

Pursuant to Article 176 of the Copyright and Related Rights Act ("Official Gazette RS" No. 104/09, 99/11 and 119/12) (hereinafter referred to as the Act),

On 22 August 2017 the Managing Board of Sokoј – Serbian Music Authors' Organisation, hereby sets the following

T A R I F F

for fees charged by Sokoј for communication to the public of musical works by means of cinema screening (Tariffs for Cinemas)

General provisions

Article 1

This tariff sets the fees charged by Sokoј for communication to the public of musical works by means of cinema screenings (film screenings in cinemas or outdoor by means of video beams and the like), (hereinafter referred to as the Tariff), the terms and conditions for the use of the repertoire of Sokoј (hereinafter referred to as the Repertoire), the obligations of the user of the Sokoј's repertoire (hereinafter referred to as the User), the manner of calculation and amount of licence fee (hereinafter referred to as the Licence fee) charged by Sokoј to owners, possessors, and lessees, and time limits for payment of licence fee.

Article 2

The repertoire comprises the following musical works of:

- 1) domestic authors and copyright holders, members of Sokoј, who assigned, by a contract, to Sokoј, pursuant to the Act;
- 2) data on the repertoire used, with the number of screening by film/trailer, original title of film/trailer, production year, director's name, production title.
- 3) foreign authors and copyright holders, whose rights are managed by Sokoј under a contract with relevant foreign organisations.

Article 3

In order to use the repertoire the user is obliged to:

- obtain a licence from Sokoј by entering into a standard contract for non-exclusive assignment of right to use the repertoire;

- submit all relevant data for setting the licence fee;
- submit data on audio-visual works used;
- pay the set licence fee.

Article 4

In order to use the repertoire, the user is obliged to submit to SokoJ by 15th day of the month for the previous month the following data:

- 1) signed and stamped report in the form prescribed by SokoJ, with data on the total revenue, number of tickets sold, ticket prices (VAT excluded), by film and capacity of each cinema separately;
- 2) domestic authors and copyright holders, whose rights are managed by SokoJ, pursuant to the Act;

Article 5

Licence fee for the use of musical works by means of cinema screenings is set in relation to the revenue, at the level of 1.20% of the revenue earned from tickets sold, per screening.

The lowest licence fee by screening displayed is 0.1 point by seat, considering the full capacity of the facility.

Article 6

Should the user fail to report the use of the repertoire within the prescribed time limit, SokoJ may undertake a control by an authorised representative, or do it directly, and identify unreported use, about which an official protocol will be made.

Article 7

Should the user fail to submit relevant data for the calculation of licence fee, SokoJ may calculate the licence fee as flat rate, 0.5 point per seat, per screening, considering the full capacity of the facility.

Article 8

Amounts of flat rate and the lowest amount of licence fee are expressed in points.

The value of one point is RSD 11.00, VAT excluded.

The user is obliged to pay the licence fee by due date specified in the invoice.

On the 1st January of each year, the value of the point is brought in line with annual consumer price index, according to official data of the government body competent for statistics.

Article 9

For any use of the repertoire, the user is obliged to pay licence fee and fulfil other obligations prescribed by the Act and Tariff, whether the user entered into a contract with Sokoj or not.

The use of the repertoire without a licence obtained from Sokoj is considered unauthorised and constitutes a fraud and transgression as specified in Articles 215 and 216 of the Act i.e. a criminal offence as specified in Article 199 of the Criminal Code of the Republic of Serbia.

Article 10

The owner, possessor, and lessee of the venue where the repertoire is used are jointly and severally liable for the payment of licence fee.

Article 11

The users are obliged to enable Sokoj, in accordance with the provisions of the Act, to inspect the documentation and data relevant for the calculation of licence fee.

Article 12

This tariff enters into force from the eighth day of its announcement in the “Official Gazette of the Republic of Serbia”.

No. 30-3429/2 In Belgrade, on 22 August 2017
Managing Board of Sokoj
President
Zoran Radetić, sgd