

# INFORMATION REGARDING DISTRIBUTION OF THE CATEGORIES IN RADIO

*(categories R and R VR) Financial year 2018*

## 1. GENERAL RULES

### 1.1. The categories

Music usages in the area of radio 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
R / R VR radio	all radio broadcasts incl. product advertising and jingles	collective distribution

### 1.2. Usage reports

The income within the categories R and R 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.

However, below a certain limit the income from radio broadcasters is not being credited on the basis of usage reports. The limit for the respective area (distribution plan § 94) is 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 radio broadcasters is EUR 90,000. The income from broadcasters, below the fixed limit, is being allocated as a surcharge to the distribution sums of the radio 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 radio 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 radio:

- a) Minute values in radio
  - c) Variable broadcaster coefficients
  - d) Calculation of a cultural factor for each radio broadcaster
- a) Minute values:** Separate minute values for broadcasting right and mechanical right are being calculated in the categories R and R 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 radio 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 §§ 97 – 99, the point valuations in category R and distribution plan § 103.

**b) Variable broadcaster coefficients:** Variable broadcaster coefficients are being calculated for every public service and private radio broadcaster, which are being credited on the basis of usage reports. 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 minutes determined. Broadcaster coefficients for public service radio stations are being calculated for each state broadcasting organisation, means for all radio stations belonging to one state broadcasting organisation the same coefficient applies. For the calculation of the broadcaster coefficients - and also for the distribution to the beneficiaries- the minutes broadcasted on digital public radio stations are taken into account by using a factor which is considering the economical and structural significance of digital radio within the public service radio. For financial year 2018 the factor applying is 0,3.

The broadcaster coefficients for private broadcasters are being calculated by dividing the applicable net amount per radio station by the number of the minutes determined per radio station.

**c) Cultural factors for radio broadcasters:** Within the broadcast distribution the principle of cultural promotion according to Collecting Societies Act § 32 is being implemented in radio. Therefore, the relevance and cultural significance of music within the context of broadcast considering the content of the individual programmes is being taken into account.

For every radio station, which is being credited on the basis of usage reports, and for every financial year a cultural factor (distribution plan § 98) is being determined. The following 10 criteria are being taken into account:

#### Criteria for cultural significance

1. Proportion of German-language repertoire
2. Proportion of serious music, Jazz and other sophisticated vocal and instrumental music
3. Proportion of own and commissioned productions
4. Proportion of live productions and/or live recordings
5. Proportion of editorial contributions relating to music
6. Proportion of regional repertoire
7. Proportion of niche repertoire beyond mainstream
8. Proportion of newcomer repertoire
9. Proportion of own music events with context of broadcast (festivals, concerts, etc.)
10. Programme diversity, measured by the number of different music works per station

## 2. CALCULATION OF THE DISTRIBUTION SUM

### 2.1. Formula for the categories R and R VR

Calculation for **radio** (distribution plan §95 - § 100 and §101 - §104)

(broadcast minutes x broadcaster coefficient x cultural factor x factor acc. Point valuation AR x  
minute value AR)<sup>1</sup>

+ (broadcast minutes x broadcaster coefficients x cultural factor x minute value VR)

= **distribution sum in EUR per work (12/12 in AR / 100% in VR) for all entitled parties**

<sup>1</sup> **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 **R AR** is **EUR 2,0020** and in category **R VR** the minute value is **EUR 0,4469**.

Works or work fragments which are being broadcasted recurrently (on at least 5 consecutive days or once weekly in 7 consecutive weeks) as intervall, opening, interlude and closing music and as theme and identification, are being credited to one-third for up to 5.000 weighted minutes, to one-sixth for more than 5.000 to 10.000 weighted minutes and to one-tenth for more than 10.000 weighted minutes.

There are proportionate minute values for the distribution of **dramatic-musical works**. For **financial year 2018** the minute value in **broadcasting right** is **EUR 1,3428** and the minute value in **mechanical right** is **EUR 0,4469**.

## ANNEX

Cultural factors and broadcaster coefficients in radio for financial years 2017 and 2018

### 3. CULTURAL FACTORS AND BROADCASTER COEFFICIENTS IN RADIO FOR FINANCIAL YEARS 2017 AND 2018

List of the radio broadcasters which are being distributed on the basis of programme, according to GEMA distribution plan § 97 - 99 and § 103.

Updated: July 2019

SER. NO.	RADIO BROADCASTER	FINANCIAL YEAR 2017 <sup>1</sup>		FINANCIAL YEAR 2018 <sup>1</sup>	
		CULTURAL FACTOR	BROADCASTER COEFFICIENT	CULTURAL FACTOR	BROADCASTER COEFFICIENT
1	1A Deutsche Hits	2,00 <sup>2</sup>	0,0011	2,20	0,0009
2	1LIVE	3,90	0,8578	3,45	0,7718
3	1LIVE diggi	1,85	0,0858 <sup>3</sup>	1,45	0,2315 <sup>3</sup>
4	104.6 RTL	1,65	0,2984	1,65	0,3605
5	106!8 Rock'n Pop (bis 08.04.2019)	1,20	0,0894	-	-
6	80s80s	1,00	0,0212	1,20	0,0003
7	89.0 RTL	1,85	0,1320	2,05	0,1599
8	89.0 RTL in the Mix	-	-	- <sup>4</sup>	0,0012
9	917.xfm	3,70	0,0021	2,80	0,0018
10	94 3 rs2	1,50	0,1604	1,00	0,1938
11	98.8 Kiss FM	2,00	0,1012	1,60	0,1193
12	Alternative FM	1,60	0,0075	-	-
13	Antenne Bayern	1,40	1,1050	2,05	1,2056
14	Antenne Brandenburg	3,55	0,2370	3,55	0,2450
15	Antenne Düsseldorf	1,90	0,0784	1,65	0,0780
16	Antenne Mecklenburg-Vorpommern	1,45	0,1236	2,15	0,1292
17	Antenne Niedersachsen	1,90	0,3790	2,10	0,4736
18	Antenne Saar	3,00	0,0116 <sup>3</sup>	1,40	0,0381 <sup>3</sup>
19	Antenne Thüringen	1,90	0,1788	1,90	0,1977
20	B5 plus	1,20	0,0860 <sup>3</sup>	1,60	0,2128 <sup>3</sup>
21	Baden FM	1,20	0,0665	1,20	0,0710
22	Bayern 1	3,00	0,8599	2,80	0,7092
23	Bayern 2	5,55	0,8599	5,55	0,7092
24	Bayern 3	3,05	0,8599	3,05	0,7092
25	Bayern 5	1,20	0,8599	1,00	0,7092
26	Bayern plus	4,00	0,0860 <sup>3</sup>	4,20	0,2128 <sup>3</sup>
27	BB Radio	1,45	0,2148	1,65	0,1975
28	Berliner Rundfunk 91!4	1,00	0,1604	1,20	0,1958
29	BigFM der neue Beat	2,60	0,2352	2,20	0,1839
30	BigFM Hot Music Radio	2,40	0,1987	2,20	0,1518
31	BR Heimat	5,80	0,0860 <sup>3</sup>	5,55	0,2128 <sup>3</sup>
32	BR Klassik	5,30	0,8599	5,30	0,7092
33	BR Verkehr	1,00	0,0860 <sup>3</sup>	1,00	0,2128 <sup>3</sup>
34	BR PULS	4,50	0,0860 <sup>3</sup>	4,70	0,2128 <sup>3</sup>

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		CULTURAL FACTOR	BROADCASTER COEFFICIENT	CULTURAL FACTOR	BROADCASTER COEFFICIENT
35	Bremen Eins	2,40	0,0924	2,40	0,0890
36	Bremen Next	2,95	0,0924	3,15	0,0890
37	Bremen Vier	3,10	0,0924	3,05	0,0890
38	Bremen Zwei (formerly Nordwestradio)	4,40	0,0924	3,85	0,0890
39	Classic Rock Radio	1,40	0,0085	1,60	0,0091
40	Cosmo Radio Bremen	4,30	0,0924	3,85	0,0890
41	Cosmo RBB	4,30	0,2370	3,85	0,2450
42	Cosmo WDR	4,30	0,8578	3,85	0,7718
43	Das Ding	3,50	0,5633	3,90	0,5619
44	Delta Radio	3,15	0,0781	-	-
45	Deutsche Welle	1,00	1,2556	1,00	1,2917
46	Deutschlandfunk	4,40	2,4588	4,15	2,0309
47	Deutschlandfunk Kultur (from 01.05.2017 on, formerly Deutschlandradio Kultur)	4,40	2,4588	4,15	2,0309
48	Deutschlandfunk Nova (from 01.05.2017 on, formerly Dradio Wissen)	3,00	0,2459 <sup>3</sup>	2,65	0,6093 <sup>3</sup>
49	Deutschlandradio Kultur (bis 30.04.2017)	4,00	2,4588	-	-
50	Die Neue 107.7	1,20	0,1099	1,20	0,1196
51	Die neue Welle	1,40	0,1081	1,80	0,1099
52	DOM Radio	1,40 <sup>2</sup>	0,0927	1,20	0,0806
53	Donau 3 FM	1,25	0,0659	1,45	0,0996
54	Dradio Wissen (until 30.04.2017)	3,00	0,2459 <sup>3</sup>	-	-
55	Ego FM	-	-	3,25	0,0590
56	Energy Berlin 103,4	2,40	0,1404	2,40	0,1724
57	Energy Bremen	1,80	0,0774	1,80	0,0754
58	Energy Hamburg	2,40	0,0724	2,40	0,0984
59	Energy München 93.3	2,40	0,1234	2,40	0,1473
60	Energy National	-	-	- <sup>4</sup>	0,0199
61	Energy Nürnberg	2,40	0,0769	2,40	0,0931
62	Energy Sachsen	2,40	0,0579	-	-
63	Energy Stuttgart	2,40	0,0883	2,40	0,1403
64	ERF Plus	3,60	0,0865	3,35	0,1906
65	ERF Pop	2,00	0,0209	1,80	0,0732
66	Flux FM	-	-	- <sup>4</sup>	0,0696
67	Fritz	4,75	0,2370	5,00	0,2450
68	Gong FM (Regensburg)	1,60	0,0483	1,40	0,0526
69	Hamburg zwei	1,20	0,0808	1,60	0,1632
70	Harmony.fm	1,20	0,0401	1,20	0,0669
71	HIT RADIO FFH	1,85	0,7176	2,05	0,9021
72	Hit-Radio Antenne 1	1,70	0,3130	2,10	0,3579
73	Hitradio Ohr	1,60	0,0886	1,80	0,0758

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		CULTURAL FACTOR	BROADCASTER COEFFICIENT	CULTURAL FACTOR	BROADCASTER COEFFICIENT
74	Hitradio RTL Sachsen	2,10	0,1586	2,10	0,1639
75	hitradio.rt1	1,20	0,1308	1,20	0,1436
76	hitradio.rt1 Neuburg-Schrobenhausen	-	-	- <sup>4</sup>	0,0071
77	HR 1	3,20	0,3409	3,00	0,3252
78	HR 2 Kultur	5,30	0,3409	5,30	0,3252
79	HR 3	3,10	0,3409	2,95	0,3252
80	HR 4	3,80	0,3409	3,80	0,3252
81	HR-info	1,00	0,3409	1,00	0,3252
82	Inforadio	1,40	0,2370	1,20	0,2450
83	JAM FM	2,00	0,1115	2,00	0,1070
84	Kiraka	3,80	0,0858 <sup>3</sup>	4,00	0,2315 <sup>3</sup>
85	Klassik Radio	3,40	0,5028	3,40	0,5244
86	Kulturradio	5,10	0,2370	5,10	0,2450
87	Landeswelle Thüringen	1,75	0,0937	1,75	0,0938
88	MAXX FM	-	-	- <sup>4</sup>	0,0001
89	MDR 1 Radio Sachsen	2,75	0,3580	2,75	0,3207
90	MDR 1 Radio Sachsen-Anhalt	2,95	0,3580	3,15	0,3207
91	MDR 1 Radio Thüringen	3,15	0,3580	2,70	0,3207
92	MDR Aktuell – Das Nachrichtenradio	1,00	0,3580	1,00	0,3207
93	MDR Jump	2,90	0,3580	3,15	0,3207
94	MDR Klassik	4,90	0,0358 <sup>3</sup>	4,90	0,0962 <sup>3</sup>
95	MDR Kultur	5,10	0,3580	4,90	0,3207
96	MDR Schlagerwelt	2,60	0,0358 <sup>3</sup>	2,60	0,0962 <sup>3</sup>
97	MDR Sputnik	3,00	0,3580	3,25	0,3207
98	MDR Tweens	-	-	- <sup>4</sup>	0,0962
99	NDR 1 Niedersachsen	3,35	0,4573	3,15	0,4104
100	NDR 1 Radio MV	3,15	0,4573	2,95	0,4104
101	NDR 1 Welle Nord	2,70	0,4573	2,70	0,4104
102	NDR 2	3,50	0,4573	3,50	0,4104
103	NDR 90,3	3,05	0,4573	2,80	0,4104
104	NDR Blue	3,70	0,0457 <sup>3</sup>	3,45	0,1231 <sup>3</sup>
105	NDR Info	4,10	0,4573	4,35	0,4104
106	NDR Info Spezial	3,90	0,0457 <sup>3</sup>	3,05	0,1231 <sup>3</sup>
107	NDR Kultur	5,10	0,4573	5,10	0,4104
108	NDR Plus	2,80	0,0457 <sup>3</sup>	2,80	0,1231 <sup>3</sup>
109	NJOY	3,70	0,4573	3,45	0,4104
110	Nordwestradio (until 11.08.2017)	4,40	0,0924	-	-
111	Ostseewelle	1,45	0,2189	1,20	0,2294
112	Pirate Radio Nürnberg	1,40	0,0002	1,40	0,0003
113	Planet Radio	2,00	0,1255	2,00	0,1344

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		CULTURAL FACTOR	BROADCASTER COEFFICIENT	CULTURAL FACTOR	BROADCASTER COEFFICIENT
114	R.SA	1,20	0,1480	1,80	0,0662
115	R.SH	1,65	0,3215	2,10	0,1553
116	Radio 21	2,00	0,2048	2,20	0,2935
117	Radio 7	2,65	0,3171	2,25	0,3063
118	Radio 91.2 Lokalfunk Dortmund	1,90	0,0662	1,85	0,0719
119	Radio Arabella	1,00	0,1853	1,00	0,2332
120	Radio B2	-	-	- <sup>4</sup>	0,0502
121	Radio B2 Deutschlandweit	-	-	- <sup>4</sup>	0,0190
122	Radio Berlin 88,8	2,80	0,2370	3,30	0,2450
123	Radio Bielefeld	-	-	2,10	0,0622
124	RADIO BOB! Hessen Rock'n Pop	2,40	0,1349	2,40	0,1571
125	RADIO BOB! Rockt Schleswig-Holstein	2,40	0,0619	-	-
126	Radio Bonn/Rhein-Sieg	1,90	0,0803	1,65	0,0649
127	Radio Brocken	1,95	0,1206	2,15	0,1467
128	Radio Charivari Nürnberg	1,00	0,0551	1,00	0,0683
129	Radio Charivari Regensburg	1,20	0,0985	1,45	0,1102
130	Radio Charivari 95,5 (95,5 Charivari (München))	1,00	0,1181	1,20	0,1454
131	Radio Charivari Würzburg	1,25	0,0472	1,00	0,0567
132	Radio Chemnitz	1,50	0,0525	1,75	0,0542
133	Radio Dresden	1,70	0,0679	1,95	0,0839
134	Radio Essen	2,15	0,0748	1,85	0,0704
135	Radio F Nürnberg	1,40	0,0532	1,40	0,0627
136	Radio Fantasy Augsburg 93,4 FM	-	-	- <sup>4</sup>	0,0600
137	Radio Fantasy Lounge	-	-	- <sup>4</sup>	0,0003
138	Radio FFN	2,25	0,5212	2,30	0,5248
139	Radio Galaxy Amberg-Weiden	1,20	0,0076	1,20	0,0086
140	Radio Galaxy Aschaffenburg	1,40	0,0063	1,40	0,0094
141	Radio Galaxy Ingolstadt	1,40	0,0160	1,40	0,0178
142	Radio Galaxy Landshut	1,40	0,0059	1,40	0,0090
143	Radio Gold	-	-	- <sup>4</sup>	0,0005
144	Radio Gong 2000 (Radio Gong 96,3)	1,20	0,1779	1,60	0,2046
145	Radio Gong Nürnberg	2,00	0,0278	2,00	0,0327
146	Radio Gong Würzburg	2,05	0,0790	2,05	0,0932
147	Radio Hamburg	2,60	0,4220	2,00	0,4791
148	Radio Horeb	3,30	0,2118	3,30	0,1366
149	Radio In	1,00	0,0626	1,00	0,0554
150	Radio Köln	2,35	0,1169	1,85	0,1060
151	Radio Leipzig	1,70	0,0588	1,95	0,0588
152	Radio Luxemburg	1,25	0,0824	1,70	0,1215
153	Radio N1	1,20	0,0546	1,20	0,0652

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		CULTURAL FACTOR	BROADCASTER COEFFICIENT	CULTURAL FACTOR	BROADCASTER COEFFICIENT
154	Radio ND1 (until 01.10.2017)	1,00	0,0020	-	-
155	Radio NRW	2,10	1,2724	1,85	1,3704
156	Radio Paloma	2,40 <sup>2</sup>	0,0460	2,40	0,0844
157	Radio Primavera	1,00	0,0572	1,00	0,0821
158	Radio PSR	1,70	0,2467	1,70	0,1120
159	Radio Ramasuri	1,45	0,0609	1,20	0,0664
160	Radio Regenbogen	2,70	0,3615	2,90	0,4021
161	Radio Regenbogen 2	1,00	0,0022	1,60	0,0090
162	Radio Salü	1,90	0,1495	1,90	0,1602
163	Radio SAW	2,05	0,3076	1,60	0,3014
164	Radio Seefunk	1,00	0,0684	1,00	0,0613
165	Radio Teddy	3,00	0,0895	2,80	0,1229
166	Radio Ton Regional Heilbronn	1,20	0,1035	1,20	0,0896
167	Radio TOP 40	2,25	0,0346	1,60	0,0382
168	Radio Trausnitz	1,00	0,0516	1,00	0,0612
169	Radio Zwickau	1,50	0,0207	1,75	0,0283
170	Radioeins	4,05	0,2370	3,80	0,2450
171	Rock Antenne	2,00	0,0969	2,20	0,1091
172	Rock Antenne Hamburg (from 09.04.2018 on, formerly 106!8 Rock'n Pop)	1,20	0,0894	1,60	0,1134
173	Rockland Radio	2,40	0,1128	2,00	0,1067
174	ROCKLAND Sachsen-Anhalt	1,20	0,0088	1,80	0,0118
175	RPR 1	2,25	0,4758	2,00	0,3615
176	Schwarzwaldradio	1,60	0,0172	1,80	0,0161
177	Spreeradio	1,40	0,1289	1,40	0,1471
178	SR 1 Europawelle	3,05	0,1164	3,10	0,1271
179	SR 2 Kulturradio	5,10	0,1164	5,10	0,1271
180	SR 3 Saarlandwelle	4,40	0,1164	4,40	0,1271
181	STAR*SAT	-	-	- <sup>4</sup>	0,0005
182	Star FM Maximum Rock!	2,60	0,0839	2,80	0,1405
183	Sunshine live	2,20	0,1272	2,40	0,1409
184	SWR 1 Baden-Württemberg	3,00	0,5633	3,00	0,5619
185	SWR 1 Rheinland-Pfalz	3,00	0,5633	2,80	0,5619
186	SWR 2 Kultur	5,30	0,5633	5,30	0,5619
187	SWR 3	2,80	0,5633	3,00	0,5619
188	SWR 4 Baden-Württemberg	4,40	0,5633	4,60	0,5619
189	SWR 4 Rheinland-Pfalz	4,60	0,5633	4,60	0,5619
190	SWR Aktuell (from 06.02.2017 on, formerly SWR Info)	1,00	0,5633	1,00	0,5619
191	SWR Info (until 05.02.2017)	1,00	0,5633	-	-
192	The Wave Relaxing Radio	2,15	0,0001	1,40	0,0005
193	Unser Ding	3,30	0,1164	3,30	0,1271

SER. NO.	RADIO BROADCASTER	FINANCIAL YEAR 2017 <sup>1</sup>		FINANCIAL YEAR 2018 <sup>1</sup>	
		CULTURAL FACTOR	BROADCASTER COEFFICIENT	CULTURAL FACTOR	BROADCASTER COEFFICIENT
194	WDR 2	3,50	0,8578	3,30	0,7718
195	WDR 3	5,30	0,8578	5,30	0,7718
196	WDR 4	4,15	0,8578	3,95	0,7718
197	WDR 5	3,00	0,8578	3,15	0,7718
198	WDR Event	1,00	0,0858 <sup>3</sup>	1,00	0,2315 <sup>3</sup>
199	You FM	2,40	0,3409	2,60	0,3252

<sup>1</sup> 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.

<sup>2</sup> For this radio station it only has appeared that the relevant revenues exceed the programme crediting limit after determination of the cultural factors for financial year 2017. Therefore, the cultural factor was determined retroactively in financial year 2018.

<sup>3</sup> Digital public radio stations are being credited by using a factor which is considering the economical and structural significance of digital radio within the public service radio. For financial year 2018 the factor applying is 0,3.

<sup>4</sup> For this radio station it only has appeared that the relevant revenues exceed the programme crediting limit after determination of the cultural factors for financial year 2018. Therefore, the cultural factor will be determined retroactively in financial year 2019.

Additional information can be found on our website: [www.gema.de](http://www.gema.de).  
For further questions please send us an email to [as-service@gema.de](mailto:as-service@gema.de).