) Each case is examined by the AKM Classification Committee, whose members decide on the appropriate share for the author of the collage.

Item 13
AKM deducts the following amounts from the performance/broadcast royalty payment collected on trust:

a) the expenses listed in § 19, paragraph 1 of the AKM Bylaws

b) the amount serving to improve the point value in the distribution classes "Live Performances Serious Music" and "Liturgical Music". Section C, item 1, paragraph 2 stipulates that the Board of Directors decides yearly on this amount.

c) the expenditures for "Social and Cultural Purposes" of the society. The royalty amount allotted to each beneficiary may be encumbered with no more than 10 %. The Deduction for Social and Cultural Purposes is fixed with 10 % by the Board of Directors.

d) the non-distributable amounts from the online sector that are to be attributed to the cultural institutions of GFÖM.

e) 1% of the fees from the licensing sector “Music On Demand”, as determined by the Board of Directors, which is to be used for the benefit of the cultural institutions of the organisation to promote online projects.

Item 14
The Deduction for Social and Cultural Purposes has to be carried out in the same way for all distributions. The only distributions excepted are distributions from abroad and distributions of major live concerts for which there are separate agreements with sister societies abroad.

Item 15
The distribution in the class Serious Music is free of charge. The distribution in all other distribution classes is carried out using a generally applicable expense rate.

Item 16
Expense-reducing amounts: expenses deducted for distributions from abroad, for cable broadcasts, for the dissolution of staff-related provisions or the like are taken into account as expense reductions in the distribution General Rights Austria.

Item 17
The administration costs for the distribution of radio/TV setlists to foreign sister societies is fixed with 12.5 % in case that AKM is only the collecting society, but not the distributing society. Diverging arrangements on a reciprocal basis are possible.

Item 18
Setlists related to the current distribution year/period, which arrive only after its closure, will be distributed in the following distribution year/period.

Item 19
If a license fee is paid in line with Copyright Law for a work use being actually license-free (for example by a religious community for performances of liturgical music at religious ceremonies) the particular circumstances of this ex-gratia payment have to be taken into consideration.

Item 20
Claims deriving from value adjusted remunerations or from remunerations that had to be retransferred are excluded from distribution.

Item 21
All the positions in the balance sheet which are subsumed under "reimbursement expenditures" are treated as cost reducing.

Item 22
The residual amount on the account "Unidentified Works" dating from the distribution three years back is transferred to the "Other Revenues" account.

Item 23
Interest is used to reduce the amounts deducted for administration costs. AKM distributes admission fees and undeliverable amounts to its beneficiaries in proportion to their national and international income from the preceding distribution year.

Item 24
The amount stated on 31st December on the account "Sub-Beneficiaries from Cable Broadcasts" is transferred to the account "Interest a. o.". The said amount is distributed in the context of the distribution General Rights Austria of the respective year.

Item 25
Other Revenues which do not date from the collection of performance and broadcast fees as well as amounts from penalties, Non Members and Unidentified Works are distributed to all beneficiaries – to our sister societies on condition that they act likewise – in proportion to their national and international income dating from the last distribution year. The only international income to be used is coming from sister societies which do not fulfil the precondition of reciprocity.

Item 26
The amount from the deduction as defined in item 13 c) of the present section A which is not required for expenditures in the context of the society's social and cultural institutions is accounted to all beneficiaries in proportion to their national income from the last distribution year.

Item 27
Claims from beneficiaries are only taken into account within a period of six months after delivery of the detailed distribution statement. Foreign societies having a reciprocal agreement with AKM must submit claims for their members within three years after delivery of the detailed distribution statement in order to have them considered. An adjustment will be carried out if the amount in question exceeds EUR 10,-

Item 28
The AKM Board of Directors decides on the coming-into-force date of new distribution rules or modifications to the present printed ones with due regard to legal, statutory and contractual regulations. AKM is informing its beneficiaries in an adequate way, at present this information is given in the AKM Newsletter. Work classifications may be effected up to one week before the end of work registration (data collection).

Item 29
If claims for royalties from multiple allegedly entitled parties for a work or for part of a work are in dispute, the payment of all royalties attributable to the disputed parts of the work will be withheld until a joint declaration from the disputing parties or a binding decision regarding the entitlement is provided. Within six months, the parties in dispute have to take the appropriate measures to assert their claims in order to come to a decision-making (e. g. to take legal action). If no evidence asserting the claim is provided within this period of time AKM can pay out the royalties to those beneficiaries who have priority according to the work registration.

S E C T I O N B
ROYALTY DISTRIBUTION KEYS

CHAPTER I
Manuscript Works

The following distribution keys apply to manuscript works:

1.	Composer	12/12	(100.00 %)	
2.	Composer	6/12	(50.00 %)	
	Lyricist	6/12	(50.00 %)	
3.	Composer	9/12	(75.00 %)	
	Arranger	3/12	(25.00 %)	
4.	Composer	6/9	(66.67 %)	
	Adapter	3/9	(33.33 %)	*)
5.	Composer	7/8	(87.50 %)	
	Arr./Adapter (sound carrier)	1/8	(12.50 %)	
6.	Composer	9/24	(37.50 %)	
	Arranger	3/24	(12.50 %)	
	Lyricist	12/24	(50.00 %)	
	If performed in public by music-bands up to and including 3 persons.			
7.	Composer	21/48	(43.75 %)	
	Arranger	6/48	(12.50 %)	
	Lyricist	21/48	(43.75 %)	
	If performed in public by music-bands from 4 persons up.			
8.	Composer	4/12	(33.33 %)	
	Adapter	2/12	(16.67 %)	*)
	Lyricist	6/12	(50.00 %)	

*) See end of "Original Published Works" Item 1, 7.

CHAPTER II
Original Published Works

Item 1
The following distribution keys apply to original published works:

1.	Composer	8/12	(66.67 %)	
	Publisher	4/12	(33.33 %)	
2.	Composer	4/12	(33.33 %)	
	Lyricist	4/12	(33.33 %)	
	Publisher	4/12	(33.34 %)	
3.	Composer	6/12	(50.00 %)	
	Arranger	2/12	(16.67 %)	
	Publisher	4/12	(33.33 %)	
4.	Composer	4/9	(44.44 %)	
	Adapter	2/9	(22.22 %)	*)
	Publisher	3/9	(33.34 %)	
5.	Composer	3/12	(25.00 %)	
	Arranger	1/12	(08.33 %)	
	Lyricist	4/12	(33.33 %)	
	Publisher	4/12	(33.34 %)	

If performed in public by music-bands up to and including 3 persons.

6.	Composer	7/24	(29.17 %)	
	Arranger	2/24	(08.33 %)	
	Lyricist	7/24	(29.17 %)	
	Publisher	8/24	(33.33 %)	

If performed in public by music-bands from 4 persons up.

7.	Composer	2/9	(22.22 %)	
	Adapter	1/9	(11.11 %)	*)
	Lyricist	3/9	(33.33 %)	
	Publisher	3/9	(33.34 %)	

*) Royalties for an adaptation will only be paid if the Classification Committee has recognized the work as an adaptation. To this end an application accompanied by sheet music has to be submitted to the Classification Committee. An adaptation within the meaning of these distribution rules only exists if the alteration of the original work – through tonal, harmonic, melodic or contrapuntal means – shows an outstandingly high order of complexity expressing the particularity and individuality of the adapter in an exceptional way.

All other modifications of the original work are called arrangements.

The following modifications are not considered as arrangements qualified for distribution:

1. The creation of piano scores, simplified editions for single instruments and the writing out of figured bass lines. An exception will be made if an individual case is submitted to the Classification Committee, and the Committee decides that the artistic activity involved surpasses pure workmanship and justifies a classification as an arrangement.

2. Chord indications to melody lines.

Item 2
It may be that more than one composer, lyricist or publisher are participating in a work and are entitled to receive a part of the composer's, lyricist's or publisher's share. In this case, the respective share is divided: either according to the contractual agreement between the individual parties within the share or, if there is no such contractual agreement, equally between all parties within the share.

CHAPTER III
Arrangements and Adaptations of Non-Protected Works

Item 1
The following royalty distribution keys apply to arrangements and adaptations of works whose statutory term of protection has expired:

a) Published Arrangements/Adaptations:

aa.	Non-protected shares	9/20	(45.00 %)
	Arranger/Adapter	5/20	(25.00 %)
	Publisher	6/20	(30.00 %)
bb.	Non-protected shares	5/20	(25.00 %)
	Arranger/Adapter	5/20	(25.00 %)
	Lyrics adapter	4/20	(20.00%)
	Publisher	6/20	(30.00 %)
cc.	Non-protected shares	3/20	(15.00 %)
	Arranger/Adapter	5/20	(25.00 %)
	Lyricist	6/20	(30.00 %)
	Publisher	6/20	(30.00 %)

b) Manuscripts:

aa.	Non-protected shares	3/4	(75.00 %)
	Arranger/Adapter	1/4	(25.00 %)
bb.	Non-protected shares	2/4	(50.00 %)
	Arranger/Adapter	1/4	(25.00 %)
	Lyrics adapter	1/4	(25.00 %)
cc.	Non-protected shares	6/20	(30.00 %)
	Arranger/Adapter	5/20	(25.00 %)
	Lyricist	9/20	(45.00 %)

Item 2
The Classification Committee alone may set a higher share (§ 22, paragraph 8 and § 49 AKM Bylaws). In this case, the publisher of such an arrangement is obliged to indicate on the title page and in the title of the first sheet of music whether the present work is an adaptation and who created it.

Item 3
Non-protected shares in partially protected works are not taken into account for royalty distribution.

CHAPTER IV
Potpourris (Medleys) Made Up of Several Works or Work Parts

Item 1
Potpourri Distribution (Framework and Contents)

Item 1.1
Unpublished Potpourris with authors' and/or publishers' authorization for the contents:

Compilation/Arranger	32/131 (25 %)
Contents	99/131 (75 %)

Item 1.2
In case of **Unpublished Potpourris without** authors' and/or publishers' authorization the total 100 % of shares are distributed to the contents.

Item 1.3
Published Potpourris:

Compilation/Arranger	25/131 (20 %)
Publisher	25/131 (20 %)
Contents	81/131 (60 %)

Item 1.4
Having distributed the shares for the compilation/framework the remaining shares are divided equally among all the works included in the potpourri. If the potpourri contents also include non-protected works, they are treated and distributed as partially protected works.

Item 1.5
In case of an unpublished potpourri, the compilation share and/or the arranger's share will only be taken into account if

a) there is an authorization by the publishers of the published potpourri contents and an authorization by the authors of the manuscript potpourri contents for each individual work being part of the potpourri contents and

b) the complete sheet music material of the potpourri has been forwarded to AKM.

Item 2
Potpourri Valuation
If mixed potpourris are performed in concert the valuation for each work included is 1.31 points, however, the total potpourri valuation is limited to 21 points. To distribute radio and TV broadcasts the classification "1.0" is applied whilst taking into account the timed durations per work as indicated on the music setlist.

CHAPTER V
Potpourris of Melodies from a Single Stage Work

Potpourris of melodies from a single stage work fall within the royalty distribution key in chapters I and II.

S E C T I O N C
CLASSIFICATION AND SPECIAL DISTRIBUTION ACCORDING TO DISTRIBUTION CLASSES

MAIN CHAPTER 1
Classification of Works

CHAPTER I
General Provisions

Item 1
The classification is based on the character of a work and, in the case of serious music works and light music works with a higher classification, usually also on the instrumentation. The classification of an adaptation or an arrangement does not depend on the original work, but on the character of the adaptation. If necessary, the classification is carried out by the Classification Committee.

Item 2
Works receive a higher (than the standard) classification only upon application of the beneficiary and exclusively after presentation of a score or a written evidence comparable to a score which allows repeated reproduction of the work. It is not sufficient to forward a sound carrier or an audio-visual carrier (on Improvisation, see chapter II, item 4, on Audio Art, see chapter II, item 5).

Item 3
In cases of doubt, the Classification Committee examines the submitted work(s) and sets the classification.

Item 4
The Classification Committee only examines works submitted for a higher (than the standard) classification if the said works have already been publicly performed for a fee, or if they have been broadcast, or if they have been published in the form of a printed publisher's edition.

It is therefore recommended that registered works should only be submitted for higher classification once the above requirements are fulfilled.

Item 5
The classification of a work multiplied by the duration of the performance results in a number of points, which is used for distribution. This does not apply to the potpourri valuation (see section B, chapter IV).

Item 6
Light Music works of category 1. a) (see chapter II) are registered with a duration of three minutes.

CHAPTER II
Live-Performances, Radio/TV Broadcasts and Online Usage

Item 1
Light Music

The following classifications apply:

a) Popular music and jazz works of simple facture:
classification: 1

b) Popular music and jazz works surpassing standard light music due to their higher developed facture:
classification: 1.5

c) Popular music and jazz works of a considerably more complex facture (sophisticated in formal design, melody, harmony, etc.).
The classification depends on the instrumentation:
1 - 6 parts classification: 2
From 7 parts/lines up classification: 2.5

Item 2
Serious Music

(1) The Classification Committee decides whether a work is classified as serious music. The high cultural value of a work within the meaning of the Licensing Societies Act (§ 34, paragraph 1, sentence 2) has to be taken into consideration.

(2) The following classifications apply:

a) As per score 1 - 2 parts:
classification: 2
b) As per score 3 - 9 parts:
classification: 2.5
c) As per score from 10 parts up:
classification: 3
d) Improvised serious music:
classification: 1
e) Electro-acoustic music:
classification: see item 5 Audio Art, paragraph 2
f) Aleatoric music:
classification: 1, 2 or 3

The authors of works of aleatoric music (i.e. music that, according to the declared will of the composer, is left in essential parts to the combining, repeating and improvising initiative of the performer(s)) are exclusively the persons declared as such in the work notification form. The classification is determined according to the extent of the instructions of the author(s).

Claims by performers in regard to their contribution to such works or to their share can only be asserted against the authors, but not against the society.

Item 3
Works That Are Neither Serious Music Nor Light Music

a) Works, which are neither light music nor serious music, are classified "1".

b) Works surpassing the simple design due to their higher developed facture are classified "1.5".

c) Works of a considerably more complex facture (sophisticated in formal design, melody, harmony, etc.) are classified according to their instrumentation.

1 - 6 parts	classification:	2
From 7 parts up	classification:	2.5

Item 4
Improvised Works

Works submitted for classification in the form of a sound carrier only are considered as improvised due to lacking notation or other written record. Improvised works receive

classification: 1

Item 5
Audio Art

(1) Audio Art is synthetically generated or electronically processed specific sound material. It is either set by being directly recorded on a sound carrier or generated "live" in concert (also together with vocalists/instrumentalists) and/or played back. Works belonging to this category are classified "1". As per score they are regarded as one part only.

(2) If the composer submits **not only** a sound carrier, but **additionally** convincing documentation material (conceptual documents respectively notations equal to a score) the Classification Committee may classify a work higher than "1" depending on its ampleness and complexness. Electro-acoustic works come within Audio Art, too.

(3) The classification also incorporates the refined designing of the material over the course of time. The Classification Committee decides in which category to classify the work. Audio Art works belonging to Serious Music are classified "1.5", "2", "2.5" or "3".

(4) If works are performed in concert the point number due to an individual work results from its classification multiplied by its duration.

Item 6
Aleatoric Music

(1) The authors of works of aleatoric music (i.e. music that, according to the declared will of the composer, is left in essential parts to the combining, repeating and improvising initiative of the performer(s)) are exclusively the persons declared as such in the work notification form.

(2) Claims by performers in regard to their contribution to such works or to their share can only be asserted against the authors, but not against the society.

(3) In case that aleatoric music works are performed in concert the following principles regarding the duration of time to be distributed apply:

a) If the total performance duration of a work is specified, including the improvised parts which are left to the performers, the distribution is carried out according to the details in the notification form sent by the author/the publisher. If it becomes necessary to correct the duration mentioned in the notification form, the distribution is based on the actual performance duration.
If the duration of the improvised parts left to the performers is more than 50 % of the duration of the parts that the composer set out in written symbols, the duration of the latter plus 50 % is taken as a basis for distribution.

b) If the performance duration of a work is not fixed but variable, because it depends predominantly on the combining, repeating or improvising actions of the performers, the distribution is effected according to the simple duration as fixed in the composer's written manuscript plus 50 %.

(4) Broadcasts of aleatoric music on radio or television are distributed according to their actual broadcast duration, provided it does not exceed the maximum distributable performance duration as stipulated in paragraph 3 lit. a and lit. b.

(5) The work notification form of aleatoric music works has to be accompanied by a score (manuscript set out in writing).

(6) For aleatoric works with a pre-defined duration, the composer has to indicate the duration of the parts set out in writing, as well as the duration of the improvised parts left to the performers.

(7) In case of an aleatoric work with varying performance duration, the composer has to indicate the duration of the parts set out in writing.

(8) If there is a lower and an upper duration limit indicated, the distribution is based on the average.

(9) The classification of aleatoric music works according to the instrumentation is based on the principles of the present Distribution Rules.

Item 7
Educational Music

Educational music is music intended primarily for pedagogic purposes. The classification is "1.5" unless a work fulfils the qualifications for serious music or if it can be clearly classified as light music. The decision is made by the Classification Committee.

Item 8
Liturgical Music

Liturgical music is music intended for liturgical purposes. Liturgical music works are normally classified as serious music. If a liturgical music work does not qualify as serious music, it is classified "1.5". The decision is made by the Classification Committee.

Item 9
Musical Collages

(1) For a musical collage, parts of already pre-existing works are used and processed to create a new work. A musical collage is to be classified as an adaptation, unless it represents an independent new work (see § 5 Austrian Copyright Law). After deduction of the adapter's share and a potential publisher's share, the remaining royalties are divided equally among the works used in the collage.

(2) To pay out royalties for a musical collage, all rightholders of the pre-existing works must have given their authorization to use their works. If this authorization does not exist, the royalties are distributed to the pre-existing works only and not to the collage (adaptation).

Item 10
Special Cases

The Classification Committee may classify the following works "0.5": works whose progression over a longer period of time produces a general sound event through varied repetition of similar sound combinations, works that only consist of “verbal instructions” or works whose own musical content appears to be quantitatively low.

Item 11
In General

(1) At live performances intermediate duration times starting from second 31 are calculated as full minutes. In case of varying performance duration times, the arithmetic average has to be used as the basis for the allocation of points.

(2) If the performance duration of a work cannot be determined based on the work registration or from radio performances, declarations or other documents, an estimated duration shall be assumed.

(3) Signature tunes and background music for regularly recurring news broadcasts, as well as for current daily or sports events, reports, program previews and similar content, as well as music for gymnastic exercises is classified "1" for radio and television. The same applies to interval and interlude music on television as well as music for feature films.

MAIN CHAPTER 2
Special Distribution According to Distribution Class

Item 1
Live-Performances Serious Music

(1) The basis for distribution is the license fee collected for an individual event. This amount is divided among the performed works, taking into account the duration and classification of each work.

(2) The grant to the classes "Live-Performances Serious Music" and "Liturgical Music" is calculated on the basis of 2 % of the net distribution amounts of all the remaining designated classes (before carrying out the Deduction for Social and Cultural Purposes) and is allocated to the two distribution classes "Serious Music" and "Liturgical Music" in proportion to their class income. The royalty amounts for foreign radio/TV programs within the remunerations for the transmission of radio/TV programs from satellite respectively terrestrial cable via Austrian cable-networks are exempted from this calculation. The distribution is free of charge. The endowment is taken from the amounts deducted for Social and Cultural Purposes.

(3) Both, the grant and the amount being allotted to unprotected works are used to improve the point value in the distribution class "Live-Performances Serious Music".

(4) If serious music works are performed in concert by means of a sound carrier the works receive their royalty share from the collected license fee.

(5) Choir setlists within the class "Live-Performances Serious Music" are distributed in conformity with its regulations and receive their proportionate share in the grant to this class.

(6) If serious music works show deficiencies in their technical design and workmanship the Classification Committee may downgrade them.

Item 2
Liturgical Music

(1) Religious communities pay a lump sum for performances of liturgical music at religious festivities, which will be divided among the performed protected works according to their duration and classification.

(2) The share of the grant allotted to the class Liturgical Music (see item 1, paragraph 2) is used to improve the point value.

Item 3
Broadcasting

(1) AKM has agreements with broadcasting companies for radio and television and distributes the license fees paid by them according to these agreements.

(2) License fees for "information channels" (local TV) and similar are to be allocated to the distribution class "Television".

(3) The cable remunerations distribution has to take into account the ORF radio and TV programs. The amount attributable to them is to be allocated to the classes "Radio" and "Television" in accordance with the Calculation Report.

(4) Royalties for Pay TV programs are to be treated as royalties for the transmission of foreign radio/TV programs on Austrian cable networks.

(5) License fees from the public transmission of radio programs in hotel rooms are allocated to the distribution classes "Television" and "Radio" based on the number of cable subscribers.
The collected royalty shares are prorated to Austrian and foreign TV stations according to their ascertained market share respectively their range of transmission. The amount for domestic TV stations is distributed in conformity with the distribution rule for the individual station, the amount for foreign TV stations is distributed in the course of the Cable Remunerations Distribution. The royalties for radio programs are treated likewise.

Item 3.1
Radio

(1) Broadcasts of signature tunes, station identifications by means of a call sign, jingles and music for advertising spots are gathered by seconds if program details in a suitable form are available.

(2) The following broadcast coefficients apply:

Signature tunes, background music for regularly recurring news broadcasts, as well as for current daily or sports events, reports, program previews, and similar content, and music for gymnastic exercises: 1/3; all other music: 1.

(3) Programs starting later than 23:59 or earlier than 06:00 are accounted with 10 % provided that program details in a suitable form are available.

Item 3.1.1
Provisions for ORF Radio Stations

(1) The factor for the transmission on networks for listeners throughout Austria is 12.

(2) High-class cultural programs like Ö1 are distributed with the doubled factor for networks.

(3) The factors for local programs are:

Wien	6
Niederösterreich	6
Burgenland	4
Steiermark	4
Oberösterreich	4
Kärnten	3
Salzburg	3
Tirol	3
Vorarlberg	3

(4) An interlink of more than three stations is distributed as a network program, an interlink of two stations is distributed with 2/3 of a network program.

Item 3.1.2
Provisions for Private Radio Stations

(1) Principally, annual licenses exceeding EUR 51,000,- per private radio station are distributed by means of a full census distribution, that is, the revenue is distributed according to the corresponding setlists/broadcast logs.

(2) Private radio stations paying an annual license below EUR 51,000,- are allocated proportionally to radio stations which are distributed full census.

Item 3.2
Television

(1) Broadcasting of signature tunes, station identifications by means of a sign call, jingles and music for advertising spots are gathered by seconds provided that program details in a suitable form are available.

(2) The following broadcast coefficients apply:

Broadcast Coefficient 1:	music for cinema films and music for weather programs (e. g. "Wetterpanorama", "Alpenpanorama"), music to "Text Aktuell" and infomercials
Broadcast Coefficient 3:	music for live performances of performing artists and the recordings of such live performances for broadcast purposes
Broadcast Coefficient 2:	all other music

(3) Programs starting later than 23:59 or earlier than 06:00 are accounted with 10 % provided that program details in a suitable form are available.

Item 3.2.1
Provisions for the TV Programs of ORF

The broadcast factor for the transmission on networks is 9. The factors for local programs depend on the number of viewers. For streaming-only channels, the share is determined on the basis of the number of linear channels in the ring and a share for streaming use only is applied. The percentage to be applied for these uses is determined by an independent market research institute for each subsequent change.

Item 3.2.2
Provisions for All Other TV Programs

If the costs for a full census distribution are disproportionately high in relation to the collected license fees, the royalties will be distributed using a sampling method. Usage data already collected from ORF TV advertising can be used for the distribution of commercial spots on private TV stations.

Item 4
Live-Performances Light Music

(1) The distribution for Live-Performances Light Music is carried out twice a year. Provided there is a licensed performance, existing distribution is carried out at the earliest possible moment.

The following submission deadlines apply to setlists:

October	until	December	until 15th February	December distribution
January	until	March	until 15th May	December distribution
April	until	June	until 15th August	June distribution
July	until	September	until 15th November	June distribution

Only online submissions of setlists will be accepted. Content corrections are no longer permitted after the correction deadline and the technical transmission.

Commercial Live-events of Light Music with an attendance of at least 15,000 people will be processed and distributed within 30 days after the event/program submission, provided the required license fee has been fully paid, all works have been properly registered, and the corresponding correct setlist is available. Under the conditions outlined in the previous clause, events with a license fee exceeding EUR 3,500,- will be processed and distributed at the next distribution date or no later than three months after the event/setlist submission. The prerequisite for accelerated processing is that the setlist is submitted completely and correctly no later than 14 days after the event.

The following paragraph comes into effect on December 1, 2025:
(2) A distinction is made between two distributions:

a) The “Standard Distribution”: This distribution applies to setlists in which the performances of versions of works by a single author or a single co-author or the same co-authors are notated for more than one third of the total numbers of works performed (one-third rule) and/or if the standards for “Distribution +” are not met. Each setlist receives the royalties generated by the events included in this setlist. The so determined setlist value is allocated to the works contained in this program, taking into account the classification, duration and number of performances.
The setlist is divided in the course of the “Standard Distribution”. Work versions which have already received royalties from at least two different distribution categories (except for Light Music and Mechanical Music) in previous distribution periods are added to “Distribution +”. All other setlist contents remain in the “standard distribution”.

b) The “Distribution +”: This distribution applies to all setlists that do not fall under the one-third rule of the “Standard Distribution” and that meet the standards for the “Distribution +”:

- The number of works played per hour is a minimum of 3 titles and a maximum of 18 titles.
- The total number of performances is credible with the indicated playing time (duration of the performance without breaks).
- Three short titles correspond to one title.

In this distribution, royalty amounts, which are not covered by setlists, are distributed evenly among the performance numbers of the works notated in the “Distribution +” setlists, determining a separate value for permanent and individual events. If the so determined value exceeds the value of the previous year by 30%, an average value from three years can be used. The values determined in this process are also used in the next December Distribution. The program value increases

compared to the license value in accordance with the number of performances included in a program.

The following paragraph will expire on December 1, 2025:

(3) The license income generated by the events contained in this setlist is assigned to each setlist. Each setlist is distributed individually. The license fee collected for the event/s covered by a setlist is distributed to the works in this setlist taking into account for each work the classification, the duration and the number of times the work was performed.

The following paragraph will expire on December 1, 2025:

(4) A certain amount of license fees is not covered by setlists. These monies are distributed equally to all works listed in the setlists according to their performance numbers. There are separate values applied for isolated performances and for permanent performances. If the value determined in this way exceeds the value of the previous year by 30 %, an average value of three years can be used[1]. These values are also applied in the next December Distribution. The original setlist value in relation to the license fee rises according to the number of exploitations noted down in the setlist.

The following paragraph will expire on December 1, 2025:

(5) Each setlist has to fulfil some formal minimum standards. These are:

a) The number of works performed within an hour is a minimum of 3 titles and a maximum of 18 titles.
b) The total number of performed works is credible with the indicated playing time (duration of the performance without breaks).
Three short titles are equivalent to a (standard) work.

Setlists, which do not fulfil these minimum standards, are distributed according to item 6, paragraph 5 b) of the present distribution rules.

The following paragraph will expire on December 1, 2025:

(6) Setlists are classified as follows: Setlists fall under class F. A class F setlist, listing work versions by a specific author to more than a third of the total number of performances of all titles contained therein, will be distributed individually in accordance with item 6, paragraph 5 b).

Groups or persons whose setlists receive a class S classification based on proven criteria and that are frequently listing their own works or the works of individual authors (more than a third based on the number of performances), are distributed in accordance with item 4, paragraphs 4 and 5.

Class S setlists must also meet the minimum standards for distribution in accordance with item 4, paragraphs 5 and 6, with other special distributions in accordance with item 6, paragraph 5 b)[†].

(7) Setlists for performances in theaters, cabarets, and variety shows, music for dance lessons, special distributions for Mechanical Music, as well as for music in commercial films and for music used during the performance of a stage work that does not belong to it (interpolated music), are distributed according to the generated license revenues. The publisher's share for the use of interpolated music goes to the music publisher. If a piece of music from a dramatico-musical work is used as interpolated music in another dramatico-musical work the royalties go to the rightowners in the Grand Right provided there is an agreement between all the publishers concerned. This agreement

[1] The distributions in the financial year 2021 (pandemic) are not being considered.
[†] Section 5 will be applied for the first time in December of the financial year 2022.

must be in place no later than three months after the use; otherwise, the distribution is carried out as usual.

(8) If two or more music bands participate in the event, a joint distribution of all setlists of all the bands is carried out (e.g. for festivals). In some cases, however, this may be impossible for technical reasons, e.g. not all the setlists are available, or the setlist of the main act/support act comprises not one, but several shows, which cannot be separated. Considering the experience that support acts generally perform fewer titles, the following procedure will be applied:
10 % of the license will be awarded to the support act; in case of two support acts, each of them will be awarded 10 %. Regardless of the number of support acts, no more than 20% will be allocated to them, with the share being equal among all support acts. For dance events and events where a main act cannot be clearly identified, the allocation will be made in equal shares.

(9) Interludes at an event will be allocated the part of the performance fee that corresponds to the time share of the interlude in the total duration of the event.

(10) Fees from flat rate agreements (Brass Music Association, Pensioners' Association) shall, if necessary be allocated to the "Standard Distribution" on a pro rata basis by way of estimation.

(11) Works of Serious Music, which appear on setlists of Live-Performances of Light Music, are distributed in the Live-Performances of Serious Music class.

Item 5
Wienerlieder

(1) The grant for Wienerlieder serves as compensation for the below-average setlist submission in this genre and for the insufficient listing in programs due to the mistaken perception that Wienerlieder are part of the Public Domain. It is taken from the license income in the class Live-Performances Light Music, at the expense of license fees which are not covered by setlists (see item 4, Live-Performances Light Music). If certain qualifications are fulfilled, the grant (Wienerlieder Rate) will be paid to the composers, lyricists and publishers of those Wienerlieder, which have been proved to belong to their standard repertory. The Classification Committee decides on each application submitted by a beneficiary of the work.

(2) It is mandatory that the work was released for the first time at least 10 years ago. It has to be an original composition. The work must have generated a total of at least EUR 1,090,- in the last three years.

a) The grant is calculated on the basis of previous distribution year's (net) royalty income of the works having applied for the Wienerlieder grant in the class Light Music. The grant amounts to 150% of this royalty income, but not more than EUR 763,-.

b) The claim for the grant remains dormant if the previous year's royalty income of a work in the class Live-Performances Light Music has fallen below EUR 36,-.

c) In case of a dormant claim, the Wienerlieder Rate can be re-awarded if the royalty income of the work reaches or exceeds EUR 36,- in one of the following years.

Item 6
Tasks of the Setlist Examiners Board (PPK)

(1) In accordance with its statutory mandate (§ 48 of the AKM Statute), the PPK randomly checks the repertoire of incoming setlists for public live performances of light music for their correctness and completeness.

The following paragraph will expire on December 1, 2025:

(2) In addition, the PPK has the task of making a decision on the setlist classification in accordance with item 4, paragraph 6 in disputed cases.

(3) The functioning of the PPK is laid out in the Working Principles of the Setlist Examiners Board (Appendix 1).

The following paragraph comes into effect on December 1, 2025:

(4) The PPK is primarily responsible for reviewing conspicuous setlists for accuracy on a sample basis. Relevant documents are provided in an appropriate format for this purpose. Particular attention is given to setlists with low performance fees and high numbers of performances.

a) If a setlist is considered plausible, distribution is carried out according to item 4, paragraph 2 b).

b) If the PPK raises justified doubts about repertoire content, the setlist shall in any case be excluded from the “Distribution +”. The setlist issuer will be informed accordingly.

c) A setlist must be excluded from distribution if at least one of the following circumstances applies:

1) It is unlikely that all or some events registered in the setlist have taken place.

2) There are reasonable grounds for suspecting serious commercial fraud, which leads to a report to the public prosecutor’s office.

3) There is reasonable suspicion of collusion with at least two other setlist issuers for the purpose of enrichment.

At least two checks have been carried out to confirm the facts in accordance with paragraph 4 c) subpargraphs 2 and 3, and both checks have led to the finding of inaccuracy/incompleteness. All setlists submitted by this group or this person will be eliminated for this distribution. If it is not possible to carry out checks for reasons attributable to the setlist issuer, the setlist will not be processed for distribution.

The following paragraph will expire on December 1, 2025:

(5) The PPK shall primarily randomly check conspicuous setlists for correctness. For this purpose, documents are provided in a suitable form. Attention is paid to setlists with low performance fees and high numbers of performances.

a) If a setlist is considered plausible, distribution is carried out in accordance with item 4, paragraphs 2 and 3.

b) If the PPK raises reasonable doubts about repertoire content, the setlist must be subject to special distribution. The setlist issuer will be informed accordingly. The special allocation (individual allocation) of these setlists or parts of the setlists provide for a payment of the mere performance fee after deduction of the expenses in accordance with § 19 of the Statute and the deduction for cultural and social purposes in accordance with § 22 paragraph 5 of the Statute.

In the course of special distribution (individual distribution), a division into disputed and undisputed setlist parts takes place. The selection of the undisputed setlist parts is carried out by categorizing individual work versions. Those versions of works that already have stored invoices from at least two distribution divisions (except light music and mechanical music) from past distribution periods will be invoiced in accordance with item 4, paragraphs 2 and 3. Special distribution will also be made in the event of non-compliance with the minimum standards in accordance with item 4, paragraph 5.

c) A setlist shall be excluded from distribution by the PPK if at least one of the following applies:

1. It is unlikely that all or individual events reported in the setlist have taken place.

2. There are suspicions of serious commercial fraud, which leads to a complaint to the public prosecutor's office.

3. There is a well-founded suspicion of collusive cooperation with at least two other setlist issuers for the purpose of enrichment.

For the purpose of establishing the facts referred to in paragraph 5 c), subparagraphs 2 and 3, at least two checks have been carried out and both checks have led to the finding of inaccuracy/incompleteness. All submitted setlists of this group or person will be eliminated for this distribution. If it is not possible to carry out checks for reasons of the setlist issuer, the setlist shall not be charged.

The following paragraph will expire on December 1, 2025:

(6) If the control activities carried out by events show that the information contained in the setlist is correct and corresponds to the repertoire actually performed, the setlist shall be charged in accordance with item 4, paragraphs 3 and 4.

The following paragraph comes into effect on December 1, 2025:

(7) If the checks carried out on events reveal that the information contained in the setlist is correct and corresponds to the repertoire actually performed, royalties for the concerned setlist are to be distributed in accordance with item 4, paragraph 2 b).

(8) If there is a delayed distribution of setlists due to control activities, the current parameters of the upcoming distribution are used.

Item 7
Mechanical Music

The following paragraph will expire on December 1, 2025:

(1) The license receipts coming under the term Mechanical Music have to be distributed according to the modes of exploitation mentioned in the agreements, that is, the total license amount collected under the term Mechanical Music is divided among the distribution classes "Mechanical Music", "Radio" and "Disco Music". The distribution class "Radio" receives a share of 30 %, irrespective of license income from radio agreements. When distributing these 30 % in the distribution class Radio also Private Radio stations are taken into account in accordance with their share in the collected radio receipts.

The following paragraph comes into effect on December 1, 2025:

The fees collected under this title shall be distributed according to the types of use specified in the agreements, i.e. the total amount of fees collected under this title shall be allocated to the distribution classes “Mechanical Music”, “Radio”, “Online” and “Disco Music”. A share of 40% shall be allocated to the distribution class “Radio”, regardless of the license revenues from radio contracts. In the distribution of this share (40%), private radio stations are taken into account according to their share of the radio license fees earned. In the process of distribution, the “Online” distribution class is allocated a share of 10% regardless of the license revenues from online contracts and 50% is distributed proportionally according to the revenues from online usage. The remaining half is distributed to all beneficiaries proportionally according to their revenues from online, live performances of light music and serious music, ORF radio and private radio stations in the previous financial year.

(2) The following distribution rules apply to the amount transferred to the distribution class Mechanical Music:

a) A work qualifies for distribution in this class if there is or was a sound carrier customary in commerce available in Austria, or if there was an online exploitation registered in a previous distribution period.
In a first step 25 % of the amount the work received in the distribution class Light Music are credited to it in the distribution class Public Diffusion of Mechanical Music. For the distribution of work versions in setlists of events with a license fee of at least EUR 3,500,-, the above applies with the provision, that the amount allocated in this way corresponds to 50% of the amount in the distribution class Live-Performances Light Music.
In a second step the remaining royalty amount is distributed on the basis of the said work's number of performances in the distribution class Light Music. If the value determined in this way exceeds the value of the previous year by 30 %, an average value of three years can be used[2].

Works (already existing ones and new ones) which do not fulfil the above requirement(s) are matched with the Sound Carrier Database of Austro-Mechana. If they are found in this database, they participate in the distribution for Mechanical Music, provided the notification by the sound recording producer is submitted to Austro Mechana by June 30 or December 31 of the current distribution year.

b) If AKM receives setlists/ performance notifications for music exploited in department store chains or for other kinds of background music there will be a full census distribution provided that there is complete and credible information on the exploitation available, meaning that AKM receives

[2] The distributions in the financial year 2021 (pandemic) are not being considered.

details on the works, the number of exploitations, the duration of the works. In case that plausibility checks become necessary AKM has to receive the exact exploitation times of the works used, too. The supplier/provider of the music service has to confirm the correctness of the setlist/performance notification. The annual license income from the department store chain or other companies must exceed EUR 70,000,-. The licenses collected are prorated to the individual exploitation reports. For efficiency reasons prorated licenses can be forwarded to sister societies for distribution. If the above conditions are not met point lit. a applies.

c) Setlists for performances in theaters, cabarets, and variety shows, music for dance lessons, special distributions for Mechanical Music, as well as for music in commercial films and for music used during the performance of a stage work that does not belong to it (interpolated music) do not qualify for Mechanical Music distribution.

d) Wienerlieder, which have been awarded the „Wienerlieder Rate“, participate in the distribution Mechanical Music. The rate is converted into a number of performances based on the point value in previous year's distribution Live-Performances Light Music.

e) Work versions eligible for “Standard Distribution” in the distribution class “Live-Performances Light Music” will take part in the Mechanical Music distribution and will receive an amount no higher than the amount resulting from the “Standard Distribution”, taking into account lit a).

Item 8
Soundfilm

(1) The composer of the film music, the musical director (in case they are AKM members), our sister societies abroad or the film producer provide AKM with a cue-sheet of the film. The music is distributed by seconds based on the details in the cue-sheet. The distribution takes place for all films shown in a cinema hall with a monthly license payment exceeding EUR 51.000,-. Performance notifications for films that do not meet the aforementioned criteria can, in justified individual cases, be taken into account for distribution.

(2) 10 % of the gross receipts for Soundfilm go to the distribution class Mechanical Music for the exploitation of Mechanical Music in movie theatres.

Item 9
Music in Discotheques

(1) A neutral institute makes a representative selection among the discotheques licensed by AKM, using scientific methods. Inquiry agents determine the repertory in these discotheques at a certain moment and for a certain period of time. The amount determined for distribution in this distribution class is divided among the included works, taking into account the number of performances.

(2) Royalties for signature tunes and openers are distributed for discotheques that are included in the random sample survey for Discotheque Distribution and which were not noted during the survey. A verifiable, confirmed performance notification is required for the distribution. The distribution is based on the sample; the number of performances corresponds to the extent of the discotheque in the sample for the opener; the number of performances is doubled for the signature tune. Adjustment distributions are based on the average value of a work version from the respective Discotheque Distribution.

Item 10
Online

(1) The majority of revenues from this category are distributed according to the program, i.e. in the case of download or streaming services (e.g. mobile phone ringtone providers, audio-on-demand services, such as Apple iTunes), distribution is based on the recorded usages transmitted by providers and online platforms.

(2) It may be that the costs of distribution are disproportionately high in relation to the royalty amounts attributable to the individual works, particularly because the rightholders or the legal relationships cannot be determined, at least not without unjustifiable expenses. These amounts are defined as non-distributable amounts from “Online”, 10% are allocated to the society’s cultural institutions (GFÖM) for the promotion of online talent and 45% are distributed in proportion to the income from Online Distributions of the previous financial year.
The remaining 45% of the established amount is allocated to all beneficiaries in proportion to their royalty income from the previous financial year's distribution classes Online, Live Performances Light Music and Serious Music, Radio ORF and Private Radio. In case that right owners withdraw their Online Rights, their income from the distribution classes Live Performances Light Music and Serious Music, Radio ORF and Private Radio is taken into account proportionally.

In case the GFÖM discontinues this grant program, half of the amounts are distributed in proportion to the royalties received from the distribution classes Online, Live-Performances Light Music and Serious Music, as well as from ORF Radio and private radio stations in the previous financial year. The second half is distributed in proportion to the royalties received from Online distribution in the previous financial year.

(3) If individual Online services show a high usage correlation to (traditional) Offline distribution classes, these Offline classes can be taken as a basis for distribution. The Online royalties are then distributed resting upon the respective year's income in the said Offline classes.

(4) If online usage is distributed via a cooperation partner, the distributions are to be treated as under Section D, items 1 and 2, i.e. the received fees, after deduction of expenses, are transferred to the rightholders.

Item 11
In General:

Non-protected work shares are allocated to the respective distribution class.

S E C T I O N D
DISTRIBUTION OF ROYALTIES FROM ABROAD

Item 1
Royalty payments from abroad are distributed unaltered to the respective rightholders.

Item 2
If AKM is entitled to only one individual share (composer's, lyricist's/lyricist's, publisher's, adapter's or arranger's) this share is distributed unaltered to the rightholder.

Item 3
The Board decides on the administration costs to be deducted for distributions from abroad with due regard to cost effectiveness.

S E C T I O N E
AGREEMENTS BETWEEN AUSTRIAN AND FOREIGN PUBLISHERS (SUB-PUBLISHING AGREEMENTS)

CHAPTER I
Acquisitions

Item 1
„Sub publisher" is the publisher who holds the publishing rights for a work within a certain territory due to an agreement with the work's original publisher or a foreign sub-publisher.

Item 2
In case that a domestic publisher acquires publishing rights from a foreign sub-publisher, AKM gives a share merely to the AKM affiliated domestic publisher and the original publisher, provided that the latter is mentioned in the agreement as a rightholder. If this requirement is not met, the first-mentioned foreign sub-publisher is regarded as original publisher and receives the corresponding share.

Item 3
(1) If a sub-publisher acquires publishing rights from foreign publishers they are obliged to notify these works to AKM by means of the registration forms intended for this purpose. However, this obligation does not include works, which were already registered earlier via general agreement.

(2) The publisher is liable to AKM for the correctness of his/her information. If requested by AKM the publisher has to submit the original agreements.

Item 4
Sub-publishing agreements shall be made for the work's protection period, but a least for 10 years.

Item 5
Co-produced works cannot be sub-published between the publishers involved in the production nor in the countries where the sub-publishers are based.

Item 6
Distribution Rules
If sub-publishing rights are acquired AKM recognizes the following interest shares:

a) „Confederate (London) Distribution Key"
(50% author - 50% publisher)

1. Without sub-arranger *2. With sub-arranger*

	With lyrics		*Without lyrics*		*With lyrics*		*Without lyrics*	
Division	C	2/12	C	6/12	C	2/12	C	4/12
of	OL	2/12			OL	2/12	SArr	2/12
creators'	Tr.	2/12			SArr	1/12		
shares					Tr	1/12		

Division of	OP and		OP and		OP and		OP and	
publishers' shares	SP tog.	6/12	SP tog.	6/12	SP tog.	6/12	SP tog.	6/12

Division according to the agreement between the publishers:

1. Without sub-arranger *2. With sub-arranger*

		or	*or*	*or*
OP	2/12	3/12	4/12	-----
SP	4/12	3/12	2/12	6/12

b) „Stockholm Distribution Key" (Cartel Key)
(50% original interested parties - 50% sub-interested parties)

6/12 for original interested parties (original creators and original-publishers)
6/12 for sub-interested parties (sub-creators und sub-publishers)

1. Without sub-arranger *2. With sub-arranger*

	With lyrics		*Without lyrics*		*With lyrics*		*Without lyrics*	
Division of	C	2/12	C	4/12	C	2/12	C	4/12
original interested	OL	2/12	OP	2/12	OL	2/12	OV	2/12
parties' shares	OP	2/12			OP	2/12		

Division of	Tr	2/12	SP	6/12	SArr	1/12	SArr	1/12
sub-interested-	SP	4/12			Tr	1/12	SP	5/12
parties' shares					SP	4/12		

c) German Language Sub-Publishing Works

	1. Without sub-arranger	*2. With sub-arranger*
Division	C 6/24	C 5/24
of	OL 6/24	OL 5/24
creators' shares		SArr. 2/24
Division of	OP 4/24	OP 4/24
publishers' shares	SP 8/24 *)	SP 8/24 *)

C = composer; OL = Original lyricist; Tr = translator; SArr = sub-arranger; OP = original publisher; SP= sub publisher

*) or by agreement, provided that the sub-publisher receives at least 4/24.

d) Sub-Published Partially Protected Works

For sub-published adaptations (arrangements) of no longer legally protected works applies the standard division for sub-published works. The adapter's (arranger's) share in this case is 1/12 and has to be deducted from the non-protected composer's share.

e) Sub-Published Mixed Potpourris

Without sub-arranger

Compilation	20/131
Original publisher and sub-publisher tog.	36/131
Potpourri contents	75/131

With sub-arranger

Compilation	15/131
Sub-arranger	5/131
Original-publisher and sub-publisher tog.	36/131
Potpourri contents	75/131

f)

The author of an authorized secondary lyrics version receives the full sub-lyricist's share only if this particular version is used. If an instrumental version is performed or broadcast, or the music setlist does not indicate clearly which version was actually used, the secondary lyrics author receives half of the full sub-lyricist's share.

g)

The author of a special secondary lyrics version receives the entire sub-lyricist's share only if this particular version is used and if the sub-publisher concerned has authorized the version to receive its share in the box-office takings.

Item 7

(1) If an agreement entitles the domestic sub-publisher to receive 6/12 or the full publisher's share AKM recognizes 3/12 or 50 % of the full publisher's share as domestic sub-publisher's share. The

remaining shares are regarded as foreign original publisher's shares and transferred to a separate account.

(2) This provision applies equally to all cases in which original publisher's shares are collected.

Item 8
If an original publisher concludes a so-called "co-contract" with at least one other original publisher, and both contract parties agree to conclude separate sub-publishing agreements, either the whole work or the part of the work which is concerned by this contract, will be regarded as sub-published as long as at least one sub-publishing agreement remains in force.

CHAPTER II
Assignments

For assignments of works to foreign publishers, the provisions under "Acquisitions" apply, apart from the following exceptions.

(1) AKM does not recognize assignments of musical works without lyrics based on the Stockholm Distribution Key (Cartel Key) if the works are created by AKM affiliated composers. In this case the division of royalty shares will be, as follows:

Composer (AKM)	6/12
Original-publisher and sub-publisher together	6/12

(2) AKM only recognizes assignments of works by AKM affiliated lyricists or composers if the authors have given their consent. The declaration of consent may be included in the publishing agreement.

(3) If an AKM affiliated publisher acquires a catalogue from a foreign publisher, AKM recognizes this acquisition provided the sister society of the assigning publisher has given its consent.

(4) If an author publishes his own works he/she is only entitled to arrange for assignments to foreign publishers, but not to make acquisitions.

S E C T I O N F
PUBLIC TRANSMISSION OF DRAMATICO-MUSICAL WORKS BY MEANS OF TV OR RADIO SETS

Item 1
Distribution Key

(1) The rightholders receive their shares of the amounts attributable to the works in accordance with the distribution key agreed on with the other rightholders of the works.

(2) If the rightholders did not notify any distribution key to AKM, the composer and the lyricist receive 50 % each for manuscript works. If the works are published, composer and lyricist receive 35 % each, the remaining 30 % of the royalties go to the publisher. Any authorized adapters of the music or the lyrics are entitled to a 10 % share, which is deducted from the composer's or lyricist's share.

(3) If there are several composers, adapters and publishers participating in a work, the respective composers', adapters', lyricists' or publishers' shares are divided equally.

(4) For adaptations of no longer legally protected works applies the standard division of shares. The adapter's (arranger's) share in this case is 15% to be deducted from the non-protected composer's or lyricist's share. The Classification Committee only may set a higher share for the adapter.

(5) Shares belonging to rightholders who are not affiliated to AKM are paid to the proper theatre publisher.

Item 2
Classification

Dramatico-musical works of an entertaining nature (e.g. operettas, musicals, light music ballets) and dramatico-musical works of a serious nature (operas, serious music ballets) are classified at the rate of 1:2.

Item 3
Distribution

(1) The distribution for the public transmission of dramatico-musical works on the radio and the public transmission of dramatico-musical works on TV is carried out in two individual distribution classes. The points are calculated by multiplying the minutes determined from broadcast logs by the work's classification.

(2) The receipts from the licensing classes "Public TV Transmission" and "Public TV Transmission of Dramatico-Musical Works" are to be merged. The total amount has to be divided between the distribution classes "Television" and "Public TV Transmission of Dramatico-Musical Works". The rated minutes of dramatico-musical works are to be accounted at seven times the value of the unrated TV broadcast minutes (Small Right).

Appendix 1
Working Principles of the Setlist Examiners Board (PPK)

The PPK makes its definitive decisions as a collective body and is responsible for their content.

The PPK reviews the repertoire in the setlists of live-performances of light music on a random sample basis.

The members of the PPK are familiar with the distribution rules for the categories of live-performances light music and public transmission of mechanical music. They support the board in all aspects/ questions of the distribution of these distribution classes. Conversely, the board of directors informs them of any decisions regarding changes to these distribution classes.

The control activities take place exclusively within the PPK as part of the meetings. The procurement of recordings of live performances by employees of the field service may be requested to a limited extent and within the annual budget only in serious cases.
In the course of the first board meeting, the budget of the PPK is determined annually by resolution of the board. With the involvement of the general director, the chairperson of the commission has to plan and pursue the usage in the best possible way in the first meeting of the year.
The PPK can form committees with a maximum of 7 members to prepare the resolutions for the plenary session.

A PPK plenary meeting has to be convened in time before each distribution date. For this purpose, up to four committee meetings can take place in advance. The budget requirements have to be considered. All participants receive an expense allowance for attending the meetings. The board of directors determines the amount of the attendance fee in the course of setting the budget for the PPK. The attendance fee is to be remunerated from the PPK budget.

If a member (substitute member) is prejudiced in individual cases, it has to declare this and will therefore be excluded from the corresponding votes. Other members (substitute members) can also point out the prejudice of members. In individual cases, the chairperson decides on the exclusion of votes. If the chairperson is affected, the chairperson's deputy is making the decision. During the debate and for the corresponding vote, the prejudiced member has to leave the meeting.

The following paragraph will expire on December 1, 2025:
The classification S for setlists can be assigned if at least three of the following criteria are met:

- Singer/Lyricist
- Events have the character of concerts
- The performances include several venues of various kinds
- In addition to the usage in light music and mechanical music, there are also usages in other distribution fields.
- Notable publications from relevant labels
- Publications on major streaming services (Spotify, Apple Music, YouTube) considering the views or subscribers
- Music is not background music, despite the live performance
- No accompanying music in restaurants or hotels
- Websites and various social media cannels with information on live events
- Current printed setlists, flyers (festivals)
- Awards (e.g. Amadeus Award)
- Awareness in the market

Despite the presence of one or more criteria, the classification S for setlists can be denied if there are specific doubts about it. In this case, the PPK must justify the denial in its minutes. The reason is to be provided at the request of the setlist issuer.