SERVING AUTHORS WORLDWIDE
AU SERVICE DES AUTEURS DANS LE MONDE
AL SERVICIO DE LOS AUTORES EN EL MUNDO

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CISAC Membership Application Guide

CISAC Secretariat

This document is designed to serve as a guide to support new applicants throughout the CISAC membership application process.

- **Sections 1-3** provide general information on the membership application process to be consulted by applicant societies before proceeding to the Membership Application;
- **Sections 4-5** include the application guidelines and the Membership Application Form to be completed by the applicant society and returned to the CISAC Secretariat.

1 Introduction

CISAC – the International Confederation of Societies of Authors and Composers – is the world's leading network of authors' societies. Founded in 1926, CISAC is a non-governmental, not-for-profit organisation with headquarters in France and regional offices in Africa, South America, Asia-Pacific and Europe. CISAC has today 225 member societies in 116 countries.

Representing over 5 million creators from all geographic areas and artistic repertoires through its membership, CISAC promotes the rights of creators worldwide, facilitates revenue collections, provides data and legal expertise and sets best practice standards for its member societies globally.

CISAC is delighted to welcome new societies to its expanding global network. The purpose of this document is to inform new applicants about the criteria for CISAC membership and guide applicant societies through the membership application process.

2 CISAC Membership Application Process

CISAC has a multi-level governance structure and this is reflected in the membership application process. Each application for new membership needs to go through several stages of review and approval, before reaching CISAC's highest representative entity – the General Assembly.

As a first step, as required by Article 16 of CISAC's Statutes (AG23-0674), any society wishing to become a CISAC member is invited to submit its completed membership application form, along with the supporting documentation, to the CISAC Secretariat. The application should be submitted within an established timeframe.

CISAC undertakes to review and assess each new membership application impartially and objectively. All applications are judged against the same established criteria.

The Secretariat will process each application and present its analysis and recommendation to the CISAC Executive Governance Committee (EGC). The EGC meets and reviews new applications in April.

The EGC will conduct a review of the Secretariat's assessment and submit its recommendation to the Board of Directors to either admit the applicant as a Provisional or Associate member; or reject the application.

Should the EGC require further information or documentation in order to issue a recommendation to the Board of Directors, it may decide to postpone the decision regarding the society's membership application in order to request such additional information. In this case, the applicant will receive a formal letter, stating the requirements and recommendations that need to be fulfilled before the application process can continue.

Should the EGC issue a recommendation to admit the applicant as a Provisional or Associate member or to reject the membership application, such recommendation will be forwarded to the Board of Directors for approval.

Subsequently, the General Assembly held annually in June (after considering the advice of the Board in relation to each application) shall admit the applicant as a Provisional or Associate member or reject the membership application.

After the General Assembly, the Secretariat will send formal confirmation letters to the applicant societies to inform them of the outcome of the Board of Directors discussion and the General Assembly decision concerning each membership application.

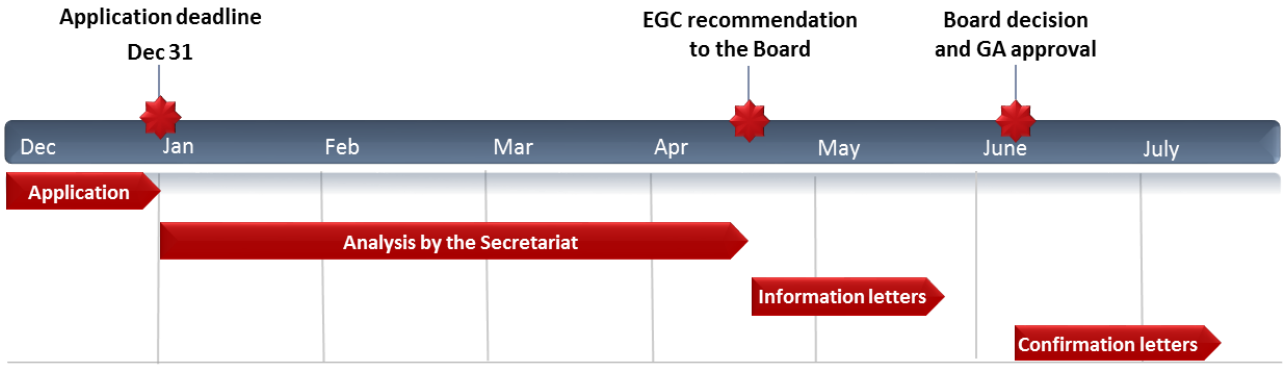

Figure 1: CISAC membership application timeline

3 Admission Criteria

As per Article 9 of the Statutes, *an organisation shall qualify to be a Provisional if it:*

a) is a Collective Management Organisation;

b) has as its aim the advancement of Creators' moral interests and the defence of the material interests of Creators (and, where relevant, other categories of rightholders);

c) carries out its activities for the common good of Creators (and, where relevant, other categories of rightholders) as a whole and not for any specific segment or group of Creators (and, where relevant, other categories of rightholders);

d) assumes full responsibility for the administration of the rights entrusted to it;

e) is able to demonstrate that its interests are consistent with the interests of CISAC;

f) does not administer the rights of performing artists, producers, broadcasters or any entity which exploits the rights of authors, composers, (and, where relevant, other categories of rightholders), except as a secondary activity;

g) does not have the power to sell or trade in the rights administered by the organisation, or the right to sell or trade in any interest in the Royalties collected or distributed by the organisation;

h) either:

(i) effectively collects and distributes Royalties to Creators (and, where relevant, other categories of rightholders); or

(ii) is able to demonstrate to CISAC's satisfaction that it is working towards the effective collection and distribution of Royalties to Creators (and, where relevant, other categories of rightholders);

and

i) either:

(i) carries out its activities in accordance with the Professional Rules; or

(ii) is able to demonstrate to CISAC's satisfaction that it is working towards the carrying out of its activities in accordance with the Professional Rules.

j) complies with all relevant and applicable laws and regulations in countries where it operates.

As per Article 10 of the Statutes, *an organisation shall qualify to be an Associate if it:*

a) *is not a Collective Management Organisation;*

b) *has as one of its aims the advancement of Creators' moral interests and the defence of the material interests of Creators (and, where relevant, other categories of rightholders);*

c) *is able to demonstrate that its interests are consistent with the interests of CISAC;*

d) *does not exploit the rights of authors, composers, (and, where relevant, other categories of rightholders); and*

e) *does not have the right or power to sell or trade in any interest in the Royalties collected or distributed by the organisation or in the rights owned and/or controlled by the organisation.*

As per the definition provided in the CISAC Statutes, *a Collective Management Organisation means any organisation that fulfils all of the following criteria:*

(1) *It shall be authorised by law in countries where operating as a collective management organisation requires such authorisation and/or by way of assignment, licence or other contractual arrangement to license, manage or otherwise represent as its primary purpose, Authors' rights on behalf of a broad range of individual Creators (and, where relevant, other categories of rightholders);*

(2) *It shall do so in a non-discriminatory manner for the sole benefit of the aforementioned Creators (and, where relevant, other categories of rightholders);*

(3) *It shall be open to all individual Creators (and, where relevant, other categories of rightholders) according to objective, transparent and non-discriminatory criteria;*

(4) *It shall represent Authors' rights across a broad range of types of exploitation, unless it has been limited by applicable law, government regulation or judicial authority to serve a specific purpose;*

(5) *It shall be owned or controlled by the aforementioned Creators (and, where relevant, other categories of rightholders) unless subject to specific oversight by applicable law, government regulation or judicial authority and/or is otherwise organised on a not for profit basis.*

4 Application Guidelines

- In order to enable the assessment of your society's membership application against the above listed criteria, please provide detailed and accurate responses to each question and attach the documents listed in the Document Checklist (Section 5.9).

- It is understood that some questions may not be applicable to your society – in such a case, please reply with 'N/A' and specify the reason why the question is not applicable.

- The questionnaire responses as well as the required supporting documentation should be provided in one of CISAC's official languages, i.e. English, French or Spanish.

- Please note that only complete application files will be processed by the CISAC Secretariat. Please return the completed Membership Application Form along with the supporting documentation to the CISAC Secretariat **by December 31**, in order to ensure that the application can be processed by the Secretariat and voted by the CISAC General Assembly of the following year.

- In the course of the assessment of your society's membership application, the Secretariat and your society may exchange information and documentation subject to confidentiality. Any information disclosed as confidential by one party to the other shall remain as such and shall be used by the other party solely in connection with and to the extent necessary for the membership application. Both parties agree not to use the confidential information for any other purpose or without the prior consent of the other party. However, it is understood that, should any CISAC decision body (i.e. Executive Governance Committee, Board of Directors or General Assembly) require to access any information or documentation to further assess the Secretariat's recommendation, the Secretariat is entitled to share such information with the relevant body, unless the confidential nature has been expressly indicated by the society.

- **We would like to bring to your attention that should your membership application be successful, your society will be required to abide by the CISAC Statutes and expected to operate in compliance with CISAC's Professional Rules. We therefore encourage you to thoroughly consult these documents before proceeding to complete the Membership Application Form.**

5 Membership Application Form

If your society is applying for CISAC **Provisional membership**, please complete Sections 5.1 to 5.9 below.

Applicants for **Associate membership** should only complete Sections 5.1, 5.2, 5.3, 5.4, 5.8 and 5.9.

5.1 General Information

Are you applying for Provisional or Associate membership of CISAC?	☐ Provisional ☐ Associate
Society acronym:	Click here to enter your text
Society full name in the original language:	Click here to enter your text
Society full name in English:	Click here to enter your text
Date of incorporation:	Click here to enter your text
Society previous name (if applicable):	Click here to enter your text
Date Society name modified (if applicable):	Click here to enter your text
Society address:	Click here to enter your text
Society phone/fax number:	Click here to enter your text
Society email address:	Click here to enter your text
Society website:	Click here to enter your text
Society corporate status and purpose: (e.g. private/public entity; for-profit/not-for-profit)	Click here to enter your text
Does Society require a license to operate as a collective management organisation?	☐ Yes ☐ No ☐ N/A (only for Associate membership applicants)
• If Yes, what is the name of the Body authorised to grant such license?	Click here to enter your text
• If Yes, does Society hold a valid licence? (If No, please explain)	Click here to enter your text
Repertoires administered (please tick as appropriate):	☐ Music ☐ Audiovisual ☐ Drama ☐ Literary ☐ AGP ☐ Other

Nature of rights administered *E.g. performing rights, mechanical reproduction rights, private copy, rental/lending rights, droit de suite, reprography, digital, etc.*	Click here to enter your text
Please specify if your Society also administers neighbouring rights and whether this is a primary or a secondary activity. *Note: to become a CISAC member, a CMO is required to manage authors' rights as a primary activity.*	Click here to enter your text
Please describe Society's core activity:	Click here to enter your text
Society membership of other organisations:	Click here to enter your text

Please enclose:

- a copy of Society's Statutes / Articles of Association;
- a copy of Society's Internal Rules (if not included in the Statutes);
- a copy of Society's Distribution Rules;
- a copy of Society's certificate of incorporation;
- a copy of Society's license to operate as a collective management organisation (if applicable);
- a web link to/copy of an English version of the local Copyright Law;
- a detailed report of Society's activities in the 12-month period prior to the submission of membership application;
- a detailed report of Society's proposed activities in the 12-month period after the submission of membership application.

5.2 Application Background

How did you find out about CISAC?	Click here to enter your text
Was your Society a CISAC member in the past?	☐ Yes ☐ No If Yes, please explain
Has your Society previously applied for CISAC membership?	☐ Yes ☐ No If Yes, please explain
What is the main reason for your Society's interest in becoming a CISAC member?	Click here to enter your text

5.3 Organisation / Structure

Total number of Society employees:	Enter the number here
Total number of Society Board members:	Enter the number here

Please enclose:

- Society's organisation chart/organigram including governance and management team (names, positions);
- a list of Society's Board members indicating their roles (e.g. author, composer, publisher, performer, producer, broadcaster, government representative, etc.). If a Board member has more than one role, please indicate all the roles and specify under which role he/she serves on the Board.

5.4 Membership

- **Please specify** the membership details below:

Total number of Author Members	Enter the number here
Total number of Publisher Members	Enter the number here
Total number of Performer Members	Enter the number here
Total number of Producer Members	Enter the number here
Others (please specify)	Please specify and enter the number here
Total number of Society Members	Enter the number here

- If applicable, **please describe** the various categories/levels of membership:

Click here to enter your text

- **Please explain** briefly the rights and obligations arising from each of the membership categories (e.g. payment of membership fees, voting rights, etc.):

Click here to enter your text

Please enclose:

- a copy of Society's Membership Rules (if not included in the Statutes);
- a copy of Membership Agreement;
- a list enumerating each of Society's members indicating whether each such member is an author, composer, publisher, performer, producer, or has another role.

5.5 Collections/revenues

In this section, your Society is required to provide the following financial information:

- If your Society has already stared to collect and distribute royalties, **please enclose** the statement of Income and Expenditures in respect of the 12-month period prior to the submission of this application (please use the attached CISAC template);

- If your Society has not started its operations, **please provide** a business plan containing a budget and an assessment of the market potential in respect of the 24-month period after the submission of this application. Please include Society's expected licensing income, administrative expenses, distribution figures, etc.

- **Please enclose** a list of Sister Societies including territories (if applicable).

Has Society started collecting royalties on behalf of its own members?	☐ Yes ☐ No If No, please explain
Has Society signed any representation agreements with Sister Societies?	☐ Yes ☐ No If No, please explain
Has Society started collecting royalties on behalf of Sister Societies?	☐ Yes ☐ No If No, please explain

- If your Society has started to collect, **please indicate** below revenues collected/received in 2021-2022 and estimates for 2023 (in local currency). If your Society collects for both authors' rights and neighbouring rights, please indicate revenues separately for each category:

Source	**Category of rights**	**2021 (actual)**	**2022 (actual)**	**2023 (estimate)**
Total domestic collections	*Authors' rights / Copyright*	Enter your figures here	Enter your figures here	Enter your figures here
	Neighbouring rights	Enter your figures here	Enter your figures here	Enter your figures here
Total foreign collections		Enter your figures here	Enter your figures here	Enter your figures here
Other sources of income: Please specify here		Enter your figures here	Enter your figures here	Enter your figures here
Total		Enter your figures here	Enter your figures here	Enter your figures here

5.6 Distributions

Has Society started distributing royalties to its own members?	☐ Yes ☐ No If No, please explain
Has Society started sending royalties to its Sister Societies?	☐ Yes ☐ No If No, please explain
Has Society documented its Distribution Rules?	☐ Yes ☐ No If No, please explain
Please state the frequency of distributions carried out per year to Society's own members:	Click here to enter your text
Please state the frequency of distributions carried out per year to Sister Societies:	Click here to enter your text

- If applicable, **please indicate** below royalties distributed in 2021-2022 and estimates for 2023 (in local currency):

	2021 (actual)	**2022 (actual)**	**2023 (estimate)**
Distributed to Society's own members	Enter your figures here	Enter your figures here	Enter your figures here
Distributed to Sister Societies	Enter your figures here	Enter your figures here	Enter your figures here
Total	Enter your figures here	Enter your figures here	Enter your figures here

5.7 Governance and CISAC Obligations

As a Provisional membership applicant, your Society is invited to review the CISAC Professional Rules to ensure that either:

- the Society already complies with the Rules, or will be in a position to comply; or
- the Society will be in a position to comply with the Rules within a reasonably short period of time; or
- the Society has identified challenges to comply with some of the Rules, which may prevent the Society from becoming a full Member of CISAC.

Please specify below any issues that you may have identified to fully comply with the Professional Rules:

Click here to enter your text

5.8 Contact Details and Signature

In accordance with Article 16 of CISAC's Statutes, **SOCIETY NAME** requests that this application is considered by CISAC. **SOCIETY NAME** formally undertakes to accept and abide by the CISAC Statutes, should this application be successful.

Signatory full name	Enter your full name here
Signatory job title	Enter your job title here
Signatory email address	Enter your email address here
Signatory phone number	Enter your phone number here
Date of application	Enter the date of application here
Submitted on behalf of (Society name)	Enter SOCIETY NAME here

5.9 Document checklist

Please note that all documents should be provided in one of CISAC's official languages, i.e. English, French or Spanish. If the original document was written in a different language, please enclose an English, French or Spanish translation.

Description of document	**Tick to confirm that you are including this document**
Web link to/copy of an English version of the local Copyright Law	☐ Attached
Statutes / Articles of Association	☐ Attached
Internal Rules (if not included in the Statutes)	☐ Attached
Distribution Rules	☐ Attached
Certificate of incorporation	☐ Attached
License to operate as a collective management organisation	☐ Attached
Organisation chart/organigram including governance and management team (names, positions)	☐ Attached
List of Society's Board members indicating their roles (e.g. author, composer, publisher, performer, producer, government representative, etc.)	☐ Attached
Membership Rules (if not included in the Statutes)	☐ Attached
Membership agreement	☐ Attached
List enumerating each of Society's members indicating whether each such member is an author, composer, publisher, performer, producer, or has another role	☐ Attached
List of Sister Societies including territories	☐ Attached
Report of Society's activities in the 12-month period prior to the submission of the membership application	☐ Attached
Report of Society's proposed activities in the 12-month period after the submission of membership application	☐ Attached
Copy of Society's audited accounts in respect of the 12-month period prior to the submission of membership application	☐ Attached
Business plan containing a budget and an assessment of the market potential in respect of Society's principal place of business and in respect of the 24-month period after the submission of membership application	☐ Attached
Statement of Income and Expenditures in respect of the 12-month period prior to the submission of membership application (please use the attached CISAC template)	☐ Attached
Other documents: Please specify	☐ Attached