SONT Decree on Private Copying Levies 2025

The Stichting Onderhandelingen Thuiskopievergoeding (SONT; Foundation for Private Copying Levy Negotiations) has decreed the new private copying levies for the Netherlands, which will be in force from 1 January 2025 to 31 December 2025. This decree entails a continuation of the tariff decree 2023-2024, indexed for inflation.

The 2023-2024 tariff decree included the option for extension, in the event that there would not be legal clarity regarding the obligation to pay for 'tethered downloads', or 'offline streaming copies', by mid-2024. In the pending lawsuit, the Supreme Court has submitted preliminary questions about the issue to the European Court of Justice in August 2024. The outcome must be awaited. In the meantime the SONT will renegotiate the tariffs for 2026 and beyond, based on the expected ruling on cassation as well as other relevant insights. Because parties involved could not come to an agreement, the chair decided.

Private copying levies as from 1 January 2025

The tariffs and devices subject to private copying levies will be adjusted as from 1 January 2025 as shown in the table below.

Table: Private Copying Tariffs and Devices 2025

Devices/media	Tariff 2025	Tariff 2023-2024
PC / laptop / notebook / server / media center	€ 2.80	€ 2.60
Tablet	€ 2.80	€ 2.60
Smartphone / phone with mp3 player	€ 5.70	€ 5.30
Portable audio / video player	€ 1.80	€ 1.70
Settop box with hard disk / HDD recorder	-	-
E-reader	€ 0.80	€ 0.70
External HDD, SSD and USB stick >= 256 GB	€ 0.90	€ 0.80
USB stick < 256 GB	€ 0.40	€ 0.40
Wearables with storage	€ 0.40	€ 0.40

For refurbished devices, tariffs are reduced by 40% with respect to the tariffs in the table.

The new SONT decree on private copying levies has been published on 8 October 2024 in the <u>Staatscourant</u>.

Background - Private copying levy

In the Netherlands, it is permitted to make copies of works protected by copyright and neighbouring rights for one's personal practice, study or use. For this exception, an equitable remuneration is legally owed to the authors and other rightholders of these works: the private copying levy. The amount of the remuneration is related to the damage suffered by rightholders as a result of private copying.

About the SONT

The Stichting Onderhandelingen Thuiskopievergoeding (SONT) (Foundation for Private Copying Levy Negotiations) is charged, pursuant to Section 16e of the Copyright Act and Section 10(a) of the Neighbouring Rights Act, with determining the amount of the private copying levies as referred to in Section 16c of the Copyright Act.

The SONT is chaired by independent chair Marco Pastors, who is assisted by independent advisors. On the board of the SONT, rightholders and those liable to pay are equally represented. Rightholders are represented by Stichting de Thuiskopie. Branch organisations NLdigital, STOBI and NLconnect sit on the board on behalf of those liable to pay.

Note to editors (not for publication):

For questions about this press release, please contact the secretariat of the SONT, tel. 070 3109101, info@onderhandelingthuiskopie.nl.

You can find more information about the SONT and the new private copying decree on the website.