

General principles of collecting and distributing fees

- 1.1. The Estonian Authors' Society (hereinafter: EAÜ) as a collective management organisation has the right to exercise the economic rights of authors and their rights holders (hereinafter collectively: Rights Holders), including the right to collect fees for them, under agreements that EAÜ has with the rights holders who are members or clients of the EAÜ, and under authorisations from (agreements made with) collective management organisations of other countries. In certain cases, which are specifically set out by law, EAÜ has the right to represent the Rights Holders even without an authorisation.
- 1.2. The bases and rates for calculating the Fees paid to EAÜ for using works are:
 - 1.2.1. established by the EAÜ Board unilaterally or as a result of bilateral or multilateral negotiations with users (or their representative organisations);
 - 1.2.2. set out by law.
- 1.3. EAÜ relies on the following sources of information on the use of works:
 - 1.3.1. the data submitted by users of works upon applying for the right to use the works;
 - 1.3.2. the data in the reports submitted by users of works in accordance with their agreements with the EAÜ;
 - 1.3.3. the data sent by the users of works in response to EAÜ's inquiries. Namely, EAÜ has the right to receive available information from all persons about the circumstances necessary to collect fees for rights and to distribute and pay out the amounts due to the Rights Holders;
 - 1.3.4. the data submitted to EAÜ by the performers of works;
 - 1.3.5. the data sent by collective management organisations of other countries;
 - 1.3.6. data published in the media;
 - 1.3.7. other sources.
- 1.4. EAÜ has the right to allow the use of works, but not to collect a fee for their use if:
 - 1.4.1. works are used at a charity event;
 - 1.4.2. collecting a fee for the use would be inefficient;
 - 1.4.3. EAÜ has specifically agreed to that effect with the author(s) and the user of the work(s).
- 1.5. Within one year after the death of a member, EAÜ has the right to continue to exercise their rights and collect fees in order to give time to the member's heir to complete the succession procedures and decide whether they wish to exercise the inherited copyrights individually or through EAÜ. If the heir decides to exercise the inherited copyrights individually, EAÜ pays the collected fee to the heir after the death of the member.
- 1.6. EAÜ does not collect or distribute fees for uses that the Rights Holder represented by EAÜ may license (permit) themselves, either under the law or a decision adopted by EAÜ's governing bodies, unless the Rights Holder has agreed otherwise with EAÜ or the user.

1.7. The fees EAÜ receives for the use of the works are distributed in stages:

1.7.1. In the first stage, it is decided which methodology will be used to distribute the received fee. Depending on the methodology, the amount received is distributed either separately or added to other amounts and distributed together with other amounts based on the same methodology. If the fee received is distributed separately, the commission charged by EAÜ is first deducted from the fee received for the particular use, in order to determine the amount to be distributed. If, according to the methodology, the fee received for the particular use must be added to other amounts distributed using the same methodology and distributed together with these, the commission charged by EAÜ is first deducted from the received fee before it is added to the other amounts.

1.7.2. In the second stage, the share of the Fee for a specific work is calculated and the Fee is distributed based on the number of times the work has been used, the duration of the work and the distribution scheme agreed between the authors of the work (either on the basis of the automatic distribution key or a specific percentage).

