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Victory in EP on the reform of collective rights management organisations

On 26 November, the Gallo report on Collective Rights Management was unanimously adopted by the Legal Affairs committee. This new directive is an important victory in the European Parliament. It is a key step to increase the transparency of collective rights organisations in Europe, to improve the management of the money they collect and its proper distribution in the interest of the artists and the authors.

Organisations like Sacem, Gema, Sabam, Stim, Buma, PRS, SGAE, etc., will all have to conform to this new directive.

Too many scandals on the management of money collected occurred throughout Europe during the last decades with collective rights management organisation.

The EU can now impose more stringent requirements on these organisations. The new directive includes detailed rules that should force them to report on their income and expenses, including on salaries of their employees and managers, and on benefits for their members. Better transparency rules and procedures should allow to avoid or to reveal conflict of interests with persons exercising the management or supervisory function. Meanwhile, the members should be able to have a better control on what is being done in their name and better conditions to terminate membership when they are not satisfied with management of their rights.

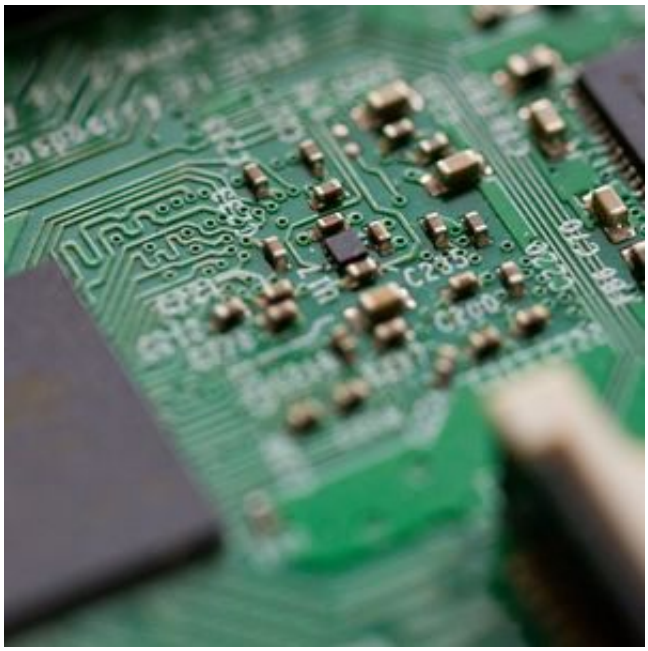
Another improvement is the possibility for artists and authors to grant themselves licenses to their work for non-commercial purposes, such as Creative Commons licences. This is not necessarily enough to adapt to the digital era but it is a vital option for artists to reach an audience and make themselves known; an option that is until now often refused by collective rights management organisations.

The new directive also introduces a mechanism to make public the information about rights holders that cannot be located. This is an important practical improvement to help identify rights holders, to limit the existence of orphan works (works for whom the authors are unknown or cannot be located), and to limit abuses by collective rights management organization of the right of artists or authors that they do not represent.

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