DESCRIPTION OF THE ONLINE SERVICE ELECTRONIC CONFIRMATION PROCESS (ECP)

The ECP is a process intended for publishers to provide GEMA with details on whether the author has agreed to the participation of the publisher in the statutory remuneration rights (e.g. ZPÜ payouts and public lending rights) for future payouts. A separate authorization from the author for participation of a publisher in exploitation rights is not required.

Pursuant to Section 27a of the Verwertungsgesellschaftengesetz (VGG) [German Act on Collective Management Organisations], publishers may receive statutory remuneration payments only if the author has given consent after the works's publication or during the work declaration process. The statutory provision is defined in Art. 26 para. 5 of the GEMA distribution plan. The ECP enables publishers to report their participation in the statutory remuneration rights after the work has been registered.

Please note that the details submitted via the ECP can only be taken into consideration for future payouts. A retroactive participation of the publisher in statutory remuneration rights is not possible. The registration deadlines apply.

This guide is intended to assist you in using the ECP.
You can access the ECP service via the GEMA online portal at **portal.gema.de** .

CONTENT

1 Requirements for using the ECP

• The user is a GEMA publisher or has been granted power of attorney by a GEMA publisher.
• He/she has been activated via his/her own access for member services on the online portal (portal.gema.de).

2 Overview of the required documents

The following documents are required for the Electronic Confirmation Process (ECP):

for originally published repertoire (work list):
- ECP list with the following file name format *EBV_OV_membership number_list reference number*
- Declaration of indemnification
- Confirmation agreement with the author (optional)

for sub-published repertoire (agreement list):
- ECP list with the following file name format *EBV_SV_membership number_list reference number*
- Declaration of indemnification

By submitting the Declaration of Indemnification, you confirm that the author has agreed to the publisher's participation in the statutory remuneration rights. Uploading the Confirmation Agreement (author's consent pursuant to Section 27a VGG for the publisher's participation in distributions of statutory remuneration rights) in the ECP service is optional. If the author object to participation, GEMA will request to submit ithe document directly. A confirmation agreement template is available directly within the ECP service.

A Declaration of Indemnification must always be submitted for each ECP list. It is uploaded in the final step of the ECP process.

The **reference number** is the most important identifier for assigning your details in the list to the additional documents submitted, if you upload them. The reference number must therefore also be used in the file name of the confirmation agreements.

3 The ECP in the online portal

The ECP service is available in the "Services" section of your member profile on the GEMA online portal.

3.1 Requesting a list

In the *Request list* tab, enter your search query to request an ECP list.

In the first step, select the role of your publishing company and confirm with 'Next'.

In the second step, assign a **name** to your search query and select the respective **member account**.

If your publishing company has additional sub-accounts and you would like to request ECP lists for all sub-accounts with a single search query, activate the checkbox ***Include all sub-accounts of the selected publisher***.

> If an account is not displayed, this may be due to missing authorisations. If necessary, check in the *My portal access permissions* service whether you have the required permissions ('Works') for the desired publishing account.

Select additional criteria if you want to specify your search.

Complete your search query by clicking ***Request file***. In the final step, you will receive further information. It can take up to 48 hours for the ECP list to be made available in the service. As soon as the list is available, you will receive a message in your portal mailbox.

### 3.1.1   Overview of search criteria

Name of search criterion	Explanation	Active for work lists (OV)	Active for agreement lists (SV)
Name (obligatory)	Assign a name to your request to better organise your search queries.	Yes	Yes
Account (obligatory)	Select the member account for which you wish to request the ECP list.	Yes	Yes
Include all sub-accounts of the selected publisher	The checkbox appears when you select a member account that has additional sub-accounts.	Yes	Yes
PWC	Publisher Work Code; not combinable criterion	Yes	No

CWR-File-Number	The number of your CWR work registration; not combinable with work registration status 2	Yes	No
Work Number	Enter a specific work number if you want to submit the ECP for a specific work.	Yes	Yes
Agreement Number	Enter the agreement number of your catalogue agreement to request an ECP list for this catalogue only.	No	Yes
Publisher participation	Select this criterion if you want to request the ECP list for works/ agreements with a specific publisher participation (VBNUT/VBALL).	Yes	Yes
Creator (IP Name Number)	Enter the IP name number (IPI number) of the desired creator to request a list containing only their works.	Yes	No
Creator (Name)	Enter the name of the desired creator to request a list containing only their works.	Yes	No
Work registration status	Select status 1 or 2 if you wish to request an ECP list only for eligible works or only for provisionally documented works.	Yes	No
Initial documentation after	In the format DD.MM.YYYY; you can hereby request a list of works that have been documented after a specific date.	Yes	No
Agreement	You can choose between current, expired, and all agreements.	Yes	Yes

3.2   My searches

In the *My Searches* section, you will find an overview of your search queries and their status.

Expand the relevant search query to download or upload the respective ECP list.
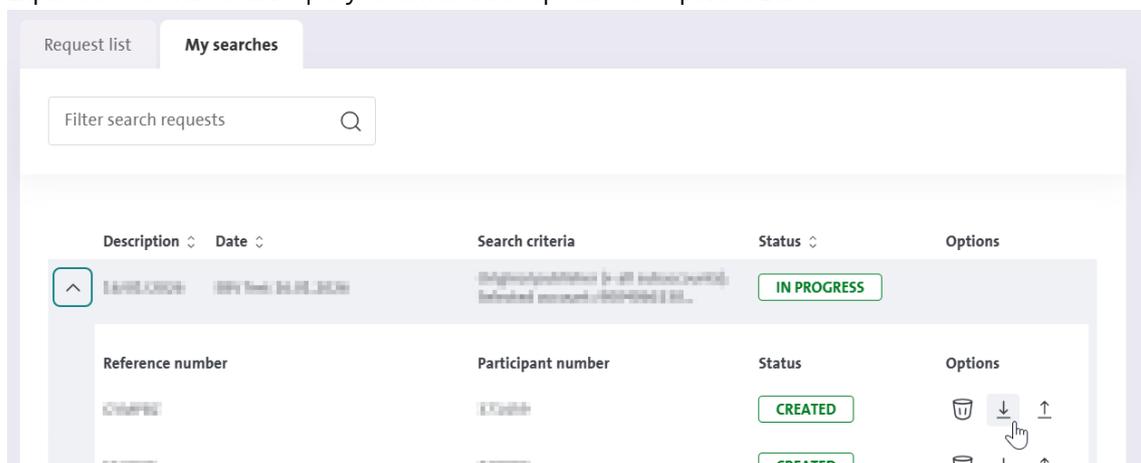
If you have not yet edited and uploaded an ECP list, you can delete it using the bin icon.

3.3 Editing the ECP list

After downloading the ECP list and saving it on your computer, open the CSV file. Explanations of the columns can be found in section *3.3.1 Structure of the ECP list*.

To report the publisher's participation in statutory remuneration rights, enter the indicator *VBALL* (or *VBNUT* if no participation in statutory remuneration rights is desired) in column U (participation) and set the change flag *U* in column W (change_flag). This is the only way we can process the changed data record.

The letter **U** in the change flag must always be entered as a capital letter. The abbreviation U stands for 'up-date'.

> To submit the ECP list, you only need to edit two columns:
> The indicator **VBALL or VBNUT in column U** and the **change flag U
> in column W**.

Note: Please do not change any work or creator data in the ECP list. These changes will not be transferred. To report changes to the work documentation, please use the *change notification* function in the online service *My Repertoire*.

3.3.1 Structure of the ECP list

For work lists (original publisher):

Column	Field name	Explanation
A	id	Technical identification number
B	assignee membership no	Original publisher member number
C	assignee ip_name_no	Original publisher IP name number
D	assignee name	Original publisher name
E	main account membership no	Main account member number
F	main account ip_name_no	Main account IP name number
G	main account name	Main account name
H	publisher work code	Publisher work code
I	society work code	GEMA work number with work version number
J	work status	Work registration status
K	initial load date	Date of the initial documentation
L	valid from	Agreement valid from

M	valid until	Agreement valid until
N	work title	Title of the work
O	creator role	Creator role
P	creator membership no	Creator member number
Q	creator ip_name_no	Creator IP name number
R	creator last name	Creator last name
S	creator first name	Creator first name
T	creator-assignee-relationship	Relationship between the creator and the publisher
U	participation	Publisher participation indicator
V	reference_no	Reference number of the ECP list
W	change_flag	Change flag

The creator-assignee-relationship is filled with 1 (= there is a creator-publisher-relationship) by default.
To report the termination of a contract/agreement, please contact the respective department directly at
werke@gema.de.

For agreement lists (sub-publisher):

Column	Field name	Explanation
A	id	Technical identification number
B	assignee membership no	Sub-publisher member number
C	assignee ip_name_no	Sub-publisher IP name number
D	assignee name	Sub-publisher name
E	main account membership no	Main account member number
F	main account ip_name_no	Main account IP name number
G	main account name	Main account name
H	assignor role	Assigning party role
I	assignor membership no	Assigning party member number
J	assignor ip_name_no	Assigning party IP name number
K	assignor name	Assigning party name
L	agreement no	Agreement number
M	agreement type	Agreement type
N	valid from	Agreement valid from
O	valid until	Agreement valid until
P	society work code	GEMA work number with work version number
Q	participation	Publisher participation indicator
R	participation ip membership number	GEMA sub-publisher member number
S	reference no	Reference number of the ECP list
T	change_flag	Change flag

For individual sub-publishing agreements, the corresponding GEMA work number (society work code) is also displayed in column P. For catalogue agreements, column P GEMA work number is empty and no distinction is made between general agreements and option agreements.

Note: The agreement list only contains contracts concluded directly between the GEMA sub-publisher and the assigning publisher. All affiliations that end in this final contract are not displayed. They are automatically assigned the same indicator via the concatenation.

Meaning of the publisher participation indicator

VBALL: participation of the publisher in usage rights and statutory remuneration rights
VBNUT: participation of the publisher only in usage rights and not in statutory remuneration rights

3.4   Submitting the ECP list

Once you have edited the ECP list and saved it on your computer, search for the corresponding reference number in the ECP service under *My searches*. Click on the upload icon accordingly.
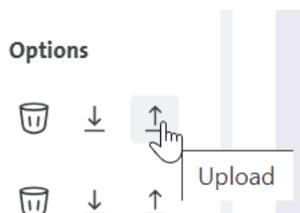
Upload the **ECP list in the original CSV format**. Optionally, you can upload a confirmation declaration in PDF format. **Activate the checkbox** to confirm that you have a confirmation declaration/consent from the creator. Then click on 'Next.

Please ensure that the file name contains the corresponding **reference number** and that the **file format is .csv**. Example: *EBV_OV_123456_ABC4EF.csv*

In the second step, activate the checkbox to agree to the declaration of indemnification. Then click on 'Submit'.

* Please indicate the reference of the completed file, list or online mode. *Without an indication of the reference, any information submitted by the publisher in the ECP will not be processed by GEMA.*

Date

Username (email)

Membership number

☑ I agree to the declaration of indemnification.

Back   Submit

After submitting, you will receive **a confirmation in your portal mailbox**. As soon as your ECP list has been imported into the database, you will receive another message in your portal mailbox informing you whether your changes could be processed.

3.4.1   Status of searches

Below you will find an overview of the status of your searches.

- NEW: The ECP lists are being created.
- SEARCH EMPTY: There are no records available for the search query.
- CREATED: All ECP lists requested in the search have been created.
- IN PROGRESS: At least one ECP list from the search has been uploaded.
- SUBMITTED COMPLETE: All ECP lists generated in the search have been uploaded and are awaiting processing.
- COMPLETED OK: All ECP lists generated in the search have been successfully processed.
- COMPLETED NOK: All ECP lists generated in the search have been completed and at least one could not be fully processed (NOK).

3.4.2   NOK file

The ECP lists are processed in the GEMA database, which is usually updated daily. If there have been any changes to the work documentation in the meantime, e.g. a work version has been documented as a new work or an agreement has been deleted due to a quality assurance measures and replaced with the correct one, it may happen that the ECP list cannot be processed completely.

In this case, you will receive a message in your portal mailbox. In the ECP Service under *My Searches*, we provide you with a so-called "NOK file" for the uploaded ECP list, which you can download using the download icon. In the "NOK file" you will find details of why the ECP list could not be processed completely.

Please submit a new search request and submit a current ECP list.