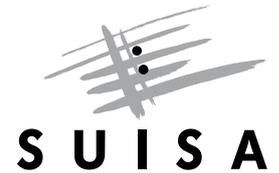


NOTES ON THE DECLARATION OF WORKS



How to declare works properly

This checklist is designed to help you declare your works properly. Please follow these indications carefully to avoid incomplete declaration forms which cannot be processed.

1. Do I have to declare all my works?

The Rights Administration Agreement requires members to declare all their works to SUISA before they are made public. SUISA does not distribute remuneration in respect of works which have not been declared.

2. Do I have to file a declaration form for each work?

Basically, a separate declaration form is required for each title. But if the same persons are involved in several works and all the indications for those works are the same, a single form may be filed together with a list of all the titles concerned (with time specifications).

3. What to look out for concerning the title of a work:

The title of a work that has already been declared may not subsequently be changed. Each time the title is mentioned – on the CD cover, in the recording declaration or on concert programme forms – it has to be written in exactly the same way. Changes in the title and illegibly completed forms may prevent your work from being properly classified and hinder the payment of royalties.

4. What to look out for concerning the participants in a work:

Please enter only one name per line; the author's first and last names must be written out in full. The IPI number (or IP-name-N^o) is the author's or publisher's membership number. Authors' and publishers' numbers can be found by consulting previously

declared works in the works database on SUISA's website. Authors may indicate their date of birth instead of their membership number. If the author or publisher of a work is a member of a foreign society, the name of that society should also be indicated.

Under the heading "publisher", please indicate the name of the publishing house, not the label (recording company). For works that have not yet been published, leave the field empty. You cannot indicate a sub-publisher (= sub-publisher for a given territory) unless a publisher is referenced for the work. Similarly, you cannot indicate a sub-arranger (= a person commissioned by the sub-publisher to arrange a work) or a sub-lyricist (= a person commissioned by a sub-publisher to write a new text for a work) unless a publisher and a sub-publisher are referenced for the work.

Beneficiaries (Capacity², Name², First name²)

C	Composer
A	Author
AR	Arranger ⁴
E	Publisher
SA	Sub-author
SR	Sub-arranger ⁴
SE	Sub-publisher

5. What distribution key should I indicate on the form?

The "distribution key" field is optional. If you do make an entry, be sure that the indicated percentages total 100%. If you leave the field blank, SUISA will

Distribution key ³		
Society	Performance Broadcast	Sound carrier
	%	%
	%	%
	%	%

distribute the remuneration as provided in the Distribution Regulations.

6. What documentation should be attached to the declaration of works?

Publishing agreements only have to be attached if you have filled in the “publisher” field. If no publisher is involved, the “publisher” fields (contract of / valid until, etc.) should be left blank.

If you declare an arrangement of a copyrighted work, SUIISA needs the consent of the publisher or composer of the original work. To set a protected text to music, you need the publisher's written approval or that of the poet or his/her heirs. Failing such consent, SUIISA cannot register the arrangement or setting.

If you declare an arrangement of a non protected work, you have to send in the master so that SUIISA can establish its copyrightability. This applies to works whose author has been dead for 70 years or more, or whose author is unknown, as well as to popular works that are considered traditional folklore.

SUIISA may require you to provide a sample copy in a specific format with your declarations of works.

Publishing

Date of agreement	valid until
Publishing territory ³	
Sound carrier clause <input type="checkbox"/> manufacturing <input type="checkbox"/> sale	

Enclosure⁹

<input type="checkbox"/> Lyrics (if not on sound carrier)	<input type="checkbox"/> Musical score	<input type="checkbox"/> Cassette (labelled)	<input type="checkbox"/> CD	<input type="checkbox"/> Contract
Other documents ¹⁰				

7. Who should sign the declaration of works?

In the case of unpublished works, all the authors (composer, lyricist and arranger) who participated in the work should sign the form. If a signature is missing, SUIISA will send back the form to be completed.

In the case of published works, the publisher's signature is sufficient provided the publishing agreement has been signed by all the participating parties. The consent of all the authors involved (including the authors of any arrangements) is evidenced by the publishing agreement which must be attached.

If the publishing agreement is not signed by all the participating parties, the authors whose contributions are not published must also sign the declaration of works.

8. How can I protect my works (or have them protected)?

The Federal Copyright Law provides that a work is automatically protected from the moment it is created, whether or not the work is registered. But since it may be difficult to prove who the author is in case of dispute, we recommend that you take the following steps:

- declare the work to SUIISA (if you are a member);
- send yourself a recording or the score of the work by registered mail: do not open the envelope when it arrives (for members and non members).

These steps are not indispensable for the protection of your works but they will make it easier to establish the authorship and date of a work if there is a dispute.

9. What is the difference between a declaration of works and a sound carrier declaration?

A declaration of works is filed by the author or publisher of a work. It serves to record the beneficiaries and their respective shares.

A sound carrier declaration is filed by the record company (producer or label). Without such a declaration, the producer cannot obtain a licence to print the sound carriers.

The sound carrier declaration does not replace the declaration of works, nor does the declaration of works replace the sound carrier declaration. (If you want to produce a sound carrier with your own work, you have to file both declarations, the one as the author and the other as the producer. In this case, SUIISA will accept a waiver from all participants and the sound carrier licence will be free of charge. Such requests should be addressed to the Mechanical Rights Department at SUIISA).

10. How can I declare a work?

You can declare works online or send the declaration form by post. Please find further information on declaring your works and all the declaration forms at www.suisa.ch/declare-works.

Questions?

Our Members' Department is at your disposal for any further information or inquiries.

Phone Authors: 044 485 68 28
email Authors: authors@suisa.ch

Phone Publishers: 044 485 68 20
email Publishers: publishers@suisa.ch