

General principles for using non-distributable amounts

1. The Estonian Authors' Society (hereinafter: EAÜ) guarantees that it distributes and pays the relevant amounts to the authors and their rights holders (hereinafter collectively referred to as the Rights Holders) as soon as possible, but no later than nine months after the end of the financial year in which the revenue from the rights was collected, unless EAÜ cannot meet the specified term for objective reasons related in particular to user reporting, identification of rights and Rights Holders, or matching information about works and rights holders.
2. If EAÜ has been unable to distribute the amounts due to the Rights Holders within the term specified in Article 1 because EAÜ has not been able to identify or locate the Rights Holders, and the exception applicable to the relevant term does not apply, EAÜ will keep the said amounts separately in its accounts.
3. EAÜ must take all necessary measures to identify or locate the Rights Holders, including make available to its members and all collective management organisations with which EAÜ has concluded representation agreements information about the works for which EAÜ has not been able to identify or locate the Rights Holders (hereinafter: Unknown Works). If all the measures taken are unsuccessful, EAÜ will publish the list of such Unknown Works on its website within one year of the expiry of the three-month period.
4. EAÜ has the right to consider the amounts related to Unknown Works as non-distributable three years after the end of the budget year in which the revenue from the rights was collected, provided that EAÜ has taken every measure referred to in Article 3 to identify and locate the Rights Holders.
5. The EAÜ general meeting decides on using the non-distributable amounts for redistribution and/or for financing cultural, social or educational services and/or using these amounts in another manner for the benefit of the Rights Holders.