

2022

Annual
Report

SACD

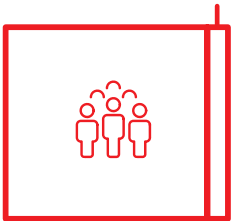
2022 Key Data

DISTRIBUTIONS

+17%

€233.6M

New author-members
3,238



↑
30,132
Authors

received royalties in 2022

Cultural action €3.7M

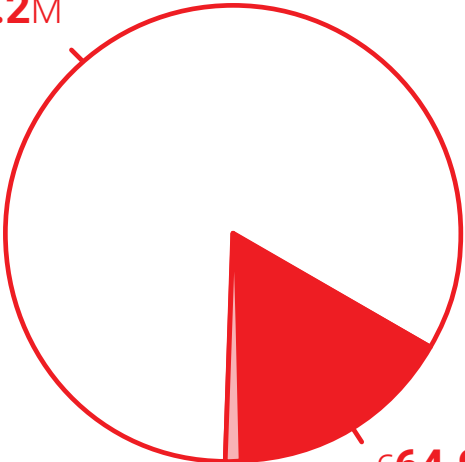
COLLECTIONS

+34%

€257.5M



Audiovisual/Cinema/Web
€192.2M



Written works €0.4M

€64.9M
Performing
Arts

Social action €10.2M (including emergency funds)

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A word from the President and the CEO



Anne Rambach
President of the SACD



Pascal Rogard
Chief executive officer of the SACD

Listen to authors. Be at their service. This has been part of the SACD's DNA since it was founded by Beaumarchais. In a year marked by the gradual recovery of cultural and artistic life after two years of Covid that had harsh consequences on the daily lives of many creators, it was all the more important that we be true to our calling.

With the mobilisation of all our teams and the support of the Board of Directors, we wanted this year to be one of renewal. The opening of new writing and creative spaces with the doubling of the Maison des Auteurs premises is one of the most pleasing signs of this renewal. With 1,000m² now available free of charge to the SACD members, including a café, offices, rehearsal and dance rooms, a podcast studio and a screening room, we are in full harmony with our raison d'être which is not just about collecting and distributing royalties but also entails accompanying and supporting authors at every stage of their creative lives.

That said, every member of the SACD is entitled to expect that their royalties be properly managed by an efficient Society at their service. And indeed, this is also our day-to-day commitment. And, by attaining a collection record this year at €257.5 million, up 34% on the previous year, the SACD has delivered. This is excellent news after all the theatre and cinema closures of the last two years. Business has picked up and picked up well, including in the Performing Arts, where collections from outside the Greater Paris Area rose by 2% compared with 2019, the last year before the crisis, and returned to a collection level of €64.9 million.

Revenues from the Audiovisual

repertoire were not left behind, with a 16% increase. This reflects strong growth in non-linear services and new media, as well as the good performance of the incumbent DTT channels. These results also reflect the positive effects of the renegotiations undertaken several years ago for the Standard Contracts (contrats généraux) formalising our relationship to broadcasters. Here, our efforts continued unrelentingly in 2022. More than ever, our responsibility is to secure authors' rights. This is the purpose of the new contracts signed with M6, Prime Video and META. Distributions also increased by 17%, totalling €233.6 million. We are delighted to see that the work begun several years ago is bearing fruit: the amount of pending royalties (i.e., royalties that cannot be distributed) continued to decrease for a total fall of 50% since 2019. The continued automation of audiovisual collective management has also given us room to manoeuvre for more rapid distribution.

This high level of royalties collected, combined with the rigorous management we have put in place, enabled us to refund almost €5 million in the statutory deduction this year. This is a record-high cash-back that will benefit authors and puts the SACD at an average statutory deduction rate of just 7.5%.

However, lowering the statutory deduction should not lead to a reduction in the quality of the services we render nor impede us from preparing for the future. That is our commitment, and we have kept it. Indeed, we continued our digital transformation to provide you with online services that are

constantly being enhanced and with a Member Space that is easy to use with lots of useful information, in particular the distribution scales. The Authors' Department was also gradually reopened in 2022 to support authors and there was no shortage of queries and requests for advice with no fewer than 1,240 individualised legal recommendations made during this period. In addition to the individual services it offers, the SACD is also an organisation for the collective and political defence of authors, and given that 2022 saw presidential and general elections in France, this aspect of our work found its full meaning. While our fight to maintain the audiovisual licence fee unfortunately failed, the year was also marked by some clear successes: signature of a new professional agreement with TF1, OCS and Prime Video to consolidate and strengthen their commitment to audiovisual creation; conclusion of agreements with the CNC and ARCOM to ensure the effectiveness of authors' moral and economic rights in individual contracts; completion of professional negotiations with audiovisual producers to provide a framework for contractual relations between authors and producers; introduction of a new grant by the French Ministry of Culture to finance writing commissions by national theatres... Be by your side. Listen to you. Hear your concerns so as to better defend you. Accompany you. Support you. For sure an accurate summary of the SACD's general commitment. This is path we wanted to take in 2022.

**Anne Rambach
and Pascal Rogard**

1

**THE SACD,
AUTHORS AT
THE SERVICE
OF AUTHORS**

1 THE SACD, AUTHORS AT THE SERVICE OF AUTHORS

The SACD was created in 1777 by a group of authors gathered around Beaumarchais. In the 18th century, the Comédiens du Français had a right of first refusal to every new play written, paying only a minimal fee in relation to the revenue generated.

Beaumarchais, after the success of *Le Barbier de Séville* (*The Barber of Seville*) was tired of the treatment inflicted on authors by the Comédiens du Français. A visionary businessman, he decided to gather around him other authors in order to have their rights recognised and invited some thirty of them to his table on 3 July 1777 for a dinner that was to become legendary.

He suggested setting up the first society of playwrights, then called the Bureau de Législation Dramatique. This was the founding act of the SACD, renamed as such in 1829.

Over the years, the SACD has opened its doors to composers, filmmakers, screenwriters, directors, radio writers, graphic designers, choreographers, street artists, circus artists, web creators and video artists, but its *raison d'être* has not changed, because there is strength in numbers.

And if the SACD does indeed carry weight in negotiations, it is precisely because it represents a very large number and diversity of creators from different repertoires: audiovisual, animation, cinema, web, theatre, dance, street arts, circus, stage music, humour... Acting in favour of authors is in its DNA, its governance, its missions, its status as a non-profit civil society.

This is ensured by the shared management of a chairperson of the board of directors, an elected author, and a CEO who oversees the Executive Committee.

Board of Directors 2022-2023



President

Anne Rambach

(television, scriptwriter)

First Vice-President

Catherine Anne

(theatre)

Vice-presidents

Marc-Olivier Dupin (music, dance),

Laurent Dussaut (director, television),

Marie-Do Fréval (theatre, street arts),

Marie-Anne Le Pezenec (scriptwriter, television),

Pierre Schoeller (cinema).

Delegate Administrator

Sophie Bocquillon (radio),

Gonzague (digital works),

Virginie Jallot (animation).

Administrators

Régine Chopinot (choreography)

Delphine De Malherbe (theatre)

Sophie Deschamps (scriptwriter, television)

Jean-Paul Farré (theatre)

Delphine Gleize (cinema)

Caroline Huppert (director, television)

Laurence Katrian (director, television)

Claire Lemaréchal (scriptwriter, television)

Eric Rondeaux (animation)

Jean-Paul Salomé (cinema)

Charles Tordjman (theatre directing)

Catherine Verhelst (music)

Caroline Vigneaux (comedy)

Luc Dionne (President of the Canadian Committee),

Jean-Luc Goosens (President of the Belgian Committee).

Jérôme Thomas was co-opted by the Board of Directors to represent the circus repertoire on the SACD's Cultural Action Committee and Performing Arts Special Committee.

1 THE SACD, AUTHORS AT THE SERVICE OF AUTHORS

Belgian Committee

President

Jean-Luc Goossens (cinema, television)

Vice president

Marie-Paule Kumps (theatre, opera)

Members

Gabrielle Borile (cinema, television)

Monique Mbeka Phoba (cinema, television)

Catherine Montondo (cinema, television)

Nadia Micault (cinema, television)

Luc Jabon (cinema, television)

Caroline Logiou (theatre, opera)

Marie-Eglantine Petit (theatre, opera)

Céline Beigbeder (theatre, opera)

Jérôme Roose (theatre, opera)

Laurent Van Wetter (theatre, opera)

David Chazam - Souchaud (radio)

Christian Crahay (directing)

Michèle Anne De Mey (directing)

Caroline Prévinaire (multimedia)

Canadian Committee

President

Luc Dionne (film, television)

Vice President

Benoit Pilon (cinéma)

Member of the

Executive Committee

Marie-France Landry (television)

Members

Alain Chartrand (television)

Rafaële Germain (television)

François Gingras (television)

Patrick Lowe (television)

Denys Arcand (cinema)

Louis Bélanger (cinema)

Johanne Prigent (cinema)

Normand Chaurette (directing)

Marie Chouinard (directing)

The Supervisory Board 2022-2023

Rapporteur

François Luciani

Vice-Rapporteur:

Élizabeth Verry

Performing Arts

Moni Grégo

Nicole Sigal

Audiovisual

Bénédicte Vidal

Bruno Pérès

Role and missions

The Supervisory Board, composed of members elected by the AGM, oversees the activities of the management, administrative and executive bodies.

This Board was created at the AGM of 15 June 2017, pursuant to the ordinance of 22 December 2016 on the transposition of the European directive of 26 February 2014 on the collective management of copyright and related rights. The Supervisory Board has a three-fold mission:

- Monitor the activities of the Board of Directors and the CEO, with a focus on supervising the implementation of resolutions voted by the AGM, including, in particular, the general policies adopted by the AGM with regard to the distribution of royalties, deductions applied to royalties, investment and risk management, and the use of non-distributable funds;
- Exercise the powers delegated to it by the AGM, in particular in the field of real estate (acquisition, sale or mortgage of all immovable properties), the creation of subsidiaries, mergers and alliances, the acquisition of equity interests in other entities, and, lastly, the provision of loans, borrowings and other guarantees;
- Issue an opinion on any refusals by the SACD services to grant information requests from author-members.

Executive Committee

CEO: Pascal Rogard

General Secretary: Patrick Raude

Members

Sandrine Antoine, Véronique Aubergeon, Pierre-Emmanuel Bourgouin, Linda Corneille, Christophe Dubois, Marie-Noelle Guiraud, Yves Le Coënt, Géraldine Loulergue, Guillaume Prieur, Élisabeth Schlittler (Canada), Hubert Tilliet, Catherine Vincent, Frédéric Young and Valérie Josse (Belgique).

Summary of the Supervisory Board's report

The Supervisory Board submitted its 2022 annual report to the General Meeting, concluding by congratulating the SACD's teams: *"Once again this year, the SACD was active on all fronts to defend authors, and was very effective in supporting the recovery of the performing arts sector, as demonstrated by the figures for collections.*

The SACD also negotiated or renegotiated major contracts, in particular with the M6 group and platforms such as Meta".

With regard to the memorandum of understanding with M6, the Board regrets *"that the contracts will not be signed with each of the group's services by the end of 2022". But it adds that "this delay is entirely due to M6; royalties were paid as usual as part of the March 2022 protocol".*

The Supervisory Board did not comment on the general policy for the use of non-distributable royalties nor on the general policy for the deduction of royalties. *"The use of non-distributable sums in 2022 was determined by the Board of Directors on 16 March 2023 in*

accordance with the general policy defined by the General Meeting", the report notes before going on to detail the measures taken.

With regard to the general policy on the deduction of royalties and the three decisions to reduce rates charged on works in the public domain, the Supervisory Board stated that it had been informed of these decisions taken by the Board of Directors *"in accordance with the general policy on the deduction of royalties".*

With regard to the general policy on the distribution of royalties, the Supervisory Board describes the provisions adopted by the Board of Directors for the 2022 royalties-distribution scales, namely: the provision concerning the distribution of TF1's digital rights according to the duration of the work and the number of times the work concerned is viewed; the provision concerning adaptations of pre-existing protected works not represented by the SACD; the provision concerning the adaptation of the SVOD tariff, which

stipulates that any work broadcast on a free-to-air channel and then made available on a subscription video-on-demand platform within 3 months, will benefit the same valuation coefficients as works first broadcast on the platform.

The Supervisory Board also noted that last year it had asked the SACD to adopt a cancellation procedure for memberships based on a commitment to declare a work within 36 months. This procedure was adopted by the SACD Board of Directors on 13 January 2022 and has been uploaded to the SACD website.

In terms of risk management policy, the Supervisory Board noted that it is regularly informed about operational risks on contracts. It notes that in terms of securing the distribution process of rights, new IT functionalities to increase the security of the chain leading from collection to distribution have been put into production.

ISO 9001 certification was renewed in December 2022, with the audit

concluding that the SACD had mastered all its processes.

In addition, the SACD has implemented an energy-saving plan based on 4 priorities: insulating window frames; electricity consumption; heating; and water use. The first measures were implemented in 2022.

Finally, the Board noted the very good operational and management performance of the SACD, with almost €5 million in statutory deductions reimbursed in 2022, a record high.

In view of the responsibilities entrusted to it, the Supervisory Board had all the resources it needed to carry out its mission. The Commission's report extends its congratulations to the SACD teams for *"their dedicated work on behalf of authors"* throughout the year.

DEFENDING, SUPPORTING AND ASSISTING AUTHORS

2 DEFENDING, SUPPORTING AND ASSISTING AUTHORS

The SACD doubles the number of creative spaces dedicated to authors

Rekindle connections. See others. Talk with others. Meet people and create opportunities.

For over 20 years, the SACD has provided its author-members with writing and creative spaces, which it had already expanded in 2018.

In 2022, the SACD went one step further by opening an additional 500m² of creative space on 3 October, bringing the total amount of creative areas available free-of-charge to over 1,000m².

A café, offices, touring studios, rehearsal and dance rooms, post-production projection rooms, podcast studio... 1,000m² in the heart of Paris, dedicated to authors who can grow their projects in a friendly atmosphere.

The new facilities include a fully equipped space, perfect for group immersion sessions of up to 15 people.

This range of workspaces is accompanied by the arrival of additional offices, bringing to 17 the number of 10m² offices available throughout the building, plus 6 meeting rooms. At last, outdoor creative sessions will be possible with open-air workstations set against a backdrop of green walls, “stage-right” and “stage-left”, to create a calm and fully connected space.

Why this expansion? Because Parisian authors need offices and meeting spaces. Because non-Parisian authors need workspaces when they come to Paris. Because a space equipped for remote video transmission means that everyone can take part in the same events, regardless of geographical location.

Because theatre and dance companies have a hard time finding rehearsal space. Because renting a fully-equipped recording studio is a real burden on the budgets of podcast authors.

Because finding a suitable venue for a writing workshop is an uphill battle. And because authors need to meet, exchange ideas, share and compare their ideas and practices.

Well, the SACD listened to all these concerned creators and decided to embark on an expansion project. And a great initiative it was indeed given that the occupancy rate of the premises – already extended in 2018 – was reaching 100% for most timeslots.

By the end of 2022, no fewer than 9,120 reservations had been honoured, with a 90% occupancy rate for offices, 86% for rehearsal rooms, 75% for meeting rooms and 72% for the auditorium, 70% for the podcast studio, 65% for the video studios and 40% for the residency space transformed into a co-working space when it is not reserved for group workshops.

The latest new feature was the launch in February 2023 of an online service, available via the Member Space of author-members, to reserving spaces at *La maison des auteurs*. So, no more need to phone with the hope of getting to speak with someone; the online service is accessible at all times and from anywhere. You simply submit your request and the system allocates a workspace according to availability, because at the SACD, first come, first served, even if a first-time reservation. That said, priority is given to authors living outside the Paris region when they come to Paris.

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Securing rights, securing contracts

With inflation, the situation is becoming tense and many authors are feeling economic pressure on their remuneration and refuse to become the “adjustment variable» in budgets allocated to works. Given this backdrop, the contracts signed by the SACD are more important than ever for authors, who are remunerated in proportion to the success of their works, enabling them to live and create new works.

Because, as Beaumarchais, founder of the SACD so aptly observed, before you can create, you need to be able to eat.

How do these Standard Contracts (*contrats généraux*) work? Well, a total percentage of the revenue generated by a channel or platform is invoiced in royalties by the SACD, which is responsible for distributing it in accordance with conditions

decided by the Board of Directors, composed entirely of elected authors. Complete information about the royalties-distribution scales and related distribution rules are available to author-members in their Member Space. In addition, the number of views of works on the platform is clearly indicated to authors on their distribution slips. All this info is and will remain clearly indicated. All contracts are

subject to the same obligation of confidentiality.

Several major contracts were signed in 2022 and early 2023, with the SACD negotiating its contracts with broadcasters and platforms, doing so either on its own or in partnership with the ADAGP (Society of Authors in the Graphic and Plastic Arts) in order to better reflect the value of the repertoire which the SACD represents, in particular as regards the important role played by this repertoire in delinearised exploitation and the economic value of the works which the SACD represents.

As far as international platforms are concerned, negotiations have yet to be undertaken with TikTok, which broadcasts many works in the SACD repertoire, including fiction, cinema, comedy and the Performing Arts.



A memorandum of understanding was signed with the M6 group in March 2022 covering all its television channels (DTT and thematic) and delinearised services (6Play). At the time of writing, the contracts were in the process of being signed and royalties had been paid in accordance with the agreement. This agreement enables the SACD's repertoire to be better exploited and has put an end to the litigation initiated by the M6 Group against Societies of Audiovisual Authors.



After several years of negotiations, an agreement was finally signed with Meta in December 2022 covering use of the SACD repertoire in France, Belgium and Luxembourg. The signing of this agreement, which covers the period since the transposition of Article 17 of the European Copyright Directive permits Meta to use the SACD repertoire on its various platforms such as Facebook and Instagram. The authors of these works will be remunerated accordingly, once Meta has sent us the info we need to settle the related royalties.



Negotiations to extend the Amazon contract, which expired on 1 January 2022, led to the signing of a new 3-year Standard Contract (2022 to 2024) in September 2022.

This new contract authorises Prime Video to use the SACD and ADAGP repertoires to make cinematographic and audiovisual works (fiction and animation) available and for works of visual art included therein, not only in France but also in Belgium and Quebec.

Building the audiovisual landscape of tomorrow, in the interests of authors

The financing of public broadcasting in question

With the resumption of the French Parliament following general elections in June, the abolition of the television licence fee returned to the agenda of the National Assembly. The SACD did everything in its power to secure funding for the public audiovisual sector.

Although the government was able to obtain majority support for the abolition of the licence fee, the fight led by the SACD and others did bear fruit: instead of strict budgeting, the solution found was to direct part of the VAT towards financing public broadcasting companies. From a technical perspective, this solution offers better guarantees and predictability for the public service.

This is however a temporary and provisional solution. The information-gathering task force on public broadcasting set up by the French National Assembly and before which the SACD spoke, clearly showed the need

to consolidate public service broadcasting on a long-term basis. All the major countries of the European Union and the United Kingdom have a licence fee with funds earmarked for their public broadcasting.

Strengthen obligations to finance creation

For their part, private channels are also evolving in a fast-changing world in which it is urgent to secure funding for creation. It is against this backdrop that the SACD was one of the signatories of the new professional agreements aimed at consolidating the commitments of broadcasters and platforms in support of audiovisual “patrimonial” works (i.e. original creation works such as feature films, creative documentaries, recording and recreation of live shows, music videos, etc.).

As a result, the TF1 Group renewed its commitment to support patrimonial works to the tune of 12.5% of its revenues. In order to

keep pace with changes in models for the exploitation of works, the scope of the agreement now includes the platforms published by the Group, i.e. MYTF1’s free and paid streaming offer, MYTF1 Max and TFOU Max.

An agreement was also reached with Prime Video (Amazon) and producer organisations. This essential step was taken following appeals to the French Council of State with the USPA and AnimFrance in order to challenge ARCOM’s agreements with Netflix, Amazon and Disney+ with these agreements making an unprecedented reduction in investment obligations set out in the decree. Negotiations with Amazon resulted in a better deal and an ambitious agreement that strengthens the platform’s commitment to original French-language creation and concentrates investment solely on patrimonial works, to the exclusion of television reports and “entertainment” works (game show, quiz show, chat show, cooking show, etc.). The agreement also includes a diversity clause,

making a specific commitment to funding the Performing Arts and animation.

The appeal to the Council of State against the Netflix and Disney+ agreements is ongoing. In this regard, it will be remembered that despite the clear political will of the government, enshrined in the related Regulations to set aside a certain amount for patrimonial works with these accounting for at least 85% of original French-language works, ARCOM chose to sign agreements with the platforms that restricted the scope of their commitments.

OCS also increased its obligation to invest in patrimonial works.

And then there’s M6... The SACD was the only organisation to publicly support, from beginning to end, the proposed merger, ultimately abandoned, between TF1 and M6. We did so in the firm belief that the French DTT landscape needs a powerful private player with the resources to invest in creation. The urgent need for French creative

2 DEFENDING, SUPPORTING AND ASSISTING AUTHORS

talent is to have leaders on DTT who are committed to patrimonial works.

When applying for renewal of its DTT frequency, the M6 Group turned a deaf ear to the arguments of French creative talent, with M6 limiting its commitment in this area to 11.5% of revenue as compared with 12.5% for its direct competitors. The SACD did not sign the 11.5% professional agreement reached with producers since it believed that it was high time to put an end to the regulatory “annuity” enjoyed by M6, insofar as the latter’s obvious status as a general-interest channel is not compatible with reduced investment obligations and a system that durably favours the group’s profitability to the detriment of its commitment to patrimonial works.

European battles

On the European stage, SACD took a firm stance for culture to the European authorities as part of special year in that France held the presidency of the Council of the European Union.

The SACD focused on specific issues relating to the need

to strengthen the legislative framework in order to protect catalogues of French and European works, to combat piracy and to extend, to Europe, the concept of obligations to invest in creation such as already apply to platforms in France. The SACD also had the opportunity to take part in the work that led to the development of a new regulatory framework for platforms, with the Digital Services Act (DSA) and the Digital Market Act (DMA), and to defend the modernisation of Audiovisual Media Services Directive (AVMSD).

On the subject of catalogues, the Minister for Culture convinced her counterparts of the need to boost the protection of Europe’s audiovisual and cinematographic heritage. In this regard, the protection of catalogues was mentioned as an important political objective.

The European Parliament decided to draw up a report on the implementation of the AVMS Directive, for which Petra Kammerevert (SD Germany) has been appointed rapporteur. This evaluation work will enable us to prepare for the future and continue

to modernise the framework if - and only if - it reflects a clear ambition for creation.

In the current discussions, there is room for improvement at several levels. Firstly, the promotion of European works is not to be considered a form of calvary. Thus, there is no reason not to aspire to an increase in the quota for broadcasting works on video-on-demand platforms. The current 30% is well below the 50% required of traditional broadcasters, and there is reason why this should be the case.

At the same time, greater emphasis should be placed on the positive contribution made by platforms to the financing of works.

France is not the only country to have chosen to impose such a contribution and 10 other countries have done likewise (Belgium, Croatia, France, Germany, Greece, Italy, Poland, Portugal, Romania and Spain).

Modernity requires that authors’ rights be respected in the case of works financed by platforms. In France, it is already the case

that any works included in the obligations must respect authors’ rights, and European legislation would also benefit from drawing the same conclusions. The evaluation report is due to be adopted by Parliament in April, and it will be up to the new MEPs elected in 2024 and the new Commission to decide on the follow-up to this report. The SACD’s action has also made it possible to extend the scope of proportional remuneration managed by collective management organisations in Europe (Slovenia, Germany, Belgium, etc.).

Strengthening authors’ rights

Defending copyright is another SACD ambition to strengthen the individual rights of all authors in concrete ways. As part of the transposition of the directives on copyright and audiovisual media services in 2021, the French government had taken up three proposals put forward by the SACD: the obligation to commence professional negotiations between authors and producers in order to re-balance their relations and give authors greater security while also involving them in the economic spin-offs from the exploitation of

2 DEFENDING, SUPPORTING AND ASSISTING AUTHORS

their works; make the granting of support to producers by the CNC conditional upon the inclusion of standard clauses guaranteeing respect for the moral and economic rights of authors; give ARCOM the power to monitor compliance with copyright in authors' contracts for works declared by channels and platforms and, where appropriate, to exclude works that do not comply with French copyright law from broadcasters' investment obligations.

In support of authors' professional organisations, the SACD took part in negotiations organised under the aegis of the CNC and the DGMIC, with producers' organisations in animation and fiction, as well as in cinema. In so doing, the SACD contributed its expertise in contracts, its political influence and its determination to obtain better rules delivering more protection to authors and of a nature to strengthen the financing of writing, the weak-spot of creativity in France.

On 22 March 2023, following several years of negotiations, the *Guilde française des scénaristes*, the SACD, SPI and USPA signed a major

new inter-professional agreement on contractual practices between scriptwriters and producers in the fiction industry. The agreement pursues 4 common goals, which are essential for building the future of French fiction and providing better funding for writing:

- A better framework to defining the relation between authors and producers in more collaborative fiction production models;
- better sharing of common definitions, through the creation of an exhaustive lexicon of fiction writing;
- better protection for authors, through the introduction of minimum remuneration for writing work;
- give authors a greater stake in the success of their works, particularly internationally, by introducing a profit-sharing scheme after depreciation.
- In animation, the agreement was signed in mid-June at the Annecy festival.

As far as standard clauses are concerned, after having provided numerous compliant models, the SACD has set up an observatory to evaluate their actual implementation, the first results

of which will be available after the publication of this report.

In addition to these unprecedented professional discussions, the SACD has also worked to strengthen the effectiveness of the checks done by the CNC and ARCOM to ensure that copyright is fully respected in contracts.

This is the context to which the SACD signed two agreements with the CNC and ARCOM. These agreements allow them to have access to the contracts filed by authors with the SACD in order to check that the individual contracts of authors with their producers comply with the standard clauses resulting from a professional agreement signed between authors and producers and with the principles of French copyright law, and in particular the moral rights and the right to proportional remuneration.

In a Europe where contractual abuses are appearing and undermining authors' rights, the SACD remains vigilant and committed to ensuring that in France, in the country of Beaumarchais, the law continues

to be respected and the rights of creators consolidated. This is why, in addition to its efforts to make the new legislative protections effective, the SACD has embarked on a policy of closely observing audiovisual contracts and contractual practices, particularly in the context of contracts concluded for works intended for digital platforms.

Although the majority of standard clauses have at this stage been included in contracts, some are still missing. This makes it necessary to apply the penalties provided for: ineligibility for CNC subsidies and non-inclusion of the work in ARCOM's quotas.

Helping authors with administrative formalities

Ensuring that authors have real access to their social rights is a priority for the SACD, and remains a complex issue in 2022 despite the significant progress that has been made.

To ensure that these issues are brought to a successful conclusion, the SACD teams participate in the working groups organised by the Ministry of Culture as part of the *Plan Auteurs* initiative, whose goals include ensuring better access to existing social rights, delivering a better response to the variations in authors' incomes through the implementation of the decree of 28 August 2020, reconstituting the social security administration board for authors and artists, clarifying and simplifying the tax rules applicable to the different types of income received by authors in the future, resolving the malfunctions of the URSSAF, and enabling authors to buy back pension contributions, which presupposes much faster responses from the CNAV.

As regards resolving URSSAF malfunctions, the SACD has maintained its system of personalised support for authors via the SOS URSSAF form available on their Member Space where authors can address their queries to the SACD whose specialists deal with requests falling inside their scope of knowledge or skills. Alternatively, queries within the purview of the URSSAF are forwarded by the SACD to the latter. The number of queries referred to the SACD fell considerably in 2022 which suggests an improvement in the situation for authors and better communication on the part of URSSAF, even though there are naturally still some problematic cases.

In 2022, the SACD handled 86 URSSAF alerts compared with 209 in 2021, of which 23 were forwarded to URSSAF Limousin which is responsible for authors, following up on queries and responding to 63 queries from authors, helping them directly to resolve their problems.

As regards pensions, since the publication of the ministerial circular of 24 November 2016, authors can, if they so wish, apply to settle any outstanding pension contributions in respect of periods during which certain contributions were deduced from their royalties but for which, because they did not know that they had to be affiliated to Agessa, they did not contribute to the pension fund.

The deadline for submitting such requests to the *Caisse nationale d'assurance vieillesse* (the French National Pension Fund) has been extended to 31 December 2027 by an interministerial circular.

The SACD lobbied for the extension of this scheme which was launched in 2016, adding a major improvement: the abolition of the discount rate, thereby reducing the individual amounts paid by authors who wanted to buy back contributions.

The SACD supplemented this scheme with a new mechanism to help buy back overdue subscriptions, which the SACD supported financially. Many authors have already benefited (see page 37).

In addition, since 1 September 2022, URSSAF has been paying authors government aid known as *Covid-19 n°3*. This provides a reduction of up to €2,000 in the social security contributions due for 2021 (up to the limit of the contributions due).

And, to enable authors in the performing arts to get over the Covid crisis, who were harder hit than those in other sectors apart from film, the SACD managed the support funds provided by the Ministry of Culture and the National Music Centre (CNM). In total, 2,397 grants were awarded to established and emerging authors, totalling 8 million euros.

2 DEFENDING, SUPPORTING AND ASSISTING AUTHORS

Financing professional organisations

Since 2001, the SACD has voluntarily contributed, out of its general budget, to the financing of professional organisations which account for a clear majority of the authors of the SACD's repertoires and which are dedicated to the defence of these repertoires. This means that all authors, regardless of whether or not they be members of these organisations but who are SACD members contribute to this voluntary funding via the statutory deductions applied to royalties. The budget and breakdown of this

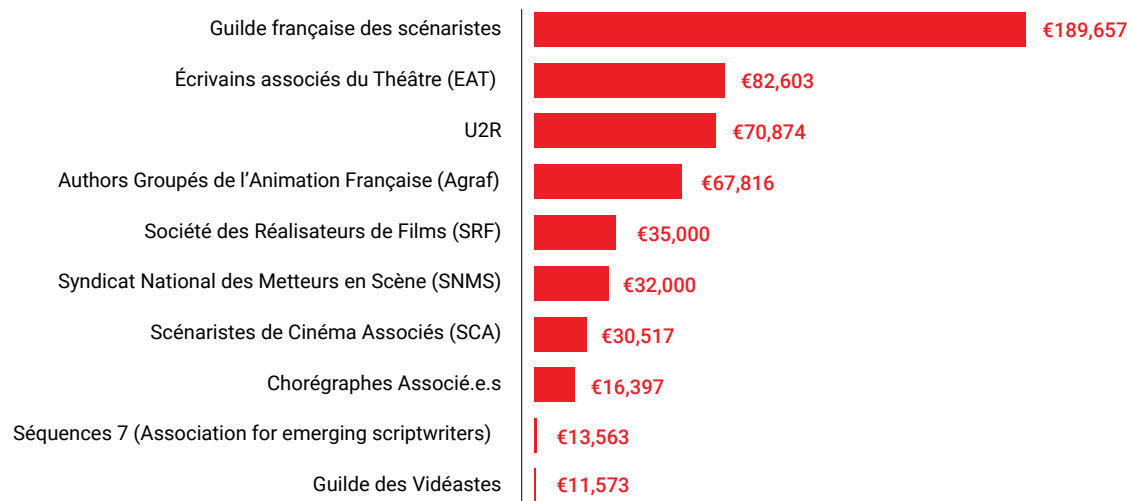
funding have been approved each year by the Board of Directors, made up of authors elected by the SACD author-members. Since 2020, and despite the Covid crisis, the SACD has maintained its level of commitment to funding these organisations to the tune of €550,000.

In view of the growing demand for funding, the splits in certain professional organisations, the creation of new professional organisations and the increasing contestation over the way in which the overall budget is shared, the SACD Board of Directors adopted a reform of its support policy in 2019, which was approved by the General Meeting the same year.

Specifically, even though the overall amount has remained the same, grants, since 2019, have been allocated on the basis of four weighted objective criteria, namely: the number of members of each organisation who have paid their dues; the number of works declared to the SACD by these members; the amount of royalties distributed by the SACD for these members; and the organisation's self-funding portion.

Each of these criteria is weighted by a fixed amount uniformly applicable to each organisation in the same repertoire, but different for different repertoires.

Funding of professional organisations by the SACD in 2022



2 DEFENDING, SUPPORTING AND ASSISTING AUTHORS

For organisations representing authors in Audiovisual, the weight assigned to each criterion is as follows:

- Number of SACD members: 20%.
- Number of works declared to the SACD: 20%
- Amount of royalties distributed: 50%
- Contributions-to-revenue ratio: 10%

For organisations representing authors in the Performing Arts, the weight assigned to each criterion is as follows:

- Number of members: 30%
- Number of works: 30%
- Amount of royalties distributed: 30%
- Contributions-to-revenue ratio: 10%

This objective rule makes it possible to follow, as closely as possible, changes in the representation of professional organisations.

The Board of Directors also decided to preserve the major apportionments between Audiovisual and the Performing

Arts by keeping their respective weights unchanged. For the years 2021 to 2023 inclusive, €419,000 was allocated to professional organisations in the Audiovisual, Film and Web sectors, and €131,000 to organisations in the Performing Arts.

As part of the reform, and in order to give an opportunity to reorganise to those professional organisations for which application of these criteria will lead to a reduced grant, the Board of Directors capped the post-reform loss of grant funding at 10%. For 2021, the Screenwriters' Guild ("*Guilde des Scénaristes*") benefits from the 10% floor. Increases are also capped at 50% per year. The envelope and the distribution criteria were presented and ratified at the SACD AGM in June 2020.

Provisional distributions for 2023

The Videographers' Guild ("*Guilde des Vidéastes*") which has been in default since February 2023, did not complete the grant-application process.

In this context, it was decided that professional organisations must be sufficiently well-established to be eligible for financial support, and therefore to extend, to 5 years of existence, the first application for funding.

The breakdown will therefore be as follows, subject to the signature of the agreements with the SACD:

Audiovisual / Cinema

Guilde française des scénaristes	€170,691
U2R	€72,369
Auteurs Groupés de l'Animation Française (Agraf)	€78,831
Société des Réalisateur de Films (SRF)	€36,558
Scénaristes de Cinéma Associés (SCA)	€44,342
Séquences7 (Association for emerging scriptwriters)	€16,209

Performing Arts

Ecrivains associés du Théâtre (EAT)	€74,343
Syndicat National des Metteurs en Scène (SNMS)	€41,278
Chorégraphes Associé.e.s.....	€15,379

In addition to the financial contribution, all professional structures supported by the SACD are entitled to one half-day slot each month at *La maison des auteurs*; the lounges, the screening room and the café are all made available to them free of charge upon request.

2 DEFENDING, SUPPORTING AND ASSISTING AUTHORS

Efficient services

The Covid pandemic profoundly impacted the way companies operate as well as interpersonal relations. It also greatly impacted living and communication habits.

The digital transformation enacted since 2015 by the SACD proved its effectiveness right from the beginning of the pandemic, and constituted the backdrop to which the SACD continued to invest in providing its members with efficient and effective services, designed and deployed for them. Save time at any hour of the day or night, carry out the right steps with the right support when necessary, automate what can be automated so that we can devote more time to relationships with high added human value. These have been the challenges of digital deployment at the SACD for many years.

360° Organisation

The 360° organisation put in place to field all requests and questions, regardless of the input channel used, remained relevant.

Welcoming authors has been one

of the SACD's key concerns. In concrete terms, in 2022 the Authors' Department reopened progressively, first by appointment in January, then on a walk-in basis two days a week in September and, starting January 2023, Monday through Friday without appointment.

Overall, the figures for 2022 are as follows: 2,949 new memberships, 2002 Member Spaces opened for access to our online services, 535 resignations, 1,520 promotions, 265 new mandates, 2,816 changes of bank, 168 deaths, 1,333 removals, 3,339 financial assistance payments from the security funds, 14,630 declarations for 221,439 new works declared (+42% compared with 2021), including 7,360 for the Performing Arts (+25% compared with 2021) and 214,079 for audiovisual, film and web works (+42% compared with 2021), bearing in mind that the number of web works in each declaration is rising sharply.

These changes are now proving to be permanent, particularly when it comes to using online services.

Ongoing digital investments

The digital transformation implemented by the SACD since 2015 has proved its effectiveness in this new context.

All memberships are now processed online. By automating and dematerialising its procedures, the SACD has been able to reallocate the work of its teams to higher added-value tasks such as advice and individual support. It has also set up a team to help authors use the fast-growing online services.

The SACD has therefore continued to invest in four areas: simplifying procedures, transparency, security and support for authors. In terms of IT security, the SACD has, as in previous years, continued to invest in increasing the protection of its systems and data.

Multiple changes were made to existing services and new functions were rolled out.

The declaration of works online is gradually extending its scope to

include more complex situations, mainly concerning adapted works.

In France in 2022, 88% of declarations made were eligible for online declaration (91% for audiovisual, film and web and 83% for the Performing Arts). Of these eligible declarations, 93% were actually made online (94% for Audiovisual, Film and Web and 91% for the Performing Arts).

In Belgium, 91% of declarations made were eligible for online declaration (97% for audiovisual, film and web and 86% for the Performing Arts). Of these declarations, 78% were actually made online (73% for audio-visual, cinema and the web, and 83% for the Performing Arts).

In addition, the management of works improved further in 2022, both in terms of processing times and completion times (57% drop in the quantity of royalties due to non-finalisation of declarations).

Author-members can also avail of their Member Space to download their SACD membership certificate from the Manage my profile section.

2 DEFENDING, SUPPORTING AND ASSISTING AUTHORS

As of 2023, their Member Space will also have their dematerialised SACD membership card.

The IT teams have also developed PIMENT, the SACD's core operations application. The management of general audiovisual contracts has also been enriched and contracts already signed by the SACD or currently being negotiated with the major players in the digital world led to the emergence of new contractual practices which meant that PIMENT had to be updated. The efficiency of our production tool, its very broad functional coverage and, above all, the workload required to build such a tool mean that we need to invest in its longevity. Even more so with the development of digital tools and the need for transparency in management and data.

And since PIMENT runs the entire billing and collection chain, it is constantly being adapted to incorporate new types of clauses and new royalty calculation-mechanisms specific to delinearised operations. This constantly evolving field will continue to create new needs, and will require us to continue upgrading and increasing the adaptability of our information system.

Other IT projects include the standardisation of certain social benefits and developments due to various changes in tax, social security and banking regulations, all of which had to be implemented within set deadlines. In short, it's been a busy year on the IT and digital front. And the projects are continuing, as the teams are still working on dematerialising the declarations of adapted works, which are by their very nature the most complex

Document area

The rubric *Mes documents / Mes relevés* (My Documents/My Statements) has been redesigned and now includes a search function by keyword or year.

In addition, the section entitled *Les exploitations de mes œuvres* (Performances of my Works) provides authors in the Performing Arts with the documents submitted by the producer as part of the application for permission to perform the author's work: letter of intent and description of the company, CV of the director, translator or adaptor, list of music, staging contract.

Legal aid

In 2022, over 1,240 individualised legal recommendations were prepared for authors, including 490 for audio-visual contracts alone (+11%).

The SACD assists authors in negotiating their contracts to ensure that they assign their rights under optimal conditions. The SACD intervenes in contractual negotiations to help emerging authors protect their rights, ensure the availability of works and promote practices that protect authors.

With regards to renegotiations, the SACD also intervenes on the estates of well-known authors upon their decease. Similarly, the SACD teams adapted their educational outreach program pertaining to copyright in schools in digital creation, bearing in mind that the *Zoom sur mon premier contrat* (Focus on my first contract) services for emerging authors which have been delivered for many years now by the SACD during various festivals, are dematerialised on request.

The Web Unit

The Web Unit continued its work of prospecting, accompanying and outreach to web authors who are often less familiar with the SACD and authors' rights than is the case with authors from other SACD repertoires. Interesting fact: a significant proportion of these new authors end up declaring new works in the Society's other repertoires after a few years. The SACD is by far the leading Society for audiovisual web-based creators in terms of number of members and royalties distributed.

2 DEFENDING, SUPPORTING AND ASSISTING AUTHORS

The SACD in Belgium

The SACD is active in Belgium, where some 30 employees manage the rights of Belgian and foreign authors domiciled in Belgium. A Belgian committee of elected authors, delegated by the SACD Board of Directors, implements the Society's policy in Belgium.

Covid was also a formidable challenge for performing artists in Belgium.

Deputy Prime Minister Pierre-Yves Dermagne introduced a legal compensation measure to make up for the loss of revenue suffered by performers in terms of royalties and related rights.

A first tranche of compensation of more than 1 million euros was paid in December 2021 to SACD members and non-members for the impacted representations. A second tranche was negotiated in early 2022.

The Belgian Committee, chaired by Antoine Neufmars and then by Jean-Luc Goossens, intensified

its work throughout the year to provide cultural and social support to members significantly impacted by the health crisis.

In addition to this line of support, the SACD invested heavily in the reform of social protection for artists as part of the WITA Federal Working Group.

Alongside a number of partners, the SACD also played an active part in all the actions taken against the abusive measures taken by CODECO (a meeting of ministers from the various levels of government in Belgium) against the cultural sector in terms of "health security".

As a result of these actions, the French Council of State issued a ruling suspending the measures to close cinemas by the end of 2021, which were deemed unnecessary, unjustified and discriminatory.

In collaboration with the audiovisual inter-profession, the Belgian Committee contributed to opening

and advancing the dossier on the upward revision of the contributions of operators and platforms in application of the SMAD directive (pertaining to on-demand audiovisual media services) with the aim of bringing French-speaking Belgium closer to the French model.

In terms of negotiations with broadcasters, discussions on the new tariff for broadcasting and direct injection continued throughout 2021, with various advances, notably with Orange Belgium, VOO, Telenet and M7.

The transfer of the ALCS "distribution" mandate, from Sabam to the SACD, made it possible to significantly increase the value of the royalties of this major British company, a long-standing partner in other fields.

Agreements were concluded with DPG/VTM for its broadcasting activities and with Telenet for its premium bouquets. An agreement

was concluded with Streamz, the new Flemish platform.

The renewal of the contract with VRT remained blocked for an extensive period owing by the unrealistic demands of the Flemish public service. The situation was resolved at the very beginning of 2023, when an agreement was finally reached.

Finally, the SACD teams in Paris and Brussels provide services for the collective management body *De auteurs*, which was set up more than 10 years ago by Flemish authors to manage their royalties.

2 DEFENDING, SUPPORTING AND ASSISTING AUTHORS

The SACD in Canada

Covid-19 caused great financial and personal upheaval for authors.

The prevailing context requiring great adaptability combined with the perspective of an uncertain future generated much weariness and questioning among many authors, in particular in the Performing Arts, a sector particularly affected by the pandemic for the two years.

Initiated in 2020, the revision of two key laws for the cultural sector continued up to federal elections in September 2021, and then resumed in December with new persons.

The 30-year-old *Broadcasting Act* urgently needs to be amended; it should be replaced by a law that is adapted to the digital age, to all the new forms of exploitation of

works and which forces the web giants to contribute financially to the Canadian cultural ecosystem so as to ensure an equal playing field with the GAFAM. The review of the *Copyright Act* undertaken in 2019 led to three consultations with the Department of Canadian Heritage, the Department of Canadian Industry and for the SACD, to the drafting and tabling of three briefs on extending the duration of protection of authors' rights, online intermediaries and, lastly, artificial intelligence and the Internet of Things.

The SACD has also been very involved in the work of the Coalition for the Diversity of Cultural Expressions and activities related to the legislative review of the two laws.

We also negotiated the renewal of several contracts and concluded new agreements with conventional channels (TVA and TFO), specialty channels (Remstar, Bell Media, Vidéotron) and digital platforms (Illico, Crave).

In the course of 2022, the SACD supported the Scriptwriters Union and the Directors Union in negotiating collective agreements with Producers Unions which have become increasingly resistant to collective management and indeed to authors' rights in general, due to the exploitation of works by digital platforms.

In terms of cultural action, once again this year, thanks to the virtual mode, all the programs could be maintained. Thus, the *Un*

projet, trois feedback workshop saw authors spending a morning each with three colleagues from different disciplines to discuss their film project. Two emerging scriptwriters joined the *Pour la suite du monde* workshop, where they are accompanied by authors with more than 20 years' experience.

Several the SACD grants were also awarded, bearing in mind that the number of projects received did fall off, especially in the Performing Arts, put on hold too often over the past year.

2 DEFENDING, SUPPORTING AND ASSISTING AUTHORS

Europe and internationally



The French Coalition for Cultural Diversity

Chaired by Pascal Rogard, General Director of the SACD, the French Coalition for Cultural Diversity federating almost 50 professional organisations from the world of culture, made its voice heard at both UNESCO and European Union to promote key messages: the defence of strong cultural policies and digital regulation in favour of cultural diversity. The Coalition also contributed to the emergence of the 1st European Discovery Forum, a key issue for the visibility of European works on global platforms.



The Society of Audiovisual Authors (SAA)

Acting under the auspices of the *Société des Auteurs Audiovisuels* (SAA) representing 31 collective management organisations and of which Patrick Raude, General Secretary of the SACD, is Vice-President, the SACD remained fully committed to its objectives of defending copyright and promoting collective management. During 2022, the SAA stepped up its efforts to promote ambitious transposition of the Copyright Directive throughout Europe and to obtain the implementation of a right to proportional remuneration for European scriptwriters and directors. The Society also liaised with WIPO to launch a study into the remuneration of audio-visual authors.



The International Confederation of Societies of Authors and Composers (CISAC)

The CISAC (*Confédération Internationale des Sociétés d'Auteurs et Compositeurs*) whose Board of Directors is chaired by Patrick Raude, continued its work on harmonising standard exchange formats between CMOs that are part of the CISAC.

The CISAC also pursued the topic of best practice by continuing work on the documentation and use of IDA, the international database of audiovisual works, of which the SACD is the administrator doing so on behalf of CISAC and all audiovisual societies worldwide. The IDA application was completely overhauled in 2022 to boost efficacy and security, and to guarantee the scalability of the tool over the next few years. In addition, the SACD

initiated a longer-term strategic review of the development of new functionalities in conjunction with IDA, with a view to improving and rationalising interactions and exchanges between OGCs at international level.

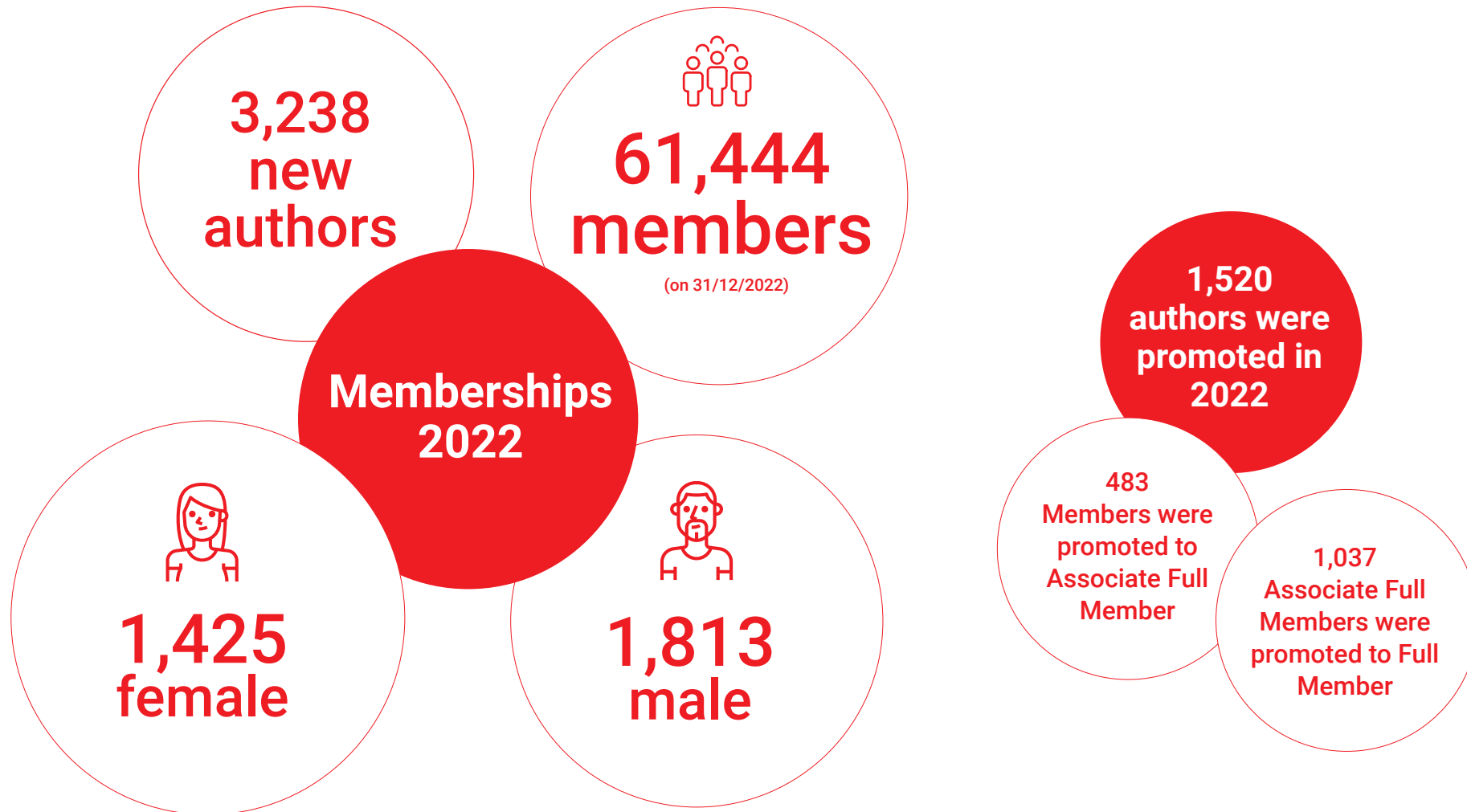
Lastly, the CISAC continued to reflect on its long-term strategic positioning in a context of declining global perceptions in the Music and Performing Arts repertoires. In the audiovisual sector, the main challenge is to promote worldwide the adoption of a non-transferable right to proportional remuneration for authors.

ACTIVITY AND MANAGEMENT REPORT

Promotions and memberships 2022

New Full Members and New Associate Full Members

The SACD now has 8,091 Associate Full Members (-8.23%).
 As of 1 January 2023, the number of Full Members stood at 12,225 (+8.22%).

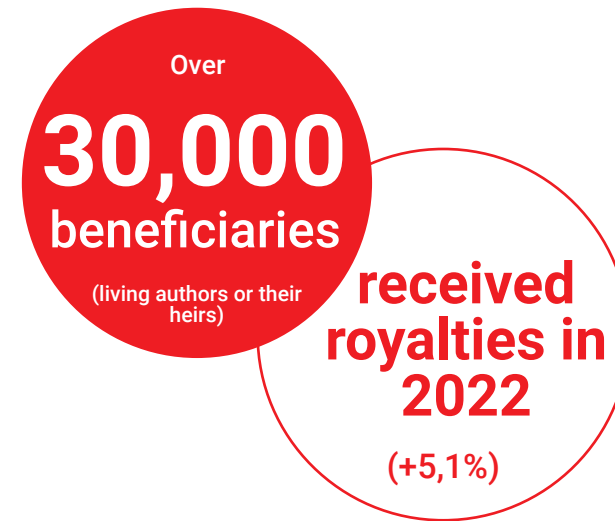


3 ACTIVITY AND MANAGEMENT REPORT

Distribution of royalties to authors



Distributions of royalties to authors (€23.6m) grew by 17% (€199.7m in 2021), this being attributable to the lively growth in the Performing Arts (133.9% for an increase of €33.1m). Distributions grew by 0.5% in Audiovisual to €175.6m (€174.8m in 2021).



Breakdown of revenues by repertoire

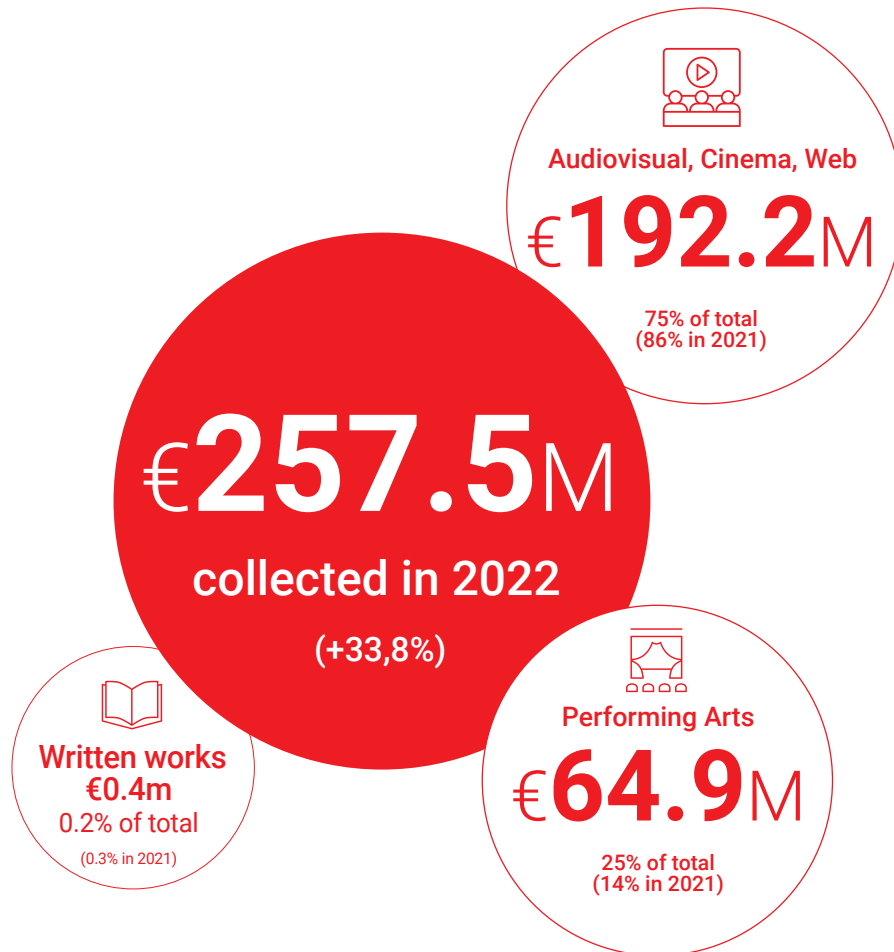
(in number of authors)

	Performing Arts*	Audiovisual Cinema Web*	Multi-repertoire*	All repertoires combined*	%
Over €100,000	6	177	109	292	1%
€50,000 to €100,000	22	469	136	627	2.1%
€10,000 to €50,000	313	1,866	535	2,714	9%
Under €10,000	12,594	12,359	1,546	26,499	87.9%
	12,935	14,871	2,326	30,132	100%

* Authors or heirs receiving royalties.

3 ACTIVITY AND MANAGEMENT REPORT

Collections in 2022



Collections 2022 – Amount and Sources

(thousands of euro)

AUDIOVISUAL, CINEMA, WEB		Change 2022/2021
France	160,703,210	+15.7%
Private copying levy	11,880,965	-7.3%
Standard contracts	146,981,226	+18.4%
Individual contracts	1,841,019	-7.4%
Direct-collection countries	15,686,895	+17.3%
Belgium	13,301,722	+19.5%
Canada	2,385,173	+6.6%
Abroad	15,747,820	+27.6%
TOTAL	192,137,925	+ 16.7%

PERFORMING ARTS		Change 2022/2021
France	56,987,865	+144.6%
Paris city and region	18,126,953	+154.3%
Outside Paris city and region	38,860,912	+140.3%
Direct-collection countries	3,407,539	+152.3%
Belgium	3,312,341	+170.7%
Canada	95,198	-25%
Abroad	4,483,134	+64.9%
Graphic publishing	10,289	+34.4%
TOTAL	64,888,827	+137.1%

WRITTEN WORKS		Change 2022/2021
Reprographic Rights Belgium	282,148	+3.9%
Reprographic Rights France	148,108	+33.4%
TOTAL	430,256	+12.5%

3 ACTIVITY AND MANAGEMENT REPORT

A healthy and robust financial situation

In 2022, the SACD's total collections reached a record €257.5m. The Society's accounts show an increase in income and expenses, mainly due to the return of the Performing Arts to pre-Covid levels. The financial and exceptional operating results were positive.

The upturn in the Performing Arts and the containment of the rise in operating costs enabled the Society to post a profit in excess of €5m before reimbursement of statutory deductions.

In accordance with standard practices, the SACD reimbursed statutory deductions to authors of a historic amount of nearly €5 million for 2022. With this reimbursement, the average statutory deduction rate is 7.5%.

After taking into account this reimbursement of statutory deductions to authors, the SACD's net profit for 2022 was €0.26m.

Distribution of royalties to authors in 2022 came to €233.6m, up 17% on the previous year. There was a sharp increase in distributions to the Performing Arts with activity picking up nicely during the year. In Audio-visual, Film and Web, distributions rose by 0.5%, from €174.8m to €175.6m. Private copy decreased in France but increased internationally due to catch-up payments from several countries such as Italy and Switzerland.

In 2022, the SACD collected a record €257.5m in royalties, an increase of 33.8% (over €65m) on the previous year. This all-time record can be attributed to a sharp rise in the Performing Arts, which has returned to pre-Covid levels, and growth in Audiovisual. Performing Arts collections amounted to €64.9m, an increase of 137% after falls of 16% and 51% in 2021 and 2020 respectively. Collections in France reached €57m in 2022, an increase of 145%, both inside (up 154% to

€18.1m) and outside the Greater Paris Region (up 140% to €38.9m). And, whilst collections outside the Greater Paris Region did increase by 2% compared with 2019 (the last year before Covid), Parisian collections fell by 13%.

In Audiovisual, collections for 2022 are at an all-time high of €192.2m, up 16.7% (+€27.5m). This unprecedented increase can be explained by the strong growth of nearly €14m (+51%) in non-linear services and new media thanks to our contracts, the good performance of the historic DTT channels, whose advertising revenues are increasing, and exceptional income due in particular to the resolution of a dispute in the distribution networks. Private copy levies, at €11.9m, were down by 7.3% or €0.9m. Outside France, after falling by 22% in 2021, collections rose by 22% to €31.4m.

Collections relating to written works amounted to €0.4m in 2022 and

therefore remain very marginal.

Overall Operating Revenue rose by 3% to €36.23m, due to an 11% increase in deductions on royalties (combining statutory deductions and specific levies). This increase is the result of contrasting trends: net deductions from the Performing Arts rose considerably (+ €2.05m / +86%) due to this sector returning to a normal level of activity.

Net deductions from audiovisual revenues were down (-€3.1m / -18%) despite a slight increase in distributions, due to the very high level of statutory deduction reimbursements this year; revenues from ancillary fees, in particular the levied on box office receipts from the Performing Arts, rose sharply by €3.4m (+ 175%), this being the result of live performances on in France and Belgium in 2022.

Operating revenue was also impacted with a decrease (-7%) in

3 ACTIVITY AND MANAGEMENT REPORT

Recovery and rebilling of expenses, which represents the share of cultural activity management expenses charged to the SACD's cultural action budget, as a result of the reduction in the average number of staff assigned to this activity, combined with a decrease (-8%) in Other operating revenue.

Financial revenue rose sharply to €1.5m through a number of investments maturing in 2022.

Cultural action revenue fell by 18% to €3.7m, due to the drop in private copying levy revenue and non-distributable royalties (-65%). It should also be noted that in order to maintain the 2023 cultural action budget at the 2022 level, the Board of Directors decided to allocate €0.4m of public domain resources from 2022 to the 2023 cultural action budget.

Operating costs increased to €3.1m (+9%) compared to 2021, mainly due to the Performing Arts returning to normality with the return of employees to the SACD

headquarters after a long period of working remotely and/or part-time. Other operating costs, which include social action expenses for authors such as the *Aide Solidarité Retraités* (ASR - supplementary pension scheme) (€1.7m), cultural action expenses and various other operating expenses, fell by 13% or €0.9m.

Other social assistance for authors, which includes in particular godchildren's allowances and personalised social assistance, amounted to about €0.4m and were financed by the cultural action budget (€110k) albeit to a lesser extent than in 2021,

On the cultural action side, costs allocated correspond very precisely to the level of revenue, i.e. an overall budget that is lower than that for 2021 (-18%), explained by the reduction in private copying levy revenue and non-distributable royalties.

Lastly, Other Operating Costs amounted to €94,000, a drop of

€66,000 (-41%), the bulk of which was made up of various fees (notably for IT licences).

Depreciation and amortisation fell (-6%) to €2.55m (compared with €2.72m in 2021) as a result of lower IT depreciation on software that had reached the end of its useful life. This decline was partially offset by the amortisation of new developments in the PIMENT information system and hardware, and by the total renewal of the computer park in 2019, which will be fully amortised in 2022 and not yet replaced.

Depreciation of property, plant and equipment also fell slightly (-3%).

Finally, operating provisions remain under control at less than €0.2m, as in 2021.

In the light of these results, the SACD will, at the close of the General Meeting, reimburse an record amount of nearly €5m in statutory deductions to authors for the year 2022.

Distribute more and faster while cutting distribution costs

In 2022, the SACD continued its efforts to boost the level of performance of royalties management in terms of efficiency, speed, transparency and cost. Offering a top-notch service at best cost has been a constant concern for several years and has remained so in the unprecedented context we are experiencing.

A further reduction in pending royalties

The major work carried out over the last few years to reduce pending royalties (i.e., royalties that cannot be distributed) continues to produce its positive effects, as we continually gain in efficiency in distributing the royalties that we collect for our authors. And, following four years of sharp falls, pending royalties fell by a further 3% in 2022 to €16.4m, representing a cumulative fall of almost 50% over four years (€32.4m in 2018).

It should be remembered that the reasons why rights are “put on hold” are varied and often temporary: declarations not finalised, disputes between authors, authors in the process of joining the SACD, estates not settled, missing documents, blockages in the author’s account preventing us from paying him or her, etc. We therefore need to act on the causes of the blocks in order to minimize them, all of which can mean that authors have to complete certain steps, failing which it is often impossible for us to take action. For the past four years, with the launch of the dedicated digital service in the Member Space, authors can consult the amount of any pending royalties and the reason for the block. They can also take the necessary steps to unblock their royalties.

In order to deal with each of the specific case of pending royalties, the SACD has set up a global action plan requiring the direct intervention

of its teams to manage issues pertaining to: retrieving signatures, locating missing documents, settling disputes, helping authors to finalise procedures, finalising memberships or declarations of works from its own author-members in France as well as author-members of foreign CMOs that the SACD represents in France, Belgium and Quebec.

Since the royalties in question should initially accrue to the concerned authors, it is only fair to return them via a reimbursement of the statutory deduction whenever, despite best efforts made, the royalties remained pending for the maximum eligible period of 5 years and have thus elapsed.

Further automation of audiovisual collective management

Driven, as always, with the intent to

achieve a faster and more reliable distribution of royalties, the year 2022 saw the SACD continue to automate the end-to-end management of Audiovisual royalties, with the integration, in a single information system, in France as well as in Belgium, of several essential bricks: breakdown of distribution networks in the packages of the channels concerned and reinforcement of controls and alerts for even greater security in the links between collection and distribution, mainly in terms of calculating unit values (provisional and definitive).

It should be remember that, when it comes to the distribution of royalties stemming from the audiovisual sector, the SACD relies on the accuracy of the broadcasting and viewing data provided by the channels and platforms. Significant improvements have been made in recent years in terms of the time

3 ACTIVITY AND MANAGEMENT REPORT

taken to distribute royalties.

In 2021, Netflix, Amazon and Disney+, under pressure from the SACD, agreed to provide broadcasting and viewing data each quarter. As a result, since the end of 2021, we have been able to distribute royalties each quarter as opposed to the previous twice-yearly rate.

And, going forward, all new contracts negotiated assume quarterly distribution, as has been the case of several years for YouTube where the royalties are distributed less than six months after the works are broadcast.

On the traditional channels, distribution times vary widely and

the SACD is working to shorten them. For example, TF1 royalties are distributed monthly, approximately two months after broadcast, whereas M6 royalties are paid six months after broadcast. Authors can however, as of the day following the broadcast of their work, request the SACD to advance the amount of the forthcoming royalties.

Audiovisual distribution scales constantly modernised

At the same time, the SACD's teams analysed the royalties-distribution scales, as we do every year, and submitted to the Board of Directors a number of corrective measures needed to ensure a fair balance in authors' remuneration. As a result, the "series premier" scale requested

by directors has been introduced. Since 1 July 2022, directors of the first episode of a series can, under certain conditions, benefit from a share of the production rights for all episodes in the series. To do so, they must declare a "series premier".

In addition, a new OCS fee structure now applies to broadcasts as of 2021.

At the SACD, the royalties-distribution scales are discussed and voted by the Board of Directors, which is composed solely of elected authors, on the basis of the projections and analyses done by our teams. The scales are all made available to authors in their Member Space on the website www.sacd.fr.

3 ACTIVITY AND MANAGEMENT REPORT

Deductions scale

The deductions on royalties finance, along with the annual membership fee of 40 euro, the many services and support mechanisms we make available to author-members: services for the collection, distribution and payment of royalties to authors; improvements and developments relating to these services; the negotiation of framework contracts with broadcasters and platforms, actions to defend authors; relations with social organisations; the SACD Maison des auteurs (offices, projection room, group work spaces or meeting rooms, etc.); the SACD Studio (filming and editing spaces); advice and support on contracts, legal, tax and social advice; end-of-career support; the development of new online or physical services; simplification of procedures simplification of procedures; transparency actions; changes to the IT system used to manage royalties and related updates to protect authors' data... in short, the full pallet of services rendered by the SACD.

Deductions on royalties for 2022

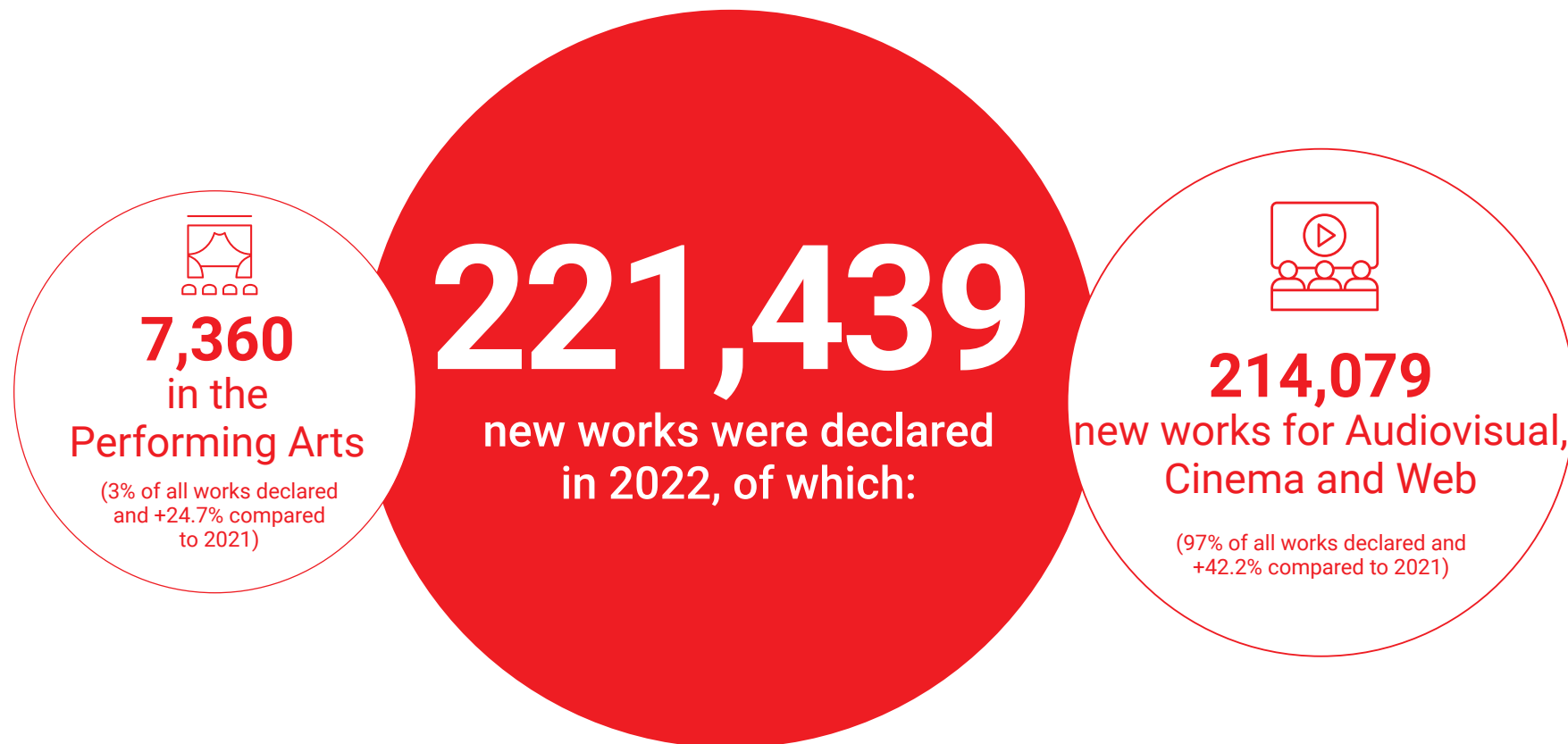
Specific Deduction	0.5%
Spectacle vivant professionnel	
Paris	9%
France (excluding Paris), Canada, Monaco, French Overseas Territories	11%
Belgium	10%
Abroad	7%
Commissioning allowances	2%
Audiovisual	
Broadcasting rights (France)	10.6%
Private copying levy (France, Belgium)	11%
Broadcasting rights (Belgium, Canada, Luxembourg)	11%
Broadcasting rights and Private Copying Levy (abroad)	6%
Videograms and phonograms	3%
Written Works	
Reprographic rights (Belgium)	5%
Reprographic rights (France)	7%

Annual membership fee

The annual membership fee paid by each author is used to finance the fixed costs of the Society; this was kept at €40 in 2021, and has been unchanged for over 15 years.

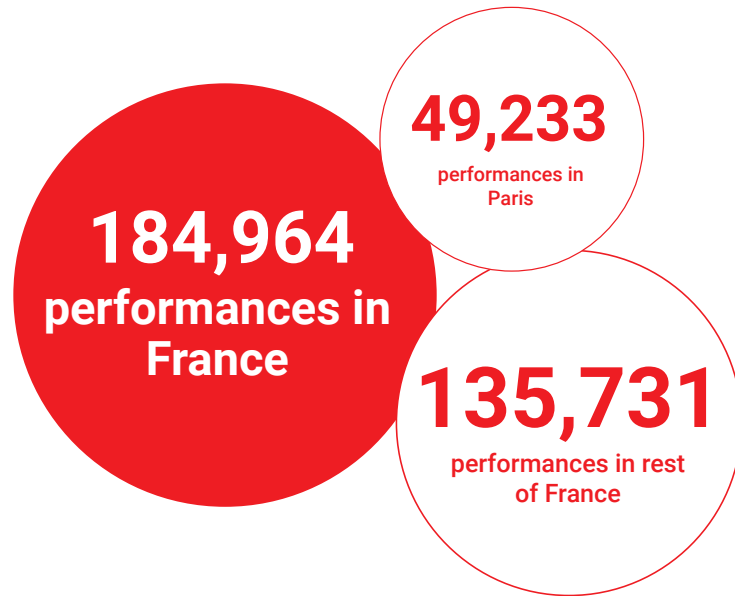
3 ACTIVITY AND MANAGEMENT REPORT

Key figures for repertoire use



3 ACTIVITY AND MANAGEMENT REPORT

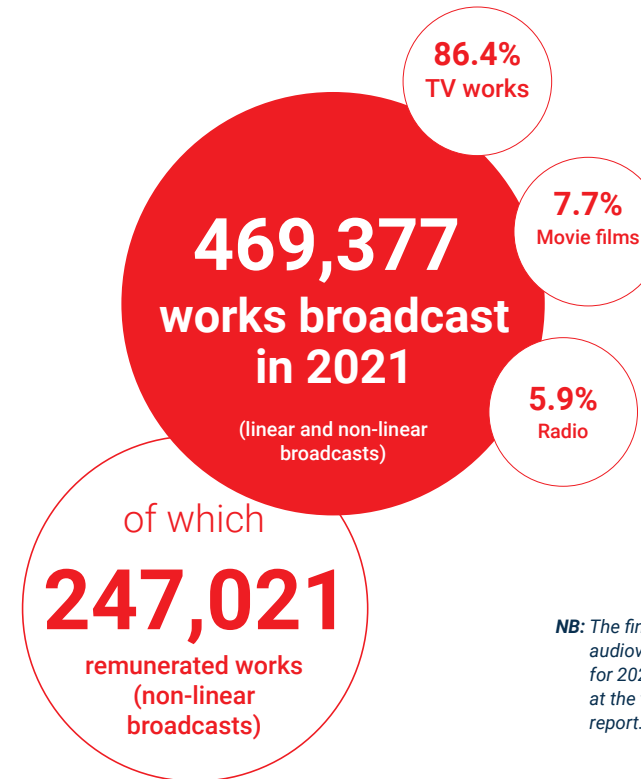
The Performing Arts



Number of performances in Paris city	
Amateur	690
Professional	48,543
Private theatres	27,338
Unionised subsidised theatres	516
Non-unionised subsidised theatres	2366
Independent companies and others	18,323
TOTAL	49,233

Number of performances in the Greater Paris Area and all over France	
Amateur	17,921
Professional	117,810
Private promoters	8254
Unionised subsidised	33,400
Non-unionised subsidised	473
Independent companies and others	75,683
TOTAL	135,731

Audiovisual, Cinema, Web



NB: The final figures for audiovisual broadcasts for 2021 were not known at the time of printing of this report.

263,696

program hours (linear broadcasts)
of which 97% Television (255,506 hours of programming)
and 3% Radio (8,191 hours of programming)

NB: These figures include works managed by the SACD on behalf of foreign CMOs.

The SACD, a closely audited Society

CMO Audit Committee

The SACD, like all Collective Management Organisations (CMO) of author's rights and related rights, is subject to a yearly audit by the *Commission de contrôle des Organismes de gestion des droits d'auteur et des droits voisins* (CMO Audit Committee) itself under the authority of the *Cour des Comptes* (French Court of Auditors).

The 2022 Annual Report does not deal with the activities of the SACD, instead focusing on the activities of Societies of related rights for performers. All these reports are available on the website of the Audit Committee (<https://www.ccomptes.fr/en/institutions-associees/commission-de-contrôle-des-organismes-de-gestion-des-droits-dauteur>).

Additional audits

In addition, in accordance with the provisions of the French Literary and Artistic Property Code, the SACD, like all CMOs, sends a copy of its annual accounts and related reports to the Ministry of Culture each year, also submitting - prior to approval at the AGM – any draft amendments to its Statutes or to its rules for the collection and distribution of royalties,

The audits carried out by Mazars, the SACD's auditors, are comprehensive and thorough. As a result of their audit work, Mazars signed off on the 2022 accounts without reservations nor observations as witnessed by the certificate published on the penultimate page of this report.

ISO Certification

Since 2017, the SACD has voluntarily undergone evaluation by AFNOR, an independent auditing body, and has obtained ISO 9001 certification for its royalties collection and distribution activities. We considered it a good idea to entrust a recognised external assessor with the task of evaluating the quality of services we make available to our authors and the management of the Society.

The SACD has adopted a progressive approach with the aim of including all its CMO OGC activities in the ISO certification over the forthcoming years.

The audit carried out in December enabled us to maintain ISO 9001 certification for all our business processes.

In 2022, the scope of certification has been extended to include legal advice and the *Aide Solidarité Retraités* (ASR - supplementary pension scheme). In 2023, it will be extended to the company's financial activities.

The SACD is the first and only CMO to obtain this certification in France. By willingly and voluntarily undergoing this demanding external evaluation every year, the SACD aims to continuously improve its management and provide the best services possible to its authors.



Corporate Social Responsibility (CSR)

The SACD's CSR policy was officially launched in 2022, not so much in terms of its deployment but rather as regards the formalisation of this policy. It was decided to involve as many employees as possible, and more than thirty working groups were set up to address all themes of the AFNOR ISO standard (ISO 26000).

Over 80 employees took part in these workshops, which enabled us to draw up a very precise picture of all the actions already falling within the scope of CSR, and to envisage additional actions to be rolled out progressively.

As part of its CSR policy, the SACD has changed the mandates of its asset managers so that they only make investments that comply with ESG (environmental, social and governance) criteria, a green pact for Europe, in accordance with Article 8 of the European Union's SFDR regulation.

In particular, asset managers cannot invest in assets belonging to certain industries, such as the manufacture, trade or storage of weapons. The same applies to companies involved in the coal or tobacco industries.

At the same time, the SACD has adopted an Energy Saving Plan (*plan de sobriété énergétique*) in response to the significant increase in energy-related costs. Taking into account the impact of telecommuting, the Society reorganised its office space, isolating workstations and eliminating expensive heating costs. Around forty employees were involved in the move, which enabled teams to be grouped together for functional purposes. The freed-up space is being offered at attractive rates, in particular to professional organisations in the sector.

In terms of energy renovation, the SACD is subject to the so-called Services Sector Decree (*décret*

tertiaire) requirements and must therefore undertake structural work to significantly and measurably reduce its energy consumption.

To this end, an energy audit has been commissioned and initial work has commenced with the focus on sub-par joinery elements.

At the same time, a major overhaul of the heating system was carried out, as well as additional improvements (replacement of all incandescent light bulbs with LEDs, elimination of oil bath or convector auxiliary radiators, etc.). This work, launched at the end of 2022, will continue over several years.

4

SOCIAL AND SOLIDARITY ACTIONS

2022 Review of Measures

Overall
Budget:
€10.2M

Social Action Committee

The SACD's Social Action Committee, composed of authors who review applications submitted by the SACD's Social Assistance, approved support for 55 authors in 2021. It should also be noted that Social Assistance was reorganised so as to be able to respond more quickly to requests and to better gauge the reasons given when requesting assistance, and thus

come up with optimal solutions. In addition to financial aid, the SACD provides personalised support for these individual actions (procedures, help with legal aid, support for access to appropriate health care, etc.). For its part, and in the same spirit, the Paul-Milliet Foundation, which has its own resources, also grants aid to authors faced with age or illness and, more broadly, with all of life's difficulties.

Other social supports

The SACD also grants allowances to its "godchildren" (children of deceased authors) to financially support their schooling and higher education. These grants, which are given in the form of in the form of donations amounted to €0.1m in 2021. The allowances were paid to 32 godchildren in 2022, compared to 22 in 2020.

The amount of *Aides de Solidarité Retraités* (support for pensioners) and *Aides de Solidarité Veuvage* (supports for widows/widowers) paid in 2022 reached almost €1.7m. Since the SACD is not a pension organisation, this support fund is reserved for certain of its members, subject to conditions of age and income. Moreover, the Board of Directors must elect to continue this fund each year and must set the amount with the latter depending on the number of beneficiaries and the SACD collections, mainly in the performing arts sector.

The SACD also facilitated appointments for 72 authors to meet with an IRCEC pension adviser in 2022. The Social Advisor advised and/or provided information to 35 authors on general retirement.

The SACD have always been a strong advocate for a system enabling authors to buy outstanding social contributions so as to boost their pension, and last year, we supplemented the current official system by a special mechanism to allow our members to do just that. Under this new mechanism, the SACD pays 50% of these outstanding social contributions subject to respecting certain conditions, up to a cap of €5000. To date, 22 authors have benefited from this scheme for a total of €93,871 and about 60 other authors have already contacted the SACD's Social Advisor to make enquiries.

4 SOCIAL AND SOLIDARITY ACTIONS

Covid Relief Fund

In 2022, as in previous years, SACD managed the Covid Relief Fund set up to compensate SACD members for loss of income, with the SACD paying all fund-management costs. As a result, a total of 3339 financial assistance payments were made for a total of €8,120,498, funded by the French Ministry of Culture and the Centre National de la Musique.

FONDATION PAUL MILLIET

— reconnue d'utilité publique

The Paul-Milliet Foundation

In 2022, the Paul-Milliet Foundation approved 11 aids for a total amount of €16,753, i.e. an average amount of €1,523. Founded in 1926 thanks to donation made to the SACD by the librettist Paul Milliet (1848-1924), to create a foundation intended to help elderly and ill authors, the Paul Milliet Foundation has been recognised, right from inception, as a public-interest organisation.

As of the 1980s, the Foundation's sole areas of focus were direct-aid payments and covering health-related costs for authors suffering from issues related to age and illness. This role was expanded and approved in 2014 by the Council of State to include helping authors facing any type of adversity.

The Foundation lives from bequeathed royalties (nowadays mainly from the screenwriter Henri Jeanson and film director Roger Kahane), from income on capital that constitutes its endowment, and from donations from authors who wish to support the Foundation.

www.fondationpaulmilliet.org



The Auteurs Solidaires endowment fund

Auteurs Solidaires, an endowment fund created at the instigation of the SACD, and chaired by Rodolphe Belmer, aims to implement innovative projects in the field of social intervention, led by professional authors and based on the sharing of original artistic experiences.

In 2022, the SACD provided cultural action support to *Auteurs Solidaires* to enable it to finance, alongside other partners, various actions carried out throughout the year and/or undertaken during the year.

In 2022, Auteurs Solidaires began its nationwide rollout with the launch of a new *Raconte-moi ta vie!* operation in and around the Paris region, in addition to operations carried out in recent years in the Hauts-de-France and Auvergne-Rhône-Alpes regions.

www.auteurs-solidaires.org

5

**FULLY
COMMITTED
TO CULTURAL
DYNAMISM**

5 FULLY COMMITTED TO CULTURAL DYNAMISM

Rules and governance of Cultural Action

The reform voted by the Board of Directors in 2018 to support emblematic and priority cultural actions came into effect in 2019. The reform of the decision-making process, enacted to comply with the recommendations of the CMO Audit Committee, also came into effect and works as follows: with the exception of support for festivals and events (now decided by the Board of Directors), decisions about the individual allocation of support to an author or a creative work are taken by specific juries separate from the Board and its members. In addition, support for festivals and events is now a matter for deliberation by the Board of Directors and no longer decided by Committees specific to a given artistic discipline.

In order to prevent any conflict of interest when allocating grants, several mechanisms have been strengthened, and, going forward, the SACD Board members are required to declare any direct or indirect interests that could place them in such a situation. If we receive a grant application for an event in which an the SACD Board member is envisaged as a participant or if

the application is for a structure in which s/he holds a management or administrative position, then this Board member does not take part in the appraisal of the application, has no contact with the event in his/her capacity as an the SACD Board member, and does not take part in the discussions nor voting of the Board of Directors in regards to that application. Furthermore, an author who is an SACD Board member cannot apply for funding to any cultural action fund or scheme. Moreover, this restriction applies to any work of which s/he is the author or on which s/he collaborates in any capacity whatsoever. In short, an administrator cannot apply for any individual support from any cultural action measures (Article 17 of the Statutes).

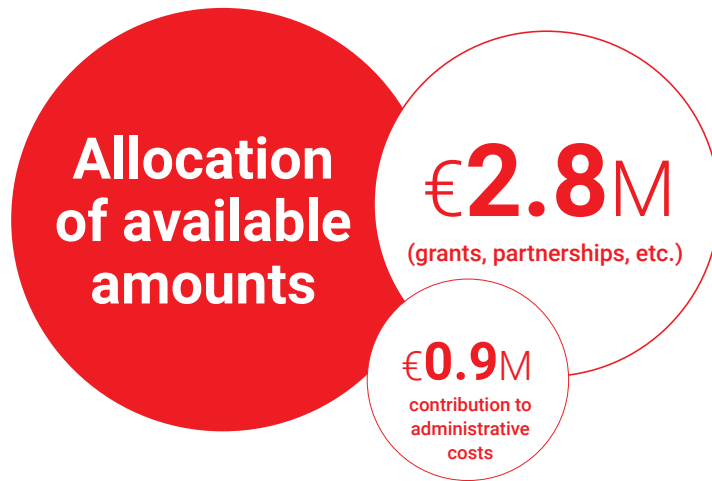
As regards the allocation of funds, the rules are clear: resources allocated must benefit authors, whether by financing their travel, contributing to shows, touring, writing grants, awards, etc. The Society's annual budget for cultural action is prepared on the assumption that all resources allocated will be used during the year. Should this not

be in fact the case (funds could not be distributed as planned during the year due to cancellation events or non-compliance with requirements), the concerned amounts are carried forward to the following year or are used to finance actions organised during the year.

Cultural action in 2022



5 FULLY COMMITTED TO CULTURAL DYNAMISM



Sources of funding of the Cultural Action Budget

Audiovisual private copying levy (art L321-9 of the CPI)	€2,402,842
Audio private copying levy (art L321-9 of the CPI)	€793,318
Digital private copying levy (art L321-9 of the CPI)	€74,633
Non-distributable royalties (art L321-9 of the CPI)	€150,000
Financial income	€8,552
Carried forward from previous years	€307,728
Total	€3,737,073

The amounts carried forward in the table above are those committed to events that ultimately could not be organised or that failed to respect their commitments.

New Support Funds and Activities 2022



In 2022, against a backdrop of tight budgets, the SACD maintained its investment priorities in support for creation and distribution, which are directly aimed at authors. Net revenue from cultural action fell by 21.5% between 2021 and 2022, following a decrease of 8% between 2020 and 2021 due to the fall in non-distributable royalties generally due to offset (-65%) and private copy revenue in France (-8%).

The private copying levy which remunerates authors for copies made of their works and also funds cultural activities was once again the subject of attacks designed to reduce its scope. However, thanks to pressure applied from all cultural professionals, this levy was maintained for the reconditioned media, with a specific and adapted scale. In 2022, the net resources

of the Cultural Action enabled a total of 238 partnerships (Festivals, Schools, Residences, Facilities, etc.) to be set up (+19% on 2021) with 38 prizes awarded to authors at these events (+19%).

For 2022, in the context of the post-Covid crisis, the SACD and the Ministry of Culture decided to continue the *prime d'écriture* initiative which provides support for authors of original works in the Performing Arts. In 2022, a total of 22 works, or 29 authors, received a writing grant from the *Fonds de soutien au théâtre privé* (Private theatre support fund) for a total budget of €100,000.

For the first time, SACD also joined forces for the first time with the *Compositeur associé dans les scènes pluridisciplinaires* scheme,

5 FULLY COMMITTED TO CULTURAL DYNAMISM

launched by the Ministry of Culture and Sacem to strengthen the place of music in the networks of venues not dedicated exclusively to this repertoire. The aim is to offer a shared framework for collaboration between the management of a multi-disciplinary stage (scènes nationales, scènes conventionnées, etc.) or creative stage not dedicated exclusively to music (CDN, CCN, centres culturels de rencontre, etc.) and a composer, to help enrich their respective artistic and cultural activities. In 2022, the SACD supported two projects. For each of these projects, the venue manager and the composer will receive €12,500 per year from the SACD, giving a total of €25,000 over the two years.

Current funds continued

The SACD's current funds and programs continued to operate in 2022:

- **SACD/France Télévisions Creation and Diversity Fund** (*Fonds SACD – France Télévisions Création et Diversité*): 10 grants of €10,000 to write a pilot (5 authors). The 2 finalists were awarded an additional €80,000 per project for fund the writing of a complete season.
- **SACD Theatre Fund** (*Fonds SACD*

Théâtre): 10 grants of €9,000 plus a writing grant of €2,500 per winning project (15 authors supported).

- **Stage Music Fund** (*Fonds SACD Musique de Scène*): 10 grants of between €2,500 and €4,000 (13 composers supported).
 - **Opera Creation Fund** (*Fonds de Création Lyrique*): selective grants: 12 grants between €13,000 and €50,000.
 - **Special Opera Fund** (*Guichet complémentaire SACD Opéra*): 6 grants from €5,600 to €15,000
 - **Opera Promotion Fund** (*Valorisation Lyrique AV et SV*): 5 devised works promoted
 - **Circus Fund** (*Processus Cirque*): 4 grants of €8,000 (8 authors supported).
 - **Street Arts Writing Fund** (*Écrire pour la rue*): 9 writing grants of €1,111 allocated by the SACD with the DGCA supporting the production.
 - **Outdoor Performances Fund** (*Auteurs d'espaces*): 8 grants for devised works (€3,000 to €11,700) with projects scheduled on partner-festivals (Chalon-sur-Saône, Aurillac, Nanterre).
 - **Trio(s) Dance the SACD - ONDA**: 10 programs and 13 choreographers supported. Fund to promote and support the promotion of dance.
- In 2022, the SACD supported

13 events and comedy festivals throughout France, some of which included a “New Writing Talent SACD” prize, awarded directly to authors.

In addition, for the second year, SACD supported Académie d'Humour scheme where sector professionals giving their support to emerging comedy talents selected in advance by way of auditions.

Two funds were also supported:

- **Comedy Fund** (*Fonds SACD humour*): 22 grants from €2,000 to €6,000, for a total amount of €65,500.
- **Avignon-Off Comedy Fund** (*Fonds SACD humour Avignon Off*): 12 grants of €2,000, for a total amount of €24,000.

Actions in favour of training and artistic education

In addition, training initiatives planned for 2022 continued, including support for schools contributing to the professionalization of new authors: La Cinéfabrique, the Conservatoire Européen d'écriture Audiovisuel (CEEAA), la Poudrière and the *École Nationale Supérieure des Arts et Techniques du Théâtre* (ENSATT), and support for initiatives that accompany authors who

already have experience, such as Boulevard des séries (training and master class at La maison des auteurs SACD) or the Grand Nord workshop (francophone and exchange of ideas on screenwriting).

Actions in favour of artistic education remained a strong focus in 2022: Auteurs Solidaires endowment fund, which organises the *Raconte-moi ta vie!* operation, *Un Artiste à l'école*, *La Ruche*, *la Quinzaine en Actions*, *Parcours d'auteurs* at the Festival d'Automne, the *La Résidence* program (Fémis film school) and *Talents en Court* (French Film Board). The SACD's cultural action has encouraged the hosting and support of authors benefiting from these schemes at numerous festivals and professional events organised by its network of partners.

International cultural initiatives

Support for the Contxto program continued. This program was set up to support the translation of French-language dramatic texts into English and Spanish. Drawing on a professional network, it encourages the international promotion of playwriting, with a view to the

5 FULLY COMMITTED TO CULTURAL DYNAMISM

Beaumarchais - SACD Association

dissemination and creation of these texts.

The second edition took place at La Fabrique Boulevard des Séries in Los Angeles.

The SACD, La Villa Albertine (French Embassy in Los Angeles), the CNC and the Writers Guild Foundation are partners in this residency, supported 7 writers on projects for French series with high international potential.

Support for the Sounds of New York program: Launched in 2021 and renewed in 2022, this program enabled 7 French authors to discover the American podcast ecosystem, as well as the players in the industry based in New York. The aim of the event is to support the development of French podcasts through a programme dedicated to French writers and directors who have produced at least one sound-based project.

After two years heavily impacted by covid-19, the year 2022 marked the beginning of a return to normality for the Association. With resources down for the third year running - due to the end of the partnership with Orange around virtual reality, but mitigated by the SACD grant remaining unchanged (€423,400) - efforts were concentrated on two key areas: granting a high level of writing grants to support as many new authors as possible; and, after the virtual paralysis of the cultural sector, providing the best possible support for the resumption of creations and productions, by increasing additional grants for recently awarded projects.

A priority mission for Beaumarchais, writing grants for emerging authors continued to represent the bulk of the association's activities, with a financial commitment of €362,744.

The total number of applications submitted to the various commissions continued to rise, with significant disparities between disciplines (compared with 2021: -15% of applications received in theatre, but +120% in television).

Some sixty volunteer professionals, divided among the association's various committees, awarded a total of 63 writing grants (63 winning projects representing a total of 88 supported authors). A further fifteen or so grants remain to be distributed to 2 committees whose selection process had not been completed by the end of 2022.

Following the discontinuation of the joint virtual reality programme, 2022 saw the launch of a new initiative with longstanding partner Orange: the creation of a new programme designed to encourage the emergence of genre dramas for French audiences. The Beaumarchais - OCS Signature Grant has been a real success with writers and producers: of the hundred or so applications received, two projects have benefited from writing and development support totalling €65,000.

A sign of the expected recovery, particularly in the performing arts, is the very significant increase in applications for cascade grants, which are additional grants awarded after a writing bursary

has been obtained, to support the development of a project through residency, creation and translation support. In order to provide the best possible support for this revival, the Board of Directors has, in particular, mobilised financial resources that were not used during the two-year health crisis. As a result, €231,710 has been devoted to promoting the development, production and distribution of some sixty projects supported in recent years

APPENDICES

6 APPENDICES

Collections and distributions of royalties

2022 Collections (net of VAT)

(rounded off to nearest euro)

	COLLECTIONS		SACD DEDUCTIONS / COLLECTIONS			
	Royalties collected	Change 2022 / 2021	CCSA*	Specific Deduction	SACD Deduction	Net Royalties to distribute
PERFORMING ARTS	64,888,827	137.1%	7,879,397			57,009,429
France	56,987,865	144.6%	7,554,571			49,433,294
Paris	18,126,953	154.3%	1,622,120			16,504,832
Regions	38,860,912	140.3%	5,932,450			32,928,462
Direct Collection Countries	3,407,539	152.3%	324,827			3,082,713
Belgium**	3,312,341	170.7%	324,827			2,987,514
Canada	95,198	-25%	0			95,198
Foreign countries	4,483,134	64.9%	0			4,483,134
Graphic publishing	10,289	+34.4%	0			10,289
AUDIOVISUAL	192,137,925	16.7%				192,137,925
France	160,703,210	15.7%				160,703,210
Private copying	11,880,965	-7.3%				11,880,965
Standard Contracts	146,981,226	18.4%				146,981,226
Individual Contracts	1,841,019	-7.4%				1,841,019
Direct Collection Countries	15,686,895	17.3%				15,686,895
Belgium**	13,301,722	19.5%				13,301,722
Canada	2,385,173	6.6%				2,385,173
Foreign countries	15,747,820	27.6%				15,747,820
WRITTEN WORKS	430,256	12.5%				430,256
Publishing rights France	282,148	3.9%				282,148
Publishing rights Belgium	148,108	33.4%				148,108
GRAND TOTAL	257,457,008	33.8 %	7,879,397			249,577,610

* CCSA: Contribution to Social and Administrative Charges, due in addition to the royalties paid by Performing Arts promoters.

** Excludes royalties collected on behalf of deAuthors CMO, for 2022, these stood at €177,155.99 and €1,711,486.76 in the Performing Arts and Audiovisual sectors respectively.

(amounts expressed in Euro)

Itemised distribution of royalties 2022

(rounded off to nearest euro)

	DISTRIBUTIONS		SACD DEDUCTIONS / DISTRIBUTIONS		
	Royalties distributed	Change 2022 / 2021	Specific Deduction	SACD Deduction	Net Royalties to distribute
PERFORMING ARTS	57,860,755	133.9%	274,638	4,171,349	53,414,767
France	49,477,181	140.2%	237,340	3,661,344	45,578,497
Paris	16,516,666	152.3%	77,852	886,016	15,552,799
Regions	32,960,515	134.6%	159,488	2,775,329	30,025,698
Direct Collection Countries	3,888,885	171.3%	15,753	260,280	3,612,852
Belgium*	3,786,109	189.3%	15,289	245,464	3,525,356
Canada	102,776	-17.5%	464	14,815	87,497
Foreign countries	4,484,400	66%	21,495	249,187	4,213,717
Graphic publishing	10,289	34.4%	50	538	9,701
AUDIOVISUAL	175,634,746	0.5 %	820,758	13,466,395	161,347,592
France	143,592,184	-2.1%	675,931	11,553,680	131,362,573
Private copying	9,253,471	-13.3%	45,397	808,218	8,399,856
Standard Contracts	132,496,235	-1.2%	629,924	10,577,717	121,288,594
Individual Contracts	1,842,478	-7.3%	609	167,745	1,674,124
Direct Collection Countries	14,415,190	-2.1%	61,184	1,079,822	13,274,183
Belgium*	12,661,952	0.5%	52,537	930,086	11,679,330
Canada	1,753,237	-17.2%	8,647	149,736	1,594,854
Foreign countries	17,627,372	31.4%	83,643	832,893	16,710,835
WRITTEN WORKS	148,108	33.4%	1,134	8,787	138,187
Reprographic rights France	0	-100%	0	0	0
Reprographic rights Belgium	148,108	33.4%	1,133.71	8,787	138,187
GRAND TOTAL	233,643,609	17%	1,096,530	17,646,532	214,900,546

* Distributions to Flemish authors in Belgium are made directly by deAuthors.

(amounts expressed in Euro)

6 APPENDICES

Profit and Loss statement for 2022

EXPENSES	2022	2021
I – OPERATING COSTS	38,179,772	35,117,805
A - PURCHASES AND EXTERNAL EXPENSES	10,766,902	8,473,604
B - TAXES	792,118	727,500
C – PERSONNEL	18,036,959	16,294,025
Salaries	11,067,802	9,479,325
Social contributions	4,161,062	4,186,086
Miscellaneous expenses	1,000,621	906,581
Brussels Delegation	1,807,473	1,722,033
D – OTHER OPERATING COSTS	5,832,132	6,706,607
a) Authors social action	2,000,600	1,965,460
Supplementary benefits allowances	1,693,400	1,824,685
Other social expenses	307,200	140,775
b) Cultural action expenses	3,737,000	4,581,138
- allocated from statutory resources	3,737,000	4,581,138
- allocated from voluntary resources	0	0
c) Other operating costs	94,531	160,009
E – DEPRECIATION & AMORTISATION	2,553,233	2,719,865
F – PROVISIONS	198,428	196,203
II – FINANCIAL COSTS	27,696	31,803
Bank interest	0	0
Currency exchange losses	9,420	1,559
Miscellaneous financial costs	9,798	0
Costs for disposal of marketable securities	0	0
Costs for disposal of equities	0	12,687
Provision for depreciation of equities and related receivables	0	0
Provision for financial costs	0	8,521
Share of financial products related to cultural action	8,478	9,035
III - EXCEPTIONAL EXPENSES	585,327	2,648,564
IV – PROFIT SHARING	968,188	629,124
Total expenses (i + ii + iii + iv)	39,760,982	38,427,296
Profit (loss) for the period	260,503	42,200
GRAND TOTAL	40,021,485	38,469,496

Total P&L with euro cents

40,021,484.70

38,469,496.48

RESSOURCES	2022	2021
I – OPERATING REVENUE	36,235,137	35,082,289
A- RECOVERY AND RE-INVOICING OF EXPENSES	890,000	954,138
Recovery of cultural action Operating costs	890,000	954,138
B - DEDUCTIONS ON ROYALTIES	24,014,832	21,724,956
Deductions on royalties from the performing arts	4,445,987	2,394,012
Deductions on royalties from the audiovisual sectors	14,287,337	17,411,589
Deductions on royalties from written works (copy)	9,737	3,648
Deductions on royalties from other sources	0	0
Deductions on miscellaneous collections	5,271,770	1,915,708
C - OTHER OPERATING REVENUE	10,420,502	11,374,167
a) Revenue from daily administration	1,644,267	1,328,704
b) Miscellaneous revenue	5,039,235	5,464,325
- Revenue allocated to supplementary benefits (ring-fenced)	1,693,400	1,824,685
- Other revenue	3,345,835	3,639,640
c) Cultural Action revenue	3,737,000	4,581,138
- Statutory portion	3,737,000	4,581,138
D - REVERSALS OF PROVISIONS	909,803	1,029,027
II - FINANCIAL REVENUE	1,521,122	117,261
Interest on Loans	514	1,546
Revenue from receivables	3,750	0
Revenue from securities	1,463,046	92,247
Foreign exchange gains	10,809	1,645
Net gain on disposal of equities:	0	0
Net gain on disposal of securities:		
- On F.C.P. SACD investment	0	0
- On other securities	29,337	9,035
Reversal of provisions for depreciation on equity securities and related	12,147	12,787
Reversal of provisions for financial costs	1,520	0
III - EXCEPTIONAL RESOURCES	2,265,225	3,269,947
GRAND TOTAL (I+II+III)	40,021,485	38,469,496

Total P&L with euro cents:

40,021,484.70

38,469,496.48

NB:

The figures in the following accounts are taken from the company's general accounts and are automatically rounded up to the nearest euro. The application of this rounding rule may lead to possible differences of €1 to €2 in the calculation of grand totals or interim totals, which are therefore normal.

6 APPENDICES

Balance Sheet as of 31 December 2022

ASSETS	As of 31 December 2022			2021
	Gross Value	Dep./Impairment or provision	Net Value	Net Value
INTANGIBLE FIXED ASSETS	14,922,234	12,520,097	2,402,137	2,655,678
Software Licenses	14,819,234	12,520,097	2,299,137	2,552,678
Goodwill	103,000	0	103,000	103,000
TANGIBLE FIXED ASSETS	35,663,236	17,498,845	18,164,391	19,824,217
Buildings:				
a) Land	3,552,555	0	3,552,555	3,552,555
b) Plantations	24,423	22,054	2,369	4,222
c) Landscaping and maintenance	59,263	36,877	22,386	25,603
d) Buildings	11,419,899	3,477,186	7,942,713	8,238,828
e) Façade	3,624,830	1,511,762	2,113,069	2,199,920
f) Buildings facilities	6,097,658	3,836,174	2,261,484	2,672,832
g) Offices facilities	4,482,811	3,080,384	1,402,427	1,903,598
h) Technical facilities	2,277,450	1,993,120	284,330	417,048
Other tangible fixed assets:				
a) Transport equipment	123,032	86,811	36,221	58,159
b) Computer equipment	2,307,622	1,991,981	315,640	539,907
c) Office equipment	468,121	378,298	89,823	91,333
d) Office furniture	1,187,180	1,047,957	139,223	114,575
e) Other tangible goods	38,392	36,240	2,152	5,635
FIXED ASSETS UNDER PROCUREMENT	3,040,336	0	3,040,336	2,306,507
FINANCIAL ASSETS	6,765,148	17,129	6,748,019	6,578,383
Equities and securities	2,343,145	0	2,343,145	2,330,999
Receivables from securities	3,500,195	0	3,500,195	3,340,168
Loans	910,682	17,129	893,553	896,033
Deposits and sureties	11,125	0	11,125	11,183
TOTAL I - FIXED ASSETS	60,390,954	30,036,071	30,354,883	31,364,784
RECEIVABLES	57,005,181	314,074	56,691,107	53,193,511
Receivables from Authors	1,731,415	314,074	1,417,341	1,217,788
Advanced payments on account payables	3360		3360	221
Receivables from customers	50,250,989		50,250,989	40,129,237
Receivables from staff	15,000		15,000	30,263
Receivables from State & Social organisations	629,114		629,114	5,484,685
Receivables from professional institutions	0		0	0
Other accounts receivables	4,375,303	0	4,375,303	6,331,317
SECURITIES	106,562,959	0	106,562,959	59,441,147
UCITS ("monetary")	47,115,732		47,115,732	0
UCITS ("diversified"): - FCP SADC investment	3,370,800,735		106,562,959	30,800,735
- Other diversified short term securities	28,445,581		47,115,732	28,445,581
UCITS ("Stock")	0		0	0
Equity shareholdings	50		50	50
Shares on deposit	200,861		200,861	194,781
TERM DEPOSITS AND NEGOTIABLE CREDIT INSTRUMENTS	54,011,806	0	54,011,806	54,110,379
AVAILABLE CASH FUNDS	3,778,246		3,778,246	28,021,460
TOTAL II - CURRENT ASSETS	221,358,191	314,074	221,044,118	194,766,496
Prepaid expenses	353,752		353,752	479,569
Deferred charges	0		0	0
TOTAL III - ACCRUALS AND DEFERRED REVENUE	353,752	0	353,752	479,569
GRAND TOTAL (I+II+III)	282,102,897	30,350,145	251,752,753	226,610,849

Total Balance Sheet with euro cents

251,752,752.51

226,610,849.30

LIABILITIES	As of 31 December 2022	As of 31 December 2021
CAPITAL SOCIAL	2,397,823	2,330,815
BALANCE CARRIED FORWARD	3,514,359	3,472,159
PROFIT/(LOSS)	260,503	42,200
TOTAL I - EQUITY	6,172,684	5,845,174
PROVISIONS FOR SOCIAL COMMITMENTS	5,804,225	5,913,294
Provision for staff pensions	733,661	846,326
Provision for work awards	217,830	269,397
Provision for retirement allowances	4,852,734	4,797,571
PROVISIONS FOR LEGAL COSTS	3,930,250	6,764,067
PROVISIONS FOR SOCIAL ACTION	971,691	469,649
TOTAL II - PROVISIONS	10,706,166	13,147,010
ACCOUNTS PAYABLE	234,713,525	207,541,072
Received deposits and guarantees	7,638	7,558
Loans and bank loans	0	264,022
Suppliers and related	4,596,031	3,343,464
Personnel costs	2,967,269	2,940,429
State and social organisations	16,498,124	17,832,207
Other Accounts payable	1,199,062	2,303,443
Accounts payable to authors	40,628,991	34,532,487
Additional amounts payable to authors	2,622,365	2,531,326
Accounts payable to Professional institutions	608,804	706,164
Audiovisual sector royalties to be distributed	103,999,448	88,862,577
Performing Arts royalties to be distributed	2,885,760	4,183,331
Royalties from written works (France) to be distributed	0	0
Private copying - "Authors portion" to be allocated	5,457,328	5,881,228
Private copying - "Cultural action portion"	3,499,693	3,364,847
Royalties France (Audiovisual & Performing Arts), Billed to be collected	19,580,317	8,351,169
Royalties Belgium (Audiovisual & Performing Arts), Billed to be collected		
- Audiovisual	29,026,530	31,317,931
- Performing arts	1,084,622	1,045,668
- Reprographics, loans...	51,542	73,222
TOTAL III - ACCOUNTS PAYABLE	234,713,525	207,541,072
PREPAID REVENUE	160,377	77,594
TOTAL IV - ACCRUALS & DEFERRED REVENUE	160,377	77,594
GRAND TOTAL (I+II+III+IV)	251,752,753	226,610,849

Total balance with cents:

251,752,752.51

226,610,849.30

6 APPENDICES

Organisations supported for three consecutive years (2020 to 2022 inclusive)

Audiovisual, Cinema, Web

Television

Lille Hauts-de-France International Series Festival Association *Séries Mania Festival and European Forum*

Kandimari *Série Series*

L'Association du Festival de la Fiction *TV Fiction Festival + Residency for French-language Writers at La Rochelle*

The Office for Cultural Affairs & the Creative Industries *Los Angeles Boulevard des Séries*

Cinema

ARP (Society of authors, directors and producers) *SACD – ARP joint event*

Emergence Cinema *Emergence*

Indou Cinéma *La Ruche Residency*

Association du Cinéma Indépendant pour sa Diffusion (ACID) *Actions carried out to support authors of independent cinematographic works*

L'Association Premiers Plans *Premiers Plans Festival*

Institut Lumière *Festival + Institut Lumière*

The Directors' Fortnight *The Directors' Fortnight + The Fortnight in Action*

CNC *Fonds pour la jeune création francophone (special fund for emerging cinema films in French-speaking countries)*

La Société de Développement des Entreprises Culturelles (SODEC) *ATELIER GRAND NORD*

Radio

Radio France *Original Podcasts fund + Soirée 42e rue + Voix d'auteurs*

France Médias Monde *Ça va ça va le monde !*

Les Ecouteurs *Paris Podcast Festival*

RTBF *Gulliver Fund*

Animation

La Cité de l'image en mouvement d'Annecy (CITIA) *Annecy*

Animation Film Festival

La Poudrière *Training activities + Ciclic + Support project for authors to write short animated films + Support program for authors during professional events*

Les Nouvelles Ecritures pour le Film d'Animation (La Nef) *Workshop*

in Fontevraud + Japanese Animation Workshop + Pathways to Creation +

International Residency for the writing of Animation Films

Télévision Française 1 *TFOU Animation Competition*

Digital Arts

IMAGO Production *Marseille Webfest*

La Boite *FRAMES Web Video Festival + Fiction Residency*

Cross-disciplinary

LA FEMIS (Public film school) *Showrunner training + Residency*

Les Ami(e)s du Comedy Club *Talents en Court*

Sauve qui peut le court métrage *Clermont Ferrand International Short Film Festival*

Un artiste à l'école *An artist at school program*

CEEA (European Conservatory of Audiovisual Writing) *School teaching activities +*

Participation in the financing of school fees of students in difficulty

Scénario au long court *Valence International Screenwriters Festival*

La CinéFabrique *The CinéFabrique*

Cross-disciplinary

Theatre

Artcena *Contxto*

Avignon Festival & Compagnies *Fonds de Professionnalisation + Festival Off d'Avignon*

Ecrivains Associés du Théâtre *Cultural actions of EAT*

JMD Production *Festival Paroles Citoyennes + Festival d'Humour de Paris (FUP) + Festival d'Humour Digital*

Le Centquatre - Paris *Impatience Festival*

Le Festival d'Automne *Author's Journey*

CIRCA - La Chartreuse *Author residencies + European Writing Studio for Theatre + Totems*

Les Francophonies en Limousin *Festival Les Francophonies en Limousin*

L'association LASTIKO *Action Culturelle en Région*

Music

Aix-en-Provence Festival *Opera Workshops*

Musica Festival *Festival of contemporary classical music*

Opéra Comique *Opera Creation Fund + Special Opera Fund*

Opéra de Rennes - Ville de Rennes *Opera Creation Fund + Special Opera Fund*

Street Arts

La Régie Autonome Personnalisée du Pôle des Arts de la Rue de Chalon-sur-Saône *Auteurs d'espaces (Outdoor Performances Fund) / Chalon Street Arts festival*

Comedy

Le Printemps du Rire *Toulouse Comedy Spring Festival*

Cross-disciplinary Performing Arts

Association de Gestion du Festival d'Avignon *Vive le Sujet ! et Captation*

Cross-repertoire

Association Beaumarchais - SACD

Support for authors in the form of individual grants for original works, translation, residency and related production and publishing support

Auteurs solidaires

Auteurs Solidaires fund

The SACD
Collective Management Organisation (CMO)
Paris Trade & Companies Register under number 784 406 936

Statutory auditor's statement on the information required under 1°, 7° to 10° of II and III of Article R. 321-14 of the French Intellectual Property Code, as set out in the Annual Transparency Report required under Article L. 326-1 of the same code for the financial year ending 31 December 2022.

Year ended 31 December 2022

To Whom It May Concern:

In our capacity as statutory auditors of the SACD and pursuant to Articles L. 326-8 and R. 321-14 IV of the French Intellectual Property Code, we have prepared this certificate on the information required under Articles 1°, 7° to 10° of II and III of Article R. 321-14 of the same Code, as set out in the Annual Transparency Report required under Article L. 326-1 of the said Code for the year ended 31 December 2021.

This information has been prepared under the responsibility of your Board of Directors from the accounting records used to prepare your entity's annual financial statements for the year ended 31 December 2022. The methods and main assumptions used to prepare this information are specified in the transparency report. It is our responsibility to certify this information.

However, it is not our responsibility to question the assumptions used by the management of your entity.

As part of our audit assignment, we have audited the financial statements of your entity for the year ended 31 December 2022. Our audit was conducted in accordance with professional standards applicable in France. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free from material misstatement. Consequently, we have not performed our audit tests and procedures for this purpose and we do not express any opinion on these elements taken in isolation.

We performed the procedures we considered necessary in accordance with the professional standards applicable in France as per the guidelines of the Compagnie nationale des commissaires aux comptes. These procedures, which do not constitute an audit or a limited review, consisted of performing the following procedures, on a test basis or by other selection methods to:

Statutory auditor's statement on the information required under 1°, 7° to 10° of II and III of Article R. 321-14 of the French Intellectual Property Code, as set out in the Annual Transparency Report required under Article L. 326-1 of the same code for the financial year ending 31 December 2022.
Year ended 31 December 2022

- become familiar with the procedures set up by your entity to produce the information required under Articles R. 321-14 (1°, 7° to 10°) of the French Intellectual Property Code and R. 321-14 (III) of the French Intellectual Property Code, given in the annual transparency report required under Article L. 326-1 of the French Intellectual Property Code:

- make the necessary reconciliations between this information and the accounts when they are derived from it or with the SACD's management information systems for data based on analytical breakdowns. The SACD is in the process of developing management systems that will allow the automation of the processes for the preparation of the management information corresponding to the requirements of the Transparency Report.
- Our audit work did not reveal any anomaly in the reconciliations performed in work at the end of 2021;
- check the concordance of these data with the elements used as a basis for the preparation of your entity's annual financial statements for the year ended 31 December 2020;
- verify the consistency of this information with the data underlying the accounts concerned;
- verify the arithmetical accuracy of the information produced; and
- assess whether this information is presented fairly.

On the basis of our work, we have no observations to make on the information provided for in 1°, 7° to 10° of II and III of Article R. 321-14 of the Intellectual Property Code contained in the annual transparency report provided for in Article L. 326-1 of the same Code.

This certificate serves as a special report within the meaning of Article L. 326-8 and R. 321-14 IV of the Intellectual Property Code.

This certificate has been prepared for your attention in the context specified in the first paragraph and must not be used, distributed or quoted for any other purpose.

Prepared in Paris La Défense, on 7 April 2023

The Auditors

MAZARS

Jean-Philippe MATHOREZ

Statutory auditor's statement on the information required under 1°, 7° to 10° of II and III of Article R. 321-14 of the French Intellectual Property Code, as set out in the Annual Transparency Report required under Article L. 326-1 of the same code for the financial year ending 31 December 2022.
Year ended 31 December 2022

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