

FAQs - FREQUENTLY ASKED QUESTIONS AND THEIR ANSWERS

What are the dates of GEMA's bank transfers?

GEMA transfers monies about four working days before the end of the month in each instance. From that point in time, you can also view your account movements via *My Membership Account*.

How do I notify you when I change my name?

You have to do so in writing. The members' and partners department requires an official certificate.

How do I notify you when I change my bank details?

Authors can simply change their bank details via *My Membership Account*; this is, however, not possible for their authorised representatives. Publishers and their authorised representatives as well as authors without direct access to *My Membership Account* have to submit the changes to their bank details in writing. Authors are required to provide their own signature, publishers must produce the signature of their managing director, in the case of a GbR [partnership under German law], signatures of all partners must be supplied unless a partner is authorised as a sole signatory and GEMA is aware of this.

In this context, you need to state the BIC and IBAN, in the case of bank accounts in the US, the ABA routing number as well. Once the signature has been provided, a scan or a photo of the bank details can be e-mailed to mitgliedpartner@gema.de .

https://www.gema.de/fileadmin/user_upload/Musikurheber/Formulare/mitteilung_bankverbindung.pdf

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Is it possible to register a direct debit?

No, this is no longer possible since the SEPA migration. Direct debit authorisations granted at an earlier point in time are no longer used.

How do I notify you when I change my address?

Authors and publishers can submit a change of address for their membership account without a signature directly via *MY MEMBERSHIP ACCOUNT*; this also applies to their authorised representatives.

You can also submit address changes by e-mail mitgliederpartner@gema.de, by letter to GEMA Generaldirektion, Members and Partners Administration Dept., Rosenheimer Str. 11, 81667 München, by fax to +49 (0)89-48003-555 as well as by phoning +49 (0)30- 21245-600. If you need to change an address abroad, you need to do so in writing. Please inform us always in writing of any changes of your tax residence following a move to or from abroad.

https://www.gema.de/fileadmin/user_upload/Musikurheber/Formulare/Umzugsformular.pdf

Am I liable for value added tax (UST/VAT)? If so, what do I need to do?

Unfortunately, GEMA cannot offer advice regarding this topic; the tax office or tax advisors do, however, provide information with respect to tax liability matters.

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How do I change my tax details / tax liability?

You can change tax numbers in *MY MEMBERSHIP ACCOUNT* yourself.

Any changes to the tax status must be submitted to us in writing.

Payouts of VAT can only be made if we know your tax number and/or your UST ID number (VAT ID).

It turned out retrospectively that I am liable for VAT / no longer liable for VAT. Are tax adjustments / credits possible?

Yes, but we need a notification from you to inform us from which point in time onwards the adjustments/credits shall be effective. Account statements that have already been produced can, however, no longer be corrected.

The entry of the tax correction is shown on one of the subsequent account statements.

Also, please inform us always in writing of any changes of your tax residence following a move to or from abroad.

Can I have copies of my account statements sent automatically to third parties?

Unfortunately, this service is currently unavailable.

Can you send me my correspondence in English?

Yes, we can make a note of that. Certain types of correspondence, such as account statements or individual statements can currently only be generated in German.

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My assignment has already been redeemed, but is still registered at GEMA. How do I get my credits paid out to me again?

For this purpose, we require a letter from the creditor which shows that rights are no longer claimed on the basis of the assignment.

How do I grant someone a power of attorney?

For this purpose, we need the completed GEMA power of attorney which states the person to whom the power of attorney is granted by the member and the respective scope. Parties granting and receiving the power of attorney must place their legally binding signatures on the document.

https://www.gema.de/fileadmin/user_upload/Musikurheber/Formulare/formular_vollmacht.pdf

IMPORTANT: Should this power of attorney also affect GEMA Online Services, please exclusively use the following online form:

Link DE: https://www.gema.de/fileadmin/user_upload/Musikurheber/Formulare/freischaltung_online_services.pdf

Link EN: https://www.gema.de/fileadmin/user_upload/Musikurheber/Formulare/freischaltung_online_services_e.pdf

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When do you pay out royalties for my played and registered works?

GEMA payments are carried out on a quarterly basis. Specific dates can be viewed via the following link:

<https://www.gema.de/musikurheber/mitgliederbereich/finanzen-abrechnungen/zahlungstermine.html>

In this case, the pay-out dates of the relevant categories apply. If you have any further questions, please contact the respective distribution department via the hotline +49 (0) 30-21245-600.

IMPORTANT: Should an account be blocked during a distribution for pay-outs and only be released after the relevant pay-out date, the transfer shall be automatically made with the next pay-out run.

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Where can I get work-based distribution information regarding my pay-out?

Individual statements and usage lists can be requested from the relevant distribution departments. These are, for

- domestic performances and broadcasts, the Distribution Division for Performing and Broadcasting Rights in Berlin: as-service@gema.de
- domestic releases of sound recordings, performances/broadcasts as well as sound recording releases abroad, the Division for Mechanical Reproduction Rights and International Income and Relations in Munich: vra-service@gema.de

IMPORTANT: Since 01/01/2018, individual statements and usage lists are only dispatched electronically. Members who have asked for a fee-based postal dispatch, receive them automatically.

For copies of individual statements, a fee of € 1.00 plus VAT per page is charged to the membership account.

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I wish to terminate my GEMA membership – what do I have to observe?

Notice must be given in writing prior to 30 June of the current year, and include a legally binding signature. Notices can be submitted by post, as a scan via e-mail or fax to the Members and Partners Administration at the addresses/numbers mentioned below. If the said deadline is adhered to, the termination takes effect from 01 January of the following year.

A member has passed away

GEMA requires a death certificate as well as a certificate of inheritance in which the legal successors are mentioned. You can obtain further information from our Members and Partners Administration Department via e-mail at: mitgliedpartner@gema.de or by calling the following number: +49 (0)30-21245-600.

I have transferred my residence abroad. Can I remain a GEMA member and which changes will affect me?

Your GEMA membership remains in place. What needs to be clarified is whether it is only the correspondence that needs to be sent abroad or whether the tax residence has also changed.

If you only change your postal address, you merely need to send us a confirmation from the German tax office. If the tax residence has changed, however, members must decide whether they wish to request an exemption or not.

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What is an exemption?

In general, members who have their tax residence abroad must pay tax on their income in Germany as well as abroad. When it comes to paying out royalties, GEMA is obliged to deduct 15% income tax as well as 5.5% solidarity tax from the income tax amount. In order to circumvent this, so-called double taxation agreements exist with some countries. Members are entitled to complete a form requesting an exemption which we then submit to the Federal Tax Office in Bonn. The exemption is then granted there. Upon receipt of this exemption, pay-outs can be made without any tax deduction.

When it comes to exemptions for the US, “form 6166” needs to be submitted for the current tax year in addition to the exemption application. Members must apply and pay for them as well.

Applications for the exemption are sent to our members with our respective correspondence.

What are the processing periods for exemptions or repayments?

After submission of the application for exemption and in the case of a repayment of the deducted tax, you can expect an approximate processing time of 3 months at the Federal Tax Office.

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Do I have to apply for an exemption?

No. Exemption applications can be made voluntarily.

Is it possible to get a repayment of the income tax and the solidarity tax that GEMA deducted for members with tax residence abroad (without an exemption)?

Yes, once the exemption has been received, a repayment can be requested from the Federal Tax Office in Bonn. Taxes already paid can be refunded for a period of four years retrospectively.

I moved to Germany from another country. What tax changes will affect me?

In such cases, GEMA requires the confirmation of the tax office in charge. GEMA sends the relevant form for submitting to the tax office to its members by post.

I require a schedule of my income and the VAT for the tax office.

Once entries have been made to your membership account, you will receive an account statement. It is usually sufficient for your tax assessment, for the tax office or your tax advisor.

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What do the abbreviations on the account statement mean? Is there a translation for it into English?

GEMA currently does not provide a comprehensive translation, but a description of the abbreviations on the account statements which is also available in English.

https://www.gema.de/fileadmin/user_upload/Musikurheber/Informationen/Kontoauszug_hinweise.pdf

When do I receive my account statement?

The account statement is dispatched from the 3rd working day of the following month.

When and how much do you charge for the membership fee?

The membership fee of €50.00 for authors and €100.00 for publishers is debited in December for the following year. Should the membership fee exceed a year's income, we kindly ask you to transfer the difference by quoting your membership number.

On my account statement, "BK Guthaben" [credit] is shown, but the amount is followed by an "S" for Soll [debit]. Why?

In this case, the credit was transferred to the bank account we have filed for the member. The membership account is debited by a pay-out debit (S), the credit is made to the bank account by a credit (H).

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What does the term “Saldo-Vortrag” [balance carried forward] mean?

This is the closing balance of the previous account statement.

How do I obtain a copy of my account statements?

Copies can be printed in *My Membership Account* in the sector “account movements”.

My account statement shows “Your tax ID: was not declared” or “Your UST [VAT] ID No: was not declared”. – What does this mean?

This is an automatically inserted text which is printed in such cases where a member does not have a tax ID or has not notified us of this number yet.

Should you have declared a tax number to us, it will be shown within the text.