



Communication/Variation Payment Method

The undersigned \_\_\_\_\_

Last Name

Name

born in \_\_\_\_\_ on \_\_\_\_\_

address (if changed) \_\_\_\_\_ city \_\_\_\_\_

phone: \_\_\_\_\_ e-mail: \_\_\_\_\_

in his/her quality of **Author**or **Legal Representative/Owner of Sole Proprietorship:** \_\_\_\_\_or **Representative of the Heir/Heirs' of:** \_\_\_\_\_*(please specify Company name or Last Name and Name of the deceased)*

Joining as a Member/Principal

or already Member/Principal

Section \_\_\_\_\_ SIAE position No. \_\_\_\_\_

Communicates the method chosen for the payment of royalties - valid for all the interested Sections - possibly accrued for the relevant repertoire (please mark with X the method chosen and fill in data where required):

**Bank/Postal Account Credit****Credit to Prepaid Card with IBAN code checked to receive credit transfers****IBAN**

__	__	__	____	____	_____
Country	Cin Eur	CIN	Bank code (ABI)	Bank Branch (CAB)	Account no. (12 characters - no spaces, dots or slashes)

**for payments to a bank account abroad please specify****BIC/SWIFT:**

\_\_\_\_ (11 characters - only capital letters and numbers without spaces)

Bank account IN THE NAME OF: \_\_\_\_\_

*(bank accounts that are not owned or co-owned by the Rightholder are not accepted)*

Card IN THE NAME OF: \_\_\_\_\_

*(cards that are not owned by the Rightholder are not accepted)*

Name of the BANK or POST OFFICE: \_\_\_\_\_

Location of the BANK or POST OFFICE: \_\_\_\_\_ PROV: \_\_\_\_\_

Address of the BANK or POST OFFICE: \_\_\_\_\_

**Bank transfer to be credited at all Italian Postal Offices (charges to be borne by the beneficiary)**

DATE: \_\_\_\_\_

SIGNATURE: \_\_\_\_\_ (\*)

*The undersigned declares to know and specifically approve the provisions of which at Article 77, paragraph 3 of SIAE's General Regulations: "Any charges (bank commission and similar fees) borne by the Society for the payment referred to in the preceding paragraph shall be charged to the Member or Principal" and paragraph 4 "In any case, the Society' liability ends with the implementation of the provisions for the execution of the bank operation according to the method chosen by the Member and any risk related to subsequent events is expressly intended as to be borne by the Member beneficiary of the payment".*

DATE: \_\_\_\_\_

SIGNATURE: \_\_\_\_\_ (\*)

*(\*) For authors under 16 years of age the signature of the parent exercising the parental authority is necessary***N.B.: A COPY OF A VALID IDENTIFICATION DOCUMENT MUST BE ATTACHED**

## SIAE MEMBERSHIP CONDITIONS

### **PREMISE**

These requirements are notified pursuant to Article 5, paragraph 1, of the Legislative Decree no. 35 of 15 March 2017 implementing EU Directive 2014/26 (for both legislative texts, search on the website [www.siae.it](http://www.siae.it) at the Laws and Regulations section) and are written on the basis of SIAE's Articles of Associations and Rules, which are also available on the institutional website.

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### **MEMBERSHIP REQUIREMENTS**

In accordance with the instructions available on the website [www.siae.it](http://www.siae.it), membership applications can be submitted by copyright holders as authors, publishers, producers, assignees and concessionaires, either natural or legal persons, Italian or foreign, heirs or successors in title of copyright owners. Membership is subject to the verification of compliance with the following minimum requirements:

- a) Society membership requires the no existence of final judgments for crimes related to copyright or offences against property, proven also by a statement from the applicant. The possible existence of convictions does not prevent from joining SIAE by giving a mandate for protection.
- b) Authors are required to register at least one work by using the form provided. In particular: i. for the Music Section the registration and deposit of at least one work is required; ii. for Theatre/Radio-TV Works Section, the registration and deposit of at least one work; iii. for Theatre/Radio-TV Works /Opera and Ballet Section, the registration and deposit of at least one work; iv. for Cinema Section, the registration of at least one work together with details on its first publication; v. for OLAF Section – Literary Works, the registration of at least one work already published or broadcast, together with the relevant documentation (i.e. the photocopy of the title page of the book, proof of the broadcasting of the work via radio, TV, web).
- c) Publishers or similar professionals (Producers, Assignees and Concessionaires) acting as commercial enterprises it is required the enrolment in the Register of Companies; for those carrying out a business activity on a complementary basis only, at least the enrolment in the Economic and Administrative Repertory (REA) or other Public Register is required. Moreover, the registration of at least one work through the provided form is required. In particular: for Music Section, the registration and deposit of at least 10 works in their original version; ii. for Theatre/Radio-TV Works Section, the registration and deposit of at least one work; iii. for Theatre/Radio-TV Works /Opera and Ballet Section, the registration and deposit of at least one work; iv. for Cinema Section, producers are required to supply information on at least one work produced in the last 3 years, while licensees/distributors are required to supply information on at least 6 works distributed in the last 3 years; v. for OLAF Section –Literary works, the registration of at least one work already published or broadcast is required, together with the relevant documentation (i.e. the photocopy of the title page of the book, proof of broadcasting of the work via radio, TV, web).

For the purpose of membership it is also required to give:

- 1) Communication of the method chosen for the payment of royalties possibly accrued;

- 2) Acceptance of these Membership Conditions;
- 3) No existence of undertakings with other collecting societies for the same repertoire, rights and territories for which SIAE's protection is required (self-certification contained in the membership application form);
- 4) Proof of payment of the annual contribution, where provided for.

The documents needed for identification of the applicant, as provided for in Article 1 of the General Rules. In particular:

- a) If an Author, a copy of a valid identity document and, if necessary, of the tax code<sup>1</sup> is required. In case of Authors under the age of 16, the presentation of the above-mentioned documents is also required for one of the applicant's legal guardians. In case of registration through the application available on *mobile* devices, and accessible only to authors over 16 years of age, identity recognition is also carried out through the recording of a video.
- b) If Publisher, Producer, Assignee or Concessionaire, the following documents are required:
  - i. Memorandum of Incorporation and Articles of Association (in original or certified copy) attesting, inter alia, that the company carries out a publishing activity related to the repertoire for which protection is asked for (exclusively for commercial enterprises);
  - ii. Certificate of incorporation issued not before than 3 months prior to the submission of the membership application;
- c) If Heir or Successor in title of copyright owners, the following documents are required:
  - i. Self-declaration affidavit pursuant to the Decree of the President of the Italia Republic no. 445 of December 28<sup>th</sup> 2000 or affidavit written by a notary public (however, in appropriate cases SIAE reserves the right to ask for the affidavit), containing:
    - 1) surname, name, marital status and date of death of the ex-member or ex-full member;
    - 2) Type of succession: testate or intestate;
    - 3) surname, name, place and date of birth of all legitimate, testamentary, apparent heirs and legatees, their present address and share of the estate;
    - 4) Last name, first name of the legal representative of the minor, debarred or incapacitated heirs, if any;
    - 5) Date of marriage, if any, last name, first name, place and date of birth and address of the surviving spouse (specify if it is the first or second marriage);
    - 6) Whether a divorce or separation decree was issued against the surviving spouse in any country or a marriage annulment final judgement was issued at the moment of the opening of the succession (if so, give details on the judgement);

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<sup>1</sup> The tax code is required in case of "omocodia" (attribution of the same tax number to two or more persons having identical first name, surname and date of birth) or inconsistency of data.

- 7) Personal details and date of birth of the divorced spouse (or, if deceased, also the date of death) if there was a prior marriage;
- 8) If there is a will, that this is not opposed or contested (if this specification is not contained in the minutes mentioned at the following point 3);
- 9) That, except for the people referred to in the will, there aren't any other beneficiaries in the succession;
- 10) That the document is written for the heirs' joining SIAE and implies the acceptance of the succession by the heirs.
  - ii. certified copy of the possible waiver of the succession by any of the rightful heirs;
  - iii. Certified copy (by a Notary Public or Registrar of the Court, etc. – with original stamp and signature) of the minutes of will publication, if any, demonstrating that the will has not been opposed or contested;
  - iv. Certified copy of the divorce decree of which at point i. 6) above;
  - v. Decree of appointment of the guardian, deputy guardian, of interdicted or underage heirs or of the curator, if any, of underage, emancipated or incapable heirs etc., or supporting administrator;
  - vi. A legislative measure from the tutelary judge authorizing the guardian, curator or applicant according to the first paragraph of Article 321 of the Civil code to accept the inheritance, donation or legacy and to receive the revenue accrued and that will accrue in favour of the underage, interdicted, incapable heir etc. In case of a parent exercising the parental authority, only the authorization by the tutelary judge is needed in order to receive the revenue accrued and that will accrue in favour of the underage;
  - vii. In case of more than one heir having right in the succession, a proxy appointing a representative of the heirs. In the event that the deed is drawn up in a foreign country, the signatures must be certified by the Italian consulate. In case the deceased assignor was the owner of a publishing house (sole proprietorship) SIAE's member, the heirs shall indicate in the document, in addition to the name of the heirs' representative, also the name of said company;
  - viii. In case of request for "posthumous mandate" (namely regarding a deceased author who has never been a SIAE's member), the heir or the heirs' representative, etc., must register also the works of the author by using the registration form provided.

The duly signed application form, received complete with all the required documentation, including the deposit of the work, will be considered accepted after 60 calendar days from the date of arrival of the same at SIAE, in accordance with the following methods:

1. Sending via Electronic Certified Email to one of the below listed addresses:
  - a. autori.servizioclienti@pec.siae.it (if an Author)
  - b. editori.sam@pec.siae.it (if a Publisher)
  - c. successioni.sam@pec.siae.it (if an Heir)
  
2. Sending by registered mail with return receipt to the following recipient: Direzione Generale SIAE - Servizio Clienti - Viale della Letteratura 30 - 00144 Rome.

SIAE is always reserved the right to waive the term of 60 calendar days or expressly accept the application even before the afore-mentioned term.

Registration through the application available on *mobile* devices can be finalized online through the electronic signature service, without sending the application for membership by using one of the procedures described above.

In the event of no compliance with the minimum requirements set out in these Conditions of Membership, the registration procedure will be cancelled within the same 60-days term by means of specific communication to the interested party.

In the event that the registered work has already been declared by other associate or mandate members or, if it has already been previously deposited, the relative references should be indicated in the appropriate space provided on the registration form (title, authors and, if available, repertoire) or during the online registration process.

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**Information to rightholders given pursuant to Article 4, paragraphs 3 to 7 of the Legislative Decree 35/2017**

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## **PROTECTED RIGHTS AND RIGHTHOLDER'S OPTIONS**

Admission to SIAE entails the issuing to the same of the mandate for the intermediation in an exclusive way of the repertoire protected by the Sections for which an application has been submitted for the categories of rights provided for by Article 3 of SIAE's General Rules and for the territories for which reciprocal representation agreements exist between SIAE and other collecting societies.

The Member/Principal may limit, even after his/her membership, the categories of rights and/or the territories for which protection is requested. This option can be exercised in writing within August 31<sup>st</sup> of each year, with effect from January 1<sup>st</sup> of the following year.

These changes can be made directly through the Authors and Publishers Portal, by registering at the link <https://www.siae.it/it/servizi-online> or by sending the specific form provided, duly completed and signed, via the Certified Electronic Mail provided by SIAE to all rightholders at the address [Comunicazioni.SIAE@pec.siae.it](mailto:Comunicazioni.SIAE@pec.siae.it) The appropriate forms are available on the institutional website (<https://www.siae.it/en/about-us/documents-and-faq/forms>).

Protected rights and/or the territories for which protection is requested may be limited even when applying for membership; in this event, the limitation takes effect on the same day the protection begins.

## LICENSES FOR NON-COMMERCIAL USES

Licenses for non-commercial uses may be granted, pursuant to Article 4, subparagraph 5 of the Decree 35/2017. The procedures related to the exercise of this right are regulated by SIAE's General Rules and may be applied through specific online functions on Authors and Publishers Portal.

## TERMINATION OF THE MANDATE FOR PROTECTION

Pursuant to Article 6, paragraph 7 of SIAE's General Rules, the Member/Principal, up-to-date with the payment of the annual fee, can withdraw the protection mandate or change his/her membership status into a mandate within August 31<sup>st</sup> of each year, with effect from January 1<sup>st</sup> of the following year.

Such withdrawal or change can be exercised directly through the Authors and Publishers Portal, by registering at the link <https://www.siae.it/it/servizi-online> or by sending the duly completed and signed application form for change of membership status via Certified Electronic Mail that SIAE provides to all rightholders at the address [Comunicazioni.SIAE@pec.siae.it](mailto:Comunicazioni.SIAE@pec.siae.it). The above mentioned forms are available on the institutional website (<https://www.siae.it/it/chi-siamo/documenti-efaq/moduli>).

The withdrawal of the mandate for protection does not exclude the right to receive the revenues deriving from uses occurred before the withdrawal is effective, on the basis of the established rules and time scale. In this respect, SIAE provides access to dedicated online services for the next 4 years starting from the effective date of withdrawal of the mandate, thus allowing the person concerned to view and modify his/her personal records, contact details and payment method chosen. Display of the balance and account movements are made available also. Distribution statements on paper will not be sent without prior request from the rightholder.

## MANAGEMENT FEES AND DEDUCTIONS APPLIED

To be a SIAE's member or principal implies the payment of an annual fee as detailed below:

- a) Annual fixed fee: this annual fee is different depending on the type of membership (Membership or Mandate) and on the membership category (Author, Publisher, Producer, Assignee and Concessionaire) as specified in the following tables:

## PAYMENTS TO BE MADE FOR MEMBERSHIP OR MANDATE BY AUTHORS

Type of membership	Annual fee (€/year)	VAT 22% (€/year)	Stamp duty (€/year)	Total
<b>Member</b> (all repertoires)	148	0	2	150
<b>Principal</b> (Music - Opera&Ballet,Section - Theatre and Radio/TV Works Section)	47.54	10.46	32 (one-off payment on registration)	90
<b>Principal *</b> (Cinema-OLAF Literary Works and Visual Arts)	0	0	32 (one-off payment on registration)	32 (one-off payment during registration)

<b>Membership Under 31 years old and Over 80 years old**</b> (all repertoires)	0	0	0	0
<b>Principal Under 31 years old and Over 80 years old**</b> (all repertoires)	0	0	32 (one-off payment on registration)	32 (one-off payment during registration)

\*The mandate as Principal implies the payment of the stamp duty only and not of the annual fee. On the basis of such a mandate an additional commission of 3% on the royalties to be paid is applied.

\*\* The payment of the membership fee or annual fee is due starting after the year the 30th year of age of the member/principal falls.

#### **PAYMENTS TO BE MADE FOR MEMBERSHIP OR MANDATE BY PUBLISHERS, ASSIGNEES, PRODUCERS AND CONCESSIONAIRES**

Type of membership	Annual fee (£/year)	VAT 22% (£/year)	Stamp duty (£/year)	Total
<b>Member</b> (all repertoires)	598	0	2	600
<b>Principal – Established in Italy</b> (Music – Opera&Ballet,Section – Theatre and Radio/TV Works Section –Cinema)	195	42.92	32 (one-off payment on registration)	270
<b>Principal – Established in Italy*</b> (OLAF- Literary Works and Visual Arts)	0	0	32 (one-off payment during registration)	32 (one-off payment during registration)
<b>Principal – Established abroad</b> (Music – Opera&Ballet,Section – Theatre and Radio/TV Works Section –Cinema)	196	0	<ul style="list-style-type: none"> <li>• 2 (annual)</li> <li>• 32 (one-off payment on registration)</li> </ul>	230
<b>Principal –Established abroad *</b> (OLAF – Literary Works and Visual Arts)	0	0	<ul style="list-style-type: none"> <li>• 2 (annual)</li> <li>• 32 (one-off payment on registration)</li> </ul>	34



<b>Member - Start-up Publishing house **</b>	0	0	0	0
<b>Principal - Start-up Publishing house **</b>	0	0	32 (one-off payment on registration)	32 (one-off payment on registration)

\*For OLAF Section Publishers a mandate providing for the exemption from the payment of the annual fee is activated. On the basis of such a mandate an additional commission of 3% on the royalties to be paid is applied.

\*\* Companies established by less than 2 years or established and administered by under 30 in case of sole proprietorship. Being not publishers, the producers, assignees and concessionaires are in any case required to pay. The payment of the annual membership fee or the annual contribution must be paid at the expiry of the two years following the one of the starting of the membership or mandate, in case of a company, and at the end of the year when the 30th year of age falls in case of sole proprietorship

## **PAYMENTS TO BE MADE FOR MEMBERSHIP OR MANDATE BY HEIRS**

<b>Type of membership</b>	<b>Annual fee (£/year)</b>	<b>VAT 22% (£/year)</b>	<b>Stamp duty (£/year)</b>	<b>Total</b>
<b>Member - Authors' Heirs</b> (all repertoires)	148	0	2	150
<b>Principal- Authors' Heirs</b> (Music - Opera&Ballet,Section - Theatre and Radio/TV Works Section)	47.54	10.46	32 (one-off payment on registration)	90
<b>Principal - Authors' Heirs *</b> (Cinema - OLAF Literary Works and Visual Arts)	0	0	32 (one-off payment on registration)	32 (one-off payment on registration)
<b>Member - Publishers' Heirs</b> (Established in Italy)	598	0	2	600
<b>Principal - Publishers' Heirs (Established in Italy)</b> (Music- Opera&Ballet,Section - Theatre and Radio/TV Works Section - Cinema)	195.08	42.92	32 (one-off payment on registration)	270
<b>Principal - Publishers' Heirs (Established in Italy)*</b> (OLAF Literary Works and Visual Arts)	0	0	32 (one-off payment on registration)	32 (one-off payment on registration)

<b>Principal – Publishers’ Heirs – Natural person (Established abroad)</b>	195.08	42.92	32 (one-off payment on registration)	270
<b>Principal – Publishers’ Heirs – Legal person (Established abroad)</b>	196	0	<ul style="list-style-type: none"> <li>• 2 (annual)</li> <li>• 32 (one-off payment on registration)</li> </ul>	230

(\*)For the Authors’ heirs of Cinema and OLAF- Literary Works and Visual Arts Sections or Publishers’ heirs of OLAF Section the so-called “free” mandate is activated, that provides for, with the exemption from the payment of the annual fee, the application of an additional commission of 3% on the royalties to be paid.

b) Commission fees and reimbursements of expenses related to the collection of authors’ rights which are applied to the different types of service rendered to members and principals, from 3%. In particular, the following table shows the commissions applied and the reimbursements of expenses applied to the different sources of collection.

<b>2021 – SIAE’S COMMISSIONS AND REIMBURSEMENT OF EXPENSES</b>			
<b>MUSIC</b>			
<b>Performing rights</b>		<b>Mechanical reproduction rights</b>	
Public performances, live or recorded, in the context of dances or entertainments and “concertini”	<b>20.8%</b>	Video reproduction	<b>18%</b>
Diffusion in cinemas of soundtracks of films, short films, etc.	<b>20.8%</b>	Recording by radio and TV broadcasters	<b>11.5%</b>
Broadcasting by radio and TV broadcasters of soundtracks of TV films, films, short films, etc.	<b>11.5%</b>	Reproduction on musical DVDs	<b>9.325%</b>
Broadcasting and recording from radio/TV broadcasters	<b>11.5%</b>	Reproduction on carriers sold at a reduced price or distributed for free on the occasion of promotional campaigns, etc.	<b>9.325%</b>
Broadcasting in public premises by radio, TV and wire	<b>21%</b>	Phonomechanical reproduction – General License	<b>7.325%</b>
Public performances such as concerts, revues, brass bands and variety	<b>20.8%</b>	Phonomechanical reproduction – centralized licenses	<b>7.025%</b>

Megaconcerts *	<b>12%</b>	Phonomechanical reproduction - "work by work" license	<b>10%</b>
Background music – In store radio	<b>22%</b>	Exploitations abroad	<b>3%</b>
Background music – Mechanical equipment	<b>22%</b>	Online (download)	<b>10%</b>
Exploitations abroad	<b>3%</b>	Private copying (Audio and Video)	<b>3%</b>
Online (streaming)	<b>10%</b>		
<b>DOR -Theatre and Radio/TV Works Section – LIRICA-Opera&amp;Ballet,Section</b>			
<b>LIRICA Opera&amp;Ballet,Section</b>		<b>DOR Theatre and Radio/TV Works Section</b>	
Performance or representation of original works	<b>8%</b>	Representation of original works	<b>12%</b>
Performance or representation of adapted works	<b>22%</b>	Representation of adapted works	<b>22%</b>
Broadcasting and recording by radio and TV broadcasters	<b>11.5 %</b>	Broadcasting and recording by radio and TV broadcasters	<b>11.5%</b>
Broadcasting in public premises by radio, TV and wire	<b>21%</b>	Broadcasting in public premises by radio, TV and wire	<b>21%</b>
Online broadcasting (streaming, webcasting, etc.)	<b>10%</b>	Online broadcasting (streaming, webcasting, etc.)	<b>10%</b>
Exploitations abroad	<b>3%</b>	Exploitations abroad	<b>3%</b>
Audio reproduction	<b>10%</b>	Audio reproduction	<b>10%</b>
Video reproduction	<b>18%</b>	Video reproduction	<b>18%</b>
Private copying	<b>3%</b>	Private copying	<b>3%</b>

<b>OLAF – Literary Works and Visual Arts</b>			
<b>Literary works</b>		<b>Visual Arts</b>	
Broadcasting by radio and TV broadcasters	<b>11.5%</b>	Broadcasting by radio and TV broadcasters	<b>11.5%</b>
Broadcasting in public premises by radio, TV and wire	<b>21%</b>	Broadcasting in public premises by radio, TV and wire	<b>21%</b>
Reading and acting in public of literary works (Small Literary Right)	<b>8%</b>	Reproduction of visual art works (paintings, sculptures, graphic works and photos)	<b>12.5%</b>
Lending by public libraries	<b>7.5%</b>	Resale right (sales of works subsequent to the first one)	<b>16.5%</b>
Reprography (reproduction, for personal use, within 15% of the publication)	<b>20%</b>	Online (streaming, webcasting, etc.)	<b>10%</b>
Online (streaming, webcasting, etc.)	<b>10%</b>	Exploitations abroad	<b>3%</b>
Exploitations abroad	<b>3%</b>	Video reproduction	<b>18%</b>
Audio reproduction	<b>10%</b>		
Video reproduction	<b>18%</b>		
Publishing rights	<b>3%</b>		
Private copying	<b>3%</b>	Private copying	<b>3%</b>
<b>CINEMA</b>			
<b>Audiovisual works</b>			
Equitable remuneration TV broadcasting	<b>11%</b>		
Equitable remuneration for video reproduction on video carriers	<b>18%</b>		

Online (streaming, webcasting, etc.)	<b>10%</b>
Exploitations abroad	<b>3%</b>
Private copying	<b>7%</b>

(\*) live shows with public access through payment set up in areas with capacity greater than or equal to 5,000 seats.

It is underlined that the annual contribution is deducted when payments are made and such deduction is specified on the statement. If the accrued amount of royalties is not sufficient to cover the whole contribution, the Customer Care Service shall ask the difference also by a bank MAV (notice payment form), which is available on the new Authors and Publishers Portal both for downloading and dedicated platform for payments. Non-payment of the fixed annual contribution of which at point a) implies the automatic forfeiture of the protection relationship.

SIAE invests the revenues deriving from copyright pending distribution according to the provisions of Article 14, paragraph 5, of the Legislative Decree 35/2017:

1. Pending the relevant distribution, the revenues deriving from interests on the sums collected are used to set-off or decrease the management costs.
2. The members/principals contribute to the expenses incurred for the management of copyright both through a fee to be paid annually and through deductions from the rights revenue.
3. The fees due are annually published on the Society's website.