

The Collective Management of rights in Brazil

The collection of performing and neighboring rights is done exclusively in Brazil by the ECAD (the Central Office of Collection and Distribution), a private, not for profit society, created by Law no. 5.988 of 1973 and confirmed by Law no. 9.610 of 1998.

The ECAD is an umbrella organization composed of the performing rights organizations (PROs): ABRAC, ABRAMUS, AMAR, ASSIM, SADEMBRA, SBACEM, SICAM, SOCINPRO and UBC.

The ECAD is run by a General Assembly responsible for defining its policies, as well as the creation and maintenance of its Statutes and Collection and Distribution Rules. ECAD has an executive body responsible for giving effect to the decisions of the General Assembly and the conduct of daily activities, such as the collection and distribution of performing and neighboring rights, and the formulation of the budget and financial statement of each fiscal year. After the entry into force of the new Law no. 12.853/13 in December 2013, which restored the state supervision and created rules of conduct for the PROs and the ECAD, each PRO has one vote at the General Assembly meetings.

The domestic members are affiliated with a Brazilian PRO for the management, collection and distribution of their rights. According to the copyright law a member can only join one PRO for the management of rights of the same nature. A member cannot directly affiliate with the ECAD, since it is a society of societies and only manages the musical repertoire of the members of the Brazilian PROs.

The PROs in turn are responsible to feed ECAD's common documentation system with the personal data of their members and their musical works and sound recordings.

The performing and neighboring rights foreign societies are represented in Brazil by the Brazilian PRO with which it keeps a representation agreement.

Due to its unique system of collective rights management, administration costs in Brazil are apportioned between the ECAD and the PROs. According to the new rules established by Law

No. 12,853/13 administration costs should be progressively reduced to reach, at the end of four years, a maximum of 15%. Currently the administration costs are apportioned as follows:

ECAD keeps **15.61%** of all amounts collected to cover administrative and operating costs with its structure covering the entire Brazilian territory;

The PROs keep **6.89%** of all amounts distributed by the ECAD to each of its members to cover expenses with documentation, membership, rights payment and benefits.

COLLECTION

How is the COLLECTION of performing and neighboring rights done?

THE ECAD calculates the tariffs that should be paid by the users according to the criteria specified in the ECAD Collection Rules approved by the PROs.

Music users are individuals or companies that use music publicly, as follows:

Concert and live music promoters (i.e. concerts, circus, etc.), cinema theaters and the like, broadcasters (radio and television), pay-TV , nightclubs, clubs, shops, samba school parades, industrial plants, hotels and motels, supermarkets, restaurants, bars, taverns, shopping centers, aircrafts, ships, trains, buses, salons, offices, medical offices and clinics, individuals or companies that offer music on the Internet, fitness centers, companies providing telephone standby service. [Continue reading](#)

(Source:ECAD)

[ECAD's Collection Rules](#)

DISTRIBUTION

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How is the DISTRIBUTION of performing and neighboring rights done?

The Ecad represents the rights-holders/members of the nine PROs that form the Ecad. Therefore, the ECAD is not in charge of the collection and distribution of the authors rights of non-members. When a creator becomes a member, data is provided on the repertoire of the new member, and the PRO to which the creator is affiliated to becomes his/her legal representative and proxy, and in that capacity represents the member in and out of court. Consequently, the Ecad, as the Central Office created by the PROs with the aim of collecting and distributing the copyright royalties derived from public performance, is also the representative of each single rights-holder, and therefore of the thousands of creators members of the PROs. When the user pays for the use of music, rights-holders are credited the amounts resulting from the performance of the works monitored and identified by the Ecad. The credits are then transferred to their respective PRO. [Continue reading](#)

[ECAD's Distribution Rules](#)

[Unidentified Performances - internal rule](#)

[SBACEM distirbution schedule](#)

INTERNATIONAL RIGHTS

The International Management of Authors Rights

SBACEM is responsible for the management of the international rights of the musical repertoire of its members. Among the tasks undertaken by the international area there is documentation of the members on the CISAC IPI database, maintenance of updated records of musical works and sound recordings of its repertoire, receiving the foreign remittances and processing the CISAC CRD standard distribution files.

Below you can access the list of foreign sister societies with which SBACEM maintains representation agreement for the collection and distribution of authors rights and neighboring rights generated abroad:

[Foreign Sister Societies mandated by SBACEM](#)

KEY DOCUMENTS

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[SBACEM'S STATUTES](#)

[BRAZILIAN AUTHORS RIGHTS LAW](#)

[SBACEM'S ANNUAL REPORT 2012](#)

[SBACEM'S ANNUAL REPORT 2013](#)

[SBACEM'S ANNUAL REPORT 2014](#)

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