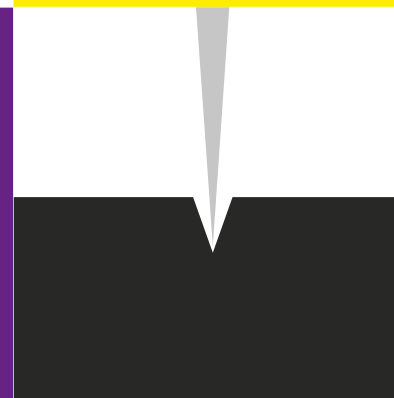


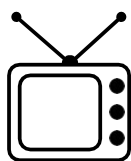
OSA TARIFF  
OF ROYALTIES

# TARIFF OF ROYALTIES FOR BROADCASTING AND BROADCAST RETRANSMISSION

valid from 01/01/2024



# I. Television broadcasting



- 1.1 Every operator of terrestrial or non-terrestrial (via cable, satellite, IPTV or similar technology) television broadcasting, who makes musical works available and is at the same time considered a broadcaster according to Section 21 Copyright Act, is considered a television broadcaster.
- 1.2 The royalty is determined as a percentage of the broadcaster's gross revenues according to Table A, but at least as a minimum royalty according to Tables B and C.
- 1.3 The royalties listed in Tables B and C apply to 24-hours-a-day broadcasting. In the case of a shorter broadcasting time, the said minimum royalties are reduced proportionately.
- 1.4 The royalties for **public service broadcasters** are determined taking into account their public service nature, role and sources of financing as well as the character of their programming.

**Table A: Final amount of royalties according to the gross revenues of the broadcaster**

Share of music in the broadcast	0.01%–10.00%	10.01%–30.00%	30.01%–45.00%	45.01%–70.00%	70.01%–80.00%	80.01%–100.00%
Percentage rate of the royalty	0.19%	0.78%	1.35%	1.95%	2.74%	3.50%

Where the license agreement includes the right to synchronize, the royalty rate will be determined according to the amount of audiovisual works produced by the broadcaster and the music used in them.

**Table B: Calculation of the monthly minimum royalty for one station in the case of terrestrial broadcasting**

Broadcasting coverage of population	Share of music in the broadcast					
	0.01–10.00%	10.01–30.00%	30.01–45.00%	45.01–70.00%	70.01–80.00%	80.01–100.00%
86–100%	CZK 22,319.31	CZK 44,491.32	CZK 66,664.75	CZK 88,836.77	CZK 118,352.67	CZK 147,867.20
66–85%	CZK 19,970.49	CZK 39,939.63	CZK 59,910.15	CZK 79,880.67	CZK 106,605.81	CZK 133,182.19
40–65%	CZK 15,564.72	CZK 31,129.47	CZK 46,694.23	CZK 62,111.64	CZK 82,817.40	CZK 103,521.76
20–39%	CZK 13,361.83	CZK 26,725.09	CZK 39,939.63	CZK 53,301.48	CZK 71,070.51	CZK 88,836.77
6–19%	CZK 8,956.06	CZK 17,766.19	CZK 26,725.09	CZK 35,535.25	CZK 47,428.05	CZK 59,174.92
1–5%	CZK 6,754.58	CZK 8,956.06	CZK 13,361.83	CZK 17,766.19	CZK 23,788.37	CZK 29,661.82
up to 1%	CZK 4,551.67	CZK 6,019.34	CZK 6,754.58	CZK 8,956.06	CZK 11,892.76	CZK 14,829.48

**Table C: Calculation of the monthly minimum royalty per station in the case of non-terrestrial broadcasting\* and in the case of combined broadcasting**

	Share of music in the broadcast					
	0,01-10,00 %	10,01-30,00 %	30,01-45,00 %	45,01-70,00 %	70,01-80,00 %	80,01-100,00 %
<b>The minimum monthly royalty for every 1,000 subscribing households</b>	CZK 5.00	CZK 20.00	CZK 37.49	CZK 57.49	CZK 71.29	CZK 85.54

\* Non-terrestrial broadcasting is defined as broadcasting by cable, satellite, IPTV or similar technology, including so-called direct injection under Section 21 of the Copyright Act.

The minimum monthly royalty for non-terrestrial broadcasting shall always be at least CZK 4 551,67 per month per station.

In the case of a second simultaneously broadcasted station of the same broadcaster under one contract, a discount of 10% of the minimum royalties is granted; in the case of three or more simultaneously broadcasted television stations under one contract, a discount of 20% of the minimum royalties is granted.

If a station is broadcasted both terrestrially and in any other form, the minimum royalty corresponds to the higher amount calculated in accordance with Table B and Table C.

## II. Radio broadcasting



- 2.1 Every operator of terrestrial or non-terrestrial (via cable, satellite or similar technology) radio broadcasting, who makes musical works available and is at the same time considered a broadcaster according to Section 21 Copyright Act, is considered a radio broadcaster.
- 2.2 **The royalty is set as a percentage rate of 4.7% of the broadcaster's gross revenues for each radio station**, but at least as a minimum royalty determined according to Table A based on the number of licenses granted to the broadcaster by the Council for Radio and Television Broadcasting (hereinafter referred to as "CRTB") for one radio station.
- 2.3 A network of radio stations with an identical program structure is also considered a **radio station**, including possible regional program deviations such as advertising or news inputs.
- 2.4 The royalties in the base amount already take into account the 0–19% share of spoken word in the broadcast, which may be imposed on the broadcaster by CRTB.
- 2.5 The royalties listed in this tariff apply to 24-hours-a-day broadcasting. In the case of a shorter broadcasting time, the said minimum royalties are reduced proportionately.
- 2.6 A **license from CRTB** is any license granted to a radio broadcaster by CRTB for 1 radio station, authorizing broadcasting by a transmitter of at least 500 W or less unless it is a license for a transmitter used only to amplify the signal of another transmitter (the so-called cover) for broadcasting the same radio station.
- 2.7 The discount for the minimum share of spoken word in the broadcast set by the CRTB license under Table B of this tariff can be claimed only if the actual share of spoken word in the broadcast falls within the set range.
- 2.8 In the case of new technologies with a limited listener base (e.g. DAB-T **digital radio broadcasting** or **cable distribution**), it is possible to grant a 50% discount on the minimum royalties listed in Table A. In the case of stations with local coverage using a single transmitter up to 200 W (e.g. municipal radio broadcasting), it is possible to provide a discount of 80% on the minimum royalties listed in Table A.
- 2.9 The royalties for **public service broadcasters** are determined taking into account their public service nature, role and sources of financing as well as the character of their programming.

**Table A: Minimum amount of monthly royalties according to the number of licenses granted by CRTB for one radio station**

<b>Number of CRTB licenses</b>	<b>Amount of minimum royalty</b>
1st license	CZK 14,683.56
2nd license	CZK 24,962.78
3rd license	CZK 30,836.22
4th license	CZK 41,115.45
5th license	CZK 51,393.26
6th license	CZK 61,672.47
7th license	CZK 69,014.96
8th and each additional license	CZK 73,419.33

The broadcaster is entitled to apply, with regard to its gross revenues, for a minimum royalty higher than the royalty determined according to this table (see Table C).

**Table B: Discount for the minimum share of spoken word in the broadcast as set by the CRTB license**

<b>Minimum share of spoken word in a radio station's broadcast</b>	<b>Percentage discount on royalties for a radio station</b>
20-34%	15%
35-49%	30%
50-69%	45%
70-89%	65%
90-99%	85%

**Table C: Discount for payment of a higher minimum royalty**

Category	Discount
category A	Where the broadcaster pays a <b>monthly minimum royalty for one radio station</b> of at least CZK 100,000 net of VAT as a <b>non-refundable monthly amount</b> , OSA will grant it a discount of 9%. Where the broadcaster pays a minimum monthly royalty for one radio station of at least CZK 200,000 net of VAT, OSA will grant a discount of 11% for the radio station.
category B	Where the broadcaster of <b>several radio stations</b> whose sum of minimum royalties amounts to at least CZK 200,000 per month, OSA will grant the broadcaster a discount of 6%.

It is not possible to combine the discounts listed in categories A and B of this table, i.e. the broadcaster must choose only one of the listed discount categories.

**Table D: Minimum royalty in the case of internet radio**

Scope of use of musical works per day	Maximum number of simultaneous listeners (from all radio servers)						
	A	B	C	D	E	F	G
	50	50	125	250	500	500+	500+
Minimum monthly royalties							
up to 4 hours	CZK 286.22	CZK 357.76	CZK 716.94	CZK 1,074.74	CZK 1,432.55	CZK 1,790.35	CZK 258.15
4-12 hours	CZK 572.45	CZK 716.94	CZK 1,432.55	CZK 2,149.55	CZK 2,865.13	CZK 3,582.13	CZK 429.31
12-24 hours	CZK 1 146.32	CZK 1,432.55	CZK 2,865.13	CZK 4,297.72	CZK 5,730.29	CZK 7,162.88	CZK 860.08

Category A is only possible for non-commercial broadcasting.

Category G is for the second and each additional station when broadcasting several stations under one heading (the so-called multi-license).

### III. Broadcast retransmission and simulcasting



- 3.1 Any entity that makes musical works available under Section 22 Copyright Act by simultaneous, complete and unaltered retransmission of a work by radio or television or the direct injection method wirelessly or by wire is considered to be the broadcast retransmission operator if the retransmission is performed by a person other than the broadcaster.
- 3.2 The royalty for the retransmission of a broadcast is set as a **fixed rate for one customer according to Table A**, regardless of the price at which the service is offered to the public, the technology used to transmit the broadcast or the scope of programming.
- 3.3 A customer is a person and the members of his household to whom the broadcast retransmission operator provides a broadcast retransmission service on the basis of a contract between that person and the broadcast retransmission operator. Within a customer's household, broadcast retransmission can be used on up to 6 devices, such as a TV, tablet or mobile phone.
- 3.4 The license to retransmit broadcasts also includes the possibility of ancillary use at the request of the broadcast retransmission operator in the form of catch-up service (in particular the so-called catch-up TV or NPVR) provided that the following conditions are fulfilled:
  - the catch-up service is provided to customers free of charge,
  - the catch-up is limited to a maximum of 14 days from the date of broadcast,
  - the license thus granted does not apply to video libraries with non-broadcasted content,
  - the license thus granted cannot be applied to services operated by a company other than the broadcast retransmission operator.
- 3.5 The rate for the broadcast retransmission operator listed in Table A as „Broadcast retransmission without the possibility of catch-up service“ applies only in the event that the operator does not provide a catch-up service under the conditions of Article 3.5 within the framework of the retransmission technology used and at the same time the catch-up service is not offered by the operator to customers by means of another technology. In the event that the broadcast retransmission operator provides a catch-up service (whether through the retransmission technology used or through another technology) which does not meet the conditions set out in Article 3.5, the broadcast retransmission operator is obliged to conclude a licence agreement with the OSA for this use in accordance with the tariff of royalties for use on the internet.
- 3.6 An entity that carries out simultaneous, complete and unaltered retransmission of radio and television broadcasts via the internet and is at the same time a broadcaster of the original terrestrial or non-terrestrial broadcasting is considered to be the **simulcasting operator**. The royalty for a broadcaster who has entered into a contract with OSA is set at CZK 17,190.93 per year.

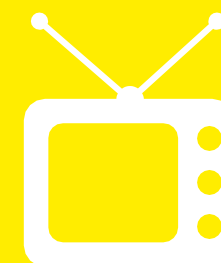
**Table A: Calculation of the monthly royalty for the broadcast retransmission**

Period of use (calendar year)	Monthly royalty for one	
	Broadcast retransmission with the possibility of catch-up service	Broadcast retransmission without the possibility of catch-up service
2024	CZK 6.76	CZK 5.57

## IV. Final provisions



- 4.1 This tariff sets out the rates of royalties of the collective management organization OSA – Ochranný svaz autorský pro práva k dílům hudebním, z.s. (referred to as “OSA”) for the granting of a license to use musical works of authors and other rights holders whose rights OSA manages (referred to as “OSA Repertoire”) within use in the form of broadcasting under Sections 21 and broadcast retransmission under Section 22 of Act No. 121/2000 Sb., the Copyright Act, as amended (referred to as “CA” or “Copyright Act”).
- 4.2 A musical work according to this tariff shall mean any musical work and any literary work used in connection with a musical work.
- 4.3 The rates of royalties are stated exclusive of VAT which shall be added at the standard rate according to general legislation.
- 4.4 The minimum royalty is considered the minimum value of the OSA Repertoire regardless of the scope of use of the OSA Repertoire.
- 4.5 **From 1 January 2025, the rates of royalties and minimum royalties for the previous year expressed in nominal amounts in CZK (except for the royalties for the broadcast retransmission referred to in Article 3 Table A) shall be increased annually from the beginning of the year by the inflation rate for the previous year.** In accordance with Section 98f CA, the inflation rate is considered to be the increase in the average annual index of consumer prices of household goods and services as a whole expressed as a percentage change in the average price level for the last 12 months compared to the ratio for the previous 12 months, expressed as a percentage, as published by the Czech Statistical Office every calendar year for the previous year. After publication of the inflation rate according to the previous sentence, the royalty rates valid for the given year shall be also increased in the tariff for the next year. The rates thus increased shall be rounded down to two decimal places and then the increased rates shall be published for 2025.
- 4.6 Cases not regulated by this or any other tariff shall be handled by agreement.
- 4.7 The rates of royalties are set for each commenced calendar month of use unless otherwise stated.
- 4.8 This tariff shall replace any previous tariffs which set the rates of royalties for the granting of a license to use the works as specified in this tariff.
- 4.9 This tariff shall come into force and take effect on 1 January 2024.



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