

GENERAL RULES OF AUTHORIZATION AND TARIFF

PODCAST



SCOPE AND FIELD OF APPLICATION

You intend to broadcast podcasts of audio programs on your internet web site.

A native podcast is made up of sound creations designed and created to be broadcasted directly online and not through a radio or an internet radio station.

A catch-up podcast is the replay of an existing program which will be broadcasted online following its broadcast on a radio or an internet radio station.

TARIFFS

1- Podcasts broadcasted by radio stations

The Agreements concluded between the Authors' Societies (Sacem, Scam and Sacd) and the national radios cover, in part, the broadcasting of catch-up podcasts (replay of programs). Likewise, their broadcasting on local radio stations is also covered in the licenses (resulting of deal memos agreed with Cnra, Sirti and Snrl).

For further information we thank you in advance for sending your request to sma@sacem.fr or to your [Sacem local office](#).

2- Podcasts broadcasted by internet radios, aggregators and podcast platforms

Concerning podcasts which are broadcasted by internet radio stations, aggregators or podcast platforms, Sacem has set up tariffs that take into consideration the duration of the Sacem Repertoire broadcasted but as well the commercial scheme and the type of entity that broadcast the podcast (association, private individual, business...)

2-1- Non commercial podcasts

PRIVATE INDIVIDUAL, ASSOCIATION, INSTITUTION, FOUNDATION, TERRITORIAL AUTHORITY OR PUBLIC ESTABLISHMENT :

For private individual, association, institution, foundation, territorial authority or public establishment, the remuneration is based on annual flat fee payable in advance as mentioned below:

Native podcasts broadcasted on their web site : €40 Excl. VAT*/year

Catch-up podcasts from a small internet radio: €120 Excl. VAT*/year including the fee for the small internet radio and for the podcasts

2-2- Commercial podcasts

BUSINESS, SELF-EMPLOYED, A CRAFTSMAN OR A LIBERAL PROFESSION :

Ad-funded services :

For ad-supported services, the remuneration is the greater of a percentage of the advertising revenues and a minimum fee per podcast streamed or downloaded. In the event the revenues are limited, the yearly minimum guarantee shall apply.

Type of podcast: MUSIC*

If the protected music represents above 70% of the total duration of the podcast, the applicable rate is 12% of the revenues. If the duration of the music is below 30%, the applicable rate is 3% of the revenues.

Share of the Sacem Repertoire over the total duration of the podcast service	Applicable Rate	Minimum per podcast streamed or downloaded	Yearly minimum guarantee per podcast service
Up to 30%	6%	€ 0,0004 *	€ 100 *
Above 30% up to 70%	9%	€ 0,0006 *	€ 150 *
Above 70% up to 100%	12%	€ 0,0008 *	€ 200 *

* Music, Humor, Sketches

Type of podcast: GENERAL ENTERTAINMENT*

Share of the Sacem Repertoire over the total duration of the podcast service	Applicable Rate	Minimum per podcast streamed or downloaded	Yearly minimum guarantee per podcast service
Up to 30%	3%	€ 0,0002 *	€ 50 *
Above 30% up to 70%	6%	€ 0,0004 *	€ 100 *
Above 70% up to 100%	9%	€ 0,0006 *	€ 150 *

* Travel, Fashion, Surveys, Gastronomy, Personal development, Science Fiction, History, Entrepreneurship, Documentaries, Art, Culture, Literature

Type of podcast: SPORT AND NEWS*

Share of the Sacem Repertoire over the total duration of the podcast service	Applicable Rate	Minimum per podcast streamed or downloaded	Yearly minimum guarantee per podcast service
Up to 30%	3%	€ 0,0002 *	€ 50 *
Above 30% up to 70%	4,50%	€ 0,0003 *	€ 75 *
Above 70% up to 100%	6%	€ 0,0004 *	€ 100 *

* Sport, Society, Political news, Health, Economy, Business, Education et Youth, Science and Technology

Subscription services :

For subscription services the remuneration is the greater of a percentage of the subscription price and a minimum per subscriber per month.

Type of podcast: MUSIC*

Share of the Sacem Repertoire over the total duration of the podcast service	Applicable rate	Minimum per subscriber per month
Up to 30%	6%	€ 0,25 *
Above 30% up to 70%	9%	€ 0,375 *
Above 70% up to 100%	12%	€ 0,50 *

* Music, Humor, Sketches

Type of podcast: GENERAL ENTERTAINMENT*

Share of the Sacem Repertoire over the total duration of the podcast service	Applicable rate	Minimum per subscriber per month
Up to 30%	3%	€ 0,125 *
Above 30% up to 70%	6%	€ 0,25 *
Above 70% up to 100%	9%	€ 0,375 *

* Travel, Fashion, Surveys, Gastronomy, Personal development, Science Fiction, History, Entrepreneurship, Documentaries, Art, Culture, Literature

Type of podcast: SPORT AND NEWS*

Share of the Sacem Repertoire over the total duration of the podcast service	Applicable rate	Minimum per subscriber per month
Up to 30%	3%	€ 0,125 *
Above 30% up to 70%	4,50%	€ 0,19 *
Above 70% up to 100%	6%	€ 0,25 *

* Sport, Society, Political news, Health, Economy, Business, Education et Youth, Science and Technology

* plus current levies and taxes (VAT and social contributions)

LICENSING CONDITIONS

- Your licence is granted for reproduction rights(i1) and performing rights(i2) for streaming and/or downloading on demand of podcasts.

This licence does not concern, in particular, moral rights(i3), subsidiary rights, such as arrangement, adaptation and translation rights(i4), etc. Nor does it concern neighbouring rights(i5).

- The authorisation granted is strictly reserved for private use within the context of the user's family circle.
- The tariffs are granted for France, Luxembourg and Monaco.
- To get a licence to use podcasts for a small internet radio, please [click here](#).
- You must be of legal age or the legal representative of a minor or a person under guardianship or curatorship.

(i) Information

*(i1) **Reproduction rights** : consists of the physical fixing of a work on support that allows its communication to a public audience (CD, CD Rom, vinyl, multimedia support)*

*(i2) **Performing rights** : for communication of an author's work to a public audience through music diffusion on public areas (shops, cinema, night club, music concert, etc...) and through medias (radio, TV show, Internet, etc).*

*(i3) **Moral rights** : moral rights, which grant authors the right for their name, position and work be respected. They are perpetual, inalienable and imprescriptible.*

*(i4) **Adaptation and translation rights** : A license must be obtained from rights holders before undertaking any arrangement, adaptation or translation, ie, or any other change in the original work (new version, remix, etc...).*

*(i5) **Neighboring rights** : Right recognized by the French Intellectual Property Code (Book II) relative to performing artists, producers of phonograms and videograms.*

HELPFUL

- If you use recordings (singles, albums, including those which are self-produced), you must also apply for a licence from the **producers of such recordings**. For answers to your questions, you can contact:

SCPP (Société Civile des Producteurs Phonographiques)

SPPF (Société Civile des Producteurs de Phonogrammes en France)

- The works you intend to offer in the context of your podcasts service may also belong to **the repertoires of the following authors' societies**:

SACD(i6) : SACD repertoire (www.sacd.fr/)

SCAM(i7) : SCAM repertoire (www.scam.fr/)

We invite you to contact them to be informed of their licensing conditions.

(i) Information

*(i6) **SACD Repertory, Société des auteurs et compositeur dramatiques**:*

- theatrical works of a dramatic, dramatico-musical, lyrical, choreographic, pantomime, circus tricks and television productions of these same works

- sketches and one-man shows from the SACD repertory and records.

- audiovisual, multimedia and radio works (TV films, series, cartoons, animation, sketches, feature and short films, docu-dramatic works)
- humorous audiovisual or radio works (including humorous sketches or sequences, parodies, imitation, hidden cameras...).
- still images from any kind of the above works.

(i7) SCAM Repertory, Société civile des auteurs multimédias:

- documentary audiovisual works (essay, studies, stories, portraits, major reports, chronicles, creative videos, corporate films...)
- audiovisual mags
- translations, dubbing, subtitling of works from the Scam repertoire
- still images (photographs, drawings, illustrations)
- radio works excluding theatre adaptations and musical works
- still images from the above works.