



# **UCMR-ADA Transparency Report 2019**

## CONTENT

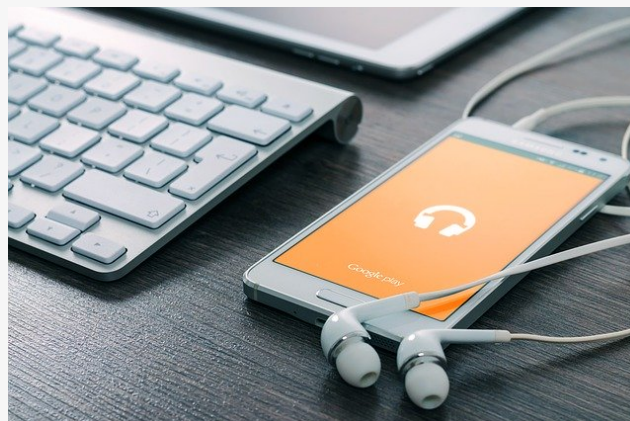
Important events.....	03
General information.....	05
Control/Audit.....	05
Annual reports of the management bodies..	05
Refusal to conclude licenses.....	06
Legal form and management bodies.....	06
Distribution frequency.....	06
Legal persons.....	06
Revenue paid to the Council Board.....	06
General financial information regarding the sums collected and paid.....	07
Distributed sums based on usage types.....	08
Non distributed sums – balance at 31.12.2019.....	09
Foreign collections and Foreign payments to similar foreign societies.....	11
Financial Report.....	17



## 2019 – Important events

The year 2019 was a year full of challenges, of projects that aimed at the development of our society and of successes that helped us to obtain this year a remarkable growth in the field of collecting royalties from musical copyright.

- In 2019, UCMR-ADA registered an increase of 8,79%, compared to the previous year, collecting 24,357,066 Euros for Romanian and foreign authors
- The main sources of collection came from the following categories of managed rights: Background Music, Cable/TV and Shows/Concerts.
- The sectors that displayed remarkable growth in the previous year were: Shows/Concerts, Foreign Collections and Background Music
- At the beginning of 2019, the Copyright Law was amended and the mandatory management for the right of public performance was replaced with an extended form of management, according to law no.15/2019 which harmonized the national legislation with the European Directives.
- At the request of UCMR-ADA, the High Court of Cassation and Justice of Romania referred a preliminary query to the European Court of Justice, in order to establish whether VAT applies to the remunerations collected by the CMOs, case C-501/19.
- In May, UCMR-ADA approved the initiation of the negotiation of the methodologies regarding the use of musical works through public performance, as well as the methodology regarding the use of musical works by streaming within the video on demand services (VOD)
- *The Copyright Directive*  
UCMR-ADA supported the amendment of Article 13 of the Directive in favor of the authors, its members and representatives were involved in petitions and campaigns organized in support of the Directive. On March 26, 2019, the European Parliament voted in favor of the new Copyright Directive!
- *UCMR-ADA mandat to SIAE*  
In 2019, UCMR-ADA has concluded a mandate agreement with SIAE (Italy) for the licensing of multi-territorial online services, this mandate represents a turning point for UCMR-ADA and its members who in the future will receive the amounts due to them from all major digital services in the entire world.







## 2019 – Important events

- *International Representation*

Over the years, UCMR-ADA has concluded 130 Reciprocal Representation Agreements with CMOs from around the world, namely 80 agreements for Performing Rights and 50 agreements for Mechanical Rights.

In 2019, three new Reciprocal Representation Agreements were concluded with the societies: MCT (Thailand), WAMI (Indonesia) and JACAP (Jamaica). Reciprocal Representation contracts with BMI (USA), HARRY FOX (USA), SESAC (USA) and PRS (UK) were also updated.

Revenues from international collections increased in 2019 by 36.23% compared to 2018 and in turn, UCMR-ADA distributed over 9 million euros to its sister societies.

- *Technology*

### *Implementation of CoSIS.Net*

The development of our distribution and payment software was always one of UCMR-ADA's main priorities and in 2019 we successfully implemented the new version of CoSIS.Net. In 2020, we hope to install the new Agreement module which will help with keeping track of publishing / sub-publishing contracts

### *Payment platform*

BCR applications - facilitating the payments of music users through the option of payment at BCR vending machines and soon the online payment of invoices on the UCMR-ADA website

Starting with 11/27/2019, the amounts due to UCMR-ADA by music users can be paid through the BCR multifunctionals from all over the country and soon users will be able to pay their invoices directly on UCMR-ADA's website.



## General Information

### 1. Establishment and organization

UCMR-ADA is established and operates according to GO no. 26/2000 on associations and foundations and Law no. 8/1996 on copyright and neighboring rights;

UCMR-ADA functions as a non-profit association;

UCMR-ADA's Board of Directors is made up of 14 members elected by the General Assembly.

### 2. Controls / auditing financial activity

The collective management activity of UCMR-ADA is annually subject to a substantial control exercised by the Romanian Copyright Office - the governmental authority in Romania.

Members' complaints about access to information are solved by a special committee made up of members elected by the General Assembly.

UCMR-ADA's financial activity for 2019 was permanently controlled by the Auditing Commission, audited externally and the Supervising Commission.

### 3. Annual reports of management bodies

- Annual Report of the Board of Directors for 2019
- Annual Report of the Director General for 2019
- Annual Report of the Censors Commission for 2019
- Annual report of the Standing Special Commission on Members' Access to Information for 2019
- Annual report of the Supervising Commission 2019
- The Annual Report for 2019, according to the format established by ORDA
- The reports are approved by the Members of the General Assembly which will take place on 25th June of 2019



#### 4. Description of the legal form and management structure of UCMR-ADA

UCMR-ADA is a non-profit legal person, which has been constituted and operates according to Government Ordinance no. 26/2000 on associations and foundations and Law no. 8/1996 on copyright and related rights, republished. The Association is managed by a Board of Directors, consisting of 14 members elected for four years by the General Assembly with a four-year mandate, including a General Director and a Vice-General Director. The Board of Directors appoints the General Manager who ensures the executive management of the association. The Statute provides the Supervisory Board, consisting of three members elected by the General Assembly, as a collegial body to oversee the work of the Board of Directors.

#### 5. Frequency of distributions

Quarterly, twice per year, as appropriate.

#### 5. Legal persons owned or controlled by UCMR-ADA

UCMR-ADA does not hold participations or control other legal entities.

#### 6. Net amounts paid to the members of the Board of Directors in 2019:

Senior and management allowances - 215.540 lei net  
Remuneration representing copyright - 631.959 lei net



## General Financial Information regarding sums collected and distributed in 2019

- (1) Includes sums collected in the previous years  
 (2) UCMR-ADA's commission is applied on distributed sums not collected sums  
 (3) Social Cultural Fund. UCMR-ADA withholds SCF only to its members and to the foreign societies where there is a contractual agreement to withhold such sums

Category	Collections	Paid sums	Commission sum	Average commission	SCF <sup>3</sup>
	RON	RON	RON	%	RON
<b>Total of:</b>	<b>123.578.799</b>	<b>134.117.878</b>	<b>15.213.008</b>	<b>13,22%</b>	<b>866.121</b>
Broadcasting TV	25.615.712	25.582.366	2.919.507	14,00%	175.152
Broadcasting Radio	9.606.246	9.772.680	1.126.017	14,00%	98.894
Mechanical rights (phonograms and videograms)	603.240	594.314	5.498	14,00%	1590
Background music – Common Fund	33.992.599	34.458.591	6.492.124	14,00%	302.423
Concerts and Shows	13.346.692	12.783.004	1.007.699	10,00%	99.240
Online	3.360.946	3.064.440	337.393	14,00%	16.424
Online mechanical	79.388	35.355	2.395	14,00%	188
Ring back tones	34.806	46.961	5.498	14,00%	300
Cinemas	3.917.061	4.545.204	483.983	13,82%	15.661
Cable retransmission	22.086.144	18.337.250	2.026.765	13,84%	104.459
Private Copy	6.972.154	6.332.205	623.063	10,00%	27.177
Foreign Collections	2.872.761	2.247.092	105.553	4,90%	24.613

- (4) Interests on bank investments of RON 421,819 were included in the Background Music – Common Fund category as they are distributed by analogy with the Common Fund.

### Distributed sums on rights categories and managed rights (2019)

Management type	Managed Right	Category	Distributed from sums collected in 2019 RON	Distributed from previous years RON	Total: RON
Compulsory	Performing Rights	Common Fund- background music (HORECA)	25.096.176,40	9.362.414,80	34.458.591,20
		Prescribed Amounts	0	12.192.567,86	12.192.567,86
		Direct Distribution	448.254,00	41.350,00	489.604,00
		Internet	2.634.985,56	490.169,80	3.125.155,37
		RBT	34.801,15	12.159,47	46.960,61
		Concerts	868.256,28	82.750,45	951.006,73
		Opera	556.033,56	34.306	590.339,56
		Concerts, Shows	9.914.551,23	782.844,08	9.697.395,31
		Theatres	1.235.090,52	309.171,66	1.544.262,18
		Radio	9.632.890,39	288.846,76	9.921.737,15
		TV	25.474.845.64	256.577,95	25.731.423,62
	Cable Retransmission	Cable	16.973.644,10	4.676.373,17	21.650.017,27
	Private Copy	Private Copy	2.986.171,50	3.346.034,22	6.332.205,72
Non compulsory	Reproduction	Phonograms	585.378,41	3.027,95	588.406,36
		Videograms	5.907,83	0	5.907,83
	Public performance	Cinema	3.731.844,37	813.360,42	4.545.204,79
	Foreign Collections		1.787.701,49	459.390.75	2.247.092,54
TOTAL					134.117.877,81



## Non distributed sums –balance on 31.12.2019

Category / rights	Details/explanations	Non distributed sums 31.12.2019
Reproduction	Phonograms – sum paid in December 2019	11.863,78
Public Performance	Dr.aut.concerts,musical events	99.513,20
Public Performance	Discotheques	186.167,99
Public Performance	Weddings and occasional events	173.313,11
Public Performance	Dr.aut.fd.com.- alim.publica	1.915.201,01
Public Performance	Dr.aut.fd.com.- commercial units	.932.999,34
Public Performance	Dr.aut.fd.com.- exhibition fairs	24.398,00
Public Performance	Dr.aut.fd.com.- sport entertainment	1.049.888,03
Public Performance	Dr.aut.fd.com.- tourism	294.196,79
Public Performance	Dr.aut.fd.com.- transport	144.393,32
Public Performance	Dr.aut.fd.com.- waiting halls	18.727,00
Adaptation	Dr.aut.adaptation rights UCMR-ADA	5.612,60
	Dr.aut.repartitie - common funds	0
Private Copy	Dr.aut.copie priv.aud-vid.anal.dig. (UPFR)	3.848.587,78
Private Copy	Private Copy - inc foreign	16.601,83
Reproduction	Dr.aut.videograms	0
Public Performance	Dr.aut.operas	52.815,64
Public Performance	Dr.aut.ring-tones	6.64
Public Performance	Dr.aut.internet	741.012,28
Public Performance	Dr.aut.cinema	185.215,28
Public Performance	Dr.aut.ring back tones	7.57

Broadcasting	Dr.aut.public tv	2.102,30
Broadcasting	Dr.aut.private radio	168.055,98
Broadcasting	Dr.aut. TV privat	338.120,72
Cable retransmission	Dr. aut. IPTV	0
Performing rights	Dr.aut.theatres	236.589,96
Performing rights	Dr.aut.concerts/shows	1.420.239,42
Foreign Collections	- USD	27.210,51
Foreign collections	- EUR	750.614,82
Cable Retransmission	Dr.aut.rep.cablu tv public	249.038,18
Cable Retransmission	Dr.aut.rep.cable tv privat posturi tv nationale	5.346.787,78
Interest	Interest payments on financial placements	570.405,00
<b>Total</b>		<b>22.810.288,37</b>

**Information regarding:****A. Sums collected from foreign CMOs****B. Sums paid to foreign CMOs**

Country	Society	A. Collections		
		Collection	commission	Distributed sum
		RON	%	RON
SOUTH AFRICA	SAMRO			
GREAT BRITAIN	MCPS	9.443	5%	8.971
GREAT BRITAIN	PRS	277.464	5%	263.591
ARGENTINA	SADAIC	2.595	5%	2.466
AUSTRALIA	AMCOS	15.600	5%	14.820
AUSTRALIA	APRA	17.905	5%	17.009
AUSTRIA	AKM	68.774	5%	65.335
AUSTRIA	AUME	1.340	5%	1273
BELARUS	NCIP	21.951	5%	20.853
BELGIUM	SABAM	19.603	5%	18.623
BOSNIA SI HERZEGOVINA	SQN			
BRAZIL	ABRAMUS			
BRAZIL	ASSIM			
BRAZIL	SBACEM			
BRAZIL	UBC	18.462	5%	17.539

B. Payments				
Gross sum	Commission	SCF	Tax	Net sum
RON	RON	RON	RON	RON
91.688	12.513	1.479	13.753	63.943
40.026	4.668		4.003	31.356
12.338.385	1.670.611		1.233.839	9.433.935
53.499	6.955		8.560	37.984
1.090.201	149.699	18.810	151.193	770.499
227.686	28.303	3.738	6.831	188.815
5.431	645		163	4.623
223.303	30.101	3.864	11.165	178.173
14.297	1.887	248	2.288	9.874
12.744	1.693	221	2.039	8.791
61.253	8.219	976	9.800	42.257
20.864	2.772	362	3.338	14.392

BULGARIA	MUSIKAUTOR	41.468	5%	39.395
CANADA	SOCAN	35.406	5%	33.635
CZECH REPUBLIC	OSA	15.586	5%	14.807
CHILE	SCD	5.644	5%	5.362
CHINA	MCSC	18.046	5%	17.144
COLUMBIA	SAYCO			
COREEA	KOMCA			
COSTA RICA	ACAM			
CROATIA	HDS-ZAMP	10.280	5%	9.766
DENMARK	KODA	19.470	5%	18.496
DENMARK	NCB PROD	629	5%	597
DENMARK	NMP	4.436	5%	4.214
ESTONIA	EAU	794	5%	754
SWITZERLAND	SUISA	43.035	5%	40.883
THE PHILIPPINES	FILSCAP	2.591	5%	2.461
FINLAND	TEOSTO	10.019	5%	9.518
FRANCE	SDRM			
FRANCE	SACEM	510.273	5%	484.759
GEORGIA	GCA			
GERMANY	GEMA	198.546	5%	188.618
HONG KONG	CASH	608	5%	577
IRELAND	IMRO			
ISLAND	STEF			
ISRAEL	ACUM	67923	5%	64.527

171.764	23.483	2.763	8.588	136.929
1.603.231	218.663	26.989	145.114	1.212.465
73.478	9.909	1.185	7.348	55.036
5.428	643	96	868	3.821
20.421	2.741	331	3.267	14.082
41.496	5.676		4.150	31.671
6.220	406	116	995	4.703
71.531	9.409	1.145	7.153	53.824
203.587	27.543	3.258	20.359	152.428
16.426	1.893		1.643	12.891
3.418	436	60	342	2.580
188.515	24.568	3.002	18.852	142.094
120.349	15.634	1.930	6.017	96.768
140.449	14.881		14.045	111.524
2.461.536	332.058	42.590	246.154	1.840.734
1.925.901	256.888	30.948	57.777	1.580.288
14.913	2.041	257	447	12.167
221.207	30.570		6.636	184.001
13.481	1.692	236	2.157	9.397
115.970	15.545	1.852	11.597	86.976



ITALY	SIAE	146.669	5%	139.336
ITALY	SIAE (reprezentare multiteritoriala internet)	325.853		
JAPONIA	JASRAC	61.624	5%	58.543
LATVIA	AKKA LAA	12.579	5%	11.950
LITHUANIA	LATGA	3.849	5%	3.657
MACEDONIA	ZAMP	3.770	5%	3.582
MAURITIUS	MASA	1.785	5%	1696
MEXICO	SACM	15.642	5%	14.860
MUNTENEGRO	PAM CG	861	5%	818
NORWAY	TONO	9.285	5%	8.821
THE NETHERLANDS	STEMRA	3.986	5%	3.787
THE NETHERLANDS	BUMA	21.064	5%	20.010
PERU	APDAYC	1.590	5%	1.510
POLOND	ZAIS	136.177	5%	129.368
PORTUGAL	SPA	8.295	5%	7.881
RUSSIA	RAO	69.994	5%	66.495
SENEGAL	SODAV			
SERBIA	SOKOJ	20.880	5%	19.836
SLOVAKIA	SOZA	6.955	5%	6.607
SLOVENIA	SAZAS			

745.576	99.065	12.051	37.279	597.181
37.295	4.912	615	3.729	28.038
7.682	1.036	133	768	5.745
80.311	10.873		8.031	61.407
297.462	40.798	4.843	44.619	207.202
214.843	28.828	3.437	10.742	171.836
22.618	2.502		679	19.437
1.115.575	147.436	19.363	33.467	915.309
242.148	33.261	4.066	24.215	180.606
53.180	6.991	819	5.318	40.052
68.339	9.049	1.104	6.834	51.353
77.380	10.331		7.738	59.311
31.446	4.310		1.572	25.564

SPAIN	SGAE	44.780	5%	42.541
USA	BMI	24.350	5%	23.132
USA	ASCAP	19.455	5%	18.482
USA	AMRA			
USA	SESAC			
SWEDEN	STIM	61.040	5%	57.988
THAILANDA	MC THAILAND	5.716	5%	5.430
TURKEY	MESAM	90.505	5%	85.979
TURKEY	MSG			
HUNGARY	ARTISJUS	335.840	5%	319.048
VENEZUELA	SACVEN			
VIETNAM	VCPMC	2.326	5%	2.209
SINGAPORE	COMPASS <sup>1</sup>			
BARBADOS	COSCAP <sup>1</sup>			
GHANA	COSGA <sup>1</sup>			
MALAWI	COSOMA <sup>1</sup>			
NIGERIA	COSON <sup>1</sup>			
TANZANIA	COSOTA <sup>1</sup>			
TRINIDAD SI TOBAGO	COTT <sup>1</sup>			
SAINT LUCIA	ECCO <sup>1</sup>			
INDIA	IPRS <sup>1</sup>			

714.650	95.414	11.935	71.465	535.837
6.143.214	843.234	101.467	614.321	4.584.192
6.660.610	910.891		666.061	5.083.658
386.688	51.029	6.328	38.669	290.662
481.932	67.224		48.193	366.515
1.638.286	224.347	27.601	163.829	1.222.510
724.969	100.709	12.190	85.373	526.696
270.357	37.426	4.480	27.036	201.416
1.930.119	259.010	32.160	193.012	1.445.937
11.523	1.568		1.844	8.112
9601	1342		1536	6722
205	26		33	147
102	13		16	72
8	1		1	6
20.017	2.405		3.203	14.409
1	0		0	1
321	43		51	227
19	3		3	13
3.869	531		619	2.719

JAMAICA	JACAP <sup>1</sup>			
MALAYSIA	MACP <sup>1</sup>			
KENYA	MCSK <sup>1</sup>			
NIGERIA	MCSN <sup>1</sup>			
UGANDA	UPRS <sup>1</sup>			
ZAMBIA	ZAMCOPS <sup>1</sup>			
ZIMBABWE	ZIMURA <sup>1</sup>			
BURKINO FASO	BBDA <sup>2</sup>			
CONGO	BCDA <sup>2</sup>			
GUINEA	BGDA <sup>2</sup>			
BENIN	BUBEDRA <sup>2</sup>			
MALI	BUMDA <sup>2</sup>			
COTE D'IVOIRE	BURIDA <sup>2</sup>			
MADAGASCAR	OMDA <sup>2</sup>			
EGYPT	SACERAU <sup>2</sup>			
SENEGAL	SODAV <sup>2</sup>			
ZAIRE	SONECA <sup>2</sup>			
<b>TOTAL</b>		<b>2.872.761</b>	<b>127.345</b>	<b>2.419.562</b>

936	121		150	665
4.227	591		676	2.960
15	2		2	11
22	3		4	16
58	4		9	45
25	3		4	17
241	33		38	169
2			1	1
16	2		3	11
20	3		3	14
115	13	2	18	82
1.165	156	21	186	802
3.211	442	56	514	2.199
195	27	4	31	133
26	4		4	18
1.675	220	30	268	1.157
159	22	3	25	108
<b>43.601.151</b>	<b>5.908.996</b>	<b>389.160</b>	<b>4.112.674</b>	<b>33.190.322</b>

<sup>1</sup> \* - organisme de gestiune externe cu repertoriul gestionat de PRS

<sup>2</sup> \* - organisme de gestiune externe cu repertoriul gestionat de SACEM

# FINANCIAL REPORT - UCMR-ADA

	2019	2.018
<b>Balance</b>	<b>2.844.715</b>	<b>5.838.325</b>
<b>TOTAL INCOME, OF WHICH:</b>	<b>16.190.889</b>	<b>18.445.644</b>
<b>1. REVENUE FROM MANAGEMENT FEES, of which:</b>	<b>15.215.035</b>	<b>17.617.128</b>
MECHANICAL REPRODUCTION	83.012	99.332
CABLE RETRANSMISSION	2.026.765	2.402.644
PRIVATE COPY	623.063	657.855
RADIO BROADCAST	1.126.017	1.302.904
TV BROADCASTING	2.919.507	3.355.274
BACKGROUND MUSIC	6.492.123	7.618.227
CONCERTS AND SHOWS	1.007.699	1.018.729
MOVIE THEATERS	483.983	607.389
INTERNET -PUBLIC PERFORMANCE	337.393	439.857
INTERNET -MECHANICAL REPRODUCTION	2.395	
RINGTONES -PUBLIC PERFORMANCE	3.718	15.365
RINGTONES -MECHANICAL REPRODUCTION	1.780	
INTERNATIONAL COLLECTIONS	105.553	99.552
SINGLE COLLECTOR MANDATE- CABLE 2% AND 6 &	2.027	
<b>2. FINANCIAL REVENUE</b>	<b>352.613</b>	<b>715.558</b>
<b>3. OTHER OPERATING INCOME - RECOVERY OF COURT COSTS</b>	<b>141.170</b>	<b>112.958</b>



<b>4. OTHER OPERATING INCOME</b>	<b>482.071</b>	
	<b>13.346.17</b>	
<b>COST OF MANAGEMENT:</b>	<b>4</b>	<b>12.607.319</b>
EXPENDITURE WITH RAW MATERIAL AND CONSUMABLE MATERIALS	185.152	186.321
EXPENDITURE. WITH ENERGY AND WATER, MAINTENANCE AND REPAIRS	112.680	145.557
EXPENDITURE	54.850	66.552
EXPENDITURE. WITH LEGAL ASSISTANCE AND AUDIT SERVICES	818.443	611.152
EXPENSES WITH TRANSPORT AND TRAVEL	321.251	300.158
EXPENDITURE. WITH SALARIES AND CONTRIBUTIONS DUE TO THE BUDGET	7.357.998	7.516.716
EXPENDITURE. WITH ALLOWANCES BOARD OF DIRECTORS AND PROFESSIONAL COMMITTEES	455.065	409.250
EXPENDITURE. WITH INSURANCE AND SOCIAL PROTECTION	68.336	64.629
EXPENDITURE WITH PROFESSIONAL CONTRIBUTIONS	92.772	67.894
EXPENDITURE. WITH SERVICES PROVIDED	1.060.690	1.021.446
OTHER EXPENSES	636.622	582.346
EXPENDITURE.	449.144	380.405
EXPENDITURE WITH ASSIGNED ASSETS	306.931	31.856
EXPENSES WITH TAXES AND TAXES	105.444	
EXPENDITURE WITH PROVISIONS FOR RISKS AND EXPENSES	556.780	207.989
FINANCIAL EXPENSES	764.017,64	1.015.048