



# INFORMATION ON DISTRIBUTION IN THE CATEGORIES SERIOUS MUSIC (E, ED, EM) AND STAGE MUSIC (BM) 2022 FINANCIAL YEAR

Dear member,

The round-up below provides information concerning the **distribution** of **1 June 2023** for serious music and stage music, mainly from the **2022 financial year**. Abbreviations related to the detailed statement can be found in the glossary below. For general information about royalties, go to [www.gema.de/royalties](http://www.gema.de/royalties).

## Preconditions

Performances of works can only be considered for any respective distribution date if:

- The event during which the performance took place was registered with GEMA in good time by the music user (generally the event organiser).
- The event organiser paid the amount invoiced by GEMA in good time.
- The setlist/program was submitted within the period prescribed – preferably via the online service at [www.gema.de/mysetlist](http://www.gema.de/mysetlist).
- The information provided in the setlist is complete and corresponds to the actual repertoire performed.
- You registered your work with us in good time – preferably via the online service at [www.gema.de/work-registration](http://www.gema.de/work-registration). You can find the registration periods at [www.gema.de/royalties-deadlines](http://www.gema.de/royalties-deadlines).

## Announcements

As of the distribution of 1 June 2023 we will be using a new IT system to calculate your royalties. To learn about this and the new features coming with it, please visit [www.gema.de/distribution-new-it-system-2023](http://www.gema.de/distribution-new-it-system-2023).

## Distribution dates for 2022

- 1 June for the **main distribution** in the categories **E, ED, EM** and **BM**
- 1 November for the **late adjustment distribution** in the categories **E, ED, EM** and **BM**

## Claims

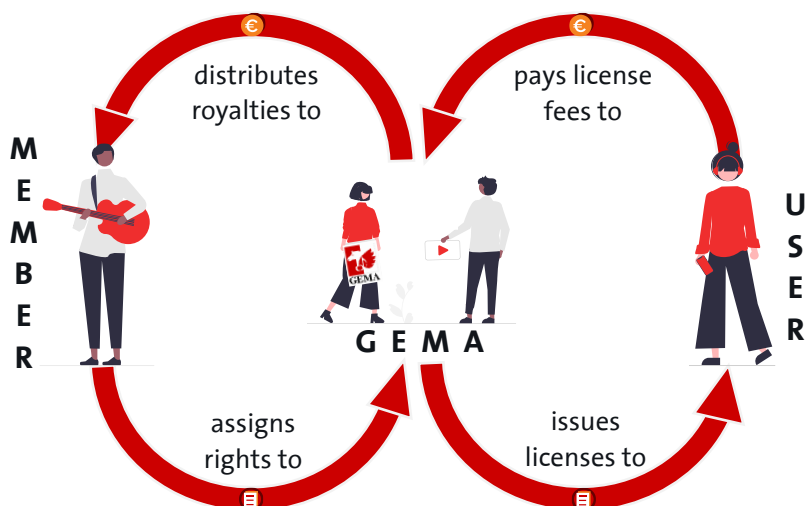
Following the main distribution, you have until **1 March of the following year** to claim in respect of omissions, either of individual uses of works or of whole events. Please use the **Online Portal** for this:

- You can use the **Claim** service to claim quickly and simply in respect of individual uses of works: [www.gema.de/portal-claim](http://www.gema.de/portal-claim).
- You can use the **My setlists** service to make claims on the basis of previously submitted setlists, in respect either of individual uses or of entire setlists: [www.gema.de/claims-my-setlist](http://www.gema.de/claims-my-setlist).

Should you have any further questions, please visit our information pages dealing with this topic: [www.gema.de/claim](http://www.gema.de/claim).

Yours sincerely,  
GEMA

## How we calculate your royalties in the categories E, ED, EM and BM



The process by which we calculate your royalties is called **distribution**. It is based on the one hand on the **licensing income** we receive when music is used, and on the other hand on the **usage reports**, which tell us which works have been played when, where and how often.

In the **categories** of **serious music (E, ED, EM)** and **stage music (BM)**, this is accomplished using **setlists**. If we can match works performed with works registered with us, the music creators and publishers involved in these works receive payments.

The **main distribution** in categories E, ED, EM and BM takes place annually **on 1 June** and relates mainly to music uses from the **period 1 January to 31 December of the previous year**.

### Collective distribution in category E

Income from the live performance of **serious music** works in Germany is distributed in **category E**.

The basis for this distribution is a standard **point value**. Each year, a new point value is determined by dividing the total income for the year in question (minus administration expenses and charges for social and cultural purposes<sup>1</sup>) by the total number of points awarded. Points are derived from the **point valuation**: each use of a work is assigned a valuation of between **12** and **2,400 points** – depending on the duration and instrumentation. This is done in accordance with the rules determined by the General Assembly of GEMA in the distribution plan.

The **distributed amount of a work performance** is derived by multiplying the **points** determined for this use by the **point value** for the respective **year of use**. The sum determined per work is then divided up among the parties involved in the work.<sup>2</sup>

The number of points of a particular use of a work can be taken directly from the detailed statements in the Online Portal at [www.gema.de/portal-tantiemen](http://www.gema.de/portal-tantiemen). They can also be discerned using what are referred to as the EDP distribution keys<sup>3</sup> in the detailed statements (individual statements) available at [www.gema.de/en/gema-download](http://www.gema.de/en/gema-download).



Royalties for performances outside Germany are distributed in the international category (A).

For the year of use 2022 the **point value** is **€0.4904565557**.



**How the point value is calculated each year:**

$$\frac{\text{All income category E}}{\text{All points assigned in category E}} = \text{point value}$$

<sup>1</sup> Further information on the subject can be found at [www.gema.de/musikurheber/soziale-und-kulturelle-leistungen](http://www.gema.de/musikurheber/soziale-und-kulturelle-leistungen).

<sup>2</sup> For the full set of rules governing distributions relating to serious music, see. § 63 and §§ 72 ff. of the distribution plan, GEMA yearbook 2022/2023, p. 179 ff. and p. 186.

<sup>3</sup> See GEMA yearbook 2022/2023, p. 243 ff.

## Sample calculations for category E

Royalties per work performance = points x point value

Work	Distribution plan	EDP distribution key (see distribution plan)	Points	Point value in €	Distribution per performance of work in €
Piano piece Duration: 2 minutes	§ 63 para. 1 clause 1	038	12	0.4904565557	5.89
Choral work arranged for four voices Duration: 4 minutes	§ 63 para. 1 clause 3	071	36	0.4904565557	17.66
Sonatina (flute and piano) Duration: 5 minutes	§ 63 para. 1 clause 1	032	96	0.4904565557	47.08
String quartet Duration: 10 minutes	§ 63 para. 1 clause 2	043	240	0.4904565557	117.71
Work for small orchestra Duration: 20 minutes	§ 63 para. 1 clause 5	094	960	0.4904565557	470.84
Work for large orchestra Duration: 20 minutes	§ 63 para. 1 clause 6	104	1,200	0.4904565557	588.55
Oratorio for choir and large orchestra Duration: 45 minutes	§ 63 para. 1 clause 6	106	2,160	0.4904565557	1,059.39

## Direct distribution in categories ED, EM and BM

In addition to the collective distribution in category E, there are also categories in which **direct distribution** is practised.<sup>4</sup> In these categories, the income generated through usage is distributed (minus administration expenses and the deduction for social and cultural purposes) directly for the works used, allocating equal shares for all the works performed at each respective event.

In the **serious music direct distribution category (ED)**, we distribute licensing income from sources including performances of works as part of public events not qualifying as concerts (e.g. rehearsals, open singing and playing sessions) and performances of works in hospitals and retirement homes, or indeed improvisations (see §§ 66 and 75 of the distribution plan). **Category EM** covers distributions for **mechanical performances of serious music**, e.g. at exhibitions or sound installations (see § 123 of the distribution plan). **Category BM** deals with **stage music**, i.e. performances or playbacks of musical works in theatre productions (see § 69 of the distribution plan). This does not include income from stage performances of operas and operettas: GEMA does not enforce the performing right for dramatico-musical works (so called “grand rights”).

## Sample calculation for categories ED, EM or BM

In the course of a theatrical performance, five works are performed. These works were registered with GEMA beforehand in good time. The event organiser – in this case a theatre – pays GEMA license fees of €250.

	Licensing income from the event in €	Administration ex- penses in %	Deduction for so- cial and cultural purposes in %	Number of protected performances of works during the event	Result
	250.00	22.9872	10	5	
Calculation method	Step 1: income	–	22.9872%	administration expenses	
	Step 2: result	–	10%	social and cultural purposes	
Calculation (total)	Step 1: 250	–	22.9872%	= €192.53	
	Step 2: 192.53	–	10%	= result for category E	€173.26
Calculation (per work)			€173.26 5		€34.66
<b>Distribution amount per work</b>					<b>€34.66</b>

<sup>4</sup> See also §§ 66 and 75 of the distribution plan, GEMA yearbook 2022/2023, p. 185 ff.

## Glossary for the detailed statement (individual statement)

### **Performances (AUFF)**

In this column, you will find the cumulative number of performances per category, work version number and valuation key. This number is determined by the performances for which notification is given via usage reports (here: setlists or programs) and forms the central basis of the distribution.

### **Point value (PW)**

A new point value is ascertained for each year of use by dividing all the income for the year in question by the total number of points awarded during the year of use. The distribution amount of a work performance is derived by multiplying the points determined for this use by the point value for the respective year of use. The sum determined per performance of the work is then divided up among the parties involved in the work. Please note: the point value should not be confused with the point valuation of a work (see also "Valuation key")

### **Share**

This column shows your share of the work (in percentage terms).

### **Supplement for unallocated royalties (AZ)**

This is a percentage-based supplement to your distribution. It comprises the sum of all the shares we have been unable to distribute, either because they are free of copyright (e.g. because the creator/s died over 70 years ago) or because they are not represented (not created by a member of a collecting society). Pursuant to § 28 para. 3 of the distribution plan, the supplement for unallocated royalties is distributed directly to associate members. In the case of full members, the supplement is paid into GEMA pension plans.

### **Valuation key (BEW)**

This indicates what is known as the EDP distribution key (also referred to as the "valuation key"). What are known as the point valuations, which are determined by the provisions of the distribution plan, are reflected by the key. You can use the distribution key to determine what valuation has been used for a work or a work version (pursuant to §§ 63 and 65 of the distribution plan). The number of points corresponding to the respective key are derived from this. You can find these points listed in the GEMA yearbook 2022/2023, p. 243 ff. For category ED, the EDP distribution key is always 161. For category EM, it is 162 and for category BM, it is 001. There is, however, no point valuation associated with these three keys.