

Adjustments to the General Terms for the Administration of Rights (GT) for SWISSPERFORM Membership and Rights Administration Agreements – 2025

With the introduction of the new member and distribution platform **Apollon**, the **General Terms for the Administration of Rights (GT)** applicable to SWISSPERFORM Membership and Rights Administration Agreements have been revised.

Procedure for amendments to the GT:

- Amendments to GT may be made at any time.
- They are subject to approval by the Board of Directors and the relevant Expert Committees.
- Once approved, the amended GT will be communicated to all members and right holders.
- The changes will enter into force **on 1 November 2025**.

The current versions of the contracts and the corresponding GT can be found on our website: swissperform.ch/en/documents-downloads.

Key Changes

Financial consequences upon termination of the contract

Upon termination of the contract, members are no longer entitled to financial claims against SWISSPERFORM, including retroactive settlements or payments. If the rights have been transferred to a foreign collecting society under a reciprocal agreement, SWISSPERFORM may transfer any due payments to that society but is not obliged to track such memberships.

Electronic communication

SWISSPERFORM uses electronic means (e-mail, online services, etc.) to communicate with its members and to fulfil its services.

Member web portal

SWISSPERFORM provides its members with a secure web portal to facilitate efficient communication and the management and delivery of important documents.

Key features of the portal:

- Access is granted via e-mail address and personal login credentials.
- By logging in, members automatically accept the General Terms and Conditions of Use of the web portal.
- All documents (including payment statements) are made available through the portal.
- When a new document is available for download, an electronic notification (e-mail, SMS or push notification) is sent.
- Documents are considered delivered once they are available electronically.
- Deadlines begin to run on the day following the document's availability.
- If a payment is made without the prior delivery of a statement, the receipt of the payment is considered to trigger the deadline.

Members are responsible for checking and acknowledging information provided in the portal in a timely manner.

Request for postal delivery

Members who do not wish to use the web portal may request the delivery of the documents by post. SWISSPERFORM reserves the right to charge an administrative fee for this service.

New clause concerning AI-generated performances

Members are obliged to **continuously** report all relevant performances (recordings) during the contract period. They further confirm that they will not register performances that have been generated exclusively by artificial intelligence.

Clause concerning VAT – applies to phonogram producers only

The inclusion of value-added tax (VAT) depends on the VAT liability status of the right holders.

SWISSPERFORM will process VAT retrospectively if the Party entitled to collect submits a correct, VAT-compliant statement and passes internal review.