

DECLARATION BULLETIN
PERFORMING ART WORK
Instructions

- 1) Box reserved for the administration.
- 2) If you check the "street arts" box, please indicate with number "2" the main discipline of the work in the corresponding box (theatre, choreography, circus, etc.): this information is required.
- 3) Information required for distribution of royalties.
- 4) To declare a show consisting of sketches, you have two options:
 - **global distribution:** you can complete the "royalty sharing" part of the work bulletin and the **list of works** (sketches) making up the show. In this case, the general sharing of the royalties indicated in the "performing art work" bulletin will be used to distribute your royalties.
 - **sketch by sketch distribution:** you also have the option of only completing the **list of works** (sketches) and defining royalty sharing for each sketch. In this case, the SACD will distribute the rights of the show on a pro rata time basis of the performed sketches.

If the composition of the show were to be modified during its exploitation (sketches added or removed), you must inform the SACD to see whether it is necessary to establish a new declaration bulletin.

- 5) The original music is that created specially for the show.
Pre-existing music is music which had "a life" before the work was created, whether it is protected or not (Public Domain).
- 6) You can specify here the way the show should be announced (subheading, pseudonym), the length of validity of the bulletin, etc.
- 7) A composite work is a new work in which one (or more) pre-existing works have been incorporated without the collaboration of the author of the latter. It is the property of the author who created it, without prejudice to the rights of the author of the pre-existing work.
If it is a composite work, please complete the **list of works** (sketches, choreographies, texts, etc.) making up the show.
- 8) Please specify if the work you are adapting is in the Public Domain. The detailed scale of deductions relative to the Public Domain will be appended to the signature notice of this bulletin.
For an adaptation of a dramatic work in the Public Domain written in French, attach the original text and the text of the adaptation.
- 9) The choreography declared on this bulletin is part of the work. It is inseparable from the music, text or argument (e.g. opera, musical, musical theatre, ballet, etc.). To

exploit the work, the authorization of each co-author will be required. However, in accordance with the provisions of the French Intellectual Property Code, if the contributions are of different genres, each author may re-exploit his/her contribution without the authorization of the other co-authors, providing that this exploitation does not bear prejudice to the exploitation of the initial work.

If the choreography is not inseparable from the work, it is an associated work and in this case you must complete the “associated work” bulletin provided for this purpose. The work can then be performed without choreography or with another choreography.

- 10) The music declared on this bulletin is the music which is inseparable from the text, the argument or the choreography (e.g. opera, musical, musical theatre, ballet, etc.). To exploit the work, the authorization of each co-author is required. However, in accordance with the provisions of the French Intellectual Property Code, if the contributions are of different genres, each author may re-exploit his/her contribution without the authorization of the other co-authors, providing that this exploitation does not bear prejudice to the exploitation of the initial work.

If the music is not inseparable from the work, it is an associated work and in this case you must complete the “associated work” bulletin provided for this purpose. The work can then be performed without music or with other music.

If pre-existing SACEM music is used in your show, the SACD sends this list to the SACEM. The latter calculates its collection rate based on this list. The collection rate for the music is deducted from the SACD collection rate.

Example: if the SACD collection rate is 12%, and after calculation, the rate collected by the SACEM is 3%, then these 3% will be deducted from the 12% and the SACD will collect 9% for all the authors it represents.

- 11) Box reserved for the administration.
- 12) A single person can have several functions, in which case you must enter one function per line and assign a royalty share to each of these functions.
- 13) Royalties are distributed on a 100% basis.
The sum of all shares must therefore be equal to 100.
- 14) Normally, the author alone signs next to his/her share of royalties.
However, if a publisher (e.g. a literary publisher) is the holder of 100% of the rights, the publisher will sign. If a publisher (e.g. a music publisher) is the holder of part of the rights and is also an SACD member, the publisher will co-sign the bulletin, alongside the author’s signature. It is also possible that this holder of partial rights can be the sole signer of the bulletin after obtaining the required powers.
- 15) If the contract is a music publishing contract, the publisher specifies in this box the share of performance rights that the author has assigned to the former; the publishing contract must be attached to the bulletin.
If the contract is a literary publishing contract, the SCELFF certificate must be attached to the bulletin.

16) Reassignment of compensation to the publisher of a dramatic work.

The author can pay the publisher a maximum of 5% of his/her remuneration collected on performances of the published dramatic work, provided that publication precedes conclusion of the performance contract. It rests with author alone to sign the bulletin and indicate - by checking the box provided for this purpose – whether he/she has reassigned a percentage of his/her remuneration to his/her publisher.

The publisher appears neither on the bulletin or in the royalty sharing, nor as a signer of the bulletin.

DECLARATION BULLETIN
ASSOCIATED PERFORMING ART WORK
Instructions

- 1) Box reserved for the administration.
- 2) If you check the "street arts" box, please indicate with number "2" the main discipline of the work in the corresponding box (theatre, choreography, circus, etc.): this information is required.
- 3) You can specify here the way the show should be announced (subheading, pseudonym), the length of validity of the bulletin, etc.
- 4) Box reserved for the administration.
- 5) Information required for distribution of royalties.
- 6) Please specify if the work you are adapting is in the Public Domain. The detailed scale of deductions relative to the Public Domain will be appended to the signature notice of this declaration bulletin.
- 7) Collection of royalties for an associated work can be done two different ways:
 - either these royalties are collected in addition to the royalties for the work.
Example: collection rate for this associated work: 3% of receipts (or assignment price).
The SACD will collect a rate of 12% for the work (if this is the applicable rate) and a rate of 3% for the choreography or music. The amount of royalties is therefore at a rate of 15% (12+3).
 - or the author(s) of the work agree(s) to share their royalties with the author(s) of the associated work. The SACD collects the royalties pertaining to the work; in this case you must indicate here the share of royalties to be assigned to the author of the associated work on a basis of 100. In this case, signing by the co-authors of the work is required so they can notify their agreement with the share assigned to the declared associated work.

If the composition of the show were to be modified during its exploitation (sketches added or removed), you must inform the SACD to see whether it is necessary to establish a new declaration bulletin.

- 8) The original music is that created specially for the show.
Pre-existing music is that which had "a life" before the work was created, whether it is protected or not (Public Domain).
- 9) For music accompanying a protected work, if royalties are collected in addition to the royalty rate, as an indication, the composer's royalties will be calculated at a rate of 0.10% per minute, unless stated otherwise by the composer.

For incidental music accompanying a work in the Public Domain, since royalty sharing cannot be the subject of an agreement with the author(s) of the main work in the Public Domain, the composer(s) must specify the collection rate in the section "in addition to rate".

DECLARATION BULLETIN - Instructions

LIST OF WORKS (SKETCHES, CHOREOGRAPHIES, TEXTS, etc.)

LIST OF PRE-EXISTING MUSIC

LIST OF ORIGINAL MUSIC

LIST OF ADAPTED PUBLIC DOMAIN MUSIC

LIST OF WORKS (SKETCHES, CHOREOGRAPHIES, TEXTS, etc.)

- 1) To declare a show consisting of sketches, you have two options:
 - global distribution: you can complete the “royalty sharing” part of the performing art show bulletin and the **list of works** (sketches) making up the show. In this case, the general sharing of the royalties indicated in the “performing art work” bulletin will be used to distribute your royalties.
 - sketch by sketch distribution: you also have the option of only completing the **list of works** (sketches) and defining royalty sharing for each sketch. In this case, the SACD will distribute the rights of the show on a pro rata time basis of the performed sketches.

If the composition of the show were to be modified during its exploitation (sketches added or removed), you must inform the SACD to see whether it is necessary to establish a new declaration bulletin.

- 2) Only complete for works (sketches, choreographies, texts, etc.) created by several authors: please specify the share of royalties assigned to each author.

LIST OF PRE-EXISTING MUSIC

- 3) Pre-existing music is music which had "a life" before the performing art work was created, whether it is protected or not (Public Domain). If pre-existing SACEM music is used in your show, the SACD sends this list to the SACEM. The latter calculates its collection rate based on this list.
If this music is declared on the “performing art work” bulletin, the collection rate for the music is deducted from the SACD collection rate.
Example: the SACEM collection rate is 3% and the SACD rate is 12%. Of these 12%, 9% will be collected by the SACD and 3% by the SACEM.
If this music is declared as incidental music (“associated work” declaration bulletin), the SACEM collection rate may or may not be deducted from the SACD collection rate, depending on the means of collection you have chosen/collected (in addition to the rate or deducted from the rate).

LIST OF ORIGINAL MUSIC

- 4) Original music is music created specially for the live show.

LIST OF ADAPTED PUBLIC DOMAIN MUSIC

- 5) Adapted Public Domain Music is a music that is no longer legally protected but that has been the subject of a new adaptation/orchestration by a contemporary composer.

DECLARATION BULLETIN

FILM

Instructions

- 1) Box reserved for the administration.
- 2) All information requested in this section is required to allow us to identify broadcasts on broadcaster programs.
- 3) Remakes and spin-offs are adaptations of pre-existing works. For this reason, you must complete the box provided for adaptations. In this case, you must enter the title of the original work, its genre, the name(s) of the author(s) of the film or the bible, the producer, and the year it was produced.
- 4) For an adaptation, specify if the original work is a work in French or in another language and provide the information required to identify it.
- 5) Only complete for adaptations of non-French language literary works using a **published translation**.
- 6) Box reserved for the administration.
- 7) If the film is a sequel, a spin-off or a remake, indicate the title of the previous film(s).
- 8) Distribution breakdown keys
Royalties generated through TV broadcasting of a film are distributed according to a set key between the contributions of the various co-authors. Several authors may have collaborated in a single function. In this case, the corresponding percentage is shared by mutual agreement between them. An author may also have performed several functions: he/she must therefore appear across from each of his/her contributions. The Board of Directors has established various distribution breakdown keys according to the type of film:

ORIGINAL SCREENPLAY

DISTRIBUTION BREAKDOWN KEY

Screenplay/adaptation	40%
Dialogue	20%
Direction	40%

ADAPTATION OF A PRE-EXISTING WORK

a/ ADAPTATION OF A PRE-EXISTING WORK (literary or live show)

DISTRIBUTION BREAKDOWN KEY

Pre-existing work	30%
Adaptation	15%
Dialogue	15%
Direction	40%

b/ ADAPTATION OF A WORK IN THE PUBLIC DOMAIN

DISTRIBUTION BREAKDOWN KEY

PD work	15%
Adaptation	22.50%
Dialogue	22.50%
Direction	40%

c/ SEQUEL

A sequel is a cinematographic work created after film No. 1, of which it is the sequel by reusing all or some of its themes, situations, characters, dialogues, direction, etc. Works whose action takes place after film No. 1 are considered sequels.

DISTRIBUTION BREAKDOWN KEY					
Sequel		Sequel		Sequel	
Film 2		Film 3		Film 4	
Film 1	10%	Film 1	10%	Film 1	10%
Screenplay Adaptation Dialogue	54%	Film 2	5%	Film 2	5%
		Screenplay Adaptation Dialogue	51%	Film 3	2%
				Screenplay Adaptation Dialogue	49.80%
Direction	36%	Direction	34%	Direction	33.20%

d/ REMAKE

A remake is an adaptation of a pre-existing work (cinematographic or audiovisual)

DISTRIBUTION BREAKDOWN KEY

Pre-existing work	30%
Adaptation	15%
Dialogue	15%
Direction	40%

e/ SPIN-OFF

A spin-off is a cinematographic work created after a first film whose action does not necessarily contain a direct tie with the action of the first film, but which reuses one or more characters in its bit characters while placing them in an original story and situations.

DISTRIBUTION BREAKDOWN KEY

Pre-existing work	30%
Screenplay – Adaptation – Dialogue	54%
Direction	36%