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GEMA General Assembly: Music authors and publishers clearly vote for a joint participation

The annual general assembly (AGM) of GEMA members took place between 22 and 24 May 2017 in Munich. It was dominated by the issue of how to re-establish the publisher participation. For the first time, the new electronic means and rights for to participate in an AGM pursuant to the Act on Collective Management Organisations were implemented for GEMA members. As part of the main assembly, channels hr2-Kultur and SWR4 were awarded with the Radiokulturpreis (Radio Culture Award). After the AGM, the Supervisory Board elected Dr Ralf Weigand as its new chairman, after Prof. Dr Enjott Schneider had stepped down from this role after five years.

The main meeting on 24 May 2017 marked the end of this year's AGM of GEMA in Munich. About 700 composers, lyricists and publishers discussed and resolved important regulations, which mainly affected the future distribution of royalties. Corresponding to the requirements of the VGG (CMO Act), members had the opportunity to cast their votes via e-voting prior to the event, or to be represented by proxy during the AGM for the first time. Members could also, after prior registration, watch the assembly of their professional group as well as the main meeting via live stream. This première in terms of representation and digital participation has been a success, without challenging the established model of personal participation: "Attendance numbers at our assembly this year are similar to previous years. This shows that - despite the additional options for members - it remains attractive to be here in person" - Dr Harald Heker, GEMA CEO, welcomed members to the event with these words. He regards e-voting, live stream and proxy representation as good complementing factors which allow an active involvement in GEMA's constitution, and emphasises: "It is important that everyone can state their opinion. This strengthens our internal democracy. And it is precisely that which characterises GEMA as an association."

Resolutions of the General Assembly: The focus was on how to re-establish publisher participation.

Legal decisions issued last year had challenged the participation of music publishers at GEMA and created legal uncertainty. After the legislator had already taken correcting steps, GEMA members, authors and publishers, agreed uniformly that only a joint participation would fulfil the interests of all professional groups. The decision of composers, lyricists and publishers for the new regulation of the joint participation of authors and publishers at GEMA was almost unanimous. As a consequence, a reliable legally watertight basis has thus been reinstated for GEMA pay-outs to publishers. In his speech, Dr Heker also expressly stated the following: "Authors and publishers have been in agreement that both sides should benefit from the collected royalties through the assignment of their rights. If an author wishes to pay a publisher in consideration for the activities of the latter, such a share is legitimate."

The agenda also included various changes to the content of the Statutes and the Distribution Rules. Following on from the already implemented reforms for the distribution in the U (pop/light music) live sector (INKA) and in the broadcasting sectors, a resolution was passed on a first step regarding the redesign of the distribution in the E (serious music) category.

Furthermore, new provisions were resolved in terms of the election of the delegates of the affiliate and associate members and the expansion of the electronic service offerings by GEMA.

Report by the CEO and Chairman of the Managing Committee, Dr Harald Heker

Dr Harald Heker could look back on GEMA's most successful income year: In 2016, the one-billion-Euro mark was crossed for the first time. This is, among others, due to the conclusion of a contract for the licensing of YouTube last year. In this context, Dr Heker emphasised the following once more to members: "We will continue to campaign for online platforms having to take responsibility." As long as they do not have a legal obligation to pay rights owners their due remuneration, negotiations on a level playing field are not possible and lead to a transfer of value to the detriment of authors which must be stopped.

Dr Heker also commented on the public perception of GEMA. This was visibly changing, and its strong cultural engagement was now anchored in the awareness of society, politicians and media. After all, "GEMA is an organisation for authors, a solidaric community of creative heads who wish to bring the value of music as a cultural asset to the public." This commitment is reflected in the various prizes and awards which are granted by GEMA each year, such as the Deutsche Musikautorenpreis [German Music Authors' Prize] for outstanding musical creation, the Fred Jay Preis [Fred Jay Award] for German lyrical art and - for three years now - also the Radiokulturpreis [Radio Culture Award] by means of which culturally outstanding programmes are honoured. This year's winners hr2-kultur and SWR4 Baden-Württemberg and SWR4 Rheinland-Pfalz received the Radiokulturpreis for the first time as part of the the main meeting of the AGM.

Supervisory Board: New Chairman and Deputy Chairman

Prof. Dr Enjott Schneider, who had been Chairman of the GEMA Supervisory Board since 2012, announced in the main meeting that he was not going to stand for election for this position again: "The increasing commitments in terms of composing and concert activities across Europe and round the globe from China, Russia, America, Brasil have led to constantly conflicting schedules and required a decision. Despite all my love for the work with GEMA I have opted 'for the music' in an artistic sense." Managing Committee, Supervisory Board and GEMA members thanked Prof. Schneider with long-lasting applause. The Supervisory Board elected Dr Ralf Weigand in its meeting after the main part of the AGM as his successor. Stefan Wagershausen was elected by the Supervisory Board as deputy Chairman of the Supervisory Board for the professional group of lyricists; he follows the lyricist Frank Dostal who has recently passed away. For the professional group of publishers, Karl-Heinz Klempnow was re-confirmed in office. Furthermore, Rudolf Müssig was confirmed as full Supervisory Board member for lyricists by the General Assembly.

The speech of GEMA CEO and Chairman of the Managing Committee, Dr Harald Heker, as well as images of the General Assembly can be accessed here: www.gema.de/mgv2017

GEMA represents the copyright of more than 70,000 members (composers, lyricists and music publishers) in Germany, and more than two million copyright owners globally. It is one of the largest societies for authors of musical works in the world.

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