

GENERAL POLICY ON DISTRIBUTION

(adopted by the General Assembly and came into effect on December 12, 2017)

Defined terms have the meaning set out in the AGICOA By-Laws, unless otherwise stated herein.

1. The present Policy defines the general principles governing the AGICOA Distribution Rules.
2. The Administrative Board shall adopt the Distribution Rules, annual distribution plans scheduling the distributions of royalties in a given year and any other distribution condition.
3. AGICOA shall have the right to deduct Management Fees and make Other Deductions from collected royalties or from any income arising from the investment of such royalties in accordance with the General Policy on Deductions. The remaining net amount of royalties shall be the basis for the types of distribution as set out in the AGICOA Distribution Rules.
4. Royalties shall be distributed diligently and accurately as soon as possible, but no later than nine months from the end of the broadcasting year in which such royalties were collected. Royalties received from other collective management organizations shall be distributed within six months of receipt of those royalties. Royalties shall be distributed within said deadlines unless objective reasons prevent AGICOA from meeting those deadlines.
5. AGICOA shall calculate and distribute the received royalties among its Declarants based on objective and non-discriminatory criteria as defined in the AGICOA Distribution Rules.
6. A Declarant shall not be entitled to royalties in relation to periods and territories for which the deadline to declare has expired at the time of declaration by such Declarant according to the AGICOA Distribution Rules.
7. In case of a conflict arising from a double declaration (or more) in respect of the same work, AGICOA shall retain royalties until the conflict is resolved by the parties directly or through a conflict resolution procedure in accordance with the AGICOA Conflict Rules.
8. Are deemed non-distributable amounts those royalties collected by AGICOA that could not be distributed to its Declarants at the time of a final distribution, despite AGICOA's readiness to do so and AGICOA's reasonable and diligent measures to that effect, because such Declarants can no longer be identified or located.
9. Any complaints arising from the allocation and distribution of royalties by AGICOA shall be processed in accordance with the complaint procedure provided in the AGICOA By-Laws and shall be filed no later than three months following the date of the final distribution.