

INFORMATION REGARDING DISTRIBUTION OF THE CATEGORIES IN BROADCAST

(categories FS, T FS, FS VR and T FS VR) and

OF THE CATEGORIES IN PUBLIC SCREENING

(categories T, TD and TD VR) Financial year 2018

1. GENERAL RULES

1.1. The categories

Music usages in the area of broadcast and public screening are being distributed annually on 01 July for the period of 01 January - 31 December of the previous year.

distribution category	types of production and programme	additional information
FS / FS VR TV	- television programmes: own and commissioned productions of domestic broadcasters - broadcaster self-advertising - distribution of dramatic-musical works in category FS	- collective distribution - distribution plan § 113 section 1: self-advertising is being distributed to 1/10 in mechanical right (category FS VR)
T FS / T FS VR sound film in TV	-television programmes: third-party and licensed productions incl. product advertising	- collective distribution - distribution plan § 113: distribution in T FS VR is being made to 1/10
T sound film	- cinema - film screenings incl. advertising and trailer	- collective distribution
TD / TD VR sound film direct distribution	- corporate films, educational and training films and image films screened in public and free of charge	- direct distribution - deduction in broadcasting right: uniform general cost rate and 10% for social and cultural purposes - deduction in mechanical right: 20% commission

1.2. Usage reports

The income within the categories FS, FS VR, T FS, T FS VR is generally being distributed to the GEMA beneficiaries and to the foreign societies, which are having a contractual relationship with GEMA, on the basis of usages reported by broadcasters or third parties. The distribution is being carried out on the basis of the work durations stated in the usage reports.

In category T, the number of screenings of each single film is generally being determined on the basis of usages reported by cinemas or third parties.

In category TD and TD VR, direct distribution is being carried out for music works relating to the documented audio-visual work.

However, below a certain limit the income from TV broadcasters is not being credited on the basis of usage reports. The limit for the respective area (distribution plan § 94) is being fixed by the Board of Supervisors and is taking the proportionate income from cable retransmission and the division of the collection (§ 92 section 1 distribution plan) into account. The limit for television broadcasters is EUR 204,000. The income from broadcasters, below the fixed limit, is being allocated as a surcharge to the distribution sums of the television categories.

For music works, which are being used exclusively or predominantly by a broadcaster below the fixed limit, the beneficiaries have the possibility to file a **request for crediting** (distribution plan § 94). The request for crediting must be filed within **six months** of the respective distribution date and verifiable information regarding work title, entitled party, broadcaster, title of TV programme, broadcast date and broadcast duration of the work. Furthermore, the request can only be considered if the information stated is being confirmed to GEMA by the relevant broadcaster and if a minimum amount of at least EUR 5.00 per work is being expected.

1.3. Distribution parameters in television:

- a) Minute values in TV
- b) Variable broadcaster coefficients in AR (broadcasting right) and VR (mechanical right)
- c) TV coefficients for the categories FS and FS VR (distribution plan § 107)
- d) TV coefficients for the categories T FS and T FS VR (distribution plan § 107)

a) Minute values: Separate minute values and second values are being calculated in the categories FS, T FS and FS VR, T FS VR. Therefore, the net distribution sum (each for AR and VR) is being divided by the sum of minutes determined (each for AR and VR) for each single broadcaster. The net distribution sum is comprised of the income to be distributed according to distribution plan § 106 and § 112 (e.g. income of broadcasting licences and cable retransmission of TV programmes) except the revenue from statutory royalty claims, which is being distributed separately as percentage surcharge. The minutes determined are being multiplied by the resulting weightings according to distribution plan §§ 107 and 109, the point valuations in category FS and distribution plan § 113 section 1.

b) Variable broadcaster coefficients in AR (broadcasting right) and VR (mechanical right): Separate variable broadcaster coefficients for AR (categories FS and T FS) and VR (categories FS VR and T FS VR) are being calculated for every public service and private broadcaster. The coefficients are being calculated anew for each financial year by dividing the applicable net amount from the collection of the broadcasters and the proportional revenue from cable retransmission by the number of the determined minutes. The separate broadcaster coefficients are being taken into account for the calculation of the minute values in AR and VR in the area of television and for the distribution to the beneficiaries.

For all television broadcasters a differentiated allocation is made, depending on the proportion of own and commissioned productions as well as third-party and licensed productions. The proportion of minutes per broadcaster from the previous year for which GEMA grants not only the mechanical right but also the synchronisation right are being taken as a basis for the split of the music usages (category FS without advertising, according to the deed of assignment § 1k, as GEMA does not grant the synchronisation right).

For broadcasters with a high proportion of own and commissioned productions the AR/VR ratio (segment 1) is applying. For broadcasters with a high proportion of third-party and licensed productions a lower VR proportion is being used a basis (segment 2 and 3).

Segment	FS proportion	AR/VR ratio
1	100 – 66,67%	2 : 1
2	66,66 – 33,33%	2 : 2/3
3	33,32 – 0%	2 : 1/3

According to the segmentation, separate variable broadcaster coefficients for AR and VR are being calculated for each public service and private television broadcaster.

c) TV coefficients for the categories FS and FS VR (distribution plan § 107):

types of usage	explanation	coefficient	
music in videotext programmes		0,1	D
opening and closing music *	Opening and closing in regular broadcasted serial programmes or series.	1	W
other score music (except opening and closing) **	Music in regular broadcasted serial programmes or series, which is being used recurrently to underscore standardised format elements, or in serial programmes with moving or non-moving images, mainly without spoken text.	1	L
music in general	Music, in daily broadcasted serial programmes and series and where coefficient 1 does not apply.	2	C
broadcaster self-advertising *	Broadcaster self-advertising: Advertisement for broadcaster's own purposes, trailer	2	T
performed music	Live or playback performances	6	E
other music in own and commissioned productions	Score music in films or in irregular broadcasted serial programmes or series	3	A

*More than 5,000 weighted minutes a capping to one-third is being applied and to one-tenth for more than 10,000 weighted minutes

** More than 5,000 weighted minutes a capping to one-sixth is being applied and to one-tenth for more than 10,000 weighted minutes

d) TV coefficients for the categories T FS and T FS VR (distribution plan § 107):

types of usage	explanation	coefficient	
music in general	Music in daily broadcasted serial programmes or series.	1,25	G
other music in third-party productions	Score music in films or in irregular broadcasted serial programmes or series	2	F
music in advertising and in other commercials *	Product advertising	2	A

* More than 5,000 weighted minutes a capping to one-third is being applied and to one-tenth for more than 10,000 weighted minutes

2. CALCULATION OF THE DISTRIBUTION SUM

2. 1. Formula for the categories FS and FS VR

Calculation for own and commissioned productions in television: (distribution plan § 105 - § 110 and § 111 - § 114)

$$\begin{aligned} & (\text{broadcast minutes} \times \text{broadcaster coefficient AR} \times \text{TV coefficient} \times \text{minute value AR} \times \text{factor acc. point valuation AR})^1 \\ & + \\ & (\text{broadcast minutes} \times \text{broadcaster coefficient VR} \times \text{TV coefficient} \times \text{minute value VR}) \\ & = \text{distribution sum in EUR per work (24/24 in AR / 100\% in VR) for all entitled parties} \end{aligned}$$

¹ 0,4 percent of the composer's distribution sum in the categories R, FS and M is being allocated to the arranger's estimation procedure.

For **financial year 2018** the minute value in category **FS AR** is **EUR 2,6180** and in category **FS VR** the minute value is **EUR 1,0010**.

There is a proportionate minute value for the distribution of **dramatic-musical works**. For **financial year 2018** it is **EUR 0,5732**.

2. 2. Formula for the categories T FS and T FS VR

Calculation for **sound film in television** (distribution plan § 105 - § 110 and § 111 - § 114)

$$\begin{aligned} & \frac{\text{no. of broadcasts} \times \text{music seconds} \times \text{broadcaster coefficient AR} \times \text{TV coefficient} \times \text{music second value AR}}{1000 \text{ seconds}} \\ & + \\ & \frac{\text{no. of broadcasts} \times \text{music seconds} \times 1/10 \times \text{broadcaster coefficient VR} \times \text{TV coefficient} \times \text{music second value VR}}{1000 \text{ seconds}} \\ & = \text{distribution sum in EUR per work (12/12 in AR/100\% in VR) for all entitled parties} \end{aligned}$$

For **financial year 2018** the music second value in category **T FS AR** is **EUR 43,6333 per 1000 seconds** and in category **T FS VR** the music second value is **EUR 16,6833 per 1000 seconds**.

2.3. Formula for category T

Calculation for **sound film** (distribution plan § 132 - § 135)

$$\begin{aligned} & \frac{\text{no. of screenings} \times \text{music seconds} \times \text{music second value}}{1000 \text{ seconds}} \\ & = \text{distribution sum in EUR per work (12/12 = 100 \%) for all entitled parties} \end{aligned}$$

For **financial year 2018** the music second value in category **T** is **EUR 0,1635 per 1000 seconds**.

ANNEX

Broadcaster coefficients in television for financial years 2017 and 2018

3. BROADCASTER COEFFICIENTS IN TELEVISION FOR FINANCIAL YEARS 2017 AND 2018

List of the television broadcasters which are being distributed on the basis of programme, according to GEMA distribution plan § 108 and § 109, § 111, § 112 and § 113.

Updated: July 2019

SER. NO.	TELEVISION BROADCASTER	FINANCIAL YEAR 2017 AR ¹	FINANCIAL YEAR 2017 VR ¹	FINANCIAL YEAR 2018 AR ¹	FINANCIAL YEAR 2018 VR ¹
1	13th Street	0,2150	0,7566	0,1974	0,6268
2	3sat	0,9574	1,0907	0,8880	0,9736
3	A & E Networks	0,0470	0,0638	0,0560	0,1196
4	Animal Planet	0,0240	0,0732	0,0243	0,0650
5	ARD – Das Erste ²	15,2389	20,0966	14,6614	18,8481
6	ARD Alpha (formerly BR Alpha)	0,1998	0,1321	0,1631	0,0883
7	ARTE	5,7836	8,9886	6,0120	7,3840
8	Bayerischer Rundfunk (BR)	1,8894	2,2516	2,3566	2,7780
9	Bibel TV	0,2104	0,1103	0,2376	0,1257
10	Boomerang	0,0366	0,0648	0,0369	0,0542
11	Cartoon Network	0,0540	0,2064	0,0493	0,1856
12	Deluxe Music	1,0880	0,3068	0,0936	0,0733
13	Deutsche Welle	0,5853	0,5928	0,6944	0,7246
14	Discovery Channel	0,1971	0,7536	0,2112	0,6627
15	Disney Channel	0,3229	0,9044	0,3935	1,0853
16	Disney Cinemagic	0,0961	0,3675	0,0770	0,2899
17	Disney Junior	0,1547	0,5905	0,1635	0,6128
18	Disney XD	0,0578	0,2209	0,0623	0,2345
19	DMAX	0,6452	1,4717	0,6391	1,3346
20	E! Entertainment	0,0315	0,1088	0,0275	0,0885
21	EinsPlus	0,0438	0,0302	-	-
22	FOX	0,2101	0,7525	0,2803	1,0058
23	Geo Television	0,0143	0,0368	0,0282	0,0680
24	Goldstar TV	-	-	0,0421	0,0407
25	Heimatkanal	-	-	0,0559	0,0485
26	Hessischer Rundfunk (HR)	1,2077	1,3638	1,3173	1,4738
27	History Channel	0,0759	0,0979	0,0905	0,1171
28	Jukebox	0,0275	0,0482	0,0056	0,0070
29	Kabel Eins	2,5623	3,5003	2,5410	3,6578
30	Kabel Eins CLASSICS	0,0813	0,2400	0,0741	0,2135
31	Kabel Eins Doku	0,0081	0,0112	0,0702	0,0139
32	Kinderkanal	1,4689	1,9985	1,4345	1,8652
33	Mitteldeutscher Rundfunk (MDR)	1,8693	2,1790	1,9003	2,1917
34	N24 (New: Welt)	0,6471	0,8415	-	-
35	N24 Doku	0,2379	0,0225	0,0608	0,1099

SER. NO.	TELEVISION BROADCASTER	FINANCIAL YEAR 2017 AR ¹	FINANCIAL YEAR 2017 VR ¹	FINANCIAL YEAR 2018 AR ¹	FINANCIAL YEAR 2018 VR ¹
36	National Geographic	0,1772	0,6685	0,1795	0,6676
37	National Geographic People	0,0199	0,0760	-	-
38	National Geographic Wild	0,0842	0,1764	0,0589	0,2132
39	Norddeutscher Rundfunk (NDR)	3,4098	3,4825	3,5948	3,6100
40	Now Us	-	-	0,0047	0,0045
41	n-tv	0,2799	0,2358	0,3611	0,3019
42	One (formerly ARD EinsFestival)	0,1942	0,1208	0,2467	0,1713
43	Phoenix	0,4524	0,3665	0,4764	0,3981
44	ProSieben	5,2419	7,7936	5,1502	6,2814
45	ProSieben Fun	0,0338	0,0358	0,0429	0,0578
46	ProSieben Maxx	0,3612	0,3652	0,3613	0,5883
47	RCK TV	0,0266	0,0466	0,0052	0,0062
48	Radio Bremen (RB)	4,7491 ³	4,7147 ³	4,2075 ³	4,1954 ³
49	Romance TV	0,1188	0,1391	0,1316	0,0837
50	RTL	8,4738	9,6119	8,0490	8,8614
51	RTL 2	2,1548	3,2130	2,0779	3,2369
52	RTL Crime	0,1330	0,1551	0,1314	0,1211
53	RTL Living	0,0581	0,0738	0,0660	0,0856
54	RTL Nitro	0,5134	0,5308	0,5712	0,7226
55	RTL Passion	0,0361	0,0354	0,0395	0,0416
56	RTL Plus	0,1291	0,0157	0,1499	0,0899
57	Rundfunk Berlin-Brandenburg (RBB)	1,1546	1,2201	1,3495	1,4767
58	SAT.1	5,0407	7,1453	4,8258	6,2917
59	SAT.1 Emotions	0,0184	0,0264	0,0159	0,0231
60	SAT.1 Gold	0,3126	0,2524	0,2953	0,2460
61	SIXX	0,5500	0,7369	0,4993	0,5521
62	SKY 1	0,0611	0,0745	0,4278	0,9015
63	SKY 1+1	0,0611	0,0745	0,1674	0,1049
64	SKY 3D	0,3025	0,9943	0,3178	1,0637
65	SKY Action	0,2985	0,9982	0,2736	0,9874
66	SKY Arts	0,0843	0,1178	0,1530	0,2689
67	SKY Atlantic	0,5913	1,9668	0,4940	1,3633
68	SKY Atlantic +1	0,1749	0,5194	-	-
69	SKY Cinema	0,3347	1,2314	0,2978	0,9773
70	SKY Cinema +1	0,3464	1,2764	0,3080	1,0123
71	SKY Cinema +24	0,3462	1,2757	0,3072	1,0099
72	SKY Cinema Family	0,1809	0,2979	0,3325	1,0991
73	SKY Cinema Hits	0,3046	1,1208	0,2896	1,0459
74	SKY Comedy	0,2822	0,9338	0,2673	0,8676
75	SKY Emotion	0,3003	0,9901	0,2803	0,9971
76	SKY Krimi	0,2285	0,2783	0,2061	0,2705

SER. NO.	TELEVISION BROADCASTER	FINANCIAL YEAR 2017 AR ¹	FINANCIAL YEAR 2017 VR ¹	FINANCIAL YEAR 2018 AR ¹	FINANCIAL YEAR 2018 VR ¹
77	SKY Nostalgie	0,3269	1,1889	0,3045	0,8357
78	SKY Sport 1	1,2374	4,5424 ³	0,8793	1,1710
79	SKY Sport 2	1,3299	4,8820 ³	1,2066	1,6268
80	SKY Sport Austria	1,3748	5,0469 ³	1,7189	1,6007
81	SKY Sport Bundesliga	1,2312	2,1923	0,6761	0,8890
82	SKY Sport News	2,2415	2,6293	1,0391	1,4471
83	Sonnenklar TV	-	-	0,1715	0,0670
84	Sport 1	0,6108	0,7934	0,8018	2,3518
85	Sport 1+	0,0284	0,0524	0,0367	0,0346
86	Sport 1 US	0,0342	0,0624	0,0307	0,0280
87	Südwestrundfunk und Saarländischer Rundfunk (SWRSR3) ⁴	2,3995	2,7040	2,5425	2,8335
88	Saarländischer Rundfunk	0,7998	0,9013	-	-
89	Super RTL	1,0224	1,7015	1,0313	1,8516
90	Syfy	0,2614	0,7875	0,1851	0,6563
91	tagesschau24	0,3884	0,1053	0,4075	0,1097
92	Tele 5	0,5774	1,4143	0,5832	1,7196
93	TLC TV	0,1611	0,0987	0,1767	0,1009
94	TNT Comedy	0,1038	0,3286	0,0884	0,2825
95	TNT Film	0,0722	0,2759	0,0775	0,2706
96	TNT Serie	0,2463	0,8562	0,2434	0,8838
97	Toggo Plus	0,2397	0,4259	0,1268	0,2854
98	Universal Channel	0,1646	0,6257	0,1605	0,5983
99	VOX	4,2811	4,2551	4,3207	4,3981
100	Welt (formerly N24)	0,6471	0,8415	0,5050	1,4492
101	Westdeutscher Rundfunk (WDR)	3,1433	3,3041	3,3198	3,3843
102	ZDF	12,1518	16,5026	11,6462	15,2009
103	ZDF Info	0,1549	0,1099	0,1972	0,1491
104	ZDF Kultur	0,0348	0,0153	-	-
105	ZDF Neo	0,3934	0,4219	0,4745	0,5422

¹ From financial year 2014 on the following applies: If several regional broadcasts are being aired parallel on radio or television without making a separate debt collection for these programmes, the broadcasting time is being divided by the number of the parallel aired broadcasts.

² Usages for broadcasts on ARD are reported by various broadcasters. Here, the broadcaster coefficient of ARD applies.

³ Comparatively high broadcaster coefficients despite relatively small income due to low music usage.

⁴ Due to the structures of SWR and SR, from 01.01.2017 on both broadcasters are being licensed and distributed as a community programme.

Additional information can be found on our website: www.gema.de.
For further questions please send us an email to as-service@gema.de.