

REPARTITION KEYS

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1. Works controlled by ACUM

1.1. ACUM controls works that can be defined as small rights according to the following:

1. Musical work such as a song, serious music etc.
2. Musical work incorporated into an original Musical.
3. Musical work originally written for a Musical, Play & Opera and recorded under the condition that it **is not** the complete composition.
4. Literary work such as poetry, prose, etc.
5. Recitation in children's recordings.

1.2. The following types of works are excluded from ACUM's control

1. Dramatic or Dramatico-musical works: the **entire** musical theatrical performance (such as show, play, opera, musical including songs written specifically) which are defined as grand rights.
2. Literary works: book, complete novel or a compilation of works which all have the same writer.
3. TV and cinema script based upon a literary work.
4. TV script: drama or programs compiled of skits and satire.
5. Dubbed screenplay
6. Cinema screenplay.
7. Moderating words.
8. Audio-visual/stage performances of skits and stand-up.

2. Characters Table

TYPE	WORK DESCRIPTION	CHARACTER	Included RIGHTS	Excluded RIGHTS
Mus.	Karaoke cellular	KA	X	
Mus.	Mailbox cellular	MB	X	
Mus.	Ringtone	RT	X	
Mus.	Song and message cellular	SA	X	
Mus.	Station IDS	09		X
Mus.	Program IDS	10	X	
Mus.	Interlude	11	X	
Mus.	Commercial Jingle	12		X
Mus.	Music for films	13	X	
Mus.	Station Promo	14		X
Mus.	Light music (without lyrics)	15	X	
Mus.	Promo	16	X	
Mus.	Library work	20	X	
Mus.	Instrumental music for dance/electronic music	25	X	
Mus.	Songs, pop, rock and etc.	30	X	
Mus.	Acapella for 3 voices	36	X	
Mus.	Jazz	40	X	
Mus.	Chamber music 1-2 instr.	50	X	
Mus.	Chamber music 3-11 instr.	51	X	
Mus.	Acapella for choir	53	X	
Mus.	Electro-acoustic	55	X	
Mus.	Musical	56		X
Mus.	Symph. /Chamber music For 12 instr. & more	57	X	
Mus.	Dramatico-musical works – opera	58		X
Liter.	Song and message	SA	X	
Liter.	Commercial Jingle	12		X
Liter.	Promo	14	X	
Liter.	Documentary/didactical TV or radio play	20		X
Liter.	Children Story	30	X	
Liter.	TV script for child/youth	31		X
Liter.	Dubbing	32		X
Liter.	Recitation	33	X	
Liter.	Audiovisual Skit	40		X
Liter.	Skit (only for radio broadcast)	41	X	
Liter.	Literature (non- fiction)	45	X	
Liter.	Prose	50	X	
Liter.	Storyteller	51	X	
Liter.	Poetry	55	X	
Liter.	Dramatic works in prose	60		X
Liter.	TV series script	65		X
Liter.	TV drama and radio play	66		X
Liter.	Dramatico-Musical work	71		X
Liter.	Poetry	72	X	

3. Work statement

- 3.1. The member has to declare all new published works. The declaration should be on a manual or computerized form specifically for this purpose. This declaration is legally binding confirming that the writer has written, composed, arranged and/or adapted the work.
- 3.2. Royalty's payment to the shareholder will be subject to a declaration on his works. ACUM is authorized to suspend any royalty payments until the declaration has been submitted.
- 3.3. The society will do its best to inform the shareholder of his duty as stated above.
- 3.4. If the society has not received a declaration from its member, after sending notification. After three years from the date of notification, the Board of Directors can reallocate the amount for distribution. Notwithstanding the foregoing, the Board of Directors is authorized to transfer these amounts to any of the society's funds - under clause 55.1 (8).

4. Allocation of shares

- 4.1. Although ACUM allocates its members shares according to the distribution key, the members can decide amongst themselves on a different split as outlined.
Under no circumstances can the publisher claim more than 50% of the entire work.
A copy of the agreement between all the shareholders must be sent to ACUM. Any change in the split as a result of this agreement **shall not apply retroactively** for the royalties that were already distributed or in the case that ACUM has received the agreement adjacent to the distribution dates.
- 4.2. The rules in this document apply to local repertoire. Regarding foreign repertoire, these rules will apply only if ACUM has not received information from the local publisher or the writer's society.
Under no circumstances will the writer's share be less than 50% in accordance with CISAC regulations.
- 4.3. When there is a publishing agreement with the writer, the publisher's share shall not be larger than the writers share.
- 4.4. The registration of the shareholders share (composer, author and publisher is conditional to a signed declaration.
- 4.5. The rules are applied to performing and mechanical rights, unless otherwise noted.

4.6. Total shares of the work (percentage) are 100%.

5. Distribution guidelines for a musical work with or without arrangement and/or adaptation with new lyrics

5.1. **The arranger** is entitled to a share subject to written approval from the composer. In case the composer is deceased, permission must be obtained by the composer's inheritors. The arranger will be entitled to receive royalties for his share from the day approval is registered in ACUM.

***According to the Board of Directors decision dated 03.10.2021, the directives of clause 5.1 do not apply to original versions i.e., published for the first time and will be registered in ACUM effective 03.10.2021.**

5.2. **If the work** is composed and arranged solely by the same writer - the composer receives the full share according to his declaration.

5.3. If the work is written by several composers and one of them is also the arranger - the composer receives his share subject to the approval of the other writers.

5.4. **The adaptor's share** will be registered subject to written approval from the author. In case the author is deceased, permission must be obtained by the author's inheritors. The adaptor will be entitled to receive royalties for his share from the day approval is registered in ACUM.

5.5. **New music arrangement or text based on existing arrangement** – the new arranger's share will be registered subject to written approval from the original arranger and the composer or author (respectively). The arranger's shares will be divided equally between both arrangers.

5.6. **Music arrangement or adaptation of lyrics commissioned by a third party**, whereas the original shareholder is unknown, the arranger will receive his share subject to his signed statement. On his statement, the arranger is committed to reimburse the original shareholder in case a claim is submitted to ACUM.

5.7. If ACUM is notified of a **dispute** among members, or involving members of an affiliated society, ACUM may, at its discretion, appoint a committee to discuss and decide on the best way to settle the dispute. The members will supply the committee with documentation/references proving the work's sources.

5.8. **Any alterations to the original text, excluding translation, a literary work based on non-copyright work** (public domain) requires evaluation by a Literary Committee that will determine the extent of the creative element of the author claiming his name on this work.

Abbreviations, addition and omission of words or lines from traditional or biblical texts, the adaptor is entitled to receive performance royalties, subject

to the committee's decision. It is up to the adaptor to contact the literary committee in order to determine his eligibility and share of the work.

5.9. A Composer who wrote a new work, **using a non-copyright work** (public domain) will be considered as the original composer of the work thus entitled to the full share.

5.10. **Text in Promo ID's and station ID's**, require evaluation by the Literary Committee in order to determine the extent of the creative element of the author stating his name on this work. It is up to the author to contact the literary committee in order to determine his eligibility and share of the work.

6. Publishing guidelines

6.1. A music publisher requesting rights must submit a declaration to ACUM containing the details of the publisher's agreement with the artists or their legal representatives. The publisher's share is determined according to the publisher's agreement with the artist, and is calculated in accordance with the writer's share in the work. Agreements will not apply retroactively for the royalties that were already distributed or in the case that ACUM has received the agreement adjacent to the distribution dates.

6.2. The publisher will be entitled to his share of royalties if he has proven that the work for which he is demanding rights was published in writing or on a commercial recording or demo, or, in the case of an orchestral work, the sheet music was published. ACUM may demand a copy of the work as published.

6.3. The publisher must notify ACUM of any sub-publishing agreements that have been signed with a foreign publisher by using special forms as determined by ACUM from time to time. The form will state the publisher's details, the period of the agreement and the territories to which it is applicable. The publisher cannot allocate to the sub-publisher more than his share of royalties according to the division key.

6.4. A writer who has no local publisher representative must notify of any agreement signed with publishers abroad.

6.5. Notwithstanding the aforesaid, in countries where mechanical rights are managed by publishers, not via affiliated societies, the publisher shall, with the writer's consent, be entitled to appoint a sub-publisher for the works, in order to collect all mechanical rights for the writer.

ACUM may request royalties' statements received by the sub-publisher from the publisher, for auditing purposes.

6.6. Regarding mechanical rights, the share of a writer whom is not a member of ACUM or of any affiliated society and who has signed with a publisher, his royalties shall be paid to the publisher until the writer becomes a member of a society. Once the writer becomes a member of ACUM or one of the affiliated societies, his shares will be registered according to the above key.

7. Distribution rights in popular music

7.1. Composition with lyrics without music arrangement:

Composer: 50%
Lyricist: 50%

7.2. Protected composition (music and lyrics) for instrumental performances (no use of lyrics):

Composer: 66.67%
Lyricist: 33.33%

Composition initially published without lyrics:

Composer: 100%.

7.3. Use of sheet music or chords of a musical Work (music and lyrics) in print:

Composer: 66.67%
Lyricist: 33.33%

Composition initially published without lyrics:

Composer: 100%

7.4. Use of lyrics of a musical Work (music and lyrics) as recitation and in print:

Composer: 66.67%
Lyricist: 33.33%

A composition initially published without music:

Lyricist: 100%

7.5. Promos, station and program ID's:

Composer: 100%

when the work includes text, the author's shares will be determined by the Literary Committee (clause 5.10).

8. Composition with lyrics and musical arrangement:

8.1. Composition (music and lyrics) with authorized arrangement:

Composer: 42.5%
Lyricist: 45%
Arranger: 12.5%

12.5% arranger share is composed and reduced as follows:

60% which are 7.5% from the composer

40% which are 5% from the lyricist

8.2. Clause cancelled on 26.02.2023

8.3. Composition (music and lyrics) for instrumental performances (no use of lyrics):

Composer: 59.17%
Lyricist: 28.33%
Arranger 12.5%

Composition initially published without lyrics:

Composer: 87.5%
Arranger: 12.5%

8.4. Sheet music or chords of a musical Work (music and lyrics) in print:

Composer: 59.17%
Lyricist: 28.33%
Arranger 12.5%

Composition initially published without lyrics:

Composer: 87.5%
Arranger: 12.5%

8.5. Musical arrangement of public domain composition:

Share of the arranger for performance rights: 12.5%

Share of the arranger for mechanical rights: 100%

The arranger share is subject to a declaration. The arranger may appeal to a Committee in order to obtain a share greater than 12.5% of performance rights.

9. Distribution rights in a musical work with lyric adaptation and new lyrics

9.1. Musical Works with lyrics arrangement:

Composer: 45%
Lyricist: 42.5%
Lyrics Arranger: 12.5%

9.2. Clause cancelled on 26.02.2023

9.3. Words from a musical work with lyrics arrangement:

Lyricist: 59.17%
Composer: 28.33%
Lyrics Arranger: 12.5%

This type of work first published as lyrics without music:

Lyricist: 87.5%
Arranger: 12.5%

9.4. Distribution guidelines of a musical work with new lyrics

9.4.1. A published work will be registered as a new work if the lyricist of the New Hebrew lyrics declares that the lyrics are new (not a translation or adaptation of the original lyrics), and that ACUM has the full details of the original work creators.

9.4.2. With receipt of the lyricist's declaration of new lyrics, a message will be sent to the relevant society or local publisher, informing them of the registration of the work in ACUM database.

9.4.3. If ACUM doesn't receive approval from the original composer and author to the New Hebrew lyrics/work, then 100% of the royalties will be suspended.

The suspension will continue until the parties reach an agreement or reach a judicial decision, whichever is earlier. However, in case the original composer did not object, the music royalties will be distributed. If the author of the original lyrics objected and the composer approved - the part of all lyrics will be suspended and the music royalties will be released.

The composer has stated that they do not oppose the new lyrics	No approval from the original composer	
Music royalties - distributed 100% of the lyrics – suspended	100% is suspended	No approval from the original lyricist
No suspension – if the parties have reached an agreement, the new work will be registered accordingly. Without an agreement the work will be registered according to the distribution key	100% is suspended	Original lyricist has informed that he doesn't object

9.4.4. The rights distribution in a work which composed of new lyrics written for a foreign work (that was originally published as music & lyrics) and that the composer and the original lyricist have consented to the publishing of the work with new lyrics, however an agreement was not provided, will be as follows:

Original composer	50%
Original lyricist	25%
New Lyricist	25%

9.5. **Musical arrangement for text from the public domain:**

Arranger's share of performance rights: 50%

Mechanical rights: 50% (or 100% for works which are words without music).

Arranger's declaration is a required condition for registration of his share in the Work.

9.6. **Lyrics arrangement of a musical work based on text from the bible & traditional sources:**

The arranger must appeal to the Literary Works Committee (appointed by the BOD) who shall determine his eligibility and share in the performance rights.

Mechanical rights: 50%

10. Distribution rights in a literary work

10.1. Author's share of literary Work (prose, poetry): 100%

10.2. **Arrangement of text (translation, word changes) for literary text which is public domain:**

Arranger's share will be registered subject to his declaration

Performance rights: 50%

Mechanical rights: 100%

10.3. **Arrangement of text (translation, word changes) for literary text which is not public domain:**

Arranger's share will be registered subject to his declaration

Performance rights: 50%

Mechanical rights: 50%

it is assumed that these translations are created subject to the original shareholders permission.

10.4. **Screening translation subtitles on TV:**

The translator is entitled to his share for the screening of his translation on the subtitles, provided that either:

a. The translation was published in writing and made public before being added

to the program/film.

b. The translation of a play was shown on stage or published in the play's program.

c. The translation for musical-vocal work such as opera and musicals was published in the program.

10.5. **Distribution rights in literary works with musical background**

Composer: 33.34%

Lyricist: 66.66%

11. Distribution rights in serious and Dramatico-musical works

11.1. Composer's share: 100%

11.2. Choral Work – chamber music up to 11 instruments with vocalists:

Composer: 58.33%

Lyricist: 41.67%

11.3. Symphonic Work– 12 instruments or more with vocalists:

Composer: 66.67%

Lyricist: 33.33%

11.4. Dramatico-musical work, such as opera and musicals:

Composer: 50.00%

Lyricist: 50.00%