

ADMISSION PROCEDURE FOR MUSIC PUBLISHERS

Application for membership

Please fill in the application in line with the requested information and send it to us with just one click. If you wish to complete a hardcopy of the application form, please do so in clearly legible printed letters in line with the instructions and to send us the filled in document by post, fax or as a scan. Please also provide us with a telephone number, where we can reach you during the day. You will need to attach several documents to the application. A complete checklist is shown further below.

Music publishers' activities

Music publishers wishing to be admitted as affiliate members must provide the following evidence of their music publishing activities:

- A copy of a valid publishing agreement where the participation of the publisher in the pay-outs of GEMA is agreed in the sense of the provisions of the GEMA Distribution Plan.
- An extract from the Commercial Register showing that the purpose of the company is to run a music publisher, or, should the publisher not be entered in the Commercial Register, a copy of the registration documents for the business by the owner and/or all partners, which reflect that the registered activities are those of a music publisher.

Admission fee and membership fee payment

There is a one-off admission fee to become a GEMA member. Music publishers currently pay €180.00 (plus VAT; making it €214.20).

In addition, an annual membership fee of €100.00 needs to be paid. The first membership fee is due at the time of admission. Subsequent membership fees shall be offset against your income. Should the income level not reach the membership fee level, the applicant undertakes to pay the difference between their income and the membership fee at the end of the financial year.

We will provide you with more details on the payment of the total amount of €314.20 together with the deed of assignment.

Apply for membership in good time!

If the application for membership is made by **31 October**, enclosing all the correct and complete documents and if the admission fee and membership subscription has been paid, admission can usually still be granted retroactively as from 1 January of the current year. Please note that GEMA does not collect supplementary royalties retroactively from 1 January for any exploitation of your works that have taken place in the meantime.

Please submit your membership application in good time so that you have enough time to send us notifications for your works can also notify your works on time as this is only possible once the admission process has been completed. The GEMA Distribution Plan contains the following provision in Art. 36 (2):

A notification is deemed to be made in time in the sense of para. 1 if it is received by GEMA within the following deadlines:

Categories	Registration deadline
KMOD, KMOD VR, MOD D, MOD D VR, MOD S, MOD S VR, VOD D, VOD D VR, VOD S, VOD S VR	End of the month following the respective quarter of exploitation/use
Other categories – semi-annual pay-out	01 September of the usage year for uses in the period between 01 January and 30 June 01 March of the usage year for uses in the period between 01 July and 31 December
Other categories – annual pay-out, pay-out date 01 April	01 November of the usage year
Other categories – annual pay-out, pay-out date 01 July	31 January of the year following the exploitation/use for the payment of the uses of audiovisual works (audiovisual productions and audiovisual commercials) in the period between 01 November and 31 December in the categories FS, FS VR, T FS and T FS VR 31 January of the year following the use for other usages and categories

What happens next?

Provided you have submitted all the necessary documents to the Department for Members and Partners Administration we can go ahead with processing your application for membership.

Once all the conditions have been met, you will receive confirmation from the Department for Members and Partners Administration that you can be admitted as a member. We will also inform you of your future membership number (which is your GEMA- Interested Party Number and account number at the same time), and you must always quote it in all of your future correspondence with GEMA. In addition, we will send you GEMA's Statutes, the Distribution Plan – which governs the distribution of income – and, most importantly for all of our new members, the Deed of Assignment in duplicate for you to sign. Please sign and return both copies to GEMA.

Finally, one copy of the Deed of Assignment will be returned to you duly countersigned by GEMA. This marks the end of the admission procedure: you are now a member of GEMA.

Notification of your published works

You cannot notify your works to GEMA until your Deed of Assignment has been countersigned by GEMA and returned to you. Now you can register, respectively amend your works with GEMA.

By the way, the protection of your works does not depend on their being notified to GEMA. Your works are granted protection by the German Copyright Act, without any special formalities being involved.

Affiliate membership

Music publishers can also apply for admission as an affiliate member. This depends on the following conditions:

1. The publisher filing the admission application must, on top of providing evidence for an adequate level of activity as a publisher, also prove that its published works have been used with a view to being relevant for distribution purposes.
2. The publisher filing the admission application must additionally establish that it carries out the activities of a publisher pursuant to the internal rules of GEMA:
 - Publishers for serious music can provide evidence of publishing activities by way of submitting 25 instrumental music editions as customary in the trade, or 10 rental music sheets for orchestras (music score and parts).
 - Publishers of the light and dance music category can provide evidence of publishing activities by submitting guitar, piano or accordion editions for 30 different works as customary in the trade, or salon orchestra editions for 10 different works, or combo editions (as in a small orchestra arrangement), respectively wind music editions for 15 different works.
3. Together with the application, you need to submit the current extract from the Commercial Register as well as the documents showing the business partners (e.g. associates/shareholders), their participation/shares and their representative authority (e.g. in the case of a limited liability company, a GmbH).

If you are interested, please contact the Department for Members and Partners Administration, e-mail address: mitgliederpartner@gema.de or call +49 (0) 30 21245-600.

Commercially available music score editions

Only such printed material shall be deemed to be customary or usual in the trade if it has been generated in clean, well legible musical notation (it is recommended that you instruct a music notation professional or that you use a professional music notation software as the basis for the print order), and if the copyright note plus the year and company name are shown on the first page of the music score for each work as a footnote. Furthermore, the title and the author details must be shown above the first page of the music score for each work. Not deemed to be customary in the trade shall be photocopied and/or deposit copies which have only been stapled together or are held together by paper clips or adhesive tape. You may further enquire about the norms and customs of printed material in music trade and retail.

Please check with GEMA before you launch the printing process whether a use of the company name chosen by you is possible or whether this might lead to confusion and mix-ups with company names of already existing publishers.

Checklist for the membership application to become an affiliated member

Please add the following documents to the admission application which you have filled in a complete and legible manner:

- Copy of a valid publishing agreement.
- An extract from the Trade Register or (if the publisher is not entered in the Trade Register) a copy of the registration of the business, showing that the corporate object is the operation of a music publishing business.

Checklist for the membership application to become an associate member

Please add the following documents to the admission application which you have filled in a complete and legible manner:

- Copy of a valid publishing agreement
- Evidence that your published works have been used with a view to being relevant for distribution purposes.
- Evidence of your publishing activity pursuant to the internal rules of GEMA.
- Current extract from the Commercial Register showing that the purpose of the company is to run a music publisher as well as documents showing the business partners (e.g. associates/shareholders), their participation/shares and their representative authority (e.g. in the case of a limited liability company, a GmbH).

Contact

GEMA
Mitglieder- und Partner Administration
Rosenheimer Str. 11
D-81667 Munich

Phone: +49 (0) 30-21245-600

Fax: +49 (0) 89 48003-555

mitgliederpartner@gema.de
www.gema.de/mitglied_werden