

1. What fees do I have to pay if I privately make a livestream available on YouTube or Facebook?

As a private individual, you do not need a licence from SUISA to place non-commercial livestreams on YouTube and/or Facebook/Instagram because SUISA has direct agreements with both platforms (YouTube and Facebook/Instagram).

In this context, non-commercial means that no money is charged for the livestream and that it is not produced by or for a company. Charity actions whose proceeds go entirely to the needy, as well as religious services and association events qualify as non-commercial provided no money is charged.

2. When do royalties have to be paid for a livestream?

On social media: whenever money is charged for the livestream, or if it is streamed by or for a company.

On your own website: as a rule, whenever you use music protected by copyright.

Exception: a performing artist (e.g. a band) which only ever plays its own compositions ("own use").

3. I wanted to upload a livestream. Then a message popped up about copyright infringement although I had already acquired the copyrights. What can I do about this?

In the case of objections, you are often told who the objecting rightholders are. In that case, it is advisable to contact them: that is the best way of finding out why the notice appeared.

4. Advertising was placed before my archived livestream on YouTube. Why? Is this allowed, and how can I prevent it?

YouTube treats archived livestreams in the same way as any other uploaded videos: rightholders can claim the content of the videos, thus enabling advertising. YouTube then shares the advertising revenues with the rightholders. This is perfectly admissible: you can only avoid it by using material that you wrote or produced yourself.

5. I want to upload a livestream on YouTube and Facebook. Am I right that if I register the livestream with you, it will not be blocked, or the sound be cut?

That depends: if you do not play music from a recording (and only stream concerts, for example), you can assume that the stream will not be blocked. However, SUISA is only responsible for copyrights and not for recording rights which are represented by the labels. Therefore, if you play music from recordings, you need to contact the labels to avoid blocking.

6. The livestream of my concert or DJ set has been blocked on social media: why, and how can I avoid blocking?

See: <https://blog.suisa.ch/de/informationen-zu-livestreams-fuer-suisa-mitglieder/>

7. I would like to upload my livestream to Twitch. What should I be mindful of?

SUISA is just about to conclude a contract with Twitch. As in the case of Facebook and YouTube, you do not need a licence from SUISA for any livestreams you make available for free on Twitch. For livestreams that are not free of charge for the user, or which you otherwise monetize, you need a licence in accordance with the livestream licensing terms and conditions (<https://www.suisa.ch/de/kunden/online/video/livestreams.html>)

In your planning, you should also consider that, in addition to the authors rights, you will need to obtain a licence for performance rights (in other words, the recording rights, also known as master rights). These must be obtained directly from the labels. As a rule, it is not advisable to use any “well-known” music in your game streams on Twitch because unlicensed streams can always be blocked.

8. I heard that livestreams are not interrupted or blocked on Dailymotion, Twitch, and Vimeo. Is this true?

That may well be the case for the time being because those platforms have less effective fingerprinting systems than YouTube or Facebook. But that will change soon.

Warning: streaming unlicensed music is not allowed on any of these platforms and may lead to the blocking of your account.

9. Our sports club plans to livestream an event with music on Facebook. What do we need to do?

If your club is planning to stream commercially available recordings, you must expect the livestream to be blocked by the labels.

However, if the event is streamed free of charge, you may assume that the copyrights are covered by contractual agreements with Facebook.

10. We are a handball club and would like to livestream the final match of the season on YouTube and then archive it. Do we need a licence from SUISA to do so?

No, only if you charge money for it. Otherwise, the rights are covered by the agreement between SUISA and YouTube.

11. I own a fitness studio and would like to offer my customers livestreaming in the future. Is there anything I should be mindful of? How can I register for this?

If you are planning to stream commercially available recordings, you must expect the livestream to be blocked.

For the authors rights, a licence has to be obtained in accordance with the livestream licensing terms and conditions (<https://www.suisa.ch/de/kunden/online/video/livestreams.html>).

12. I am giving a sermon in church tomorrow and would like to play some music in between. It will be streamed live on our website. Is there anything I should be mindful of? How and where can I register for this?

I. From your organ/live/concert

a) on social media: the rights are generally regulated by contracts with the platforms. You do not need a licence from SUISA.

b) on your own website: you must obtain a licence from SUISA in accordance with the livestream licensing terms and conditions (<https://www.suisa.ch/de/kunden/online/video/livestreams.html>).

II. From recordings,

a) on social media: you should expect the stream to be blocked (see FAQ 6)

b) on your own website: in addition to the authors' rights, you need licences from the labels.

13. I am a DJ and I would like to livestream a set from home on YouTube and on my homepage. Do I need a licence from SUISA?

Yes, you must obtain a licence in accordance with the livestream licensing terms and conditions (<https://www.suisa.ch/de/kunden/online/video/livestreams.html>).

Moreover, DJ sets also contain recordings; the record companies or "labels" hold the recording rights.

As a rule, the labels do not allow DJ sets on social media and will block them.

To livestream on your own website, you will need to license the recording rights directly from the labels beforehand. Without a licence, you will be infringing those rights and may expose yourself to prosecution.

For the time being, to the best of SUISA's knowledge, Mixcloud is the only platform that has concluded a contract covering DJ livestreaming with most major labels. Therefore, it is advisable to livestream your DJ sets only there.

14. I am a DJ and I would like to livestream a set from home via Twitch. At the same time, I would like to start an appeal for donations (donation button). Do I need a licence from SUISA for this?

Yes. As soon as the stream generates revenues, you must pay license fees.