

Opgave publicaties Duitsland

Het doen van opgave om in aanmerking te komen voor collectieve rechten vergoedingen vanuit Duitsland gaat vanaf dit jaar anders dan voorheen.

Er zijn een aantal categorieën bijgekomen waardoor het voortaan niet meer mogelijk zal zijn om opgave te doen via de Mijn Pictoright omgeving. Er kan alleen nog maar opgave gedaan worden via het opgaveformulier in Excel.

Hieronder een beknopte uitleg van de inhoud van het opgaveformulier. Daarna volgt een uitgebreide uitleg (in het Engels) van onze Duitse zusterorganisatie waarin alle voorwaarden tot in detail worden uitgelegd. Lees dit voor het doen van opgave goed door.

1. Boeken

Voor 2022 kunnen alleen fysieke boeken worden opgegeven. Vanaf het uitgavejaar 2023 kunnen ook e-books worden opgegeven indien de desbetreffende publicatie uitsluitend als e-book is uitgegeven. De andere voorwaarden zijn te vinden in de uitgebreide uitleg van onze Duitse zusterorganisatie (in het Engels).

2. Royalty Fees

Hier kun je de honoraria melden die je hebt ontvangen voor publicaties in

- Duitse kranten en tijdschriften (print en digitaal),
- Duitse tv-televisiestations of
- Op Duitse websites

De andere voorwaarden zijn te vinden in de uitgebreide uitleg van onze Duitse zusterorganisatie (in het Engels).

3. Work presentation

Beeldmakers kunnen de presentatie (tentoonstelling) van hun beeldende kunstwerken melden. De presentatie moet worden georganiseerd en gepromoot door een derde en moet hebben plaatsgevonden in Duitsland of op Duits grondgebied. De andere voorwaarden en voorbeelden zijn te vinden in de uitgebreide uitleg van onze Duitse zusterorganisatie (in het Engels).

4. Individual Images

Afzonderlijke werken kunnen worden vermeld als er geen vergoeding is betaald voor het gebruik van de beelden en indien de beelden niet zijn gepubliceerd in verband met een presentatie van het werk.

De soort visuele werken moet worden aangegeven: beeldende kunst, fotografie of andere werken. Wij hebben deze informatie nodig voor statistische doeleinden.

Het gerapporteerde gebruik is

- In Duitse kranten of tijdschriften (print of e-paper),
- In Duitse digitale uitgeefproducten (websites van uitgevers),
- Op Duitse websites of
- Op Duitse televisiezenders.

De andere voorwaarden zijn te vinden in de uitgebreide uitleg van onze Duitse zusterorganisatie (in het Engels).

5. Art in Architecture

Definitie: Kunst in architectuur is een kunstwerk (elke creatieve vorm) dat speciaal in opdracht voor een gebouw of een pand wordt gemaakt en daar permanent wordt geïnstalleerd. Kunst in de architectuur moet in Duitsland of op Duits grondgebied zijn geïnstalleerd (ook in Duitse ambassades in het buitenland). De andere voorwaarden zijn te vinden in de uitgebreide uitleg van onze Duitse zusterorganisatie (in het Engels).

Hierna volgt een uitgebreide uitleg (in het Engels) van onze Duitse zusterorganisatie waarin alle voorwaarden tot in detail worden uitgelegd. Lees dit voor het doen van opgave goed door.

1. Reporting format: Books

- This reporting format is only for books (hardcover or softcover).
- As of the year of use 2023, e-books can also be reported if the corresponding publication was published **exclusively** as an e-book.
- Newspapers and magazines print and online are reported with the reporting format “royalty fees” or “individual images” (in German newspapers or magazines).

The following publications cannot be claimed as books:

activity books, blank books, brochures, operating instructions, voucher booklets, colouring books, music books, programme booklets, diaries/pocket calendars, wall calendars, directories, and catalogues

- Books must meet the following requirements:
 - Minimum print run of 250 pieces
 - ISBN
 - Books without an ISBN can only be reported if a specimen copy and proof of the minimum print run are submitted with the registration.
 - Books are considered in the distribution in the year of their first publication and the following 4 years. It is sufficient to report the book once within this period; there will be no retroactive distribution.
 - New editions can only be reported if they have relevant changes in content compared to the first edition. New editions of books with ISBN can only be reported if the new edition has a new ISBN.
 - Books must have been published in German language. English scientific books may also be reported. Textbooks may be published in any language if they have been approved for German public schools (proof needed).
- Indication of the book type:
 - Children's and youth book
 - Non-fiction and reference book
 - Fiction and other books
 - Picture and art book, exhibition catalogue (=catalogues of galleries or other exhibition houses)
 - Textbook
 - Scientific book
 - Museum catalogue
- Note for museum catalogues: If a work is reproduced in a museum catalogue that was also on display in the exhibition, the beneficiary can participate in a special distribution for museum proceeds. The number of works exhibited must be indicated.
- Designers indicate whether they are responsible for the title design and/or the overall design of the book.
- Text authors who illustrate their books with their own illustrations or works cannot register non-fiction and specialist books or scientific books with Bild-Kunst. These rights holders must register their books with VG Wort, which administers the rights and claims for these types of books in Germany.

2. Reporting format: Royalty Fees

- With this reporting form, authors can report the fees they received for publications in
 - German newspapers and magazines (print and digital),
 - German television stations or
 - on German websitesin the respective year.
- The fees must be allocated to the following client categories:
 - Press publisher
 - Television stations (also film production companies)
 - Picture agencies (only for uses in Germany)
 - Other companies
- The total amount of net fees per client category is indicated.
- Fees from book publishers cannot be reported. Entitled persons submit book reports for this purpose.

Note: If the total sum of royalty fees amounts to EUR 24,000 or more, confirmation from a tax advisor or auditor must be submitted as proof with the reporting.

3. Reporting format: Work presentation

- Authors can report the presentation (exhibition) of their visual artistic works.
- The presentation must be organised and promoted by a third party and must have taken place in Germany or on German territory. Examples:
 - Exhibitions in museums, art associations, galleries, municipal institutions
 - Festive unveiling of a work of art in public space or of art on buildings
 - Performances, participatory projects and video art
 - Artistic interventions, artistic walks, street art and spontaneous performances – when they have taken place in front of an exceptionally large public
- A maximum of 12 work presentations (exhibitions) per year can be reported.

Note: For Art in Architecture (Kunst am Bau), the author has another reporting option – see reporting format “Art in Architecture”.

4. Reporting format: Individual images

- Individual images of works may be reported if no fee was paid for the use of the images and if the images were not published in connection with a presentation of the work.
- The category of visual works must be indicated: fine art, photography or other works. We need this information for statistical purposes.
- Reported uses are
 - in German newspapers or magazines (print or e-paper),
 - in German digital publishing products (publishers' websites),
 - on German websites or
 - on German television stations.

Special features for reporting individual images in German newspapers or magazines

- Newspapers or magazines must be published in German in Germany.
- The ISSN must be specified. If no ISSN exists, the ZDB ID of the German National Library can be used. It can be found via the German National Library's catalogue of the periodicals, using the following link: www.zdb-katalog.de.
- Uses in Scientific journals and special interest periodicals can be claimed only if the author of the visual work is not the author of the text for which the work was used. These rights holders may receive remuneration from VG Wort, which administers rights for authors in Germany.

Note: Without ISSN or ZDB-ID the report will not be admitted.

Special features for reporting individual images in digital publishing products

- Digital publishing products are online media with journalistic-editorial content (e.g. www.spiegel.de, www.sueddeutsche.de, www.faz.net).
 - The web pages must have the top level domain "de" or
 - may have a generic top level domain "EU", "ORG", "INFO", "COM", "NET", "BIZ", "EDU", "INT" if the content of the website is in German and is addressed to a German audience.
- The digital publishing products must have an ISSN or ZDB-ID (see above).
- If there is no ISSN or ZDB-ID for these publishing products, a report can be submitted to single-image websites.
- A maximum of 200 individual images in digital publishing products can be reported.

Special features for reporting individual images in television

- Images of works that were shown in a programme on a German television station can be reported. The television station must have had a market share of at least 1% in Germany in the respective year. No later than March of each year, a list of television stations that can be considered for claims is published on the Bild-Kunst website.

Special features for reporting individual images on web pages

- Images of works published on a German website for at least 6 months can be reported.
 - The web pages must have the top level domain "de" or
 - may have a generic top level domain "EU", "ORG", "INFO", "COM", "NET", "BIZ", "EDU", "INT" if the content of the website is in German and is addressed to a German audience.
- The reproduction of a work can only be reported once per website.
- A maximum of 200 individual images can be reported on web pages.

Note: Individual images on social media cannot be reported at this time.

5. Reporting format: Commissioned Art-in-Architecture

- Definition: Art-in-architecture is a work of art (any creation class) that is specially commissioned for a building or its premises and permanently installed there.
- Art-in-architecture must be installed in Germany or on German territory (also in German embassies abroad).
- The public or private commissioner, developer or property owner must not have any personal or family relationship with the author.

Note: The purchase of already existing artworks cannot be reported.

Note: Art-in-architecture can also be reported as a work presentation if there has been a ceremonial unveiling or presentation to the public (reporting format: work presentation).