

# MEMBERSHIP CATEGORIES

## What types of membership categories are there?

GEMA distinguishes between affiliated, associate and full members. Only full members are members in the sense of German law on companies and associations.

This distinction does, however, not affect the management of rights. In this respect, affiliated, associate and full members are treated equally. In the case of comparable work usages, an associate or an affiliated member receives the same amount of royalties as a full member. Cultural support measures under the umbrella of what is known as Wertung [rating] are equally open to all.

## How do I become an affiliated member?

The simplest way to join GEMA is to become an affiliated member. By doing so, a comprehensive administration of rights can be guaranteed. About 60,000 affiliated members currently make up the biggest category within GEMA.

Authors do not have to fulfil specific requirements in order to become affiliated GEMA members. For authors, GEMA membership only makes economic sense if their works have been performed in public, broadcast via radio or TV or released by third parties via commercially published sound/audiovisual recordings to a certain extent during the current calendar year, or if such commercial exploitations are imminent.

Once the membership application form for authors and/or music publishers has been submitted and the admission fee and annual membership fee have been paid, and if all prerequisites have been met, the Deed of Assignment is sent out to the applicants. Once GEMA has countersigned the Deed of Assignment, applicants will have acquired affiliated membership status.

There are specific requirements music publishers need to fulfil as they have to provide evidence of their activity as a music publisher, such as:

- Copies of a valid publishing agreement where the participation of the publisher in the pay-outs of GEMA is agreed pursuant to the provisions of the GEMA distribution plan.
- An extract from the trade register showing that the purpose of the company is to run a music publishing business, or, should the publisher not be entered in the trade 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.

## How do I become an associate member?

Associate membership constitutes a pre-stage to full membership. There are currently approx. 6,000 associate GEMA members.

Affiliated members can apply for associate membership by sending an informal letter to our Department for Members and Partners Administration. The Department for Members and Partners Administration submits the application to the Admission Committee.

### **Admission of authors as associate members depends on the following conditions:**

1. Membership applications of composers should contain 5 original manuscripts created by the applicants alone or in co-authorship in the form of scores or other suitable documentation. (Other suitable documentation can be commercially available sound recordings or sheet music created by means of a music notation software program. The Admission Committee decides on whether or not the documentation provided is suitable and sufficient in each individual case).

Membership applications of lyricists should contain 5 lyrics set to music created by the applicants alone or in co-authorship, as well as sound recordings with the music to these lyrics.

2. The applicant shall also have to provide evidence for the use with a view to being relevant for distribution purposes. Applicants who wish to apply for associate membership as a composer and a lyricist, need to fulfil the admission requirements for each professional group. Applicants who are authors may be requested to prove their professional skills. In their application, authors therefore have to commit in writing that they would be willing to take a test, if necessary.

### **Admission of music publishers as associate members depends on the following conditions:**

1. Publishers filing the admission application must, on top of providing evidence for an adequate level of activity as a publisher, also prove that their published works have been used with a view to being relevant for distribution purposes.
2. Publishers filing the admission application must additionally establish that they carry out the activities of a publisher pursuant to the internal rules of GEMA:
  - a) Evidence of publishing activities can be provided by way of the applying publisher producing evidence that the works published by it have reached minimum revenues of €2,500.00 in at least one of the 5 years preceding the year when the application is filed, and by additionally submitting print editions, commercially released sound recordings or other suitable documentation which document its publishing activities for 5 works to the Admission Committee.
  - b) Publishers for serious music can provide evidence of publishing activities also by way of submitting 25 instrumental music editions as customary in the trade, or 10 rental music sheets for orchestras (music score and parts).
  - c) Publishers of the light and dance music category can also 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, publishers need to submit the current extract from the trade register 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).

### **So how do I become a full member?**

In order to become a full member, you have to meet time-specific and financial requirements: You can become a full member if you have been an associate member for five years and you have also reached a defined minimum income level.

Authors, i.e. composers, arrangers or lyricists must have received a minimum income of €30,000.00 over a period of five consecutive years from GEMA, and, additionally, they must have had an annual minimum income of €1,800.00 in four consecutive years within said five-year period.

Music publishers must have received a minimum income of €75,000.00 over a period of five consecutive years, and, additionally,

they must have had an annual income of at least €4,500.00 in four consecutive years within said five-year period from GEMA. The above mentioned minimum amounts are reduced for authors and music publishers of serious music by a third in each case. An author can only be a full member in one professional group, i.e. either as a composer or as a lyricist. If the requirements for both professional groups are met, the author must choose one professional group.

The Managing Committee decides on the admission of a full member in mutual agreement with the Supervisory Board based on the provisions of the Statutes. If you wish to apply for full membership, please contact our Members and Partners Administration Department.

**What does full membership entail?**

By reaching full membership status, members obtain the full membership rights in the sense of German law for companies and associations: Full members have the active, and under specific conditions, the passive voting right at the Annual General Meeting and can file motions with the Annual General Meeting. Once full membership status has been reached, members can get fully involved in GEMA.

Only full members can, under specific conditions, claim benefits from the GEMA Social Funds. Furthermore, only full members participate in the pension funds of GEMA; it is only full members, however, that contribute to the pension funds. Publishers and authors are subject to different conditions and requirements.

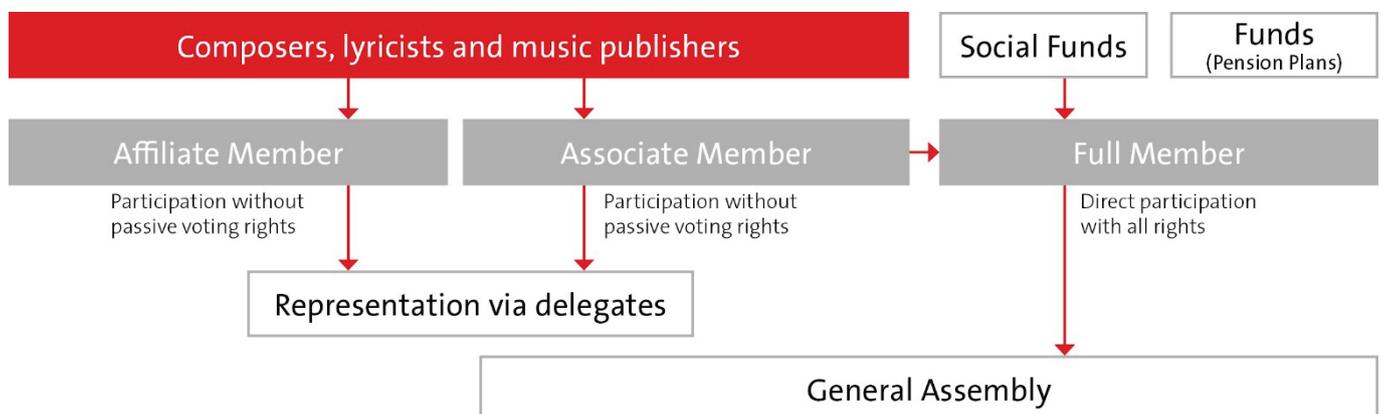
More than 4,100 members have currently reached full member status.

**How do other members participate in GEMA's decision making process?**

At the time of each General Assembly for full members, a meeting for associate and affiliated members takes place. During said meeting, the Board presents the annual report and accounts and is available to the assembly for questions.

Moreover, affiliated and associate members and their legal successors elect 64 delegates every three years among themselves for the ordinary General Assembly. These delegates hold the same rights in the General Assembly as full members, with the exception of the passive voting right.

**Membership structure overview**



## Contact

GEMA Generaldirektion München  
Members and Partners Administration  
Rosenheimer Straße 11  
D-81667 Munich

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

Fax: +49 (0) 89 48003-555

[mitgliederpartner@gema.de](mailto:mitgliederpartner@gema.de)

[www.gema.de/mitglied\\_werden](http://www.gema.de/mitglied_werden)