

COVID-19 - QUESTIONS AND ANSWERS ON ROYALTY DISTRIBUTION FOR FREE LIVESTREAMS

New extension of the specific royalty distribution for livestreams

Faced with the cancellation of live shows due to the health crisis we are experiencing, many of you have turned to the Internet to offer concerts, DJ sets or sketches of your work, usually free of charge.

In 2020, Sacem set up the exceptional supplementary distribution of royalties, specifically tailored to the broadcasting of *livestreams* during this difficult time for many of you. This exceptional specific distribution, which remunerates the rights holders of the works performed, is now being extended until September 2021.

GENERAL INFORMATION

What type of *livestream* is taken into account?

It must be a free, live, event-specific and one-off online broadcast of a concert, DJ set or sketch with the performer's presence on screen, intended for a public audience and generating a minimum of 1,000 views aggregated at the end of the period by Sacem (see the question "What are the distribution methods?" »). Declarations that do not comply with these conditions cannot be considered by Sacem.

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

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

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

No, the first time the video is uploaded it must be as a live, event-specific broadcast. Nevertheless, the video should 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 *livestream*?

No, the distribution of royalties will already have been calculated for the show when it first took place. On the other hand, the video of this previous recording will be allocated 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 *livestreams*. You should declare the setlist used in your *livestream* as a DJ in your member account.

Are sketches and other comedy shows taken into account?

Yes, you should declare the setlist used in your *livestream* as a comedian in your member account.

I am a conductor, how should I declare my *livestreams*?

You should declare the setlist used in your *livestream* as a singer-songwriter-composer in your member account.

Are music and comedy lessons taken into account?

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

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

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

As an author, composer or publisher who is a member of Sacem, do I need prior authorisation from Sacem to broadcast a *livestream*?

No, you don't need authorisation from Sacem to broadcast a *livestream*.

Does Sacem sometimes block the broadcasting of *livestreams*?

No, Sacem is not responsible for this and never blocks your videos. Sacem has agreements with Facebook/Instagram, YouTube and Twitch. Other rights are required for the use of online music, so it may be another rights holder that is responsible for blocking the video.

Why is this a "specific" distribution?

This distribution has been put in place to cover remuneration for authors, composers and music publishers for their live online performances in circumstances in which physical concerts are severely affected. Once the health crisis is over, this exceptional distribution will be replaced by a new, more sustainable distribution method for *livestreams*.

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

Yes, that's why Sacem will be setting up a sustainable distribution method for *livestreaming* once the health crisis is over.

DECLARING YOUR LIVESTREAMS

Why is it necessary to declare *livestreams* to Sacem?

The music recognition technology on broadcasting platforms has not yet been developed to identify *live* performances, so Sacem does not receive automatic notifications. As for concerts, it is up to you to declare your *livestreams* and the work you have performed.

How do I declare *livestreams*?

Go to your member account on sacem.fr.

The declaration is made in 2 steps:

1. Create your setlist.
2. Link the setlist with your *livestream*.

For help, please refer to the attached tutorial.

Which platforms do I have to declare *livestreams* for?

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

If you have broadcast a *livestream* on another platform, you can include it in your declaration, but distribution will depend on whether Sacem has signed an agreement with that platform.

What information has to be provided when declaring *livestreams*?

To receive an distribution, the following information must be provided:

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

What is the number of views that must be indicated at the time of the declaration and what is the number of views that will be taken into account for the distribution?

When you declare your *livestream*, you must provide an indication of the number of views during the broadcast of the live show. Sacem will then check the number of cumulative views which will be used for the distribution, with a minimum threshold of 1,000 views.

Will short-lived *livestreams* be taken into account?

No, for a *livestream* to be considered, a link is needed in order to take into account the number of cumulative views for the quarter and, if necessary, to check the list of declared works.

On Instagram for example, you should share your *livestream* 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. You are responsible for the sincerity of this declaration and Sacem may to carry out checks.

ROYALTY DISTRIBUTION FOR LIVESTREAMS

Where do the amounts allocated for *livestreams* come from?

Sacem has agreements in place with most platforms for the use of its repertoire and is therefore remunerated accordingly. This is especially true for YouTube/Facebook, Instagram and Twitch. This specific distribution involves using some of the money collected from these platforms to remunerate *livestreams*.

Which repertoires are distributed?

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

What are the distribution methods?

Analysis of the declarations made up to 31 August 2020 showed that 92% of the declared *livestreams* lasted more than 20 minutes. The renewal of the exceptional specific distribution therefore applies to *livestreams* with a duration greater than or equal to 20 minutes.

Remuneration for *livestreams* with a duration greater than or equal to 20 minutes broadcast free of charge will always combine two elements: a minimum amount of €76 + an additional amount based on the number of views.

Summary of the distribution methods:

Livestream period	Deadline for declaration	Date of distribution	Rules of distribution
15 March to 30 June 2020	30 September 2020	6 January 2021	Livestream of a title (approximate duration 4/5 min): €10 Livestream with a maximum duration of 20 min: €46.35 Livestream lasting more than 20 min: €76
1 July to 31 August 2020	31 December 2020	6 April 2021	+ €0.001 per view Minimum of 1000 views
1 September to 31 December 2020	31 March 2021	5 July 2021	Livestream lasting more than 20 min: €76 + €0.001 per view Minimum of 1000 views
1 January to 31 March 2021	30 June 2021	5 October 2021	
1 April to 30 June 2021	30 September 2021	5 January 2022	
1 July to 30 September 2021	31 December 2021	5 April 2022	

For example, if you performed a 20-minute livestream that has been viewed 10,000 times, the amount allocated will be €76 plus €10 (10,000 x 0.001) insupplementary distribution, making a total of €86.

The amounts are shared between all rights holders with regard to their respective share in the works of the Sacem repertoire that are performed.

A minimum of 1000 views is required in order to benefit from this distribution.

These amounts are allocated on a gross basis (i.e. before deduction of professional fees and social security contributions, which amount to 10%).

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

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

If your *livestream* is broadcast on multiple platforms, you must submit a declaration for each platform. The amount allocated for the flat rate will be paid once and the number of views will be checked and aggregated by Sacem in order to calculate the supplementary distribution.

How will the number of views be calculated? Will only the views counted during the *live show* be taken into account, or also the additional views while the video remains available in *replay*?

Sacem will take into account all views accumulated up to the declaration deadline.

Is there a limit to the number of *livestreams* per day to benefit from a royalty distribution? For example, if three *livestreams* are broadcast on the same day, will all three count for distribution?

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

If each *livestream* is unique, i.e. consists of a unique list of works, then the flat rate amount will be applied for each one, supplemented according to the number of cumulative views per quarter.

If you broadcast several *livestreams* with the same content on the same day, or repeated over several days (for example, the same list of works), then only one flat rate payment will be made, supplemented according to the number of cumulative views. In this case, you should only declare the first broadcast of the *livestream*, and the number of views will be calculated by Sacem.

Is a minimum number of views needed to benefit from a royalty distribution?

The *livestreams* will be distributed (flat rate amount + cumulative views) starting from 1,000 views, in accordance with the conditions of admission to Sacem.

When you declare your *livestream*, you must provide an indication of the number of views during the broadcast of the live show.

Is there any supplementary distribution available for *livestreams* that last several hours?

No, the flat rate amount 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?

Yes, as for distributions for concerts, the work must be registered with Sacem so that we can distribute the royalties.

If I broadcast a *livestream* with an original composition that I have not yet registered, will it be included in the distribution?

You should indicate the title of the new work in the declaration of the setlist for your *livestream* and register it as soon as possible using the online declaration service accessible from your member account. Sacem will then automatically reconcile them.

Can *livestreams* broadcast privately be considered for distributions?

No, only *livestreams* broadcast publicly will be considered for distributions.

How are pay-to-view *livestreams* considered for distributions?

Pay-to-view *livestreams* will be subject to specific collection and distribution regulations, about which you will be notified at a later date.



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

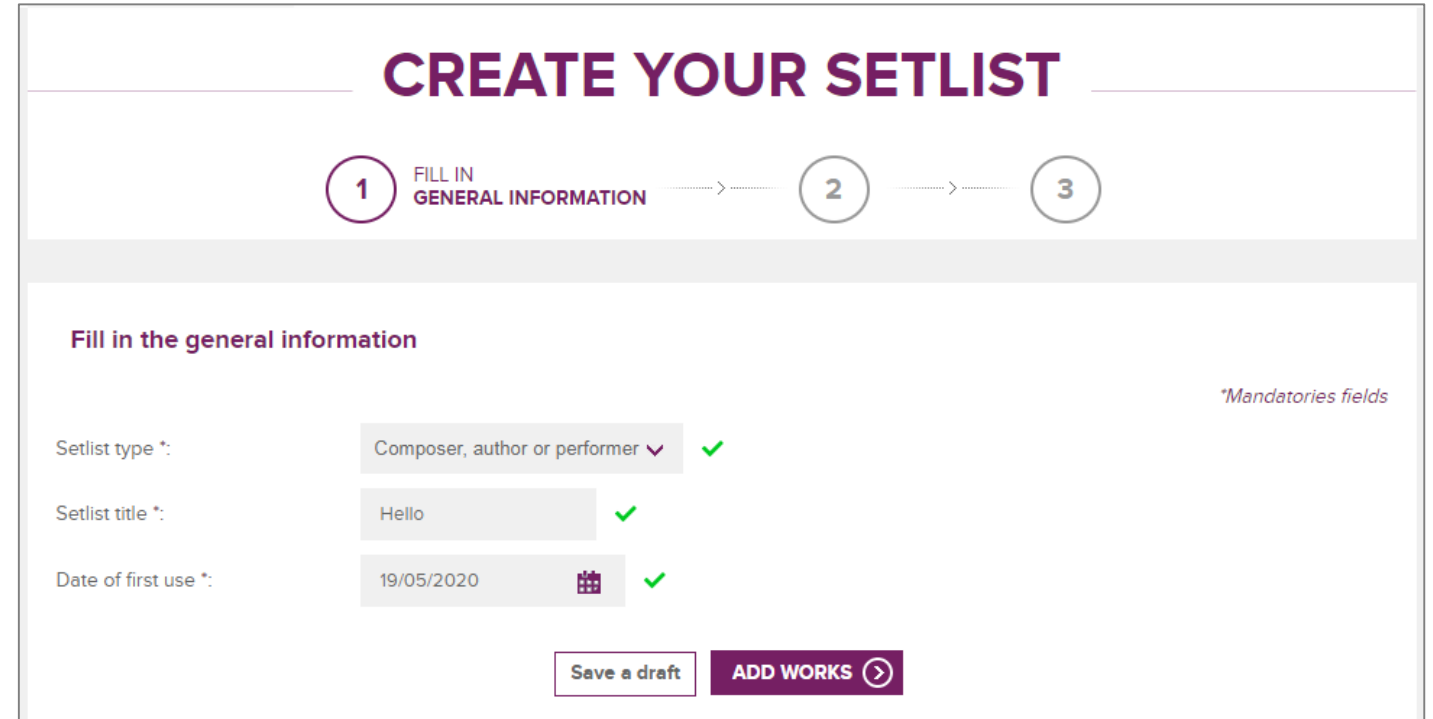
Click on 'Register a setlist' on the dashboard in your member account.

The screenshot shows a user's dashboard with the following sections:

- 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** (highlighted with a red box)
 - > 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 broadcasted TV commercials
 - > Consult the unidentified films and series
 - > Searching for unlocated rights holders
- Calendar**
 - NEXT DISTRIBUTION** (MONDAY 6 JULY 2020)
 - > Evaluate my rights
 - LAST DISTRIBUTION** (MONDAY 6 APRIL 2020)
 - > Consult my royalties distribution statements

/ 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), 2, and 3. 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 successful completion:

- 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-pointing arrow).

/ 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, a progress bar shows three steps: 1 (selected), 2 (ADD WORKS), and 3. Below the progress bar, there is a 'Back' button and a 'SEARCH' button. The search form includes fields for 'Work title' (containing 'belfagor') and 'Name of creator, performer' (with a placeholder 'Fill in the name of creator, performer'). There are 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 search results card. On the right side, a 'Saved works' sidebar shows a list of works: 'SINFONIA DANTE', 'AMAZILIA', and 'BELFAGOR', each with a red 'x' icon. A yellow box with the number '3' is next to the 'Saved works' header. At the bottom of the interface, there are 'Save a draft' and 'NEXT' buttons.

/ 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)
 - ✓ 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)
 - ✓ 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 dashboard. 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, which features a '+ New Livestream' button and a list of registered livestreams. One entry is shown for 'Facebook Live' on '19 May 2020' with the URL 'https://facebook.com/mylive', 'Associated setlist : Hello', and 'Works : 3'. A 'SEE DETAIL' button with a right arrow is located to the right of the entry.

/ ANY QUESTIONS?

Contact us:

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



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