



Publicatie- en Reproductierechten Organisatie

BROCHURE PUBLISHER DISTRIBUTION OF REPROGRAPHIC AND DIGITAL REPRODUCTION FEES

TITLE AND TURNOVER/REVENUE STATEMENT

Contents

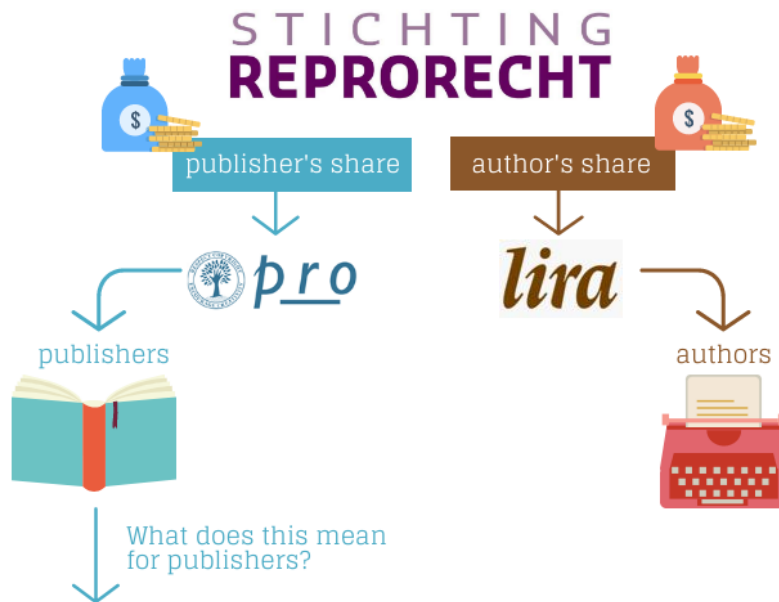
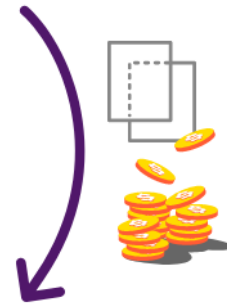
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NEW PROCEDURE FOR DISTRIBUTING REPROGRAPHIC REPRODUCTION FEES



Stichting Reprorecht collects fees for copies made by the business sector, government bodies and educational institutions. It will continue to do so.

However, from 2020 Reprorecht will no longer distribute these fees itself, but will pay the fees to other collective administrative organizations that will distribute them further. From now on, Lira will pay out the author's share and PRO the publisher's share.



FROM NOW ON YOU WILL RECEIVE YOUR REPROGRAPHIC REPRODUCTION RIGHTS FROM PRO

Go to the PRO web portal and enter your turnover information in the categories relevant to you.



<https://portal.stichting-pro.nl>

YOU ARE NO LONGER REQUIRED TO PASS ON THE FEES TO YOUR AUTHORS

The amount you are paid will depend on the turnover of all publishers in the relevant category.



1. Changes to the system of reprographic reproduction fees

Since 2019 there have been changes made to the system of distributing and paying out reprographic reproduction fees. These changes apply with retrospective effect to 2019 and onward years. The reprographic reproduction fee for publishers is a copyright fee for copies made of your work (text and images) within businesses, government bodies and educational institutions in the Netherlands. Previously, Reprorecht paid out the publisher's share to you direct, but from now on Stichting PRO will make these payments to you. Although the procedure behind the scenes remains largely the same, a few things will be changing for you as the publisher.

From now on you will receive your reprographic reproduction fees from PRO

From 2020 onwards, Stichting PRO will pay the publisher's share of the reprographic reproduction fees to you. The procedure behind the scenes remains largely the same. Reprorecht will continue to conduct research into the categories of works (such as textbooks, newspapers, general interest magazines or visual works) being copied. The publisher's share will also be paid, per category, to Stichting PRO. Account has already been taken of the number of freelancers and makers in salaried employment when making these payments.

From now on you will submit your turnover (revenue) statement to PRO

You will be asked to send to Stichting PRO your turnover information in the categories relevant to you, via the PRO web portal (<https://portal.stichting-pro.nl>). The calculation of your final share is relative and will depend on the turnover of all publishers in the relevant category. The turnover information will be used to calculate ratios (the 'Distribution Matrix'). We ask you to provide the turnover/revenue for one specific year.

You are no longer required to pass on payments to your authors

From now on you will receive only your publisher's share via Stichting PRO. From 2019 and onwards you will no longer receive the author's share, as this will now be paid out by Stichting Lira. This means that you are no longer required to pass on payments to authors. However, please inform your authors of this change if you haven't done so yet last year.

2. Title and turnover statement, step by step

Preparation

- Collect all your turnover information for the financial year you wish to report
- These are your publications in print, digital and online
- Preferably use Microsoft Excel (these data can be easily copied in the PRO web portal).
- Note down the following information:
 - I. ISBN/ISSN number
 - II. Publication title
 - III. Turnover (see also: [Welke omzet mag u meetellen?](#) (what turnover can you include?))
- Go to the PRO website (or go direct to: <https://portal.stichting-pro.nl>) and login to the web portal.
- Click on the tab at the top of the page: 'Reprorecht opgave' (Reprographic reproduction statement).



Reprographic reproduction statement

publisher

Home

Client details

FAQ

Contact

View check specifications

Request invoices

Amend client details

Scientific books, professional books, textbooks

Enter information

Enter the collected information (I, II and III) for each category/step. Each category has its own page in the PRO publisher portal.

STEP 1: Category 1: Scientific books, professional books, textbooks

Category 1: definitions

- **Scientific books:** Books at an academic level on scientific research, primarily intended for academic use (study and research).
- **Professional books:** Management books and books primarily intended for particular professional groups.
- **Textbooks:** Books primarily intended for higher professional education (universities of applied sciences or 'hbo').

Please note: any books that are not primarily intended or mainly used for academic, professional or educational purposes, including popular and semi-scientific publications, ideological and self-help publications, may not be included.

HEEFT U OMZET IN DEZE CATEGORIE?

Ja Nee

OPGAVE VIA GRID

U kunt hier direct uw titels en omzet plakken vanuit een Excel-bestand.
Uw totale omzet in deze categorie wordt automatisch berekend.
U ziet direct of uw invoer volledig en correct is. Dit betekent dat Stichting Reprorecht uw titels en omzet sneller kan verwerken.

ISBN / ISNN	Titel	Omzet
9789034578037	cd-test	100000,00
9789034571298	test	1000000,22
Totale omzet (euro)		1100000,22

Enter your turnover information for this category:

You can paste your title and turnover here directly from an Excel file.

- ISBN/ISNN number
- Publication title
- Turnover

The total turnover will be calculated automatically.

- Click on 'volgende stap' (next step)

Do you have turnover in this category?

Yes No

Enter via grid

You can paste your title and turnover here directly from an Excel file. Your total turnover in this category will be calculated automatically. You will see straight away whether your entry is complete and correct, enabling Stichting Reprorecht to process your titles and turnover more quickly.

ISBN/ISNN

Title Turnover
Total turnover (euros)

STEP 2: Category 2: Scientific journals, professional journals

Category 2: definitions

- **Scientific journals:** Periodicals at an academic level, with publications of scientific research, primarily intended for academic use (study and research).
- **Professional journals:** Journals primarily intended for particular business sectors or professional groups.

Please note: any journals and other periodicals that are not primarily intended or mainly used for academic, professional or educational purposes, including popular and semi-scientific publications, ideological and self-help publications, may not be included.

- Enter your turnover information for this category (see step 1 for instructions).

STEP 3: Category 3: School books

Category 3: definitions

- **School books:** Books and methods primarily intended for secondary vocational education (MBO) and for primary (PO) and secondary (VO) education: textbooks, workbooks, answer books and examination questions.

Please note: any books that are not primarily intended or mainly used for educational purposes, including popular and semi-scientific publications, ideological and self-help publications, may not be included.

- Enter your turnover information for this category (see step 1 for instructions).

STEP 4: Category 4: Newspapers

Category 4: definitions

- **Newspapers:** National daily newspapers, regional newspapers and free local papers.

Please note: websites, including news websites, without a corresponding folio publication may not be included. This means that at present only the digital form of books, magazines and newspapers are included in the licence.

- Enter your turnover information for this category (see step 1 for instructions).

STEP 5: Financial statements

- Upload your financial statements or trial balance for the financial year
 - As PDF or Word file (.doc/.docx)
- Upload any additional explanatory documents (if you have also supplied additional documents in previous years)
 - Compilation report / audit report

Please note: Stichting PRO uses the financial statements to check your turnover statement. The financial statements must be accompanied by a compilation report or audit report. (Publishers who have a minimum net turnover and do not draw up financial statements with a compilation report only need to submit a trial balance with a signature by the management.)

STEP 6: Summary of your title and turnover statement

- Check carefully the information you have entered in the title and turnover statement.
- Click on the names of the categories and pages to go to those categories and make any changes if required.

Please note: You have not yet completed the turnover statement. Now go to step 7 to complete and close the questionnaire and submit the information.

STEP 7: Submit and close

- Check that you have entered all the information and that this information is correct.
- Check that the IBAN account number into which the reprographic reproduction fee will be paid is correct.

- Tick that you have completed the statement truthfully and that you agree to the *Reglement Uitkeringen PRO* (PRO Payments Regulations) and the *Brochure Uitgeversverdeling* (Publishers Distribution Brochure), all documents including appendices, and the provisions contained therein.
 - If you do not tick to indicate your agreement, we cannot process your turnover statement.
 - Stichting PRO reserves the right to amend the Payment Regulations from time to time. You will be kept informed of any changes.

Please note: If the IBAN is not correct, please would you send the statement first, and then send us a request to change the IBAN using the contact form to the right of the page.

3. Frequently asked questions

Why this financial year?

PRO usually starts the turnover statement in May or June for the previous year. However, at that moment not all publishers have their records (such as the financial statements) completed for the previous year. That is why the statement is always made for the financial year two years earlier.

I have a publication that comes under several categories.

In that case, choose a category yourself, as you can enter titles and turnover only *per payment category*. These categories cannot be deviated from, because the payment is also distributed across these four categories. Some publications are difficult to assign to a single category. In that case, you will have to use your own judgement in choosing one category: after all, you are the party best placed to assess and calculate your own turnover distribution.

What titles can I submit?

- Print, digital and online:

The form in which the publications are exploited can be diverse: in print, digital (such as PDF) or combined, and online by means of a database, website or app.

Please note: *websites, including news websites, without a corresponding folio publication, may not be included. This means that at present only the digital form of books, magazines and newspapers are included in the licence.*

- Published in the Netherlands:

The titles must have been published in the Netherlands. They may be publications in the Dutch language as well as in foreign languages.

- Open readership:

Only titles with an 'open readership' qualify. By this we mean publications that are not available exclusively to members or affiliates, but can be accessed by anyone (either on a subscription or non-subscription basis).

Which publications can I not include?

- Publications that are not your own:

Publications that the publisher arranges on behalf of third parties and where the publisher is not stated in the publication may not be included.

- Out of copyright:

Publications which are out of copyright (seventy years after the author's death) may not be included.

What turnover may I include?

- Turnover from print, digital and online publications:

The form in which the publications are exploited can be diverse: in print, digital (such as PDF) or combined, and online by means of a database, website or app.

Please note: websites, including news websites, without a corresponding folio publication, may not be included. This means that at present you may only include the digital form of books, magazines and newspapers.

- The financial year before last year:

Turnover generated in the financial year of two years ago. We always request a fiscal year of two years back. In 2022 we ask for the turnover for 2020; in 2023 we ask you state turnover for 2021; etc.

(In the case of a split financial year, it may be difficult to determine the turnover for a financial year. If this is the case, the turnover can be stated according to the most recently closed financial year.)

- Turnover in the Netherlands, no export:

You can include only the net turnover that is the result of sales to end users based in the Netherlands. The reason for this is that the reprographic reproduction fee is only for copies made from your publications in the Netherlands.

- Net turnover:

Net turnover is taken to mean the gross turnover at consumer prices, excluding VAT, excluding distribution costs and excluding trade discounts, of subscription and non-subscription sales to Dutch end users and net advertising turnover. The turnover must be stated excluding income from sponsoring, affiliate income etc. In the School books category, the net turnover from hiring may also be included.

- Excluding distribution costs:

Shipping, handling, administration and postage costs may not be included.

- Excluding trade discount:

Trade discounts refer to the discount granted to third parties for the distributive trade and retail sales. If a discount is given by a publisher to a distributor or retailer within the publisher's group, this discount is also considered to be a trade discount.

- Net advertising turnover:

Net advertising turnover is the total turnover achieved by the publisher with advertisers and/or advertising agents, excluding VAT and discounts, for advertisements that have been placed in the relevant printed, digital and online publications during the course of the year. Also included in advertising turnover are the net proceeds from supplements, inserts etc.

Discounts to advertising and media agencies, as well as discounts for cash payments must be deducted. The commission granted to representatives and/or acquisition agencies and suchlike, or

payments for acquiring advertisements, must be deducted from the total amount. The turnover should be declared excluding income from sponsorship, affiliate income etc.

o No turnover from audio, video and games:

Reprographic rights concern the copying of text and images from printed, digital and online publications. Income from audio, video and games does not come under the four categories of published works.

o No related turnover:

Turnover obtained from published works other than in the four categories, and turnover obtained from other/related activities of the publisher (e.g. from courses, events, software and services) may not be included in this turnover statement.

How do I calculate the turnover per title?

The 'turnover amount per title' is calculated by:

- o Adding up per title the net turnover from print, digital, online and net advertising income.
- o Note down this 'turnover amount per title' in the table or the Excel document in the turnover column alongside the title concerned.

How much will I be paid?

Stichting PRO will determine the ratios based on the total net turnover per category. These ratios and the individual turnover statements are then taken to calculate the reprographic reproduction fee per publisher.

Will I receive the same amount each year?

Your reprographic reproduction fee will vary from year to year. This is because of fluctuations in the amounts collected by Stichting Reprorecht each year, the number of statements submitted and the annual variations of turnover achieved by publishers; if other publishers' turnover increases, their share will increase and yours will fall.

I have not given a mandate to Stichting PRO, so am I entitled to a reprographic reproduction fee?

Even if you have not (yet) given a mandate to Stichting PRO for digital forms of reuse, we ask you to submit your digital turnover. The turnover information is used to establish the ratios. Naturally we also ask you to issue a mandate for the digital forms of reuse.

Who will contact me, Reprorecht or PRO?

Stichting PRO will let you know what share of the reprographic reproduction fees you will receive, as well as the titles, if any, that did not meet the specified criteria. Stichting PRO is the point of contact for publishers.

Do I have to pay Stichting PRO for this service?

No. Administration costs and VAT on the administration costs will be deducted from the gross amount available for distribution. The net amount will be paid to you.

4. Check and Confidentiality

Checking the turnover statement

If the total net turnover in the categories you report is more than €2 million, Stichting PRO reserves the right to request that your auditor carries out an audit on your turnover statement, at your expense. We will request a separate audit opinion for this (as referred to in Section 2:393 of the Dutch Civil Code) in which the auditor confirms your turnover statement on the auditor's own stationery.

If Stichting PRO, following the check of your turnover statement and financial statements, would like to receive a separate audit opinion, you will be informed of this separately. Publishers who have a minimum net turnover and do not draw up financial statements with a compilation report only need to submit a trial balance with a signature by the management.

Confidentiality

The information in the secured publisher portal is managed by Stichting PRO. Confidentiality is safeguarded by means of a strict administrative procedure.

5. About PRO and Reprorecht

Stichting PRO

Stichting PRO was formed in 1997 by the Dutch Publishers Association (*Nederlands Uitgeversverbond*), now the Media Federation (*Mediafederatie*) to take care of the collective administration of copyrights. These are rights that are difficult or impossible for publishers to exercise individually.

Stichting PRO represents the interests of publishers as regards the collective exploitation of copyright. We do this on a non-profit basis. Lastly, we develop activities that are related or may be conducive to the collective exploitation of such copyright.

Stichting PRO distributes public lending right payments to publishers and the fees relating to the Private Copying Regulation. In addition, Stichting PRO manages the mandates for the digital component in the current Reprographic Rights Regulation. As from today, PRO also pays out the publisher's share to publishers under the Reprographic Rights Regulation.

Stichting Reprorecht

Businesses, government bodies and educational institutions make copies from books, magazines and newspapers. These copies are made not only with photocopiers, but increasingly digitally too (scanning, emailing, printing or saving on a computer or internal network).

The Reprographic Rights Regulation has its origins in Section 16h of the Copyright Act (*Auteurswet*). On the basis of this section, businesses, government bodies and educational institutions are permitted to copy short extracts and separate articles from books, magazines and newspapers for internal use, provided that a fee is paid through Stichting Reprorecht to the makers of these publications. The Minister of Justice instructed Stichting Reprorecht in 1985 to collect the reprographic reproduction fees and distribute them among the rightholders. The Supervisory Committee for Copyright (*College van Toezicht Auteursrechten*) oversees the collection and distribution of the reprographic reproduction fees by Stichting Reprorecht.

Certain digital reproduction activities have also been included in the Reprographic Rights Regulation since 2013. To make this possible, Stichting Reprorecht has obtained the necessary mandates from Stichting PRO (publishers), Stichting Lira (authors) and Stichting Pictoright (photographers and other visual makers). In developing this new licence, the existing scheme is being followed as much as possible for the time being.

That means that at present only the digital forms of books, magazines and newspapers are included in the licence. However, the licence is undergoing constant development. Stichting Reprorecht regularly commissions research into the use of copyrighted material in the business sector. This may

lead in the future to websites, blogs and suchlike also coming under the licence, where thought must be given to the way this can be mandated and the fees distributed.

Relationship between Reprorecht and PRO

Both PRO and Reprorecht purchase services from Cedar BV. They operate independently, partly because they represent different interests.

Stichting Reprorecht has a statutory instruction to collect the reprographic reproduction fees for analogue copies of copyrighted material. A mandate is required to make digital copies. Publishers have given this mandate to a section of Stichting PRO, 'PRO mandaat'. Stichting PRO now also arranges, separate from managing the mandates, payment of the publishers' share. Stichting PRO has various sections and a supervisory committee. Both the sections and the committee comprise representatives from the publishing sector.

Stichting PRO contact information

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Stichting PRO can be found in the Holland Office Center in Hoofddorp. The building is easy to reach by car and public transport. On-site parking facilities are available.