

Claim order

Part 1

Claims handling – objections on royalty distribution

Article I

1. Any rightholder to whom the royalties have been distributed is entitled to file a written objection (claim) to the distribution statement. This objection must include a statement of the title to which it relates (each title being considered as an individual submission) and the most accurate information about the user of musical work, the time of use and the extent of use of musical work. Claims must be filed as soon as possible after receipt of the statement. These objections must be made in writing, duly substantiated and supported by available evidence (for example - user confirmation, event programs, etc.), with limitation of action according to applicable legislation concerning limitation.
2. Without unnecessary delay from the submission of claims SOZA confirms their receipt and makes the rightholder familiar with details of the next steps necessary for quality, fast and economically sustainable procedure of claim handling.
3. Within a reasonable range and the nature of the objections raised by distribution, employees at SOZA will examine the evidence for the distribution and documents submitted. The rightholder who has raised the claim is obliged to provide SOZA the necessary cooperation.

Article II

1. The relevant SOZA department shall process the supporting documents together with the draft decision on the claim, in particular, as follows:
 - to redistribute and pay without undue delay to the rightholder the difference between the originally distributed royalty and the correctly distributed royalty if the error occurred during the processing of the data in SOZA;
 - to redistribute for the difference between the royalty paid to the rightholder and the correct royalty if an error has been detected in the user's report (the difference will be paid to the rightholder without undue delay after payment of the claimed royalty by the user);
 - to inform the rightholder to return the unjustified part of the royalty paid to him.
2. Processed documents together with the draft decision in the claim procedure shall be submitted by the relevant SOZA department with any additional findings to the SOZA Supervisory Board, which at its next ordinary session shall decide on the claims, except for clear cases, in which relevant SOZA department does not have any doubts about. If it is according to the findings of the relevant SOZA department a clear case where there is no doubt, and at the same time, the sum of the royalties to be paid to the rightholder amounts to no more than € 3,000, SOZA Management Board resolves such a complaint, SOZA Supervisory Board is at the next meeting informed with the decision of SOZA Management Board.
3. The rightholder shall be informed in writing of the outcome of his claims.

Article III

1. SOZA Supervisory Board may request from the rightholder who claims in more than the usual extent and his claims were unjustified, to reimburse the costs that were made by these actions.
2. If during the course of the claim, it is established that the royalties have been paid to a greater extent than the rightholder has the right (unjustified royalties), the rightholder shall be obliged to return SOZA immediately this extent.

3. Within the framework of cost-effectiveness and efficiency of collective rights management and international standards, SOZA is not required to pay the rightholder royalties based on a claim if the unpaid amount of the claimed royalty does not exceed € 10 per one piece of musical work per user. If the royalties for individual works do not reach this limit, but the total unpaid royalties for more than one musical work of the same rightholder used by one user exceed € 20, SOZA will then forward the royalties. This rule is not applied if the error in the distribution is caused by a mistake of SOZA's employees when the royalties are paid in the amount in which they should have been paid if the error did not occur.

Article IV

1. This procedure shall also apply mutatis mutandis to claims on distributions from abroad with any variations resulting from individual international agreements, respectively from similar internal regulations of foreign collective management organizations; and other applications of international standards.

Article V

1. A template containing all the details of the claim is part of this Claim order.

Part 2 Claims against musical work classification

Article I

1. The rightholder has the right to be informed about the classification of their musical works, as well as the right to object the classification of a musical work.
2. Complaints against the classification of a musical work are filed in within the meaning of the provisions of Article 23, 9.23 and seq. of the Statute of SOZA. Classification Committee decides on them in the first instance, on the basis of the provision of Article 23 of the Statute of SOZA. In the second instance in accordance with the provisions of Article 22 of Statute of SOZA, Arbitration Committee handles such a claim.

Part 3 Final provisions

1. Claim order shall be valid on the day of its approval.
2. Claim order shall enter into force on June 12th 2019.

Attachment to the Claim order

Absence of any of this data may cause SOZA's inability to successfully resolve your claim!

Name and surname / business name of the rightholder:

Status:.....
(during the claimed period: member of the SOZA or unrepresented author)

Data regarding musical work:

Name of the work*:.....

Other co-authors:.....

Data on the method and scope of the use of work:

Method of use:.....
(radio, television, concert, public live performance, production of sound or audio-visual carriers, etc.)

Place of use:.....
(concert, public live performance, or when using work abroad)

User:.....
(name of the radio or television station, concert organizer or public live performance organizer - **including the address!**, producer of audio or audio-visual carriers, films, etc.)

Date and time of the use of work:
(day, month, year, hour)

Note: (other specific data details that can help to accurately identify the use of the work, such as: session title, editorial office, session type, external producer / supplier, usage range / number of reps, daily broadcast time, usage (whole work, part) and so on)

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I guarantee the correctness of the data filled in this form and I am aware of the possible consequences coming from this Claim order.

Date: Signature of the rightholder:

* This form must be completed for each work individually, except when all filled data are the same for multiple works. Then just add a list of works.