

2022

Annual report
Summary

SUISA
100

Genossenschaft der Urheber und Verleger von Musik
Coopérative des auteurs et éditeurs de musique
Cooperativa degli autori ed editori di musica
Cooperative Society of Music Authors and Publishers

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CHF **190.1** mn
turnover

In 2022, SUISA's turnover consisted of revenues from the authors' rights and secondary income.

CHF **145.0** mn
for authors and publishers

In 2022, SUISA reported revenues of CHF 145.0 mn which were passed on to publishers, lyricists and composers.

CHF **2.7** mn
for Swiss music

In 2022, SUISA promoted Swiss music, allocating CHF 2.7 mn for this purpose to the FONDATION SUISA. From this, composers and lyricists profited.

224
employees

SUISA serves the needs of its members and clients with a staff of 224 employees, corresponding to 185.5 fulltime jobs.

3,778,929
declarations of works

SUISA has received 3,778,929 declarations of works in 2022. This demonstrates how active composers are.

CHF 87 per CHF 100
for the artists

For each CHF 100 in revenues, SUISA distributes CHF 87 to rightsholders.

>100

sister societies

In Switzerland, SUISA represents the world repertoire of music, and clears authors' rights with over 100 sister societies worldwide.

CHF 8.0 mn

for social security

7.5 % of the revenues from performance and broadcasting rights in Switzerland and Liechtenstein are contributed to the social security of our members. In 2022, this represented CHF 8.0 mn.

CHF 13.4 mn

broadcasts

In 2022, SUISA licensed radio and television broadcasts for about CHF 13.4 mn, representing more than 450,000 works.

CHF 33.7 mn

administration expenses

Secondary income (CHF 12.2 mn) covers a portion of the expenses. The rest is financed by deducting a contribution from the settlements distributed to beneficiaries. This cost-coverage deduction was 12.77 % on average.

100 years' old and still going strong!



The founding of SUISA's predecessor organisation MECHANLIZENZ in 1923 was a milestone for creators in Switzerland. The creation of the first copyright collecting society in our country meant that composers, lyricists and publishers of music would be paid for the use of their music. In the following years, other copyright collecting societies were established for other artistic genres.

Since then, there have been numerous decisive developments and achievements in the cultural landscape. New technologies have come while others have practically disappeared. Since the '90s and the rise of the internet, the commercial exploitation of music has had to cope with major challenges. And three years ago, many creators found themselves in dire financial straits because of the pandemic.

Yet creators have always been able to count on the collective management organisations to steadfastly defend their rights and ensure that, as artists and creators, they are fairly remunerated for their work.

Today, 100 years after the creation of MECHANLIZENZ, SUISA is going stronger than ever. After two tough pandemic years, SUISA has chalked up a record year: never before in its history had its revenues from authors' rights been as high as in 2022. What a wonderful anniversary present – not just for SUISA, but above all for the authors and publishers of music who receive nearly 90% of the collected amounts.

I look ahead to the future with confidence, in the knowledge that SUISA will continue to master coming developments in the best interests of music creators at home and abroad. NFTs, artificial intelligence, direct licensing on the concert market... I am firmly convinced that, on the strength of its 100-years' experience, SUISA will overcome these challenges with brio.

“What a wonderful anniversary present – not just for SUISA, but above all for the authors and publishers of music.”

On this centenary anniversary, I wish to express my sincere gratitude not only to SUISA's existing staff and management for their important and outstanding work, but to all those who have worked for SUISA since 1923. A big thank you also to my colleagues on the Board, and this includes all those who have served on the Board in the last 100 years. Thanks to their work and their dedication to the cause of music creators, we composers, lyricists and publishers have been paid for our creative work in the last 100 years.

So let us press on for the next!



Xavier Dayer
President

General informations & statistics

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A record year for SUISA's centenary

Last year, SUISA's revenues were back to their pre-pandemic levels. Only concerts are still feeling the after-effects of the pandemic. Online activities, on the other hand, remain on a growth track.

Andreas Wegelin

2022 will go down in SUISA's history as a record year. Revenues from authors' rights attained CHF 157.5 million just in time for SUISA's centenary – MECHANIZENZ, the first copyright society in Switzerland, was founded in 1923. That is 1.5 % more than in 2019, the last record year, when copyright revenues totaled CHF 155.2 million. The global pandemic left its mark on the intervening years. Last year, the after-effects of the pandemic were still perceptible: since large concert events only picked up again in 2022, performance revenues again fell short of their pre-pandemic levels. A significant upturn is expected in 2023 – according to current forecasts, recovery from the pandemic-induced losses should be complete in 2024.

Global management of online rights is paying off

Since 2018, SUISA has licensed its members' copyrights in the distribution of their music recordings on online platforms worldwide. In the hitherto offline world, our licensing activities are confined to Switzerland. Thanks to reciprocity agreements with foreign collective management organisations, however, SUISA represents the entire world music repertoire in its home country. While domestic income remains stable and, at 87 % (CHF 137.6 million), continues to represent the lion's share of SUISA's turnover, revenue from global direct licensing of online distribution has increased by 61.8 % since 2019. Meanwhile, online business



generates CHF 18.9 million in revenues overall, of which CHF 8.9 million (previous year CHF 8.3 million) primarily from the licensing of the world repertoire in video-on-demand offerings in Switzerland and Liechtenstein.

SUISA Digital Licensing (SUDL) and Mint on the path to success

Global licensing of music audio offerings generated nearly CHF 10 million for SUISA rightholders through SUISA's subsidiary SUDL and its joint venture Mint. This relates primarily to Swiss music streamed on major platforms such as Apple Music, Spotify, Deezer or Amazon. In the prior year, these had amounted to CHF 8.7 million, and in 2019 to a mere CHF 3.4 million. Apart from these revenues, SUDL and Mint also generate income for other clients, foreign collective management organisations and publishers. Compared with the prior year, SUISA Digital Licensing realised 66.6 % growth in turnover. For the second consecutive year, Mint also reported a profit at the end of the year. Total revenues for the SUISA group of companies amounted to CHF 180.5 million for licensing activities and CHF 9.6 million in secondary income, i.e. CHF 190.1 million overall.

Swiss music abroad

Apart from the above-mentioned revenues from online business, SUISA's revenues from abroad consist in revenues from performance and broadcasting rights as well as revenues from reproduction (i.e. mechanical) rights. These monies stem from the management of rights under the reciprocity agreements with our foreign sister societies and are remitted to us by the latter for onward distribution to our rightholders. At the end of 2022, these revenues amounted to CHF 9.9 million, down from CHF 10.9 million the prior year and CHF 12.3 million in 2019. The after-effects of the pandemic were again responsible for the decline: our





sister societies generally transfer these revenues the following year. So the fact that concerts and other events were banned in 2021 is still affecting our revenue flows.

Stable costs – improved cost to turnover ratio

The pandemic years were extremely challenging for all institutions in the cultural sector. SUISA's primary objective had to be to contain costs so as to stabilise the cost-coverage deduction from the settlements to entitled parties. In 2021 and 2022, SUISA had less distributable income owing to the pandemic. As a result, there was less money at its disposal to cover operating costs. For this reason, when the pandemic broke out, SUISA took a number of steps to lower its administrative costs. In the reporting year, the Co-operative's total costs (disregarding book losses on securities) amounted to CHF 31.2 million, up 1.5% over the prior year. In 2019, those costs were still CHF 34.8 million. The ratio between SUISA's costs and revenues, disregarding any book gains and losses on securities, was cut back from 20.9% in 2021 to 18.9% in 2022.

Fluctuations in securities investments – lower supplemental distribution

The bad stock market year negatively impacted SUISA's securities portfolio. The book losses attained 10.4% of the value of the securities portfolio. In good years on the stock markets, the appreciation in the book value of the securities portfolio can be used to cover a portion of the costs. In 2022, since this was not possible, costs had to be funded in great part through the release of settlement liabilities. As a result, fewer funds were available for supplemental distribution. The latter thus dropped from 7% in the prior year, to 1.75% in the reporting year.

The average cost-coverage deduction on settlements was 12.77% (12.70% the previous year). Even taking into account the significantly lower supplemental distribution, the cost-coverage deduction still amounts to 11.5% of the distributed monies compared with 7.95% the previous year.

Highest turnover in SUISA's history

In 2022, SUISA's revenues were up 19.6% over the prior year, attaining the record amount of CHF 190.1 million. The growth was notably due to fair compensation revenues, domestic online revenues and online direct licensing revenues collected through SUISA Digital Licensing and Mint. Revenues from performance rights also increased sharply (by 66.4%) over the prior year. However, the after-effects of the pandemic are still perceptible and revenues from performance rights have yet to reach their 2019 level. Driven by the negative performance of stock markets in 2022, secondary income declined further last year.

Highest turnover in SUISA's history**Turnover of the SUISA Group**

in CHF 1,000

SUISA Group revenues	2022 compared with 2021			2022 compared with 2019	
	2022	2021	Variation in %	2019	Variation in %
Broadcasting rights	62,862	63,996	-1.8	63,582	-1.1
Performance rights	47,195	28,368	66.4	52,127	-9.5
Mechanical rights	3,558	4,253	-16.3	4,383	-18.8
Fair compensation revenues	15,116	14,560	3.8	13,898	8.8
Online	8,917	8,261	7.9	5,511	61.8
Total domestic revenues	137,648	119,437	15.2	139,500	-1.3
Online rest of the world	32,889	19,246	70.9	9,034	264.1
International performance and broadcasting rights	7,463	8,123	-8.1	9,149	-18.4
International mechanical rights	2,453	2,744	-10.6	3,196	-23.2
Total international revenues	9,916	10,867	-8.8	12,345	-19.7
Total revenue from copyrights	180,452	149,550	20.7	160,879	12.2
Secondary income	9,652	9,443	2.2	8,347	15.6
Total income of the SUISA Group	190,104	158,993	19.6	169,226	12.3

SUISA can carry out the distributions in 2023 with an average cost deduction of 12.77 %. If the supplementary distribution of 1.75 % is added to all amounts to be paid out to rightsholders in 2023 (except online from SUISA Digital Licensing), the cost deduction decreases by 1.27 % in purely mathematical terms and amounts to 11.50 % of the distributed money.

From private copying to concerts and to SBC¹

According to Article 46(1) of the Copyright Act (CopA), SUISA is required to draw up tariffs for the remuneration collected by it. These tariffs must perforce be negotiated with the relevant associations of users and submitted to the Federal Arbitration Commission for the Exploitation of Copyrights and Related Rights for approval (Article 46(2) CopA).

Vincent Salvadé



The 2022 highlights in a nutshell:

Private copying

In 2021, we had already negotiated a new Common Tariff 4i (CT 4i) relating to private copying on digital media. This tariff used to apply also to smartphones and tablets. In consultation with the user associations, its scope has now been extended to laptops and external hard drives. A uniform fee will henceforth apply to all these devices. The tariff was approved by the Federal Arbitration Commission on 21 May 2022 and came into force on 1 July. Given that the blank audio media levy is still a controversial issue, the new tariff is a positive development. All the more since it should result in a significant increase in our private copying revenues.

Alongside the CT 4i negotiations, we have (for some time) been negotiating a new levy for private copying in the cloud via systems such as Dropbox, Google Drive, and the like. We believe that Swiss law provides the legal basis for such a levy – but in Europe, this was the subject of debate. In its Judgment of 24 March

¹ Swiss Broadcasting Corporation: SRG SSR

From private copying to concerts and to SBC

2022, the European Court of Justice ruled that copies made in the cloud are effectively subject to remuneration for private copying. The European Court of Justice determined that it was for Member States to set the terms of such remuneration which, however, had to be co-ordinated with existing fees. Overall, the European ruling is favourable to entitled parties and should serve to facilitate negotiations in Switzerland as well. That said, the earliest market data from summer 2022 show that a stand-alone tariff for the cloud is unlikely to be profitable: the cost of managing the tariff (especially since the main providers are established abroad) would be disproportionate in relation to the prospective remuneration. Accordingly, we are currently negotiating the incorporation of the cloud segment into CT 4i. This would not create any additional administrative costs for SUISA since the levy for copying in the cloud would be paid by the existing CT 4i customers. These negotiations are being continued in 2023.

SBC Tariff

In spring 2022, we negotiated with SBC the incorporation of their online uses in Tariff A. Hitherto, such uses were regulated in a separate agreement between SUISA and SBC. However, the Federal Intellectual Property Institute (IPI) held that if SUISA intended to remunerate the entitled parties for the online uses of their works by SBC under this Tariff, these uses had to be incorporated into Tariff A. SBC consented and a new supplemented Tariff A was approved by the Federal Arbitration Commission. The new tariff came into force on 1 January 2023.

At the same time, we initiated negotiations with SBC for the tariff applicable from 2024. Two factors cloud the situation: firstly, political developments could have a negative impact on SBC revenues, especially in view of the “CHF 200 are enough” popular initiative (which seeks a significant reduction in the fees for radio and



TV reception charged to households and businesses); and secondly, media convergence, which will soon require a revision of the existing tariff structure. The demarcation between radio and television is disappearing as content becomes increasingly transmedial, i.e. created for use in radio, television and internet. This trend is still in its early stages, however, and will not impact the tariff for a few years yet. By the same token, adverse political developments are also unlikely to have any effect before 2026 at the earliest. Under the circumstances, we decided to propose to SBC an extension of the existing tariff, with only a few updates, and for a relatively short duration (2024 and 2025, with two extension options for one year each). At the same time, we have already started talks with SBC on the next tariff in order to anticipate political and technical developments. These talks are being continued in 2023.

Concerts and other events

SUISA aims to simplify Common Tariff K, especially for smaller events, with a view to saving administration costs and facilitating access to music. But, generally speaking, the associations participating in the negotiations consider that the tariff is no longer equitable and are demanding a significant reduction in the fees due thereunder. They hold that the tariff does not take adequate account either of the considerable costs which the organisers have to bear, or of the non-musical elements which draw concert-goers to concerts. In the process, however, the associations are calling into question the fundamental principles underlying copyright and tariff law – and this SUISA cannot accept.

In December 2022, three associations involved in the negotiations terminated the existing tariff for the end of 2023. As a result, in order to respect the time limit under the Copyright Ordinance, SUISA must propose a new tariff to the Federal



Von der Privatkopie über die SRG bis zu Konzerten

Arbitration Commission by the end of May 2023. Meanwhile, negotiations continue in the hope of finding a solution. It is possible that no agreement will be reached and that in the last resort the Federal Arbitration Commission will be called upon to decide.

The financial year of the Cooperative Society SUISA

Revenue 2022 of the Cooperative Society SUISA in brief

in CHF 1,000

Revenue	2022	2021	+/- %
Net income from collective administration (domestic and international)	157,536	139,019	13.3 %
Other operating income	6,997	6,636	5.4 %
Total operating income	164,533	145,655	13.0 %
Financial and real estate income (without book profits)	1,251	1,278	- 2.1 %
less change in del credere / losses on receivables	- 143	- 79	81.1 %
Total income without book profits	165,640	146,854	12.8 %
Book profits on securities	414	5,160	- 92.0 %
Total revenue	166,054,	152,014	9.2 %

The financial year of the Cooperative Society SUISA**Expenses 2022 of the Cooperative Society SUISA in brief**

in CHF 1,000

Expenses	2022	2021	+,/,- %
Total operating expenses	152,955	151,018	1.3 %
less distribution of royalties	-122,078	-121,300	0.6 %
Finance and real estate expenses (without book losses)	445	355	25.3 %
plus changes in del credere / loss on receivables	-143	-79	81.1 %
Total expenses without book losses	31,178	29,994	3.9 %
in % of total income (without book profits)	18.8 %	20.4 %	-7.8 %
Book losses on securities	12,798	720	1,678.1 %
Total expenses	43,976	30,714	43.2 %
in % of revenue	26.5 %	20.2 %	31.1 %

The financial year of the Cooperative Society SUISA**Average cost deduction of the Cooperative Society SUISA in brief**

in CHF 1,000

Calculation of average cost deduction for the settlements	2022	2021	+/- %
Total expenses without book losses	31,178	29,994	3.9%
Book losses on securities	12,798	720	1,678.1%
Total expenses	43,976	30,714	43.2%
less secondary income (other operating income, financial and real estate income, book profits, less change in del credere / loss on receivables)	-8,518	-12,994	-34.5%
+/- Allocations from settlement liabilities	-15,343	-63	24,334.4%
Net expense	20,115	17,657	13.9%
iin % of net revenues from collective administration	12.77%	12.70%	0.5%

Revenues of SUISA Cooperative Society

Domestic revenues

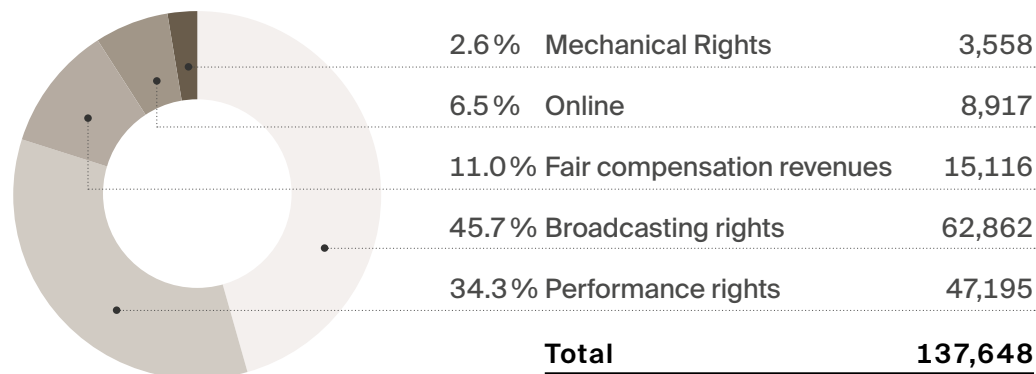
In 2022, performance and broadcasting rights accounted for 80 % of SUISA’s revenues. While broadcasting right revenues declined slightly, revenues from performance rights were up sharply in the aftermath of the pandemic.

Concert revenues in particular increased more than three-fold. Domestic and international online business developed positively, as did fair compensation revenues. As in recent years, mechanical rights remained on a downward path in 2022.



Breakdown of tariff revenues see p. 33/34.

in CHF 1,000



Average cost coverage deduction

Domestic performance and broadcasting rights	14.54%	max 15 %	The average cost coverage deduction in 2022 was 12.77 %
Domestic reproduction rights and fair compensation	12.77%	max 15 %	
Online	15.00%		
International revenues	3.99%		
Average cost coverage deduction	12.77%		

The financial year of the SUISA Group

Revenue 2022 of the SUISA Group in brief

in CHF 1,000

Revenue	2022	2021	+/- %
Net proceeds from collective administration (domestic and international)	180,452	149,550	20.7%
Other operating income	9,652	9,443	2.2%
Total operating income	190,104	158,993	19.6%
Profit from associated companies, financial and real estate income (excluding book profits)	1,711	1,373	24.6%
less change in del credere / losses on receivables	410	-528	-177.8%
Total income without book profits	192,225	159,838	20.3%
Book profits on securities	414	5,160	-92.0%
Total revenue	192,639	164,998	16.8%

The financial year of the SUISA Group**Expenses 2022 of the SUISA Group in brief**

in CHF 1,000

Expenses	2022	2021	+/- %
Total operating expenses	178,654	163,316	9.4 %
less distribution of royalties	-145,004	-132,873	9.1 %
Loss from associated companies, financial and real estate expenses (excluding book losses)	464	1,213	-61.7 %
plus change in del credere / loss on receivables	410	-528	-177.8 %
Total expenses without book losses	34,525	31,127	10.9 %
in % of total income (without book profits)	18.0 %	19.5 %	-7.8 %
Book losses on securities	12,798	720	1,678.1 %
Total expenses	47,322	31,847	48.6 %
in % of total revenue	24.6 %	19.3 %	27.3 %

The financial year of the SUISA Group**Average cost deduction for the SUISA Group**

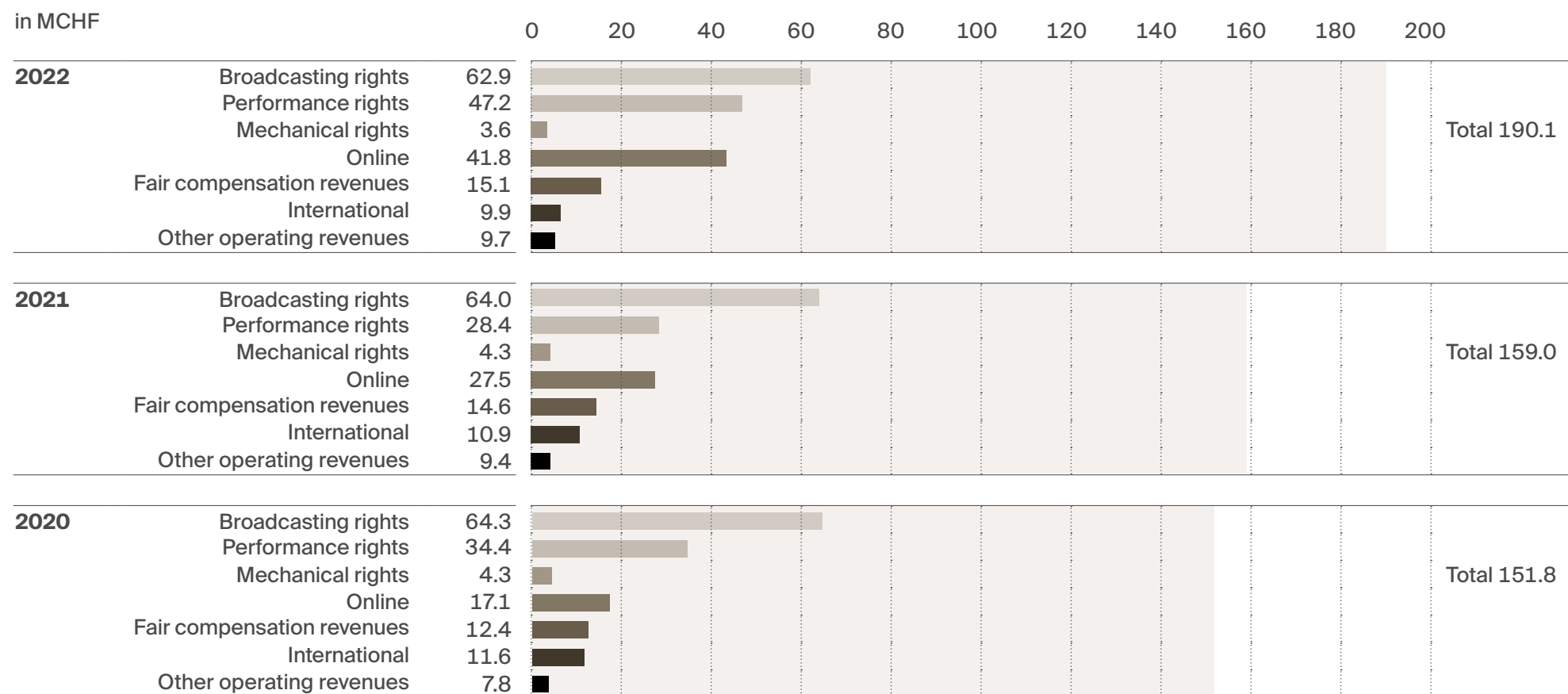
in CHF 1,000

Calculation of average cost deduction for the settlements	2022	2021	+/- %
Total expenses without book losses	34,525	31,127	10.9%
Book losses on securities	12,798	720	1,678.1%
Total expenses	47,322	31,847	48.6%
less secondary income (other operating income, profit from associated companies, financial and real estate income, book profits, less changes in del credere/loss on receivables)	- 12,187	- 15,448	- 21.1%
+/- Allocations from settlement liabilities	- 15,343	- 63	24,334.4%
Net expense	19,792	16,336	21.2%
in % of net revenues from collective administration	10.97%	10.92%	0.4%

The financial year of the SUISA Group

Development of consolidated revenues since 2020

SUISA's consolidated online revenues comprise the online revenues of the Cooperative Society SUISA and SUISA Digital Licensing AG.



Membership statistics for 2022

Authors and publishers first join SUISA as principals or associate members. Persons who have been registered with SUISA for at least one year and have collected at least CHF 3,000 in royalties are then admitted to full membership with voting and election rights. If a member's royalties amount to less than CHF 3,000 over a ten-year period, the member transits back to the status of principal or associate.

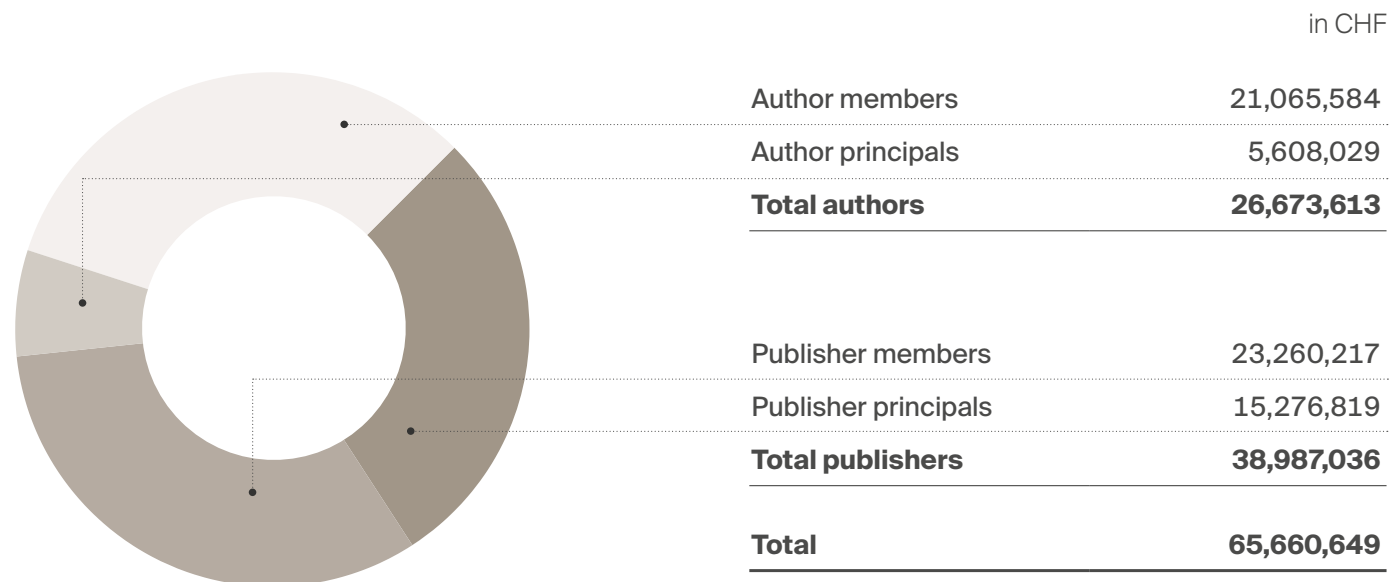
The number of members and principals stagnated in 2022. The number of new principals matched the number of rights administration agreements which were terminated because they no longer satisfied the criteria for membership under SUISA's Articles. Owing to the new membership criteria, the number of members declined by 42% compared with the prior year.

Authors and publishers in figures	Authors		Publishers		Total	
	2022	2021	2022	2021	2022	2021
Total members	7,109	12,397	445	628	7,554	13,025
of which from Liechtenstein	8	20	5	7	13	27
Total principals	31,622	26,384	2,087	1,877	33,709	28,261
of which from Liechtenstein	91	77	33	30	124	107
Total	38,731	38,781	2,532	2,505	41,263	41,286
Total Liechtenstein	99	97	38	37	137	134
Work registrations by members	46,371	46,852	3,732,558	4,216,350	3,778,929	4,263,202
Sub-publishing agreement registrations	-	-	102,900	85,806	102,900	85,806

Membership statistics for 2022

Breakdown of settlements by member groups

The settlements to publishers far exceed those made to authors. This is due to the fact that the major international publishers are direct members of SUISA, whereby SUISA manages and licenses their repertoire worldwide. This also explains the high proportion of settlements for publisher principals. Since 2015, SUISA has made quarterly settlements to its members.



These figures comprise all settlements made in 2022, including back payments.

International settlements

Thanks to reciprocity agreements signed with about 100 sister societies worldwide, SUISA represents what is known as the world repertoire of music. Switzerland is a net importer of music: much more foreign music is played in Switzerland than Swiss music is played abroad. The largest payment flows into Switzerland and Liechtenstein come from the neighbouring countries Germany, France, as well as from USA and Great Britain.



For a detailed list of SUISA's international settlements with its sister societies, see: www.suisa.ch/international

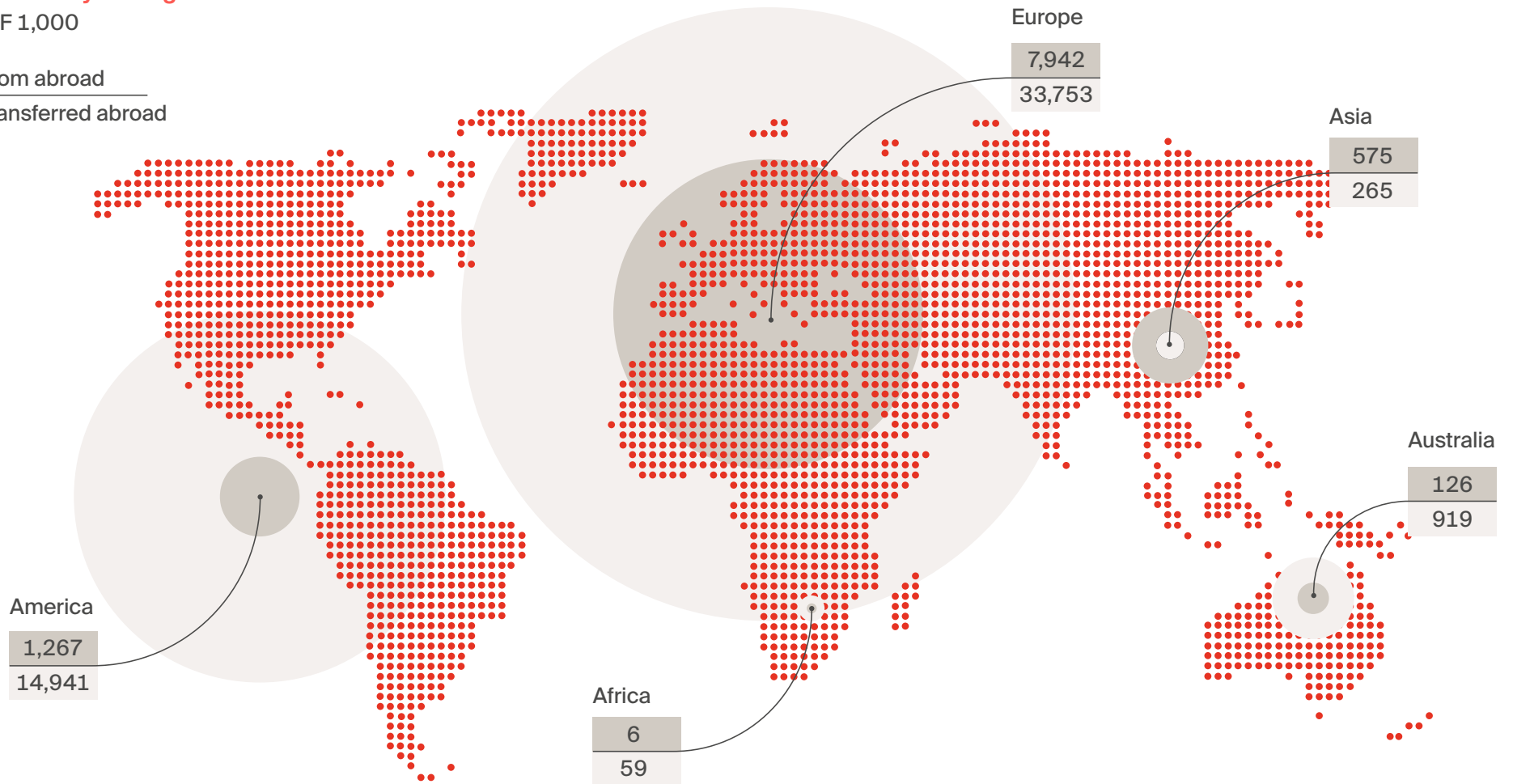
Top ten trading partners 2022 in CHF

Rank	Country	Societies	From abroad	Transferred abroad
1	Germany	GEMA, VG Musikedition	2,674,170	9,795,202
2	France	SACEM, SDRM	2,253,684	6,291,684
3	USA	AMRA, ASCAP, BMI, HARRY FOX AGENCY, LATINAUTOR USA LLC, EASY SONG, MLC, MUSIC REPORTS, SESAC	1,034,523	13,501,919
4	Great Britain	MCPS, PRS	661,887	8,025,392
5	Italy	SIAE, SOUNDREEF LTD	517,962	3,739,499
6	Japan	JASRAC	468,873	105,418
7	Austria	AKM, AUME	397,841	1,539,411
8	The Netherlands	BUMA, STEMRA	291,140	727,712
9	Sweden	STIM	283,681	865,173
10	Spain	SGAE, UNISON RIGHTS S.L.	148,483	544,315

Where do royalties go?

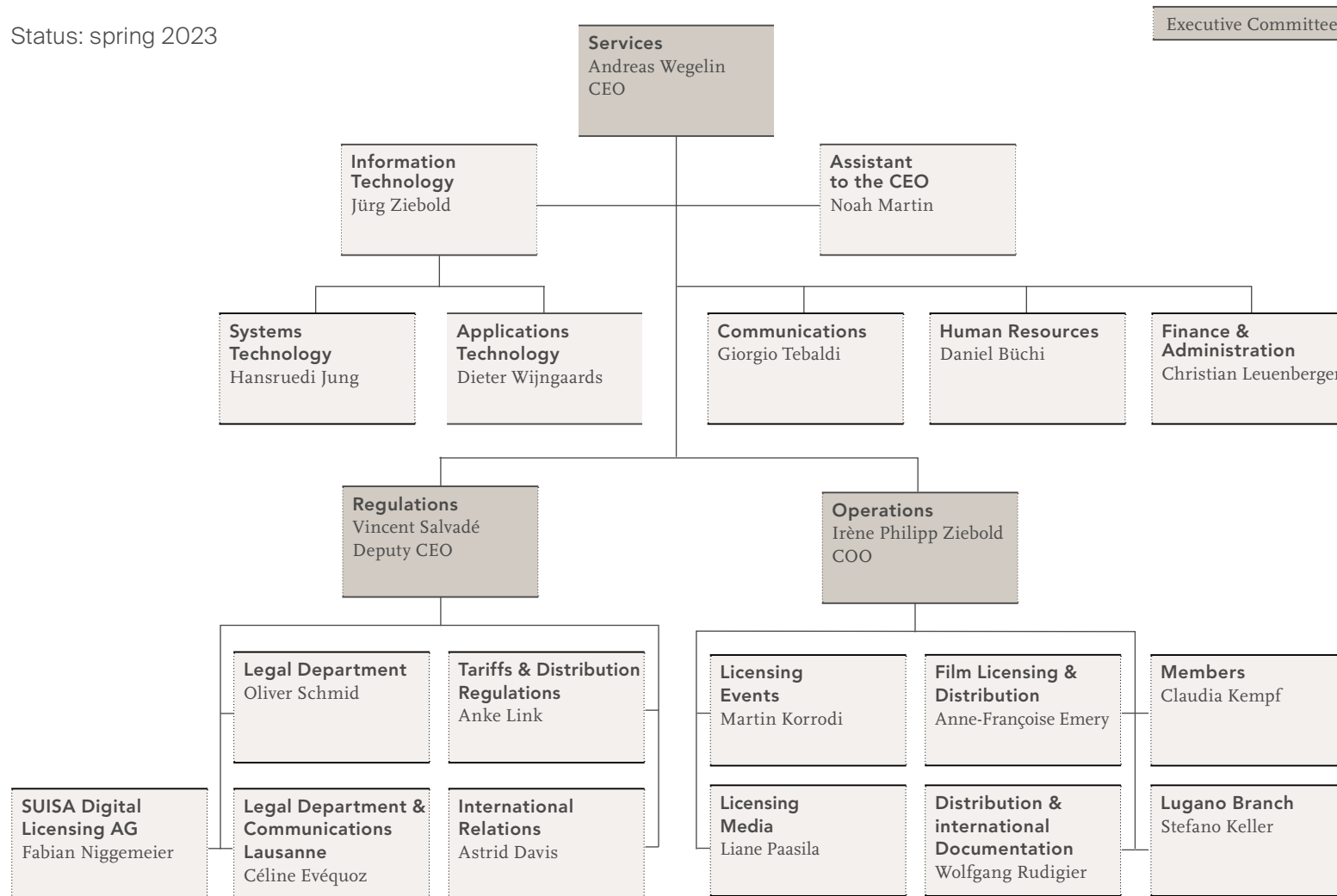
in CHF 1,000

- From abroad
- Transferred abroad



SUISA organisation chart

Status: spring 2023



Distribution Rules

Pursuant to Article 48(1) of the Copyright Act (CopA), SUISA is required to draw up distribution regulations for the remuneration it collects. These regulations and any subsequent amendments thereto must be approved by the Federal Intellectual Property Institute (IPI) and by the Liechtenstein Office for Economy.

Vincent Salvadé



The 2022 highlights in a nutshell:

Distribution for “PlaySuisse”

In last year’s annual report, we mentioned that SUISA’s Board had decided to amend the Distribution Rules to include a special distribution for “Play Suisse”, the VoD platform of the SBC¹. However, the IPI asked that Tariff A, the tariff applicable to the SBC, be revised before it would consider an amendment to the Distribution Rules. The Federal Arbitration Commission approved the new Tariff A on 14 December 2022 (see p. 51 of this report) allowing us to re-submit the amendment to the Distribution Rules approved by SUISA’s Board to the IPI. The latter gave its approval in early 2023, followed by the Liechtenstein Office for Economy.

Adaptation to tariff developments

Common Tariff 6b regulated lending rights in public libraries in the Principality of Liechtenstein. Swiss law does not foresee such a right. Both countries do however provide for a fee for the rental of copies of works (Article 13 CopA and Article 14 of

¹ Swiss Broadcasting Corporation, known as the SRG SSR

the Liechtenstein copyright act); this fee is regulated by Common Tariff 5. To streamline administration, Common Tariff 6b was incorporated into Common Tariff 5 effective on 1 January 2022. Accordingly, Tariff 6b was removed from the Distribution Rules effective on 1 January 2022.

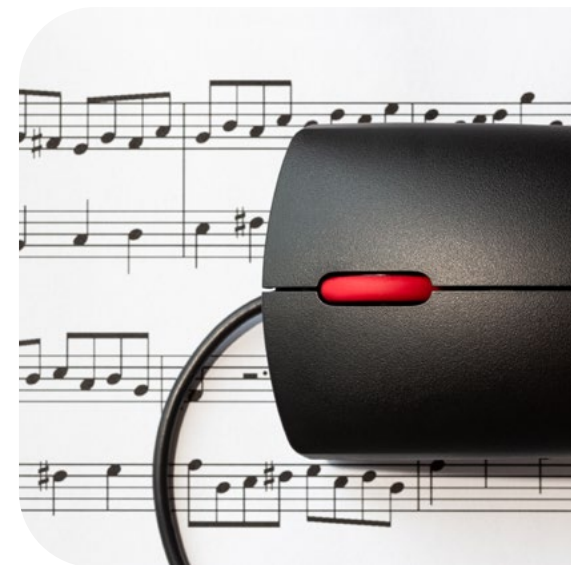
Since 1 July 2022, Tariff 4i has provided for a levy for private copying to laptops and external hard drives (see p. 52 of this report). This change has now been incorporated in the Distribution Rules. The revenues levied on laptops and external hard drives are distributed according to the rules for audio private copying for 82 %, and according to those for video private copying for 18 %.

Both these changes in the Distribution Rules were approved by the IPI on 18 October 2022 and by the Liechtenstein Office for Economy on 28 November 2022.

New definition of publisher and sub-publisher

The Distribution Rules previously provided that publishers are required to reproduce and distribute copies of a work at their own expense. But the publishing business has evolved over time. Today, a publisher's role consists first and foremost in promoting works to the public in the interest of their authors. It makes no difference whether such promotion is done by reproducing and distributing hard copies, by radio and TV broadcasting, through concerts, or by digital dissemination via online platforms. Henceforth, the Distribution Rules emphasise the publisher's role in promoting a work rather than that of reproducing and marketing copies of the work.

The new definition deviates however from that given in the Code of Obligations which still considers that a publisher's primary role is to reproduce and distribute any given number of copies of a work to the public (Article 380 CO). Even if this is no longer an obstacle to participation in royalty settlements, publishing houses



which do not reproduce and disseminate copies of works should be aware that, in the event of a dispute, a court may decide that they do not have a publishing contract, within the meaning of the CO, but a mandate which is revocable at any time (Article 404(1) CO). This may render less predictable a publisher's business development. Notwithstanding, this amendment brings SUISA's Distribution Rules better into line with the reality of the music business today.

The change was approved by the IPI on 18 October 2022 and by the Liechtenstein Office for Economy on 28 November 2022.

Complete re-editing of the Distribution Rules

In December 2022, SUISA's Board decided to completely re-edit the Distribution Rules. The re-editing has no material consequences, but it does provide increased transparency and greater legal certainty. Moreover, inclusive language has been adopted to foster gender equality.

The redrafted Rules were approved by the regulatory authorities in early 2023.

SUISA domestic and international royalty collections

in CHF 1,000

		2022	2021
Broadcasting rights			
A	SRG broadcasts	32,850	32,850
CT 1	Cable networks (retransmission of broadcasts)	16,888	16,983
CT 2b	Internet / mobile phones (retransmission of broadcasts)	88	106
	Advertising window	1,481	1,938
CT S	Broadcasters (SRG excluded)	10,489	11,103
CT Y	Pay radio/TV	1,066	1,016
	Total broadcasting rights	62,862	63,996
Performance rights			
B	Music and orchestra associations	765	583
CT C	Churches	581	581
D	Concert institutes	845	715
CT E	Cinemas	1,878	1,027
CT 3a	General background music	18,249	16,688
CT 3b	Airplanes, coaches, ships, carneys, advertising vehicles	180	152
CT 3c	Giant screens	7	6
CT H	Hospitality industry	3,087	2,259
CT Hb	Music performances for dancing and entertainments (hospitality industry excluded)	1,942	1,204
CT HV	Hotel videos	7	7
CT K	Concerts (concert institutes excluded)	18,771	4,535
CT L	Dance schools	736	545
CT MA	Jukeboxes	38	30
CT Z	Circus	109	37
	Total performance rights	47,195	28,368

		2022	2021
Mechanical rights			
PA	Music boxes	7	14
PI V	Sound recordings intended for the public	190	375
PI EG	Sound recordings intended for the public	542	484
PI	Sound recordings intended for the public: foreign licensing	656	918
PN	Sound recordings not intended for the public	38	38
VI	Audiovisual recordings intended for the public	345	526
VN	Audiovisual recordings not intended for the public	1,779	1,870
VM	Music video – domestic licensing	0	0
VM	Music video – foreign licensing	1	27
Total mechanical rights		3,558	4,253
Fair compensation revenues			
CT 4	Blank media levy video	28	28
CT 4	Blank media levy audio	111	9,242
CT 4	Blank media levy multifunctional	9,450	0
CT 5	Rental of work copies	49	49
CT 7	Use in schools / reprography	822	795
CT 9	Business internal networks	238	240
CT 10	Works for persons with disabilities	3	4
CT 12	Rental of set-top boxes	4,413	4,202
Total fair compensation revenues		15,116	14,560
Online			
	Streaming	8,083	7,359
	Upload and download	833	902
Total online		8,917	8,261
Total domestic collections		137,648	119,437
Revenues from SUISA Digital Licensing AG		9,973	8,715
International			
	International performance and broadcasting rights	7,463	8,123
	International mechanical rights	2,453	2,744
Total international collections		9,916	10,867
Net income from collective administration (domestic and international)		157,536	139,019

Balance sheet

of SUISA, Cooperative Society of Music Authors
and Publishers, Zurich in CHF 1,000

	31.12.2022	31.12.2021
Assets		
Cash	38,806	32,138
Securities	120,340	127,150
Receivables from services	10,609	8,814
Other short-term receivables	2,378	2,418
Prepayments and accrued income	1,082	507
Current assets	173,215	171,027
Movable assets	663	633
Real estate (operating)	8,714	8,948
Real estate (non-operating)	2,264	2,328
Investments	155	155
Intangible assets	1,128	1,101
Non-current assets	12,924	13,164
Total assets	186,140	184,191
Liabilities and equity		
Copyright liabilities	6,445	3,453
Payables from goods and services	1,230	961
Other short-term liabilities	14,198	11,335
Short-term provisions	102,609	97,060
Accrued liabilities and deferred income	11,339	9,994
Current liabilities	135,821	122,804
Non-current provisions	50,319	61,387
Non-current liabilities	50,319	61,387
Total liabilities	186,140	184,191
Capital	0	0
Total equity	0	0
Liabilities and equity	186,140	184,191

Statement of operations

of SUISA, Cooperative Society of Music Authors
and Publishers, Zurich in CHF 1,000

	2022	2021
Tariff revenues performance rights	47,195	28,368
Tariff revenues broadcasting rights	62,862	63,996
Tariff revenues mechanical rights	3,558	4,253
Tariff fair compensation revenues	15,116	14,560
Tariff revenues online rights	8,917	8,261
Revenues from SUISA Digital Licensing AG	9,973	8,715
Tariff revenues international	9,916	10,867
Net income from collective administration	157,536	139,019
Other operating income	6,853	6,557
Changes in del credere/loss on receivables	143	79
Total operating income	164,533	145,655
Distribution authors' rights	-122,078	-121,300
Personnel	-21,237	-21,238
Governing bodies and committees	-511	-413
Depreciation on movable assets	-604	-486
Depreciation on fixed assets	-234	-234
Depreciation on financial assets	0	-651
Depreciation on intangible assets	-763	-745
Other operating expense	-7,527	-5,952
Total operating expense	-152,955	-151,018
Operating result	11,578	-5,363
Financial income	1,194	5,977
Financial expense	-13,124	-976
Financial result	-11,931	5,002
Ordinary result	-353	-361
Income from real estate	471	460
Real estate expense	-118	-99
Non-operating result	353	361
Profit/loss for the year	0	0

Consolidated balance sheet

of the SUISA companies, Zurich

in CHF 1,000

	31.12.2022	31.12.2021
Assets		
Cash	39,288	32,393
Securities	120,340	127,150
Receivables from services	10,840	8,750
Other short-term receivables	2,378	3,146
Prepayments and accrued income	1,082	507
Current assets	173,930	171,945
Movable assets	663	633
Real estate (operating)	8,714	8,948
Real estate (non-operating)	2,264	2,328
Investments	155	155
Loan with subordination	0	0
Value adjustment loan with subordination	0	0
Book value of investment in associated company	2,847	2,938
Value adjustment associated company	-2,847	-2,938
Securities Swiss Life	155	155
Intangible assets	1,128	1,101
Non-current assets	12,924	13,164
Total assets	186,854	185,109
Liabilities and equity		
Copyright liabilities	6,445	3,453
Payables from goods and services	1,288	1,000
Other short-term liabilities	14,198	11,335
Short-term provisions	102,609	97,060
Accrued liabilities and deferred income	11,356	10,016
Current liabilities	135,896	122,863
Non-current provisions	51,017	62,619
Non-current liabilities	51,017	62,619
Total liabilities	186,913	185,482
Capital	-59	-373
Total equity	-59	-373
Liabilities and equity	186,854	185,109

Consolidated statement of operations

of the SUISA companies, Zurich

in CHF 1,000

	2022	2021
Tariff revenues performance rights	47,195	28,368
Tariff revenues broadcasting rights	62,862	63,996
Tariff revenues mechanical rights	3,558	4,253
Tariff fair compensation revenues	15,116	14,560
Tariff revenues online rights	41,805	27,507
Tariff revenues international	9,916	10,867
Net income from collective administration	180,452	149,550
Other operating income	10,062	8,915
Changes in del credere/loss on receivables	-410	528
Total operating income	190,104	158,993
Distribution authors' rights	-145,004	-132,873
Personnel	-21,277	-21,276
Governing bodies and committees	-518	-421
Depreciation on movable assets	-604	-486
Depreciation on fixed assets	-234	-234
Depreciation/revaluation of financial assets	91	534
Depreciation on immovable assets	-763	-745
Other operating expense	-10,345	-7,816
Total operating expense	-178,654	-163,316
Operating result	11,450	-4,323
Result from associated companies	458	-856
Financial income	1,197	6,073
Financial expense	-13,143	-978
Financial result	-11,489	4,240
Ordinary result	-39	-83
Income from real estate	471	460
Real estate expense	-118	-99
Non-operating result	353	361
Profit/loss for the year	314	278

SUISA is a cooperative society which belongs to its members. At the end of 2022, SUISA represented the rights of 41,263 full and associate members, of which 38,731 authors and 2,532 publishers.

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