

2.1.1.6 Scope of agreements

¹ Agreements between authors, between authors and publishers, or between publishers may relate:

- only to the performance and broadcast distribution categories (distribution categories 1A, 1C, 1E, 2–12, see Article 4.1),
- only to the sound and audiovisual recording distribution categories and online uses (distribution categories 1B, 1D, 2B, 2D, 21 and 22, see Article 4.1), or
- to all distribution categories.

² Agreements relating only to individual distribution categories are disregarded.

³ Agreements that do not indicate their contractual scope are assumed to apply to all distribution categories.

2.1.1.7 Start of validity for SUIISA

¹ In the case of agreements involving publishers or sub-publishers, Article 1.1.3.4 paragraph 9, or Article 1.1.3.6 paragraph 9, as the case may be, apply .

² In the case of all other agreements, the parties are entitled to the shares notified to SUIISA no later than five months before the next relevant settlement date. Agreements registered after this time limit are taken into account in the settlement if possible.

³ Different distribution keys cannot be applied within a single settlement period for the same work.

2.1.2 Regulatory distribution keys

¹ The following tables show the distribution keys:

Tables I for work registrations up to and including 31.12.2016:

Table I A: Music without lyrics

Table I B: Music with lyrics

Tables II for work registrations as of 01.01.2017:

Table II A: Music without lyrics

Table II B: Music with lyrics

The distribution key is determined taking account of the following circumstances:

- whether the music and lyrics are protected by copyright or the music and/or lyrics are free;
- which uses are concerned:
 - performances or broadcasts, including retransmissions via cable networks;
 - sound or audiovisual recordings, including any produced by the SRG¹ for broadcasting purposes;
- whether the publisher receives the normal share of 33.33% for performance and broadcasting rights or, in the case of film music, a share of 50% in accordance with Article 2.1.3.6 (valid up to and including 31.12.2017);
- whether the publisher receives the normal share of 40% for reproduction rights of sound and audiovisual recordings or, in the case of own recordings in accordance with Article 2.1.3.3, a share of 50%.

² Composers who write music to accompany lyrics which were already in the public domain at the time of setting to music are entitled to the lyricist's performance and broadcast share. This rule applies to all works newly registered with SUIISA on or after 01.01.2017.

¹ Translator's note: The Swiss Broadcasting Corporation (Schweizerische Radio- und Fernsehgesellschaft SRG SSR)

Tables I for work registrations up to and including 31.12.2016
Table I B Music with lyrics

Entitled parties			Performances and broadcasts	Reproduction of sound and audiovisual recordings			
				Protected music protected lyrics	Protected music DP lyrics	DP music protected lyrics	Arrangements of DP works
			%	%	%	%	%
Manuscript works							
09	Composer	C	50	50	100	–	
	Lyricist	A	50	50	–	100	
10	Composer	C	42.5	42.5	80	–	–
	Lyricist	A	42.5	42.5	–	50	–
	Arranger	AR	15	15	20	50	100
Published works							
11	Composer	C	32.5(25 ¹)	30(25 ²)	60(50 ²)	–	
	Lyricist	A	32.5(25 ¹)	30(25 ²)	–	60(50 ²)	
	Publisher	E	35(50 ¹)	40(50 ²)	40(50 ²)	40(50 ²)	
12	Composer	C	27.5(22.5 ¹)	25(22.5 ²)	47.5(40 ²)	–	–
	Lyricist	A	27.5(22.5 ¹)	25(22.5 ²)	–	30(25 ²)	–
	Arranger	AR	10(5 ¹)	10(5 ²)	12.5(10 ²)	30(25 ²)	60(50 ²)
	Publisher	E	35(50 ¹)	40(50 ²)	40(50 ²)	40(50 ²)	40(50 ²)
Sub-published works							
13	Composer	C	25	20	40	–	
	Lyricist	A	25	20	–	40	
	Publisher	E	15	20	20	20	
	Sub-publisher	SE	35	40	40	40	
14	Composer	C	17.5	15	30	–	
	Lyricist	A	17.5	15	–	30	
	Publisher	E	15	20	20	20	
	Sub-lyricist	SA	15	10	10	10	
	Sub-publisher	SE	35	40	40	40	
15	Composer	C	17.5	15	30	–	
	Lyricist	A	17.5	15	–	30	
	Publisher	E	15	20	20	20	
	Sub-arranger	SR	15	10	10	10	
	Sub-publisher	SE	35	40	40	40	

¹ Publisher's share may be increased to 50 % for film music (see Article 2.1.3.6).

² Publisher's share is increased to 50 % for own recordings (see Article 2.1.3.3).

Tables II for work registrations on or after 01.01.2017
Table II A Music without lyrics

Entitled parties		Performances and broadcasts	Reproduction of sound and audiovisual recordings	
			Protected music	Arrangements of DP works
		%	%	%
Manuscript works				
01	Composer	C	100	100
02	Composer	C	80	80
	Arranger	AR	20	100
Published works				
03	Composer	C	66,67(50 ¹)	60(50 ²)
	Publisher	E	33,33(50 ¹)	40(50 ²)
04	Composer	C	50(40 ¹)	47.5(40 ²)
	Arranger	AR	16,67(10 ¹)	12.5(10 ²)
	Publisher	E	33,33(50 ¹)	40(50 ²)
Sub-published works				
05	Composer	C	50	40
	Publisher	E	15	20
	Sub-publisher	SE	35	40
06	Composer	C	40	30
	Arranger	AR	10	10
	Publisher	E	15	20
	Sub-publisher	SE	35	40
07	Composer	C	35	30
	Publisher	E	15	20
	Sub-arranger	SR	15	10
	Sub-publisher	SE	35	40
08	Composer	C	35	30
	Arranger	AR	–	-
	Publisher	E	15	20
	Sub-arranger	SR	15	10
	Sub-publisher	SE	35	40

¹ For film music registrations made on or before 31.12.2017, the publisher's share may be increased to 50% by agreement (see Article 2.1.3.6).

² The publisher's share is increased to 50% for own recordings (see Article 2.1.3.3).

II Foreign revenues

1 Shares

% H\Y' g\UfY' cZ' ZcfY] [b'] bWcaY' k\] W\ ' GI = G5' aYaVYf g' UbX' df] bW
UVf cUX'] g' VUgYX' c b' "

È h\Y' ZcfY] [b' X] ghf] Vi h] c b' _ Ym' k\] W\ ' h\Y' dUm] b [' g] ghYf' gcW
k] h\ ' GI = G5 /

È h\Y' WcbhfUWhiU' ' U[fYYaYbhg' VYhkYYb' Ui h\cf g' UbX' di V'] g\Yf
hU_Yb'] bh c' UWWc i bh' Vm' h\Y' ZcfY] [b' g] ghYf' gcW] Yhm/

È] b' U' ' ' ch\Yf' WUgYgž'] b' UWWcfXUbWY' k] h\ ' GI = G5fg' X] ghf] Vi h
& = Z' W] f Wi a ghUbWYg' UfY' i bW' YUfž' h\Y' df c j] g] c bg' cZ' 7\UdhYf' =

2 Income from a work

H\Y'] bWcaY' Zfca' U' kcf_ '] g' h\Y' gYhh' YaYbh' gi a' dU] X' Vm' h\Y' Zc
h\Y' XUhY' h\Y' dUmaYbh'] g' fYWY] j YX' Vm' GI = G5" "

3 Settlements

% Kcf_gĐ'] bWcaY' fYWY] j YX'] g' gYhh' YX' VUgYX' c b' h\Y' X] ghf] Vi h]
] bWcaY' g' idd'] YX' Vm' h\Y' g] ghYf' gcW] Yh] Yg" "

& GI = G5' hU_Yg' UWWc i bh' cZ' U' ' ' Wca d' YhYž' dfcdYf' m' XY'] j YfYX' U
h] Yg" "

' GI = G5'] ggi Yg' XYhU] ' YX' gYhh' YaYbh' ghUhYaYbhg' hc'] hg' aYaVYf

(Gi V^YWh' hc' dUfU[f Ud\ ' &ž' GI = G5' X] ghf] Vi hYg' h\Y' fYj Ybi Yg' fY
UZhYf' gi W' Uaci bhg' UfY' fYWY] j YX" "

4 Objections to settlements

AYaVYf g' UbX' df] bW] dU' g' ai gh' Z] ' Y' Ubm' cV^YWh] c bg' hc' h\Y' UWW
j Ubh' gYhh' YaYbh' ghUhYaYbhž' ZU] '] b [' k\] W\ ' h\Y' gYhh' YaYbh'] g

5 Back payments

GI = G5' c b' m' aU_Yg' VUW_ ' dUmaYbhg' c bWY'] h' fYWY] j Yg' h\Y' VUW_ ' dU

H\] g' XcWi aYbh'] g' U' ZfYY' hfUbg' Uh] c b'] bh c' 9b ['] g\ ' cZ' h\Y' X : fYbW\ ž' ; YfaUb' UbX' = hU'] Ub' ' Ub [i U [Yg" ' H\Y' hfUbg' Uh] c b'] g' 9b ['] g\ ' gdYU_Yf g" ' = b' h\Y' Yj Ybh' cZ' U' X] gWfYdUbWm' VYhkYYb' h ; YfaUb' cf' = hU'] Ub' j Yfg] c bgž' h\Y' j Yfg] c b'] b' h\Y' cZZ] W] U' ' "
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