

INFORMATION ON THE DISTRIBUTION FOR THE 2021 FINANCIAL YEAR IN THE CATEGORIES E, ED, EM AND BM

Dear member,

The following overview provides you with information on the distribution as of 1 June 2022 for the 2021 financial year. Explanations of the terms and abbreviations are included in our **glossary** under item 3.

Please note that the work performances in the live categories can only be taken into consideration for the respective distribution date if the following conditions are met:

1. The music users must have notified GEMA of the event where the work has been performed in a timely manner.
2. The event organiser must have settled the amount invoiced by GEMA in due time.
3. The setlists/playlists must have been submitted before the deadline - preferably via our online service **www.gema.de/my-setlists**.
4. The details in the setlists/playlists must be complete.
5. Your work must have been registered with GEMA in time. The best way to register your works is to use our Online Service **Registration - GEMA.de**.

Distribution dates for the 2021 financial year

- **01 June 2022:** Main distribution in the E, ED, EM, BM and KI categories (together with U, UD, M, DK and DK VR)
- **01 November 2022:** Subsequent accounting in the E, ED, EM and BM categories (together with U, UD and M)

Claims deadline

The claims deadlines have been standardised to nine months after the (main) distribution date across all categories. You can claim events or missing uses of 2021 in the U, UD, M, E, ED, EM and BM categories by **1 March 2023**:

Please use our **Online Portal** to do so. Once you have logged in, you can choose from two options:

- Via our **Claims** service, you can claim individual work uses, quick and without hassle: **www.gema.de/portal-reklamation**.
- Via the **My setlists** service, you can provide the full range of setlists for live events that are missing altogether in the form of a claim: **<https://www.gema.de/en/en-gema-for-music-creators/online-services-for-gema-members/my-setlists>**.

Best regards,
Your GEMA

1. Collective distribution of royalties in the E category (serious music events)

In the **E category**, there is a collective distribution for live performances of serious music works in Germany.¹ The basis of the distribution is a unique or standard point value; it is determined each financial year as a ratio between the net distributable amount and the total number of all points that can be taken into consideration. For the 2021 financial year, the point value is **EUR 0.5443**.

A point rating between 12 and 2,400 points is established for each individual work use, independent of playing time and instrumentation. You can retrace the number of points that are determined for a work use via the IT allocation keys² in your detailed statements (individual statements).³ The payment per work use results from the points determined for this use being multiplied by the point value of the respective financial year. The amount determined per work will be split among all participants in the work according to their shares.⁴

Calculation examples for the E category

Work	Distribution plan	IT allocation key	Points	Point value in EUR	Pay-out for a work performance in EUR
Piano piece, playing time 2 minutes	Art. 63 (1) item 1	038	12	0.5443	6.53*
4-part choral work, playing time 4 minutes	Art. 63 (1) item 3	071	36	0.5443	19.59
Sonatina (recorder and piano), playing time 5 minutes	Art. 63 (1) item 1	032	96	0.5443	52.25
String quartet, playing time 10 minutes	Art. 63 (1) item 2	043	240	0.5443	130.63
Work for small orchestra, playing time 20 minutes	Art. 63 (1) item 5	094	960	0.5443	522.53
Work for large orchestra, playing time 20 minutes	Art. 63 (1) item 6	104	1,200	0.5443	653.16
Oratorio for choir and large orchestra, playing time 45 minutes	Art. 63 (1) item 6	106	2,160	0.5443	1,175.69

* calculation method: 12 x EUR 0.5443 = EUR 6.53 per work (100%)

¹ Royalties for performances abroad are distributed in the international income category (A).

² cf. GEMA Yearbook 2021/2022, p. 391 et seq.

³ Available online at: www.gema.de/download

⁴ For comprehensive rules on the distribution of serious music please see the distribution plan of GEMA, Articles 63 and 72 et seq., GEMA Yearbook 2021/2022, p. 327 et seq. and p. 335

2. Direct distribution in the ED, EM and BM categories

A distribution in the **ED category** (serious music direct distribution) takes place in cases described in Articles 66 and 75 of the GEMA distribution plan.⁵ As such, work performances in hospitals and old people's homes are subject to a direct distribution in the ED category. Improvisations are also subject to a direct distribution according to the distribution plan. Mechanical performances of serious music are distributed in the **EM category**⁶, stage music in the **BM category**.⁷

Revenues which GEMA generates for a performance in this sector are distributed minus the costs and other deductions across the works that have been used in each case (direct distribution).⁸ A point rating or the playing time and instrumentation of a work does not matter in this case. The distribution is carried out pro rata numeris.

Calculation example for the ED, EM or BM categories

Example: A theatre performance with 5 reported stage music works	Collection EUR	Cost rate (%)	Deduction for social and cultural purposes (%)	Number of protected work performances in the event	Result
	250.00	24.4369	10	5	
Net collections	EUR 250.00 – 24.4369% = EUR 188.91 – 10 % =				EUR 170.02
Distributable amount per work	EUR 170.02/ 5 =				EUR 34.00

Further information regarding the distribution in the E music category is available at www.gema.de/royalties/. We also gladly answer your questions, just e-mail us at mitgliederservice@gema.de.

3. Glossary for the detailed statements (individual statements)

AUFF (performances)

For the distribution, the performances submitted via usage reports are captured as work uses. In this column, the number of performances are cumulated per category, work version number and rating key.

SHARE

This column shows how high the work share is to which the rightsholder mentioned in the detailed statement (individual statement) is entitled regarding the calculated royalties (in percent).

AZ (“Ausfall” supplement)

A supplement for the “Ausfall” (i.e. “dropouts” or undistributable shares) is only paid to associate members pursuant to Art. 28 (3) of the distribution plan. It is a percentage-based supplement for the pay-out which is made up of all the shares which could not be distributed because they are either free (public domain) or because they are not managed by a society (non-societaire).

BEW (rating key)

This is where the so-called IT allocation key is shown. It applies to a work or a work version pursuant to Art. 63 or 64 of the distribution plan. The key reflects so-called point ratings in the E category which result from the distribution plan provisions. Please see the GEMA Yearbook 2021/2022, p. 391 et seq. regarding the number of points which corresponds to the respective key. For the ED category, the IT distribution key is always “161” for the EM category “162”, for the BM category “001”. A point rating is not connected to these three keys.

PW (point values)

The unique or standard point value is calculated anew each financial year as the ratio between the net distributable amount and the total number of points that can be taken into consideration. The payout per work use results from the points determined for this use being multiplied by the point value of the respective financial year.

⁵ cf. GEMA Yearbook 2021/2022, p. 334 et seq.

⁶ GEMA distribution plan, Articles 123 et seq., see GEMA Yearbook 2021/2022, p. 354

⁷ GEMA distribution plan, Articles 69 et seq., see GEMA Yearbook 2021/2022, p. 334 et seq.

⁸ GEMA distribution plan, Article 11 (3), see GEMA Yearbook 2021/2022, p. 307.