



# **'NON MEMBER' PRODUCERS.**

## **How to get your compensations for private copying.**

### **Are you a producer not belonging to any Italian collecting society?**

'Non-member' producers are producers of sound recordings that have not joined any Italian collecting management organisation (CMO) to manage their compensations for neighbouring rights.

**If you are a 'non-member' producer now, with ITSRIGHT, you can get your remuneration for private copying, even without a representation agreement.**

### **Are you entitled to receive private copying remuneration?**

**Non-member can collect and then distribute to you your compensations if:**

- a) You hold the right to receive a compensation for private copying with regards to the phonograms and phonographic supports concerning your request;
- b) you marketed in Italy phonographic supports (e.g. CDs, LPs, etc.) or distributed phonograms through digital platforms;

c) you paid mechanical rights to any music publishers' collecting society, or you got a music publisher's license for distributing your sound recordings through digital platforms;

d) you do not result, at the time of your application, definitely convicted for one of the crimes under Articles 171 and following of the Italian Legislation on copyright, nor gone bankrupt or applied to bankruptcy;

e) if you are a foreign collective management organisation (CMO), or an agent representing producers, the requirements b) and c) refer only to the producers you administer, while the requirement d) must be fulfilled both by you and the other party. This is also needed if you are a heir/successor of a producer or another legal subject (individual or collective, e.g. foundation or association) entitled to administer private copying.

### **Documents**

If you wish your compensation to be collected and paid by ITSRIGHT, you will need to send us the following documents:

- a) A request on headed paper signed by your legal representative;

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b) copy of the cover artworks for your phonographic supports and / or documents proving the digital distribution of your phonograms in Italy;

c) A self-declaration form stating that you are not definitely convicted for one of the crimes under Articles 171 and following of the Italian Legislation on copyright, nor gone bankrupt or applied to bankruptcy;

d) if you are a collective management organisation (CMO), an agent or a heir/successor: copy of the mandate agreement or the succession's act;

e) if you get from third parties the right to collect private copying relating to phonographic supports and / or phonograms subject of the request (including those sold in kiosks channel along with publishing products) you also have to send us:

- The producers list, for each sound recording, from whom you get the right to collect private copying.
- A self-declaration form where you declare you hold the rights to receive a compensation for private copying, and any commercial and/or business relations with the producers from whom you get the rights to collect private copying (a copy of this document must be sent to each of these producers as well).

f) if you paid mechanical rights (DRM) to any non-Italian collecting society: a copy of the documents (eg. invoices or other) showing the amounts paid referred to supports sold in Italy.

g) A copy of the ID card belonging to who signed all the documents previously required.

**If you wish to give a mandate to ITSRIGHT, you do not need to submit all the aforementioned documents.**

[Click here to learn how to join ITSRIGHT.](#)

## Commision fee

ITSRIGHT applies a 13,50% commission fee on the amount you will actually receive (same as the one applied to the producers who have already joined us).

## Contact

For further information, please [write here an e-mail](#) or call (+39) 02 66668900.