

## Unlogged Performances (art. 9 / art. 10 Distribution Rules)

Composers who write music exclusively for one performance location might not receive payment for this if no statements are collected on site. Similarly, library music composers or composers writing music for a specific report might not receive payment for some RTV broadcasts. We have a scheme in place for unlogged performances for these composers (art. 9 & 10). In practice, the scheme is used almost exclusively for mechanical music played at venues where there is no direct distribution.

### How does it work?

We assess whether composers meet the specific criteria to use this scheme before we can make a manual payment. To be considered for an application, composers must meet the following criteria:

1. The use must relate to a long-term, multi-year occurrence of multiple unlogged performances/broadcasts.
2. The works must be known to Buma and registered by all rightsholders.
3. The specific use does not appear in statements, or rarely, because information is not compiled.
4. There must be a relatively large number of performances per musical work. One of the criteria can only be applied if a relatively large number of performances/broadcasts are not reported. The requirement is that costs should not be disproportionate to revenue.
5. A licence must have been obtained (i.e. Buma authorised the performances or broadcasts in return for payment). If no collection exists for the location in question, no payment can be made. If a licence is in place, it should be possible to establish a clear one-to-one relationship with the reported works. It must therefore be possible to show what share relates to the reported works. If a general licence is in place (through SCAN), the application cannot be processed because it is difficult to determine the relevant amount for specific works under these licences.
6. The performance/broadcast is not covered already in some other way in any method of distribution, such as a. Use of sampling, b. Use of reference repertoire or c. Use on RTV (already handled by reference repertoire AM).

7. The costs of manual distribution should be proportional to the rightsholders' revenue (see Article 5, Paragraphs 3 and 5 of the Buma distribution rules). The crucial factor here is the amount (if any) of the licence fee. For questions, please contact the Customer Care Centre on +31 (0)23 799 7889 or email [info@bumastemra.nl](mailto:info@bumastemra.nl).