

COVID-19 - QUESTIONS AND ANSWERS ON DISTRIBUTION OF ROYALTIES REGARDING FREE OF CHARGE LIVE STREAMS

With live shows cancelled due to the current health crisis, many of you have decided to perform your works online as concerts, DJ sets and sketches, mostly free of charge.

Sacem has now set up exceptional remuneration of royalties specially adapted to the broadcasting of *live streams* during this difficult period for many of you.

GENERAL INFORMATION

What type of *live stream* is covered?

It must be a free, live, event-specific and unique broadcast online of a concert, DJ set or sketch for a public audience and attracting a minimum of 1,000 views (the final number of views used by Sacem will be the one on the 30 September 2020 for *live streams* played between 15 March and 30 June 2020, and on the 31 December for *live streams* played between 1 July and 31 August 2020).

If the show is recorded a few hours or days before it is broadcast live, is it considered a *live stream*?

Yes, any live and event-specific broadcast of a show is considered a *live stream* as long as it was recorded during the Covid-19 health crisis, namely since 15 March 2020.

If the video is not broadcast live but simply uploaded, is it considered a *live stream*?

No, the first time the video is uploaded it must be as a live, event-specific broadcast. On the other hand, the video will be distributed according to the usual rules of online use.

Is the live broadcast of a recording of a show that has already taken place considered a *live stream*?

No, distribution of royalties has already been calculated for the show when it first took place. On the other hand, there will be an additional distribution of royalties for the video of this previous recording according to the usual rules of online use

Are DJ sets or remixes broadcast live taken into account or just instrumental performances?

Yes, DJ sets or remixes that are broadcast live and are event-specific are considered as *live streams*. You should declare the setlist used in your *live stream* as a DJ in your member space.

Are sketches and other comedy shows taken into account?

Yes, you should declare the setlist used in your *live stream* as a comedian in your member space.

You are a conductor, how should you declare your *live streams*?

You should declare the setlist used in your *live stream* as author-composer-performer in your member space.

Are music and comedy lessons taken into account?

No, only shows are taken into account (concerts, DJ sets, sketches, etc.).

What if the show takes place physically in public (in a hall or outdoors, etc.) and is broadcast online simultaneously, is it considered a *live stream*?

No, the distribution of royalties for this show will be calculated show according to the normal rules for public performances and online uses.

As an author, composer or publisher member of Sacem, do you need prior authorisation from Sacem to broadcast a *live stream*?

No, you don't need prior authorisation from Sacem to broadcast a *live stream*.

Is it Sacem that sometimes blocks *live streams*?

No, Sacem is not responsible for this and never blocks your videos. Sacem has agreements with Facebook, Instagram and YouTube. Other rights are required if you want to use music online, so it could be another rightholder who is responsible for blocking the video.

Why is this a 'special' distribution?

This distribution of authors' rights regarding *live stream* was set up as a matter of urgency to ensure remuneration for authors, composers and music publishers who are already greatly affected by the health crisis. When the health crisis is over, this 'special' allocation will be replaced by a new, more sustainable distribution of rights for *live streams*.

Could the development of *live streams* become a long-term method of broadcasting and listening to music?

Yes, that's why Sacem will be setting up a sustainable distribution of authors' rights for *live streaming* when the health crisis is over.

DECLARING YOUR LIVE STREAMS

Why do you have to declare *live streams* to Sacem?

The music recognition technology on streaming platforms has not yet been elaborated to identify *live* performances, so Sacem does not receive complete information from the platforms about the music performed *live* on line. As for concerts, it's up to you to declare your *live streams* and the works you have performed.

How do I declare *live streams*?

Go to your member account on sacem.fr. 2 steps for your declaration:

1. Register the setlist of your works performed.
2. Declare the setlist of your *livestream*.

To help you, consult the following tutorial.

Which platforms do I have to register *live streams* for?

Sacem has agreements with YouTube, Facebook, Instagram and Twitch. Agreements are also under negotiation with other platforms.

If you have performed a *live stream* on another platform, you can include it in your declaration, but distribution of authors' rights will depend on Sacem having signed an agreement with this platform.

For what period should *live streams* be declared?

This 'special' distribution of royalties applies to *live streams* broadcast from 15 March 2020 (date of start of lockdown) until 31 August 2020.

What information has to be provided when declaring *live streams*?

To receive royalties regarding free *live streams*, the following information must be provided:

- Title of the *live stream*
- Date of the *live stream*
- List of works performed
- Link to the *live stream*
- Length of the *live stream*
- Number of views
- Name of platform

What number of views do you have to declare and what number will be used for the distribution?

When you declare your live stream, you have to provide on a indicative basis the number of views done during the live. Sacem will check the final number of views (a minimum of 1,000 views is required) and this number will be used for the distribution :

- For *live streams* played between 15 March and 30 June 2020, number of views checked on 30 September 2020. Distribution of the rights on January 2021.
- For *live streams* played between 1 July and 31 August 2020, number of views checked on 31 December 2020. Distribution of the rights on January 2021.

Will short-lived *live streams* be taken into account?

No, for a *live stream* to be considered, a link is necessary to take into account the number of cumulative views for the quarter and possibly check the list of declared works.

On Instagram for example, you should share your *live stream* on IGTV at the end to keep it (see Instagram FAQs [here](#)).

Do you have to declare all the works performed or only those for which you were the author and/or composer?

As when declaring programmes for a show, you should declare all the works you perform, whether you are the author-composer or not. This declaration engages your responsibility for its sincerity and Sacem may be required to carry out checks.

DISTRIBUTION OF ROYALTIES REGARDING LIVE STREAMS

Where do the amounts distributed for *live streams* come from?

Sacem has signed agreements with most platforms for use of the works Sacem represents, and is therefore remunerated accordingly. This is particularly the case with YouTube, Facebook and Instagram. This 'special' distribution involves using some of the money collected from these platforms to remunerate *live streams*.

When will *live stream* distribution take place?

The royalties for *live streams* played between 15 March and 30 June 2020 will be distributed in January 2021.

The royalties for *live streams* played between 1 July and 31 August 2020 will be distributed in April 2021.

What repertoire is concerned by this distribution of royalties regarding free *live streams*?

All works registered with Sacem: songs, instrumentals, lyrics, sketches, DJ sets, etc.

What amounts of royalties will be distributed?

The remuneration for *live streams* broadcast free of charge will be made up of two elements: a flat fee + an additional amount based on the number of views.

Amount distributed as flat fee:

- *Live stream* of one work (approx. 4-5 minutes duration): €10
- *Live stream* lasting up to 20 minutes: €46.35
- *Live stream* lasting over 20 minutes: €76

Additional remuneration:

- €0.001 per view.

For example, if your *live stream* lasted 15 minutes and had 10,000 views, €46.35 as basic fee, plus €10 (10,000 x 0.001) as an additional payment, i.e. €56.35 in total will be affected to the *live stream*.

These amounts are expressed as gross distribution (i.e. before management costs and social and cultural action charges are deducted, amounting to 10%).

The amounts are shared between all rightholders for works performed (the works must have been previously registered at Sacem).

If you declare a setlist as a DJ, you will receive one-twelfth of the programme rights.

Does a song have to be a minimum length for it to be included in *live stream* allocations?

If your *live stream* is a performance of just one song, it must be of the standard minimum duration - approximately 3 minutes.

Can the basic flat fee amount of royalties be distributed in proportion to the duration?

No, these are the tiers that apply.

If the *live stream* is broadcast on several platforms, how is the distribution of royalties calculated?

If your *live stream* is broadcast on more than one platform, the flat fee amount will be paid once and the number of views will be checked and aggregated by the Sacem teams, to calculate the additional payment due.

When your *live stream* is broadcast on several platforms, do you have to make a declaration for each platform?

Yes, Sacem will handle the reconciliation and calculation of cumulative number of views.

How will the number of views be calculated? Is it just the views counted during *live streams* that will be taken into account, or also additional views when the video remains accessible in *replay*?

Sacem will take into account all the cumulative views.

Is there any limit to the number of *live streams* per day to benefit from a distribution of royalties? For example, if three *live streams* are made on the same day, will there be three distinct distribution of royalties?

There is no limit to the number of *live streams* per day.

If each *live stream* is unique, i.e. consists of a unique list of works, then the flat fee will be applied for each one, with additional payments for the number of cumulative views.

If you have several *live streams* with the same content on the same day, or repeated over several days (for example, the same set list of works), then only one flat fee will be paid, with an additional payment for the number of cumulative views on the 30 September 2020. In this case you should only declare the *live stream* for the first broadcast, and the number of views will be cumulated on the 30 September or the 31 December.

Is a minimum of views needed to benefit from a distribution of royalties?

Only *live streams* with a minimum of 1,000 views will be qualified for distribution of royalties (flat fee + cumulative views). When you declare your live stream, you have to provide on a indicative basis the number of views done during the live. Sacem will check the final number of views and this number will be used for the distribution:

- For *live streams* played between 15 March and 30 June 2020, number of views checked on 30 September 2020. Distribution of the rights on January 2021.
- For *live streams* played between 1 July and 31 August 2020, number of views checked on 31 December 2020. Distribution of the rights on January 2021

Is there any additional payment available for *live streams* lasting several hours?

No, the flat fee for over 20 minutes' duration will be applied, plus the number of cumulative views.

Do the works have to be registered with Sacem to be included in the distribution of royalties?

Yes, as for distribution of authors' rights for concerts, the works must be registered with Sacem so that we can distribute the rights.

If you have made a *live stream* with an original composition that you have not registered yet, will it be included in distribution of rights?

You should indicate the title of the new work in the declaration of the setlist for your *live stream*, and register it as quickly as possible using the online declaration service accessible from your member area. Sacem will then automatically make the reconciliation.

Are rights payable retrospectively for the lockdown period?

Yes, all *live streams* broadcast from 15 March will be considered for a distribution of rights.

Can *live streams* broadcast privately be included for distribution of rights?

No, only *livestreams* broadcast publicly will be considered for a distribution of rights.

How are pay-to-view *live streams* considered for a distribution of rights?

Pay-to-view *live streams* will be subject to specific collection and distribution of rights regulations which you will be notified about later.



HOW TO REGISTER A LIVESTREAM?

[sacem.fr](https://www.sacem.fr)

/ LOG IN TO YOUR MEMBER ACCOUNT

createurs-editeurs.sacem.fr/en

YOUR MEMBER ACCOUNT

BECOME A MEMBER ○ ● ○

BENEFITS FULL SUPPORTS
Project support, solidarity and support, SACEM provides you

ALREADY A MEMBER

Username Password

> Forgotten password? **LOG IN** >

Create a member account >

HOW TO BECOME A MEMBER? >

Learn about the SACEM's services >

01

**REGISTER THE
SETLIST AND LINK IT
TO YOUR
LIVESTREAM**

/ REGISTER THE LIVESTREAM SETLIST

Click on 'Register a setlist' on the dashboard in your member account.

MY DASHBOARD

MY DISTRIBUTIONS

- > Consult my royalties distribution documentation
 - > Understanding my royalty distribution documentation
 - > Consult the second value
 - > Consult the source of royalties glossary
 - > Producers and Brands
- > My account statement
- > My distribution overview
- > My detailed distribution
- > Certificates
- > Consult my broadcast data
- > Evaluate my rights

MONDAY 6 JULY 2020
NEXT DISTRIBUTION
> Evaluate my rights

MONDAY 6 APRIL 2020
LAST DISTRIBUTION
> Consult my royalties distribution statements

MY WORKS

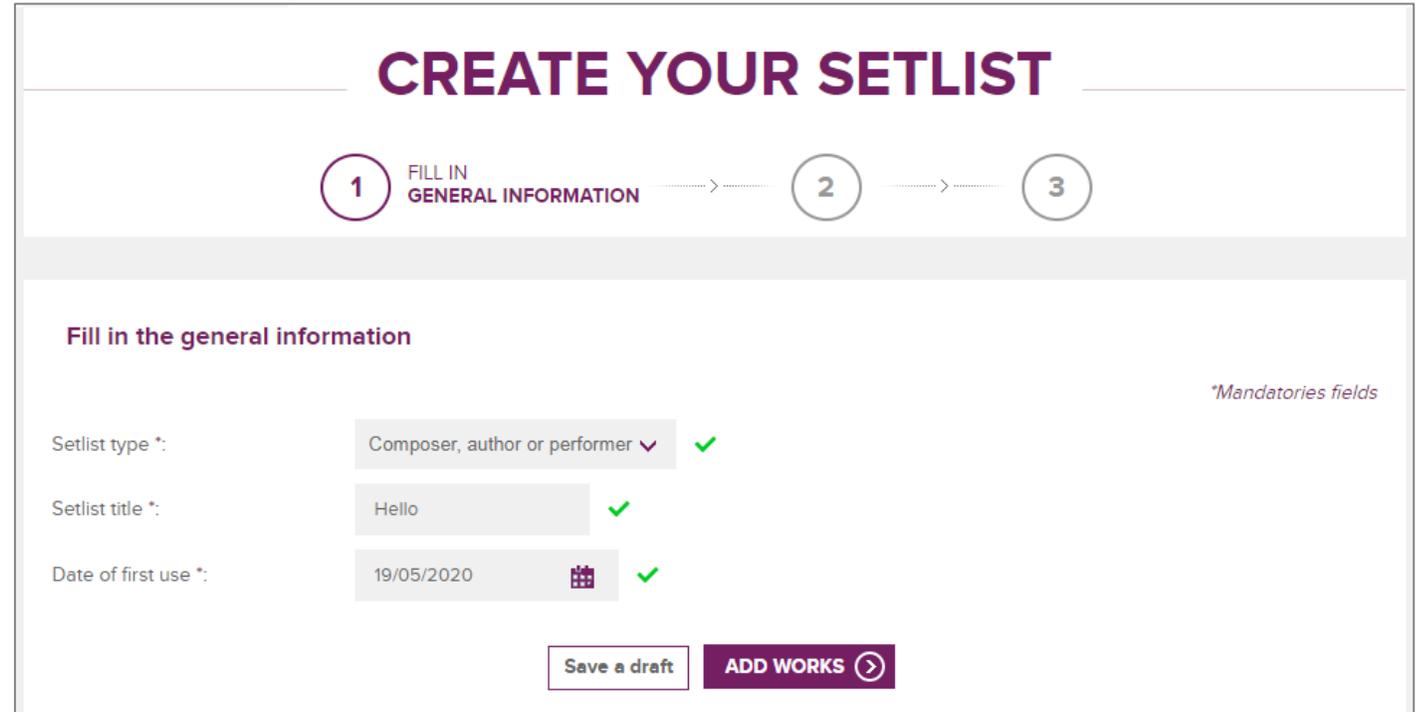
- > Register a work online
 - > Register a setlist**
 - > Consult my setlists
 - > Register an event
 - > Consult my events
 - > Register a livestream
 - > Consult my livestreams
 - > Works used in other countries
- > Consult my works
 - > My works as Creative Commons
 - > Download my works

ASSIST IN OUR RESEARCH

- > Consult the unidentified works
- > Consult the unidentified films and series
- > Consult the broadcasted TV commercials
- > Searching for unlocated rights holders

/ REGISTER THE LIVESTREAM SETLIST

- Enter:
 - ✓ The type of setlist:
Composer/author/performer, DJ or humorist (if you're a conductor, select Composer/author/performer).
 - ✓ The title of the setlist.
 - ✓ For the date of first use, you can indicate **the date of the day you are doing your registration**. The date of the livestream will be indicated later (p.9).
- Click on 'Add works'.



The screenshot shows a web form titled "CREATE YOUR SETLIST". At the top, there is a progress indicator with three steps: 1. FILL IN GENERAL INFORMATION (highlighted in purple), 2. (empty), and 3. (empty). Below the progress indicator, the form is titled "Fill in the general information" and includes a note "*Mandatory fields". The form contains three input fields, each with a green checkmark indicating it is filled:

- Setlist type *: Composer, author or performer (dropdown menu)
- Setlist title *: Hello (text input)
- Date of first use *: 19/05/2020 (calendar icon)

At the bottom of the form, there are two buttons: "Save a draft" and "ADD WORKS" (with a right arrow icon).

/ REGISTER THE LIVESTREAM SETLIST

- Use the search engine to find works in your catalogue or the Sacem repertoire.
- Click on 'Add work' to add it to your setlist.
- When you've added all the works, click on 'Next'.

Note: if you can't find a work using the search engine, you can type it in manually. To do this, click on 'Add an unlisted work'.

You must declare the whole setlist whether you're the author/composer of the works or not.

The screenshot displays the 'CREATE YOUR SETLIST' interface. At the top, there are three numbered steps: 1, 2 (ADD WORKS), and 3. A 'Back' button is located to the left of step 1. Below the progress indicator, the 'Add works' section contains a search form with the following fields: 'Work title:' (containing 'belfagor'), 'Name of creator, performer:' (containing 'Fill in the name of creator, performer'), and radio buttons for 'My works' (selected) and 'Repertoire'. A 'SEARCH' button with a magnifying glass icon is positioned below the form. The search results show '1 corresponding work' with a card for 'BELFAGOR' and a 'More details' dropdown. An 'Add work' button is located at the bottom right of the work card. On the right side, a 'Saved works' sidebar shows a list of three items: 'SINFONIA DANTE', 'AMAZILIA', and 'BELFAGOR', each with a red 'x' icon. A yellow box with the number '3' is next to the 'Saved works' title. At the bottom of the interface, there are two buttons: 'Save a draft' and 'NEXT' with a right-pointing arrow.

/ REGISTER THE LIVESTREAM SETLIST

- Check the information you've entered.
- Tick the box to confirm that you've registered all the works on your setlist.
- Click 'confirm'.

CREATE YOUR SETLIST

< Back 1 2 3 CONFIRM SETLIST

General information

**Mandatory fields*

Setlist type *: Composer, author or performer ✓

Setlist title *: Hello ✓

Date of first use *: 19/05/2020 ✓

Your information is processed by Sacem (data controller) in order to carry out its collective management missions in accordance with the provisions of the French Intellectual Property Code and to ensure the distribution of your rights. They are intended for Sacem and its partners. They are kept in accordance with the legal and accounting prescription periods. You have a right to data portability, access, rectify and oppose that you can exercise by filling in the online form available on the « Privacy and cookies policy », at www.sacem.fr.

SINFONIA DANTE More details ▾	Operative time : 00:00 ✎
Delete	
AMAZILIA More details ▾	Operative time : 00:00 ✎
Delete	
BELFAGOR More details ▾	Operative time : 00:00 ✎
Delete	

In accordance with Article 29 of the General Regulations, I declare that my setlist lists all the work that will be performed.

Save a draft CONFIRM ↘

/ REGISTER THE LIVESTREAM

Your setlist is created. You can now link it to your livestream.
Click on 'Associate to a livestream'

CREATED SETLIST

The setlist Hello has been added to your existing setlists

[CREATE ANOTHER SETLIST >](#) [Associate with a date](#) [Associate to a livestream](#)

/ REGISTER THE LIVESTREAM

- Enter the details of the livestream:
 - ✓ Title of the livestream
 - ✓ Date of broadcast
 - ✓ Internet address (full link to the livestream)
 - ✓ Duration in minutes
 - ✓ Number of views (On an indicative basis. Sacem will cumulate the total views on the 30 September 2020)
 - ✓ Name of broadcast platform
- Click 'confirm'.
- Your registration is saved.

ADD A LIVESTREAM

Fill in the general information *Mandatory fields

Title of livestream * :	Facebook Live	✓
Associated setlist * :	30000074760 - Hello	✓
Date * :	19/05/2020	✓
Internet address * :	https://facebook.com/mylive	✓
Duration (in minutes) * :	10	✓
Number of views * :	2500	✓
Broadcast platform * :	FACEBOOK	✓

02

**REGISTERING A
LIVESTREAM USING
AN EXISTING
SETLIST**

/ REGISTER THE LIVESTREAM

If you have already registered a setlist and want to link it to a new livestream, click on 'Register a livestream' on your dashboard.

The screenshot shows a user dashboard titled "MY DASHBOARD". It is divided into two main sections: "MY DISTRIBUTIONS" and "MY WORKS".

MY DISTRIBUTIONS

- > Consult my royalties distribution documentation
 - > Understanding my royalty distribution documentation
 - > Consult the second value
 - > Consult the source of royalties glossary
 - > Producers and Brands
- > My account statement
- > My distribution overview
- > My detailed distribution
- > Certificates
- > Consult my broadcast data
- > Evaluate my rights

MY WORKS

- > Register a work online
 - > Register a setlist
 - > Consult my setlists
 - > Register an event
 - > Consult my events
 - > Register a livestream** (highlighted with a red box)
 - > Consult my livestreams
 - > Works used in other countries
- > Consult my works
 - > My works as Creative Commons
 - > Download my works

ASSIST IN OUR RESEARCH

- > Consult the unidentified works
- > Consult the unidentified films and series
- > Consult the broadcasted TV commercials
- > Searching for unlocated rights holders

Next Distribution: MONDAY 6 JULY 2020. > Evaluate my rights

Last Distribution: MONDAY 6 APRIL 2020. > Consult my royalties distribution statements

/ REGISTER THE LIVESTREAM

- Enter the details of the livestream:
 - ✓ Title of the livestream
 - ✓ Select the setlist to associate with it
 - ✓ Date of broadcast
 - ✓ Internet address (full link to the livestream)
 - ✓ Duration in minutes
 - ✓ Number of views (On an indicative basis. Sacem will cumulate the total views on the 30 September 2020)
 - ✓ Name of broadcast platform
- Click 'confirm'.
- Your registration is saved.

ADD A LIVESTREAM

Fill in the general information *Mandatory fields

Title of livestream *	Facebook Live	✓
Associated setlist *	30000074760 - Hello	✓
Date *	19/05/2020	✓
Internet address *	https://facebook.com/mylive	✓
Duration (in minutes) *	10	✓
Number of views *	2500	✓
Broadcast platform *	FACEBOOK	✓

/ REGISTER THE LIVESTREAM

Find the list of livestreams that you've registered by clicking on 'Consult my livestreams' from your dashboard.

The image shows two overlapping screenshots of a user interface. The top screenshot is the 'MY DASHBOARD' page, which is divided into two main sections: 'MY DISTRIBUTIONS' and 'MY WORKS'. Under 'MY DISTRIBUTIONS', there are links for 'Consult my royalties distribution documentation', 'My account statement', 'My distribution overview', 'My detailed distribution', 'Certificates', 'Consult my broadcast data', and 'Evaluate my rights'. Under 'MY WORKS', there are links for 'Register a work online', 'Register a setlist', 'Consult my setlists', 'Register an event', 'Consult my events', 'Register a livestream', 'Consult my livestreams' (highlighted with a red box), 'Works used in other countries', and 'Consult my works'. Below these sections are two calendar cards for 'MONDAY' showing dates '6 JULY 2020' and '6 APRIL 2020'. At the bottom of the dashboard is a search bar labeled 'ASSIST IN OUR RESEARCH'. The bottom screenshot is the 'MY LIVESTREAMS' page, featuring a '+ New Livestream' button and a table of registered livestreams. The table has columns for date, title, URL, associated setlist, and number of works. A 'SEE DETAIL' button is visible next to the first entry.

MY DASHBOARD

MY DISTRIBUTIONS

- > Consult my royalties distribution documentation
 - > Understanding my royalty distribution documentation
 - > Consult the second value
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 - > Producers and Brands
- > My account statement
- > My distribution overview
- > My detailed distribution
- > Certificates
- > Consult my broadcast data
- > Evaluate my rights

MY WORKS

- > Register a work online
- > Register a setlist
 - > Consult my setlists
- > Register an event
 - > Consult my events
- > Register a livestream
 - > Consult my livestreams
- > Works used in other countries
- > Consult my works
 - > My works as Creative Commons
 - > Download my works

ASSIST IN OUR RESEARCH

MY LIVESTREAMS

+ New Livestream

Date	Title	URL	Associated setlist	Works	Action
19 May 2020	Facebook Live	https://facebook.com/mylive	Hello	3	SEE DETAIL

/ ANY QUESTIONS?

Contact us:

- Email societaires@sacem.fr
- Call 00 33 (1) 47 15 47 15



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Ensemble faisons vivre la musique

