

On the base of Art. 137, 138, 139 and 150 par. 2 of the Copyright and Related Rights Law ("Official Gazette" of the Republic of Macedonia, nr. 115/10, 140/10 and 51/11), as well as Art. 38, 39, 40, 42, 43, 44, 45 and 46 of the Statute of the Music copyrights Association (hereinafter referred to as: ZAMP), the Assembly of ZAMP, on its session held on 03.11.2011 adopted the following

RULE BOOK

with Tariff for use of musical copyright works

Article 1

By means of the present Rule Book are determined the terms under which a legal or a natural party (hereinafter referred to as: user) can announce in public, namely publish musical works protected by ZAMP in the territory of the Republic of Macedonia, in compliance with the Law on Copyright and Related Rights (hereinafter referred to as: ZAPSP), the Statute of ZAMP nr. 47-2-0201 of 02.02.2011 and the Decision for granting Licence for collective management by the Ministry of Culture of the Government of the Republic of Macedonia, nr. 54-5454/1 of 03.04.2011, published in the Official Gazette of R.M., nr. 65/11 dated 10.05.2011.

Article 2

The repertoire of ZAMP consists of the following published musical non scenic works, such as:

- a) oratorio, cantata, works of the symphony, chamber, solo, chorus, light, children, folk music, jazz etc;
- b) fragments from musical scenic works (opera, ballet, operetta, etc.) irrespectively of their duration, under condition that these extracts are not a dramatic whole;
- c) music of musical - choreography works (concert and radio performances) irrespectively of their duration;
- d) musical works used in dramatic works, irrespectively whether these are used as musical accompaniment, as an illustration, or are included in the dramatic text;
- e) music used in TV series, TV films and cinematography films broadcasted by means of television;
- f) non-scenic musical works which are in dramatic - scenic or choreography way broadcasted on the scene or on television;
- g) music for musical - literary programs or show (musical stories, recitals, humoristic or similar programs, performances, etc.);
- h) musical works used for jingles, sound records, intermezzo with sound illustration;
- i) treatment of the traditional work.

Article 3

ZAMP, under equal conditions, collectively manages the rights of the domestic and foreign authors and copyright holders in the territory of the Republic of Macedonia, according to ZAPSP and the Statute of ZAMP, as well as according to the reciprocal agreements concluded between ZAMP and the appropriate foreign associations.

Article 4

The user is obliged to provide a license by ZAMP for every public communication, namely publishing of the copyright works of the repertoire of ZAMP.

The license in the sense of the previous paragraph, can be issued for a single or repeated (for agreed period of time) use of copyright works.

Article 5

When the performance of certain services/activities, in compliance with ZAPSP (such as catering, accommodation, transport, sales/gallery service, concert, interpretation, theatrical/pop services, broadcasting, etc.) is connected with the use of the right which is collectively managed by ZAMP, the authority for granting permission/decision for performance of the activity, shall issue it if the doer of the business has previously signed a contract with ZAMP.

Article 6

The user is obligated to inform the organization and to ask for a permission at least 15 days before the day of the usage of the musical copyright works, as well as to submit to the organization the complete data of the used works, the place and the time of usage and to make payment of the royalties within 15 days from the day of use.

The user is responsible for the completeness and the authenticity of the data included in the review of the performed, namely published works.

The Broadcasting organizations, submit the review of the broadcasted works to ZAMP once a month, in a way and form established by an agreement.

Article 7

Use of the repertoire without licence of ZAMP is considered a criminal act, according to the Penal Law.

Article 8

The level of the royalties for the use of the musical copyright works is determined with the:

1) General agreement between ZAMP and the associations of the specific categories of users, namely their chambers that represent majority of the users (general agreement);

2) Individual agreement between ZAMP and an individual user (individual agreement) and

3) If the royalties for public announcing are not determined with an agreement (general or individual) they are paid according to the Rulebook with Tariff made by ZAMP for using the musical copyright works.

For the same type and quantity of copyrights use, in a general agreement, higher amounts of royalties for use than those determined with the tariff can not be fixed. In addition, as to the individual agreement, higher amounts of royalties for use than those determined with the general agreement and the tariff can not be fixed, too.

Article 9

Use of the copyright works of the repertoire of ZAMP, without paying the royalties, is allowed in the following cases:

- use of a copyright work for illustration in educational or scientific researches up to the level justified with the non-commercial purpose that is to be achieved, under conditions to mention the name of the author and the source, except if it is not possible;
- use of a copyright work for the needs of handicapped persons in a way it is directly connected to the special need, up to the level it is required by and without commercial purpose;
- use of parts of copyright works (extracts) in scientific researches for lectures, critic, debate or review, in scope and up to the level required for precise assignment and under condition to mention the name of the author and the source, except if it is not possible;
- use of works for the purpose of public security or in court, parliamentary or administrative procedure;
- use of a copyright work during religious ceremonies or another official celebrations, organized by the authorities and the units of local government in the frame of the official protocol part, held at the headquarter or in the premises of the organizer;
- adaptation of a work in a parody, caricature, under condition the adaptation does not make confusion in relation to the original of the work and the authorship and if the adaptation is in scope of the permitted use of the work;
- reproduction of the copyright on the tone and image carrier, public communication of the copyright of that carrier, as well as public communication of the work that is broadcasted in shops, fairs and other places where the operation of the appliances for recording, reproduction and transmission of the tone and image is demonstrated, at measure necessary for demonstration of the operation of the appliances. The records made on this base are immediately erased;
- public communication and make the copyright available to the public for the purpose of research or personal improvement on certain places of public, scientific, cultural, educational and other institutions of similar character, if the copyright can not be bought, or a license is not necessary for its use and is a part of the collections/ fund of the institutions.

Article 10

When the works are used at humanitarian manifestations or other activities, the Board of Directors can decide to invest the royalties, completely or partially, in the humanitarian cause, under the following conditions:

- If the organizer (the user) is properly registered as a nonprofit organization for carrying out charitable activity;
- If the organizer (the user) submits a request (information) for musical works use in charitable purpose, at least 15 days before the use;
- In case all of the performers take free participation at the performance;
- If the organizer (the user) mentions in public ZAMP as an entity that makes contribution for the corresponding performance;
- If the organizer (the user) in period of 15 days, from the day of performance, namely public communication at the performance, submits all of the financial documentation of which all incomes and expenditures of the performance can be presented.

Article 11

The royalties for copyright use are determined according to the following bases:

1) when the use of the copyright is necessary for the activity the user is dealing with, namely it depends on its use(concert, interpretation, dancing, entertainment events, with payment of tickets or another kind of payment, etc.) the royalty for use is determined, by rule, in percent of the profit that the user makes, using the copyright work.

2) when the use of the copyright work is necessary for the activity the user is dealing with, namely it depends on its use, and it is not possible to establish the individual profit made by the use separately (broadcasting), the royalty for use is determined in percent of the profit that covers the funds of the broadcasting fee and/or subscription, advertising, sponsorships, grants and the profits of programs commerce. As a profit can not be taken into account the funds for value added tax (VAT), the funds from credits and interest on credits.

3) if with the public use of the copyright works no profit is made (events, manifestations, etc.), the royalty can be determined in percent of the expenses necessary for use of the copyright, the royalties or salaries of the authors, the fee for the performers, the expenses for use of the space during use of the copyright work, as well as other appropriate expenses;

4) when determining the royalties of items 1,2 and 3 of the present article, the lowest nominal (absolute) amount of royalty is also fixed and

5) if the use of the copyright work is not necessary for the activity the user is dealing with, but it contributes to increase the pleasantness of the final users regarding their services (accommodation, hotels, exhibition space, restaurants, transportation means, etc.), the royalty is determined in a lump sum.

Article 12

When establishing the level of the royalties, the following is taken into consideration:

- 1) the rights, kinds and scope of their use;
- 2) the number of the potential users;
- 3) category and size of the space ;
- 4) duration and the number of uses;
- 5) the difference in prices in the operation of the user due to copyright works use;
- 6) the structure and the nature of the program (format of the broadcasting service), in compliance with the issued license for making broadcasting activity (with the broadcasting);
- 7) religious, cultural, social and economic interests of the users and
- 8) the interests of the young and handicapped persons.

Article 13

The tickets given to the sponsors or to the donors by the organizers of the concert, interpreter, dancing or similar performance, are calculated in the profit of the appropriate performance.

ZAMP accepts up to 10% freeware of the total number of tickets.

Article 14

The compensation in a lump sum is expressed in points, and the value of the point (1 point) is expressed in denars.

The value of the point in the tariff part of the Rule Book is 4,00 denars.

The value of the point is annually harmonized with the retail prices increase, according to the published statistical data.

If the retail prices increase is higher than 10% in relation to the beginning of the year, the value of the point can also be harmonized during the year.

Article 15

The user is obliged to keep an accurate evidence for the obtained incomes, namely compensations of the performers, that serve as a base for calculation of the compensation for performance, namely publishing.

ZAMP is allowed to make inspection and to control the data of which the amount of the royalty depends on, and the user is obliged to enable it.

Article 16

If from the financial or any other documentation of the user, it is not possible to have access to the income, which is base for calculation of the royalty, ZAMP shall make calculation for the royalty according to the highest tariff rate, which is valid for the appropriate use of the copyright works.

Article 17

The Assembly of ZAMP gives authentic interpretation of the Rule Book with Tariff for using the music copyright works.

Article 18

As soon as the present Rule Book with Tariff for use of music copyright works comes into force, the validity of the Rule Book for public communication and announcement of musical works in public, terminates (Official Gazette of R.M., nr.71/07, 70/08 and 81/09).

Article 19

The Rule Book with Tariff for use of musical copyright works, after its adoption in compliance with ZAPSP and the Statute of ZAMP, is published in the "Official Gazette" of the Republic of Macedonia.

The Rule Book comes into force on the eighth day from the day of its publishing.

ASSEMBLY OF ZAMP
President
Prof. PhD. Dimitrije Buzarovski

TARIFF FOR USE OF MUSIC COPYRIGHT WORKS

A. COMPENSATION FOR PUBLIC COMMUNICATION OF MUSICAL WORKS AT PERFORMANCES

I. MUSICAL PERFORMANCES

Tariff number 1

Ord.nr. Kind of performance	Entrance with entry fee charge or other form of payment	Free entrance	Minimal compensation in points
1. Concert of serious music	6% of the income	6% of the performers fee	500
2. Concerts of light music, works of protected authors in the spirit of the folk music, concert of original and treated folk music and music (songs and dances), karaoke (imitations)	10% of the income	10% of the performers fee	1100
Concerts of jazz music	8% of the income	8% of the performers fee	900

The compensation for public communication of musical works according to this tariff number is also charged for entertainments, such as: music festivals, celebrations, music competition, etc., and the rate is fixed according to the kind of music.

If more kinds of music are performed at the same entertainment (serious, light, folk music, jazz) the average rate of the present tariff number is applied.

II. ENTERTAINMENTS

Tariff number 2

For public communication of musical works:

a) at parties, dances, friendly night, celebration, banquet, graduation celebration, freshman, club evening, etc., with entry fees charges or another kind of charges, the compensation is 10% of the income, and at least 2.000 points, as much as is the compensation in case when the entertainment is without the mentioned charge;

b) at season entertainments, such as ball, a masquerade, carnival, New Year celebration, 8th of March, etc. with entry fees charge or any other kind of charges, the compensation is 12% of the income, and at least 3. 000 points, as much as is the compensation in case when the entertainment is without the mentioned charge.

III. OTHER ENTERTAINMENTS

Tariff number 3

For public communication of musical works:

a) At dancing competition, figure skating, cabaret, ballet, academy or similar entertainment with entry fees charge, the compensation is 6% of the income, and at least 600 points as much as is the compensation when the entertainment is without the mentioned charge;

b) at fashion show, beauty election, demonstration of products or similar entertainments with entry fees charge, the compensation is 4% of the income, and at least 3. 000 points when the entertainment is without the mentioned charge.

c) at circus, artistic or any similar entertainment with entry fees charge, the compensation is 3% of the income, and at least 2.000 points as much as is when the entertainment is without the above mentioned charge.

d) at sports events, the compensation is as it follows:

- to 10.000 seats 200 points;
- from 10.000 seats to 30.000 seats 300 points;
- above 30.000 seats 400 points;

e) at weddings , christening, circumcision, or similar entertainments with live or mechanical music for public communication of musical works, the compensation for an entertainment is as it follows:

- to 100 persons 500 points
- from 101-150 persons 1.000 points
- from 151-200 persons 1.500 points
- from 201-250 persons 2.000 points
- from 251-300 persons 2.500 points
- above 300 persons 3.000 points;

f) for entertainments in the sense of item d) which are held in spaces where catering is carried out (restaurants, night clubs and bars, disco clubs and similar spaces), the compensation is increased for 50%.

g) for entertainments in the sense of item d) which are held in spaces in which no catering is usually offered (social hostels, fairs, museums, tents,etc.) the compensation is decreased for 50 %.

**B. COMPENSATION FOR TEMPORARY OR PERMANENT
PUBLIC COMMUNICATION OF MUSICAL WORKS**

IV. RESTAURANTS

Tariff number 4

1. For public communication of musical works by means of mechanical music in the catering objects, disco clubs and night bars, the monthly compensation is determined on the base of the number of the potential users, the category and the size of the object, the rights, the type and the size of their usage, namely the duration of the public communications and it is at the level established in the following table:

Number of seats in closed or open space, namely possible number of visitors	Duration of the public communication of live music (to 24.00h.) (after 24.00h.)		Points
to 40	150	300	
from 41 to 80	200	400	
from 81 to 120	250	500	
from 121 to 180	300	600	
from 181 to 240	350	700	
from 241 to 300	400	800	
from 301 to 360	450	900	
from 361 to 420	500	1.000	
from 421 to 480	550	1.100	
from 481 to 540	600	1.200	
from 541 to 600	650	1.300	
from 601 to 660	700	1.400	
from 661 to 720	750	1.500	
from 721 to 780	800	1.600	
from 781 to 840	850	1.700	
from 841 to 900	900	1.800	
from 901 to 1000	950	1.900	
above 1001	1.000	2.000	

2. For live music use, the base of paragraph 1 is increased for 100%.

3. In cases when entry fees or obligatory consumption is charged four days a week, the base of paragraph 1 and 2 is increased for additional 40%.

4. In cases when entry fees or obligatory consumption is charged for more than four days a week, the base of paragraph 1 and 2 is increased for additional 50%.

V. HOTELS

Tariff number 5

1. For musical works use in hotel rooms, apartments, hotel settlements, apartment settlements by means of radio sets, internal television of closed type or any other television or cable network, the monthly compensation depends on the capacity of the building, as it follows:

- a) to 25 guests 500 points;
- b) from 26 to 50 guests 1.000 points
- b) from 51 to 75 guests 1.700 points
- b) from 76 to 100 guests 2.500 points
- b) from 101 to 500 guests 3.600 points
- c) more than 500 guests 6.000 points

2. For use of musical works in common space of the hotels (foyer, restaurant halls, etc.) the monthly compensation is fixed according to the category of the hotel, as it follows:

- a) for hotels of Vth category , apartments, boarding houses and motels of third category the compensation is 250 points;
- b) for hotels of IVth and IIIrd category, motels, apartments and boarding houses of IInd category, the compensation is 500 points;
- c) for hotels of IInd category, motels, apartments and boarding houses of Ist category, the compensation is 1000 points;
- d) for hotels of Ist category the compensation is 1500 points.
- e) for hotels of Deluxe category the compensation is 2.500 points.

VI. TRADE AND OTHER BUSINESS PREMISES

Tariff number 6

1. For use of musical works by means of mechanical music in shopping centers, shopping mall, gas stations, supermarkets, shops, boutiques, business premises, production plants etc., the monthly compensation is established according to the volume of the space and is as follows:

- a) to 50 m² the base is 1 point per 1 m²;
- b) from 50 m² to 200 m² the base is 0,7 points per 1 m²;
- c) for every m² above 200 m² the base is 0,5 point per 1 m².

2. When the musical works are communicated on open public space, the compensation of the previous paragraph is increased for 100 points.

VII. CRAFT STORES

Tariff number 7

1. For use of musical works by means of mechanical music at the barber's or hairdresser's, beauty salon, cake shops or other similar craft stores, the monthly compensation is established according to the volume of the space and is as following:

- a) to 50 m² the base is one point per 1m²;
- b) from 50 m² to 200 m² the base is 1,5 points per 1m²;

2. When the musical works are also communicated on open public space, the compensation of the previous paragraph is increased for 100 points.

VIII. RESORTS AND MOUNTAIN LODGES

Tariff number 8

For use of musical works by means of mechanical music in resorts and mountain lodges, the monthly compensation is 100 points.

IX. FAIRS

Tariff number 9

For public communication of mechanical music, except music from music machines, compensation of 300 points a day is to be paid.

X. BUSINESS PREMISES WITH MASS ACCESS OF CUSTOMERS (BANKS, AGENCIES)

Tariff number 10

For use of musical works by means of mechanical music in banks, agencies, etc. with mass access of clients, the monthly compensation is 100 points.

XI. MEANS OF TRANSPORTATION

Tariff number 11

1. For use of musical works by means of a mechanical music in public transportation (buses, trains, ships, etc.), the compensation is monthly paid at the amount of 50 points per means of transportation.

2. For use of musical works by means of a mechanical music in tourist transportation means (buses, ships, etc.), the compensation is monthly paid at the amount of 250 points per means of transportation.

3. For use of musical works by means of a mechanical music in planes, the compensation is monthly paid at the amount of 500 points per plane.

4. In case of use of a live music at ship, the provision of Tariff number 4, paragraph 2 is applied.

5. For use of music by means of a mechanical music in taxi, where the association of taxi drivers is a tax payer, the monthly compensation is 5 points per a registered taxi vehicle.

6. For use of music works by means of a mechanical music in advertising purposes by vehicle with a sound system, the daily compensation is 20 points.

XII. WAITING ROOMS AND STATIONS

Tariff number 12

For use of music works by means of mechanical music at bus stations, railway stations, ports and airports, the monthly compensation is 400 points.

XIII. MOVIE THEATRES

Tariff number 13

As to the use of music works by means of a mechanical music, before the beginning of the performance, at the break or after the performance in the movie theatres, the monthly compensation is paid according to the following table:

Number of seats	Number of points
to 200 seats	50 points
from 200 - 400 seats	100 points
from 400 - 600 seats	150 points
over 600 seats	200 points

XIV. TELECOMMUNICATION SERVICES

Tariff number 14

For communication of music works by phone, it is paid 10% per month, of the income made from this activity, calculated according to the number of registered impulses.

If no data are supplied by the user for the profit that was made, the royalty is calculated in double amount of the month for which there are available data.

If it is a case of a new user that has not provided data for the generated income, the royalty shall be calculated in double amount, on the basis of the data received from the other users.

XV. MUSEUMS, GALERIES, EXHIBITIONS

Tariff number 15

For using musical work by means of mechanical music in museums, galleries, at exhibitions etc. by public address system, monitor etc., the royalty is at the amount of 50 points.

XVI. AMUSEMENT SALONS

Tariff number 16

For using musical works by means mechanical music in amusement salons and salons for gambling games (betting, billiards, video games, slot machines etc.), if no catering services are offered, the monthly royalty is at the amount of 50 points.

XVII. AMUSEMENT PARKS

Tariff number 17

For using musical work by means of mechanical music in amusement parks, the monthly royalty is at the amount of 100 points.

XVIII. SPORT STRUCTURES

Tariff number 18

For using musical work by means of mechanical music in sport structures, skating rings, swimming pools etc., the royalty is at the amount of 300 points.

XIX. DANCING SCHOOLS

Tariff number 19

The royalty is paid monthly and it is at the amount of 300 points, irrespectively of the type of the music.

XX. AEROBICS, FITNESS AND BEAUTY SALONS

Tariff number 20

For using the musical works by means of mechanical music in aerobics and fitness centers, and beauty salons (cosmetics and massage), the royalty is paid on monthly basis and it is at the amount of 300 points.

XXI. MUSIC MACHINES

Tariff number 21

For public communication of the musical works from music machines without monitor, the royalty is paid on monthly basis and it is at the amount of 400 points.

For public communication of the musical works from music machines with monitor, the royalty is paid on monthly basis and it is at the amount of 1000 points.

XXII. INDIVIDUAL MUSICIANS

Tariff number 22

The royalty is also paid by the individual musicians (street musicians etc.) for public communication of the musical work, at the amount of 100 points per month.

For disabled persons with over 50% of disability, the royalty is reduced for 50%.

V. BROADCASTING

XXIII. PUBLIC BROADCASTER

Tariff number 23

1. For broadcasting of non scenic musical works by the public enterprise Macedonian Radio Television, when the use of the copyright work is necessary for the activity the user is dealing with, namely it depends on its use, and it is not possible to determine separately the profit made from the use (broadcasting), the compensation for use is determined in percent of the profit which covers the funds from the broadcasting fee and/or subscription, advertising, sponsorships, grants and the incomes of the turnover of programs.

The funds for added value tax (VAT) are not considered as income, as well as the funds from credits and interests on credits.

2. The public enterprise - Macedonian Radio and Television, unless otherwise agreed, pays the monthly royalties as follows:

- 4% from the incomes made on the basis of the broadcasting taxes, and
- 4% from the incomes made from the advertising services, the sponsorship, the grants, and the incomes from the commercial programs.

XXIV. COMMERCIAL RADIOBROADCASTERS

Broadcasting and transmission of radio program service

Tariff number 24

1. For broadcasting of non scenic musical works by radio, when the use of the copyright work is necessary for the activity the user is dealing with, namely it depends on its use, and it is not possible to determine separately the profit made from the use (broadcasting), the compensation for use is determined in percent of the profit which covers the funds from the broadcasting fee and/or subscription, advertising, sponsorships, grants and the incomes of the turnover of programs.

2. The funds for added value tax (VAT) are not considered as income, as well as the funds from credits and interests on credits.

3. When establishing the level of the compensations, the structure and the nature of the program is taken into consideration (the format of the broadcasting service), in accordance with the issued license for making broadcasting activity, as follows:

a) speech and speech musical radio of general format which depending upon the medium function they realize, they can be:

- predominantly educational general format,
- predominantly informative general format, and
- predominantly entertaining general format.

b) speech and speech-musical radio of specialized format;

c) musical-speech and musical radio of general format and

d) musical-speech and musical radio of specialized format.

4. The area, namely the service zone where the activity is carried out.

Unless otherwise agreed by contract, the royalty is paid monthly, as follows:

Radio program services on local level

Formats of radio program services		Percent of the income
Speech and speech musical radio of general format :	-educational	2,00%
	-informative	2,25%
	-entertaining	2,50%
Speech and speech musical radio of specialized format		3,00%
Musical speech and musical radio of general format		3,50%
Musical speech and musical radio of specialized format		4.00%

Radio program services on regional level

Formats of radio program services		Percent of the income
Speech and speech musical radio of general format:	-educational	1,75%
	-informative	2,00%
	-entertaining	2,25%
Speech and speech musical radio of specialized format:		2,75%
Musical speech and musical radio of general format:		3,25%
Musical speech and musical radio of specialized format:		3.75%

Radio program services on state level

Formats of radio program services		Percent of the income
Speech and speech musical radio of general format :	-educated	1,50%
	-informative	1,75%
	-entertaining	2,00%

Speech and speech musical radio of specialized format:	2,50%
Musical speech and musical radio of generalformat:	3,00%
Musical speech and musical radio of specialized format:	3,50%

XXIV. COMMERCIAL RADIOBROADCASTERS
Broadcasting and transmission of television program services

Tariff nr.25

1. For broadcasting of non scenic musical works by television, when the use of the copyright work is necessary for the activity the user is dealing with, namely depends on its use, and it is not possible to determine separately the profit made from the use (broadcasting), the compensation for use is determined in percent of the profit that covers the funds from the broadcasting fee and/or subscription, advertising, sponsorships, grants and the incomes of the turnover of programs.

2. The funds for added value tax (VAT) are not considered as income, as well as the funds from credits and interests on credits.

3. When establishing the level of the compensations, the structure and the nature of the program is taken into consideration (the format of the broadcasting service), in accordance with the issued license for making broadcasting activity, as follows:

a) The television program service of general format depending upon the the medium function that is realized, can be as follows:

- predominantly educational general format;
- predominantly informative general format, and
- predominantly entertaining general format.

b) Television program service of specialized format.

4. The area, namely the service zone on which the activity is carried out.

Unless otherwise agreed by contract, the royalty is paid monthly, as follows:

Television program services on local level

Formats of television program services		Percent of the income
General format :	-educational	2,00%
	-informative	2,25%
	-entertaining	2,50%
Specialized format :		3,50%

Television program services on regional level

Formats of television program services		Percent of the income
General format :	- educational	1,75%
	-informative	2,00%
	-entertaining	2,25%
Specialized format:		2,75%

Television program services on state level

Formats of television program services		Percent of the income
General format:	-educational	1,50%
	-informative	1,75%
	-entertaining	2,00%
Specialized format :		2,50%

XXVI. NONPROFIT BROADCASTERS

Tariff number 26

In line with the Articles 7 and 10 from the Broadcasting activity Law, the educational, cultural and other institutions and associations can found a nonprofit broadcasting institution all with aim to meet the needs and the interests of the specific target groups.

For the nonprofit broadcasting institutions, unless otherwise agreed, the royalty is paid monthly, as it follows:

- 150 points per month.

XXVI. COMMERCIAL RADIOMBROADCASTERS SATTELITE BROADCASTING

Tariff number 27

1. For satellite broadcasting of non scenic music works by television, when the use of the copyright work is necessary for the activity the user is dealing with, namely depends on its use, and it is not possible to determine separately the profit made from the use (broadcasting), the compensation for use is determined in percent of the profit that covers the funds from the broadcasting fee and/or subscription, advertising, sponsorships, grants and the incomes of the turnover of programs.

2. The funds for added value tax (VAT) are not considered as income, as well as the funds from credits and interests on credits.

3. When establishing the level of the compensations, the structure and the nature of the program is taken into consideration (the format of the broadcasting service), in accordance with the issued license for making broadcasting activity, as follows:

a) The television program service of general format depending upon the the medium function that is realized, can be as follows:

- predominantly educational general format;
- predominantly informative general format and
- predominantly entertaining general format.

b)Television program service of specialized format.

4. The area, namely the service zone in which the activity is carried out.

Unless otherwise agreed by contract, the royalty is paid monthly, as follows:

Television program services on state level

Formats of television program services		Percent of the income
General format :	-educational	1,50%
	-informative	1,75%
	-entertaining	2,00%
Specialized format		2,50%

XXVII.BROADCASTING THROUGH SATTELITE BY MEANS OF DECODING OF SIGNAL (DIRECT TO HOME technology)

Tariff number 28

Unless otherwise agreed, the royalty for broadcasting of musical copyright works through satellite by means of decoding a signal (DIRECT TO HOME technology) is paid at the amount of:

- 4 points , per decoder and per a TV channel, annually.

The operator is obliged to submit a report for the number of decoders, as well as a list of the channels that are broadcasted, at the latest to the 15th of the month for the previous month.

The list of the channels has to include all of the channels which make the offer of the operator, with an official name of the channels and the country of origin.

XXVIII. CABLE RETRANSMISSION OF RADIO AND TELEVISION PROGRAMS IN CABLE NETWORK

Tariff number 29

The royalty for regulation of the copyright and the related rights for distributing radio and television programs in a cable network is determined by special agreements, whose contracting parties are the copyright holders: The Association for music copyrights protection "ZAMP", in the name of the foreign copyright holders, members of **CISAC** and the other foreign copyright holders – the broadcasting cooperators: The European Broadcasting Union **EBU**, The Association of Private Radio and Television channels **VGMedia GmbH**, and the Association for international collective realization of the audiovisual works **AGICOA** as one, and the copyright holders – the cable operators as another contracting party.

The royalty for cable retransmission of the music copyright works on radio and television programs, that are not included in the special agreement of paragraph 1 of this Tariff number, is at the amount of:

- 2 points per subscriber and per channel, annually.

The operator of the cable network is obliged to submit a report for the number of subscribers, as well as a list of the channels being retransmitted up to the 15th of the month for the previous month.

The list of the channels is to include all of the channels that cover the offer of the operator of the cable network, with an official name of the channels and the country of origin.

XXIX. RENTING

Tariff number 30

The royalty for renting phonograms and video grams is at the amount of 4% of the renting price, on the basis of submitted report from the user that is to be submitted on the 15th day of the month at the latest, for the previous month.

XXX. INTERNET SERVICES

Tariff number 31

The royalty for using internet services is at the amount of 10% from the income of the web-site with musical content, but not less than the minimal amount, determined with this table:

Number of monthly visits:	up to 5000	for every additional 5000
Internet-radio - web simulcasting or web radio	600 points	400 points
Broadcasting of public performances with music - web streaming	600 points	400 points

Coulise music (per work)		400 points	300 points
Listening on request – making it available to the public without the possibility of downloading	- up to 50 works:	1000 points	700 points
	- from 50 to 100 works:	1500 points	1000 points
	- more than 100 works:	by special agreements	

The minimum royalty for the mentioned categories is calculated independently one of another and after that is summed up. The income is defined as an income from subscription, advertisement, sponsorship, donations, provisions, cessions, compensations etc.

2. Downloading of musical works

The royalty is at the amount of 10% from the retail price of the content.
The minimum royalty is 1 point per distributed part.