

Assessing Copyright and Related Rights Systems

# Efficiency of Collective Management Organizations

Report on Piloting in Finland





**Assessing Copyright and Related Rights Systems: Efficiency of Collective Management Organizations. Report on Piloting in Finland.**

This report is the result of the first pilot study implementing Methodology Card 9 – *Efficiency of Collective Management Organizations*, one of the 37 indicators constituting a methodology framework for assessing the operation of national copyright and related rights systems. The methodology framework has been developed at the Foundation for cultural policy research (Cupore) in Finland as part of a project financed by the Finnish Ministry of Education and Culture. The pilot study was conducted by the core project team (Tiina Kautio and Nathalie Lefever) together with Milla Määttä, Project Researcher, and Niko Siukkola, Intern at the Ministry of Education and Culture, between May and December 2015. A preliminary desktop research, used as background information in this study, was conducted by Ville Kainu, student at the Faculty of Law at the University of Turku, as part of an internship at the Foundation for Cultural Policy Research between February and May 2013, under the supervision of Assistant Professor Tuomas Mylly (University of Turku), the steering group of the project, as well as the core project team. The results were first published in January 2016 on the website of Cupore.

*A handbook presenting the methodology framework is available on the website of Cupore at [www.cupore.fi](http://www.cupore.fi).*

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## Executive summary

This document presents data collected in application of a methodology framework to assess the operation of national copyright and related rights systems. The information and analysis below correspond to Methodology Card 9 presented in the methodology handbook, titled “Efficiency of Collective Management Organizations”.

The rationale behind collective management of rights is based on economies of scale (lower unit costs for negotiating licenses) and lowering of transaction costs (costs of searching and identifying right holders and negotiating on the terms for the use of works). Licensing markets working through collective management organizations should have higher overall efficiency than markets where licenses are negotiated on an individual basis. However, the monopoly power of CMOs or other factors potentially reducing their efficiency might hinder this positive effect. Therefore, the efficiency of CMOs is regarded as one aspect in the framework to assess copyright system's operation.

In Finland, copyright and related rights are managed by seven collective management organizations (CMOs). This study looks at the efficiency of the Finnish CMOs in terms of remunerations and compensations administered and distributed, administration costs, as well as the possible cultural uses of the funds administered by CMOs. The figures are based mainly on the annual reports of the Finnish CMOs Gramex, Kopiosto, Kuvasto, Sanasto, Tuotos and Teosto between 2000 and 2014. The collective management organization Filmex is not covered in the study as it has not yet organized the collection of copyright revenues. A description of each CMO can be found in the pilot report on Description Sheet 12 – *Collective Management of Rights*.

The collective management organizations operating in Finland differ in many ways including their age, the number and type of members or clients, and the type and the scope of the copyrighted subject matter collectively managed. The results are therefore affected, among other things, by the services offered by each CMO and the characteristics of the different industries where collective management of rights is used. As a result, no comparison of the CMOs' efficiency should be made on the basis of this study.

However, on the basis of the data collected, some trends over time seem to indicate a general evolution towards better efficiency. Concerning remunerations and compensations, in most cases, amounts administered have steadily increased during the period analyzed; moreover, more recently established CMOs have increased the amounts of remunerations distributed, while longer established ones have kept it at a relatively steady level.

All the CMOs analyzed have kept their level of administration costs rather steady over time, even when the volume of operations has increased. Most of the CMOs have kept their administration costs at less than 20 percent of the amounts administered, which suggests sensible financial operation.

The amounts devoted to cultural uses, i.e. funds directed to developing and promoting culture in the fields of activity of the clients and members of the CMOs, depend on the policies of each CMO as well as on the level of revenue collected. However, in every case the contributions to cultural uses represent a rather small part of the amounts administered by the CMOs. In the long term, the amounts devoted to cultural uses are invested in favor of copyright holders.

Generally speaking, all CMOs seem to distribute a large majority of their income to stakeholders, therefore indicating the efficiency of collective management of rights. Moreover, important financial information on the levels of remunerations and compensations administered and distributed, the administration costs and the amounts devoted to cultural uses is generally publicly available, increasing the transparency of the CMOs.

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## Introduction

### ***A. CONTEXT OF THE PILOT STUDY***

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A methodology framework for assessing the operation of national copyright and related rights systems has been developed at the Foundation for cultural policy research (Cupore) in Finland. It is a collection of tools for achieving a systematic assessment of the functioning, performance and balanced operation of national copyright and related rights systems.

In the methodology, the assessment is determined through a framework consisting of so-called description sheets and methodology cards. The description sheets constitute guidelines to produce a comprehensive presentation and description of a country's copyright and related rights system and its operating environment. The methodology cards propose the collection of specific sets of data, either quantitative, descriptive or qualitative, that will be used as indicators of the functioning, performance and balanced operation of the system. Description sheets and methodology cards are accompanied by detailed information on the data to be collected, as well as analysis guidelines that will help connect them to each other.

The methodology framework is meant to be continuously improved through application feedbacks. For more information, see the Cupore website, [www.cupore.fi/copyright.php](http://www.cupore.fi/copyright.php).

This report presents data collected in application of Methodology card 9 of the methodology framework, titled "Efficiency of collective management organizations". It is the result of the first pilot study applying this indicator in Finland.

The study was conducted by the core project team (Tiina Kautio and Nathalie Lefever) together with Milla Määttä, Project Researcher, and Niko Siukkola, Intern at the Ministry of Education and Culture, between May and December 2015. A preliminary desktop research, used as background information in this study, was conducted by Ville Kainu, student at the Faculty of Law at the University of Turku, as part of an internship at the Foundation for Cultural Policy Research between February and May 2013, under the supervision of Assistant Professor Tuomas Mylly (University of Turku), the steering group of the project, as well as the core project team.

### ***B. PRESENTATION OF THE INDICATOR***

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The methodology card implemented here is part of the second pillar of the methodology framework, "Functioning and Performance of the Elements of the Copyright System", and its third area, "Management of Rights". Its aim is to assess the efficiency of collective management organizations in order to support the analysis of the operation of the national copyright and related rights system.

As explained in the methodology handbook, the costs associated with licensing and contract-making on an individual basis can vary to a high degree, and arrangements for collective management of rights can be the most efficient solution in many situations. The justification of collective management of rights has its basis in diminishing transaction costs (costs incurred in the process of making an economic exchange), discussed in Methodology Card 18.

This indicator aims at evaluating the operation of CMOs by measuring the amounts of remunerations and compensations administered and distributed. Another aspect that is measured is the administration costs of the CMOs and their share of the remunerations administered. The administration costs cover the operating expenses such as employee salaries and office administration costs. The fourth set of data

is the use of funds directed to social or cultural uses.<sup>1</sup> Altogether, the data will provide an overview of the cost-effectiveness of the CMOs considered.<sup>2</sup>

The different categories of revenue for CMOs, *i.e.* revenue from voluntary licensing and special remuneration and compensation schemes specified in the Finnish Copyright Act (404/1961), are not always easy to distinguish. Therefore, for the purposes of this report, the term “*remunerations*” is used to include remunerations and compensations, and covers all types of revenue collected, administered and distributed by CMOs on behalf of right holders for the use of their works. Furthermore, in this study, the volume of remunerations *administered* by each CMO includes the remunerations collected directly by the CMOs themselves but also other types of copyright revenue that they are in charge of distributing to their members, such as remunerations collected by CMOs abroad on behalf of Finnish right holders according to the terms of reciprocal representation contracts, compensations funded from the state budget (e.g. for private copying), etc.

Some CMOs contribute to special funds or finance activities with the purpose of developing and promoting culture in the fields of activity of their clients and members. These contributions to culture by each CMO are also explained in more detail in the results chapter. The methodology card also recommends examining which part of the income of the CMOs is directed to social purposes, e.g. through pension funds for artists in their fields. However, in Finland remunerations are not distributed to such purposes, as social needs of artists are covered through the national social security system.

It is important to keep in mind that the results of this indicator will depend on the transparency of collective management organizations’ operation, testified by the availability of accurate financial data. Moreover, the results are affected, among other things, by the age and the services offered by the CMOs, the characteristics of different industries, as well as the level of use of collective management.

The operation of CMOs could also be assessed from other perspectives than that of financial efficiency. For example, right holders’ opinions on the role and the activities of CMOs could be studied in order to get a picture of the collective management organizations’ ability to represent them (see Methodology Card 22 – *Analysis of Stakeholders’ Opinions*). The number of right holders affiliated to CMOs is another indication of their perceived efficiency (see pilot report on Description Sheet 12 – *Collective Management of Rights*).

This study covers six CMOs operating in Finland: Gramex (representing performing artists whose performances have been recorded and producers of phonograms), Kopiosto (managing certain rights of authors, photographers, performing artists and publishers in all fields of creative work), Kuvasto

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<sup>1</sup> It is normally considered good practice to distribute collected funds after deduction of costs in as close alignment with the actual use of the works, performances, etc., as possible. However, it is also generally accepted that in certain cases limited funds may be used for social and cultural purposes, notably when the administration costs connected with an individual distribution would be unproportionally high, or when collective distribution has been agreed on by the right owners themselves or their duly elected representatives. See further Ficsor Mihály, *Collective Management of Copyright and Related Rights*. WIPO publication No. 855(E), 2002, pp. 148 et seq.

<sup>2</sup> An earlier draft version of Methodology card 9 recommended calculating the ratio between remunerations administered and distributed by CMOs (rate of distribution). However, interviews with representatives of Finnish CMOs highlighted problems with this type of comparison. Firstly, in most cases, the money collected by CMOs on behalf of right holders is not distributed on the same year; administration costs related to the distribution processes often actualize after a delay and the annual figures of remunerations administered and amounts distributed to right holders cannot be directly compared in this case. Even when the funds are distributed with high precision and almost with no delay, the CMO is sometimes forced to reserve some of the funds they collect for a certain period of time, in case individual right holders make a separate claim, or the CMO is able to find a right holder that they could not contact before. Therefore, in this study, the amounts of remunerations administered and distributed each year have been presented side by side, without calculating a ratio.

The earlier draft version of the methodology card also recommended calculating the share of possible cultural or social uses of the remunerations administered. Although information on the amounts of money assigned to specific cultural uses is available, once again the calculation of a ratio does not seem relevant: in addition to compensations funded from the state budget, these funds often include also remunerations which the CMO has not been able to distribute to individual right holders during previous years, or shares of the proceeds of their investment activities. Therefore only numerical figures are presented.

(representing artists working in the field of visual arts), Sanasto (representing all writers: authors, translators, poets, editors and non-fiction writers), Teosto (representing composers, lyricists, arrangers and music publishers) and Tuotos (representing film and audiovisual producers). The collective management organization Filmex (representing actors performing in audio and audiovisual works), established in 2013, is not covered in this study as it has not yet organized collection of copyright revenues.<sup>3</sup> They are presented in detail in the report on Description sheet 12 – *Collective management of rights*.<sup>4</sup>

A methodology card presenting the indicator can be found in Appendix A of this report.

### **C. METHODS**

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The information collected for this study was found through available national information sources as well as through interviews with representatives of collective management organizations.

This study applies quantitative analysis based on parameters specified in the methodology card and covers the time period 2000–2014. The annual reports of the CMOs were used as the main data source. The Finnish Accounting Act (1336/1997) obliges registered associations (including CMOs) to maintain an archive consisting of the last ten years of financial accounts. The quantitative data was supplemented with information gathered through interviews with representatives of each CMO to get a better understanding of the factors affecting the financial activities of the organizations.

In order to assess the relative changes in the figures, the collected data has been corrected for inflation, using data from Statistics Finland and the first year of data available for each CMO as the year of reference.<sup>5</sup> The real values are presented in Appendix B of this report.

A list of information sources used for this report as well as a list of interviewees and commentators can be found in the Appendices.

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<sup>3</sup> Filmex has, however, distributed remunerations collected by a Swedish collective management organization. These remunerations (roughly 150 000 euros in total) collected in 2013 and 2014 were distributed to individual right holders in 2015. Source: Interview with Filmex (1.10.2015).

<sup>4</sup> See Cupore website, <http://www.cupore.fi/Pilotreports.php>.

<sup>5</sup> The calculations for correcting the inflation are based on the consumer price index by Statistics Finland. See Official Statistics of Finland (OSF): Consumer price index [e-publication]. ISSN=1799-0254. July 2015, Appendix table 4. Year-on-year changes in the Consumer Price Index, per cent (Access method: [http://www.stat.fi/til/khi/2015/05/khi\\_2015\\_05\\_2015-06-15\\_tau\\_004\\_en.html](http://www.stat.fi/til/khi/2015/05/khi_2015_05_2015-06-15_tau_004_en.html)) and Appendix table 5. Consumer Price Index 2000=100 ([http://www.stat.fi/til/khi/2015/11/khi\\_2015\\_11\\_2015-12-14\\_tau\\_005\\_en.html](http://www.stat.fi/til/khi/2015/11/khi_2015_11_2015-12-14_tau_005_en.html)), Helsinki: Statistics Finland. Visited on 15.12.2015.

## Results

This chapter presents figures of the administered and distributed remunerations, administration costs and the cultural uses of the funds administered by the Finnish CMOs Gramex, Kopiosto, Kuvasto, Sanasto, Teosto and Tuotos<sup>6</sup>. A description of each collective management organization discussed in this report can be found in the pilot report on Description Sheet 12 – *Collective Management of Rights*.

The efficiency of the Finnish CMOs is studied by examining the amounts of remunerations administered and distributed, their administration costs as well as the share of the administration costs in the amount of remunerations administered on the same year. Time series data is presented in tables and figures whenever possible to indicate possible variations over time.

Furthermore, in some cases remunerations are directed not only to individual right holders but also to collective purposes: CMOs sometimes allocate part of their income to different social (such as retirement funds) and cultural uses in their field of expertise. In Finland, all collective payments are directed to cultural purposes (for more information, see the pilot report on Description Sheet 12 - *Collective Management of Rights*). Therefore, in some cases, the following tables also show the amount of money each CMO has allocated to cultural uses.<sup>7</sup>

### **A. COPYRIGHT SOCIETY OF PERFORMING ARTISTS AND PRODUCERS OF PHONOGRAMS GRAMEX<sup>8</sup>**

Gramex was established in 1967 to implement collective administration of rights for performers and phonograms producers. The purpose of the society is to administer and promote the rights of performers whose performances have been recorded on phonograms and of producers of phonograms, to collect and distribute remunerations for the use of phonograms, as well as to promote the general conditions of Finnish performing music and phonogram production.<sup>9</sup> The financial information presented in this study was publicly available as part of Gramex's annual reports.

<b>Year</b>	<b>Remunerations administered<sup>10</sup></b>	<b>Remunerations distributed</b>
<b>2000<sup>11</sup></b>	13 676 024 €	12 851 972 €
<b>2001<sup>12</sup></b>	15 754 400 €	13 197 258 €
<b>2002<sup>13</sup></b>	15 151 100 €	10 799 099 €

<sup>6</sup> The collective management organization Filmex, founded in 2013, was not covered in this study.

<sup>7</sup> In order to simplify the presentation of data, administration costs and funds directed to cultural uses are presented in the same table. It should be noted, however, that the administration costs reported in the financial statements of the CMOs do not necessarily include the costs related to administering remunerations and compensations distributed to cultural uses, as they may be distributed directly through different types of self-governing foundations developing and promoting culture in the fields of activity of the CMO's clients and members.

<sup>8</sup> Esittävien taiteilijoiden ja äänitteiden tuottajien tekijänoikeusyhdistys GRAMEX r.y.

<sup>9</sup> Source: Gramex's website, "What is Gramex?", at [http://www.gramex.fi/en/what\\_is\\_gramex](http://www.gramex.fi/en/what_is_gramex). Visited on 26.6.2015.

<sup>10</sup> Nominal values, including remunerations collected by the CMO itself (media licensing and public performance), remunerations collected by other collective management organizations abroad as well as compensations for private copying. No other income such as membership fees and investment revenue are included.

<sup>11</sup> Source: Annual report of Gramex 2000.

<sup>12</sup> Source: Annual report of Gramex 2002, p. 10.

<sup>13</sup> Source: Annual report of Gramex 2002.

<b>2003</b> <sup>14</sup>	15 437 500 €	12 385 791 €
<b>2004</b> <sup>15</sup>	15 580 000 €	12 162 108 €
<b>2005</b> <sup>16</sup>	16 514 000 €	12 790 773 €
<b>2006</b> <sup>17</sup>	15 799 400 €	13 108 424 €
<b>2007</b> <sup>18</sup>	16 546 000 €	12 822 276 €
<b>2008</b> <sup>19</sup>	18 134 200 €	10 562 375 €
<b>2009</b> <sup>20</sup>	18 294 000 €	12 383 385 €
<b>2010</b> <sup>21</sup>	19 747 000 €	14 466 696 €
<b>2011</b> <sup>22</sup>	19 170 000 €	17 300 000 €
<b>2012</b> <sup>23</sup>	19 657 000 €	13 700 000 €
<b>2013</b> <sup>24</sup>	20 035 000 €	18 600 000 €
<b>2014</b> <sup>25</sup>	20 523 000 €	18 499 000 €

The amount of remunerations administered by Gramex has steadily increased from around 13.7 million euros in 2000 to 20.5 million euros in 2014. In contrast, the amount of funds distributed to individual right holders has varied annually between 10.6 million euros and 18.6 million euros. According to Gramex, some of the categories of remunerations can be distributed on the year when they are collected, but mainly, the distributions are made during the year following the collection.<sup>26</sup>

<sup>14</sup> Source: Annual report of Gramex 2003.

<sup>15</sup> Source: Annual report of Gramex 2004.

<sup>16</sup> Source: Annual report of Gramex 2005, available at [http://www.gramex.fi/easydata/customers/gramex/files/ajankoht/toimintakertomus\\_2005\\_low\\_2.pdf](http://www.gramex.fi/easydata/customers/gramex/files/ajankoht/toimintakertomus_2005_low_2.pdf). Visited on 11.6.2015.

<sup>17</sup> Source: Annual report of Gramex 2006, available at [http://www.gramex.fi/easydata/customers/gramex/files/ajankoht/toimintakertomus\\_2006\\_netti.pdf](http://www.gramex.fi/easydata/customers/gramex/files/ajankoht/toimintakertomus_2006_netti.pdf). Visited on 11.6.2015.

<sup>18</sup> Source: Annual report of Gramex 2007, available at [http://www.gramex.fi/easydata/customers/gramex/files/ajankoht/toimintakertomus\\_2007\\_A4\\_LIGHT.pdf](http://www.gramex.fi/easydata/customers/gramex/files/ajankoht/toimintakertomus_2007_A4_LIGHT.pdf). Visited on 11.6.2015.

<sup>19</sup> Source: Annual report of Gramex 2008.

<sup>20</sup> Source: Annual report of Gramex 2009.

<sup>21</sup> Source: Annual report of Gramex 2010.

<sup>22</sup> Source: Annual report of Gramex 2011, available at [http://www.gramex.fi/easydata/customers/gramex/files/toimintakertomukset/gramex\\_toimintakertomus\\_2011\\_web.pdf](http://www.gramex.fi/easydata/customers/gramex/files/toimintakertomukset/gramex_toimintakertomus_2011_web.pdf). Visited on 11.6.2015.

<sup>23</sup> Source: Annual report of Gramex 2012, available at [http://www.gramex.fi/easydata/customers/gramex/files/toimintakertomukset/gramex\\_toimintakertomus\\_2012\\_web.pdf](http://www.gramex.fi/easydata/customers/gramex/files/toimintakertomukset/gramex_toimintakertomus_2012_web.pdf). Visited on 11.6.2015.

<sup>24</sup> Source: Annual report of Gramex 2013, available at [http://www.gramex.fi/easydata/customers/gramex/files/toimintakertomukset/gramex\\_toimintakertomus\\_2013\\_web.pdf](http://www.gramex.fi/easydata/customers/gramex/files/toimintakertomukset/gramex_toimintakertomus_2013_web.pdf). Visited on 11.6.2015.

<sup>25</sup> Source: Annual report of Gramex 2014, available at [http://www.gramex.fi/easydata/customers/gramex/files/toimintakertomukset/gramex\\_toimintakertomus\\_2014\\_web.pdf](http://www.gramex.fi/easydata/customers/gramex/files/toimintakertomukset/gramex_toimintakertomus_2014_web.pdf). Visited on 11.6.2015.

<sup>26</sup> Source: Interview with Gramex (29.9.2015).

<b>Table 2. Administration costs and cultural uses, Gramex 2000–2014</b>			
<b>Year</b>	<b>Administration costs</b>		<b>Money distributed to cultural uses<sup>27</sup></b>
	<b>Amount</b>	<b>% of the amounts administered</b>	<b>Amount</b>
<b>2000</b> <sup>11</sup>	1 804 266 €	13.19 %	1 699 539 €
<b>2001</b>	1 944 694 € <sup>28</sup>	12.34 %	1 688 539 €
<b>2002</b> <sup>13</sup>	2 050 636 €	13.53 %	1 373 720 €
<b>2003</b> <sup>14</sup>	2 046 200 €	13.25 %	1 680 358 €
<b>2004</b> <sup>15</sup>	2 267 423 €	14.55 %	1 816 097 €
<b>2005</b> <sup>16</sup>	2 284 999 €	13.84 %	1 832 710 €
<b>2006</b> <sup>17</sup>	2 492 031 €	15.77 %	2 370 583 €
<b>2007</b> <sup>18</sup>	2 616 368 €	15.81 %	2 533 962 €
<b>2008</b> <sup>19</sup>	2 553 105 €	14.08 %	2 719 953 €
<b>2009</b> <sup>20</sup>	2 463 184 €	13.46 %	2 621 642 €
<b>2010</b> <sup>21</sup>	2 563 944 €	12.98 %	2 735 176 €
<b>2011</b> <sup>22</sup>	2 560 537 €	13.36 %	2 932 007 €
<b>2012</b> <sup>23</sup>	2 589 447 €	13.17 %	3 165 149 €
<b>2013</b> <sup>24</sup>	2 802 048 €	13.99 %	4 118 616 €
<b>2014</b> <sup>25</sup>	3 176 620 €	15.48 %	6 516 705 €

During the period of 2000 to 2014, the administration costs of Gramex have also increased from around 1.8 to 3.2 million euros. However, this increase parallels the increase in the size of the financial activities, since the share of administration costs as a percentage of the amount of remunerations administered each year has only slightly varied, remaining between 12.3 % and 15.8 %.

In addition to individual remunerations, Gramex has allocated funds collectively to cultural uses each year during the period studied. The sum has varied between 1.4 and 6.5 million euros, with a noticeable increase in the last two years. Since 2012, these sums have been collected from promotional funds to which Gramex has allocated e.g. some of the proceeds of their investment activities and unclaimed remunerations of foreign right holders.

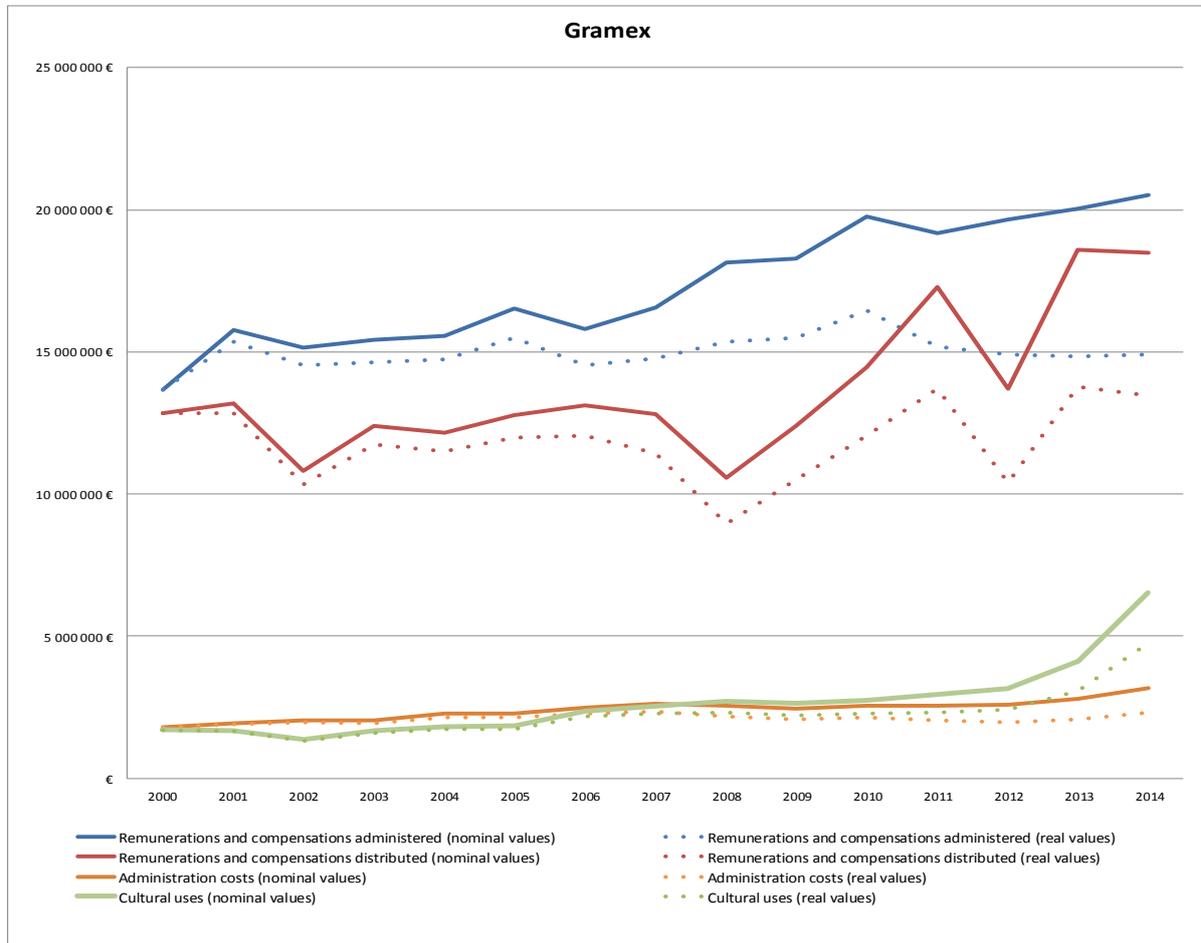
The following figure presents the amounts of remunerations administered and distributed by Gramex, as well as the administration costs and the amounts devoted to cultural uses, accompanied with their values adjusted to inflation.<sup>29</sup>

<sup>27</sup> The figures include funds allocated to Music Finland, the Lyhty Project, the Finnish Copyright Society and member organizations of Gramex, as well as donations made by the CMO to cultural organizations (such as the Finnish Music Foundation MES, Musiikin edistämissäätiö). The administration costs of Gramex presented in Table 2 do not include the costs related to administering these funds, as the administration costs of the CMO reflect only the costs deducted from the remunerations distributed to the clients of Gramex. Sources: Annual report of Gramex 2014; Interview with Gramex (16.12.2015).

<sup>28</sup> Source: Annual report of Gramex 2002, p. 18.

<sup>29</sup> The calculations are based on the consumer price index by Statistics Finland with 2000 as year of reference. The precise figures are presented in Appendix B of this report. See Official Statistics of Finland (OSF): Consumer price index [e-publication]. ISSN=1799-0254. July 2015, Appendix table 5. Consumer Price Index 2000=100. Helsinki: Statistics Finland, [http://www.stat.fi/til/khi/2015/07/khi\\_2015\\_07\\_2015-08-14\\_tau\\_005\\_en.html](http://www.stat.fi/til/khi/2015/07/khi_2015_07_2015-08-14_tau_005_en.html). Visited on 9.9.2015.

Figure 1. Overview: Gramex 2000–2014



According to Gramex, the licensing market in the field of phonograms has remained rather steady during the last 15 years, and there has not been considerable variation in the licensing revenue collected by the organization. However, the share of private copying levies has varied annually, and especially after 2010 (1.52 million €) the amount of compensations for private copying has been lower (0.9–1.1 million € annually) compared to previous years. The overall sum administered by Gramex has still remained rather steady as the remunerations collected for example from online use and reproduction of phonograms have increased at the same time.<sup>30</sup>

The annual amount of remunerations distributed by the CMO depends on various factors. First, it should be noted that the funds are distributed with a delay: typically, the funds collected by Gramex are distributed during the year following the collection after the user reports and research data on actual use of phonograms has been processed. Second, certain payments of remunerations have also been delayed due to disputes between the CMO and some larger user organizations. Hence, the amount distributed on a specific year may have included remunerations collected during a longer time period.<sup>26</sup>

The operations and administrative processes of each collective management organization can be stated to be under continuous assessment and development, as their responsibilities in the collective management system change and demand for new types of licenses evolves. However, as the operations of Gramex have remained rather stable during the examined period, the collection and distribution systems as well as the administration costs of the CMO can be considered to have reached an efficient level over time.

<sup>30</sup> Sources: Interview with Gramex (29.9.2015); Annual reports of Gramex.

The main factor affecting the administration costs of the CMO is the level of accuracy pursued in the distribution of remunerations. This has been apparent especially during the last few years, as the CMO has allocated funds to larger IT projects with the goal of increasing the efficiency of their distribution processes. In addition, a significant share of their human resources has been allocated to establishing a new licensing entity, GT Music Licences Ltd. Gramex is currently assessing, building and harmonizing licenses for public performance of music together with Teosto with the goal of creating a new centralized licensing system for background music and primary event use (discotheques or related events). The company is supposed to start granting licenses in 2016. The licensing revenue collected will be distributed to right holders through Gramex and Teosto.<sup>31</sup>

The noticeable increase in the funds allocated to cultural uses in 2012–2014 is explained by the fact that in 2013, Gramex and Teosto joined their own copyright foundations (ESEK<sup>32</sup> and LUSES<sup>33</sup>) and created a new foundation, MES (Musiikin edistämisseätiö) designed to promote and support music culture in Finland.<sup>34</sup> Financial support donated to this foundation from both organizations includes e.g. remunerations which could not have been directed to individual foreign right holders<sup>35</sup>. In addition to annual donations, Gramex has donated the original capital of 500 000 euros to MES.<sup>36</sup>

Furthermore, in 2014 Gramex established two new copyright foundations for performing artists (ESES, Esittävän säveltaiteen edistämisseätiö) and music publishers (Musiikkituotannon tuki- ja edistämisseätiö), to which Gramex donated altogether 200 000 euros as original capital in addition to their annual donations directed to cultural uses.<sup>37</sup>

## **B. KOPIOSTO**

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Kopioisto is an umbrella organization, established in 1978, for associations representing performing artists, authors and publishers. The purpose of the association is to facilitate certain categories of uses of protected works, to monitor the reuse of works and performances, to collect and distribute remunerations and to develop new services. Kopioisto manages *i.a.* the right of reprographic reproduction of printed materials (photocopying), rights concerning digital copying for educational use, as well as several categories of mass uses organized through extended collective licenses. In addition, the society distributes compensations for the private copying of audiovisual works to producers and performers in television programs.<sup>38</sup> The financial information used in this study was publicly available either as part of Kopioisto's annual reports or in the cultural statistics of Statistics Finland.

Values of 2000–2005 concerning the remunerations distributed have been calculated by subtracting the annual costs of operation from the overall revenue of each year<sup>39</sup>. Hence, as the funds concerning these

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<sup>31</sup> Source: Interview with Gramex (29.9.2015). See also the website of GT Music Licences at <http://www.gtmusiikkiluvat.fi/>. Visited on 28.10.2015.

<sup>32</sup> Esittävän taiteen edistämiskeskus.

<sup>33</sup> Luovan säveltaiteen edistämisseätiö.

<sup>34</sup> MES supports music culture through grants and different kinds of direct contributions to *i.a.* projects, events, productions, education and research in the field. See MES' website at <http://www.musiikinedistamissaatio.fi/>. Visited on 28.10.2015.

<sup>35</sup> In accordance with the practice established in reciprocal representation contracts between CMOs. Source: Annual report of Gramex 2014.

<sup>36</sup> Source: Interview with Gramex (29.9.2015). See also MES' website at <http://www.musiikinedistamissaatio.fi/>. Visited on 28.10.2015.

<sup>37</sup> Sources: Interview with Gramex (29.9.2015); Annual report of Gramex 2014.

<sup>38</sup> Source: Kopioisto's website, "Kopioisto in brief", at [http://www.kopioisto.fi/kopioisto/kopioisto\\_in\\_brief/en\\_GB/kopioisto\\_in\\_brief/](http://www.kopioisto.fi/kopioisto/kopioisto_in_brief/en_GB/kopioisto_in_brief/). Visited on 16.6.2015.

<sup>39</sup> In Finnish: "siirto jakovaroihin", source: Email from Kopioisto (10.12.2015).

years may have been distributed during the following years, they do not reflect the actual overall amount of remunerations distributed to right holders. From 2006 onwards, Kopiosto has reported the actual volume of remunerations distributed to right holders each year to Statistics Finland. These figures better reflect the actual amounts of remunerations distributed on each particular year but are, however, not directly comparable to the figures of 2000–2005.

<b>Table 3. Remunerations administered and distributed by Kopiosto 2000–2014</b>		
<b>Year</b>	<b>Remunerations administered<sup>40</sup></b>	<b>Remunerations distributed</b>
<b>2000</b>	17 487 467 € <sup>41</sup>	16 316 000 € <sup>42</sup>
<b>2001</b>	18 237 423 € <sup>41</sup>	16 224 000 € <sup>42</sup>
<b>2002</b>	19 340 801 € <sup>43</sup>	17 068 000 € <sup>42</sup>
<b>2003</b>	20 253 454 € <sup>44</sup>	17 976 000 € <sup>42</sup>
<b>2004</b>	20 719 992 € <sup>45</sup>	18 324 000 € <sup>42</sup>
<b>2005</b>	23 796 126 € <sup>46</sup>	21 313 000 € <sup>42</sup>
<b>2006</b>	24 749 266 € <sup>47</sup>	21 783 000 € <sup>48</sup>
<b>2007</b>	24 222 876 € <sup>49</sup>	21 300 000 € <sup>48</sup>
<b>2008</b>	23 647 856 € <sup>50</sup>	20 179 000 € <sup>48</sup>
<b>2009</b>	24 710 274 € <sup>51</sup>	21 342 000 € <sup>48</sup>
<b>2010</b>	25 234 034 € <sup>52</sup>	21 501 000 € <sup>48</sup>
<b>2011</b>	24 077 430 € <sup>53</sup>	19 786 000 € <sup>48</sup>
<b>2012</b>	27 128 933 € <sup>54</sup>	21 158 000 € <sup>48</sup>
<b>2013</b>	27 679 668 € <sup>55</sup>	20 795 000 € <sup>48</sup>
<b>2014</b>	28 833 076 € <sup>56</sup>	24 640 000 € <sup>57</sup>

<sup>40</sup> Nominal values, including the remunerations collected by the CMO itself, the remunerations collected from other organizations and other compensations and remunerations allocated to right holders through the CMO (for example for private copying and public lending). No other income such as membership fees and investment revenue are included.

<sup>41</sup> Source: Annual report of Kopiosto 2001.

<sup>42</sup> Source: Email from Kopiosto (10.12.2015).

<sup>43</sup> Source: Annual report of Kopiosto 2002.

<sup>44</sup> Source: Annual report of Kopiosto 2003.

<sup>45</sup> Source: Annual report of Kopiosto 2004.

<sup>46</sup> Source: Annual report of Kopiosto 2005, available at [http://www.kopiosto.fi/kopiosto/kopiosto/hallinto/fi\\_FI/hallinto/\\_files/77683298148090110/default/Kopioston\\_vuosi\\_2005.pdf](http://www.kopiosto.fi/kopiosto/kopiosto/hallinto/fi_FI/hallinto/_files/77683298148090110/default/Kopioston_vuosi_2005.pdf). Visited on 11.6.2015.

<sup>47</sup> Source: Annual report of Kopiosto 2006.

<sup>48</sup> Source: Statistics Finland, Cultural Statistics' table service, Table 12.8 Royalties collected and disbursed by copyright societies, at: [http://pxweb2.stat.fi/sahkoiset\\_julkaisut/kulttuuritilasto/data/tau\\_12.8.xls](http://pxweb2.stat.fi/sahkoiset_julkaisut/kulttuuritilasto/data/tau_12.8.xls). Visited on 5.12.2015.

<sup>49</sup> Source: Annual report of Kopiosto 2007.

<sup>50</sup> Source: Annual report of Kopiosto 2008.

<sup>51</sup> Source: Annual report of Kopiosto 2009.

<sup>52</sup> Source: Annual report of Kopiosto 2010.

<sup>53</sup> Source: Annual report of Kopiosto 2011.

<sup>54</sup> Source: Annual report of Kopiosto 2012, available at [http://www.kopiosto.fi/kopiosto/kopiosto/kopiosto\\_lyhyesti/fi\\_FI/kopiosto\\_lyhyesti/\\_files/89721035842133095/default/Kopioston%20vuosikertomus%202012.pdf](http://www.kopiosto.fi/kopiosto/kopiosto/kopiosto_lyhyesti/fi_FI/kopiosto_lyhyesti/_files/89721035842133095/default/Kopioston%20vuosikertomus%202012.pdf). Visited on 12.6.2015.

<sup>55</sup> Source: Annual report of Kopiosto 2013, available at [http://www.e-julkaisu.fi/kopiosto/vuosikertomus/2013/pdf/kopiosto\\_FIN\\_05\\_06.pdf](http://www.e-julkaisu.fi/kopiosto/vuosikertomus/2013/pdf/kopiosto_FIN_05_06.pdf). Visited on 12.6.2015.

During the time period of 2000 to 2014 the remunerations administered yearly by Kopiosto increased from 17.5 to 28.8 million euros. The amounts distributed to right holders varied between 19.8 million euros in 2011 and 24.6 million euros in 2014 (not including the values of 2000–2005 which not directly comparable to the figures of Statistics Finland<sup>42</sup>).

<b>Table 4. Administration costs and cultural uses, Kopiosto 2000–2014</b>			
<b>Year</b>	<b>Administration costs</b>		<b>Money distributed to cultural uses</b>
	<b>Amount</b>	<b>% of the amounts administered</b>	<b>Amount</b>
<b>2000</b>	2 200 000 € <sup>57</sup>	12.58 %	2 284 678 € <sup>41</sup>
<b>2001</b> <sup>41</sup>	2 400 000 €	13.16 %	2 537 803 €
<b>2002</b> <sup>43</sup>	2 600 000 €	13.44 %	2 324 561 €
<b>2003</b> <sup>44</sup>	2 900 000 €	14.32 %	2 210 941 €
<b>2004</b> <sup>45</sup>	2 900 000 €	14.00 %	1 947 236 €
<b>2005</b> <sup>46</sup>	3 200 000 €	13.45 %	2 225 130 €
<b>2006</b> <sup>47</sup>	3 300 000 €	13.33 %	2 292 000 €
<b>2007</b> <sup>49</sup>	3 500 000 €	14.45 %	2 292 000 €
<b>2008</b> <sup>50</sup>	3 700 000 €	15.65 %	2 911 417 €
<b>2009</b> <sup>51</sup>	3 800 000 €	15.38 %	3 675 368 €
<b>2010</b> <sup>52</sup>	4 000 000 €	15.85 %	3 472 776 €
<b>2011</b> <sup>53</sup>	4 300 000 €	17.86 %	2 836 033 €
<b>2012</b> <sup>54</sup>	4 500 000 €	16.59 %	3 062 386 €
<b>2013</b> <sup>55</sup>	4 700 000 €	16.98 %	3 034 259 €
<b>2014</b> <sup>56</sup>	4 900 000 €	16.99 %	2 470 207 €

Between 2001 and 2014, the administration costs of Kopiosto increased from 2.4 million euros to 4.9 million euros. Their share in the amounts of remunerations administered slowly increased from 13.2 % in 2001 to 17 % in 2014.

Kopiosto has allocated money to cultural uses every year since 2000, with sums ranging between 1.9 million euros in 2004 and 3.7 million euros in 2009 (from 9 to 15 % of the amount managed on the same year). In practice, the funds reported here are allocated through The Promotion Centre for Audiovisual Culture (AVEK) which supports financially various operations and projects in the field of audiovisual culture (e.g. education, documentaries and concerts).<sup>58</sup> It should be noted, however, that in addition to these funds Kopiosto distributes collectively the remunerations for photocopying and digital copying (2014: 13 million €) to its member organizations, and a significant share of these funds is directed to cultural purposes as different kinds of grants and awards.<sup>59</sup> The amount of funds distributed collectively is based on contracts between Kopiosto and its members.

<sup>56</sup> Source: Annual report of Kopiosto 2014, available at [http://www.kopiosto.fi/kopiosto/kopiosto/talous/fi\\_FI/talous/\\_files/93883437854109272/default/Kopiosto\\_Vuosikertomus\\_2014.pdf](http://www.kopiosto.fi/kopiosto/kopiosto/talous/fi_FI/talous/_files/93883437854109272/default/Kopiosto_Vuosikertomus_2014.pdf). Visited on 12.6.2015.

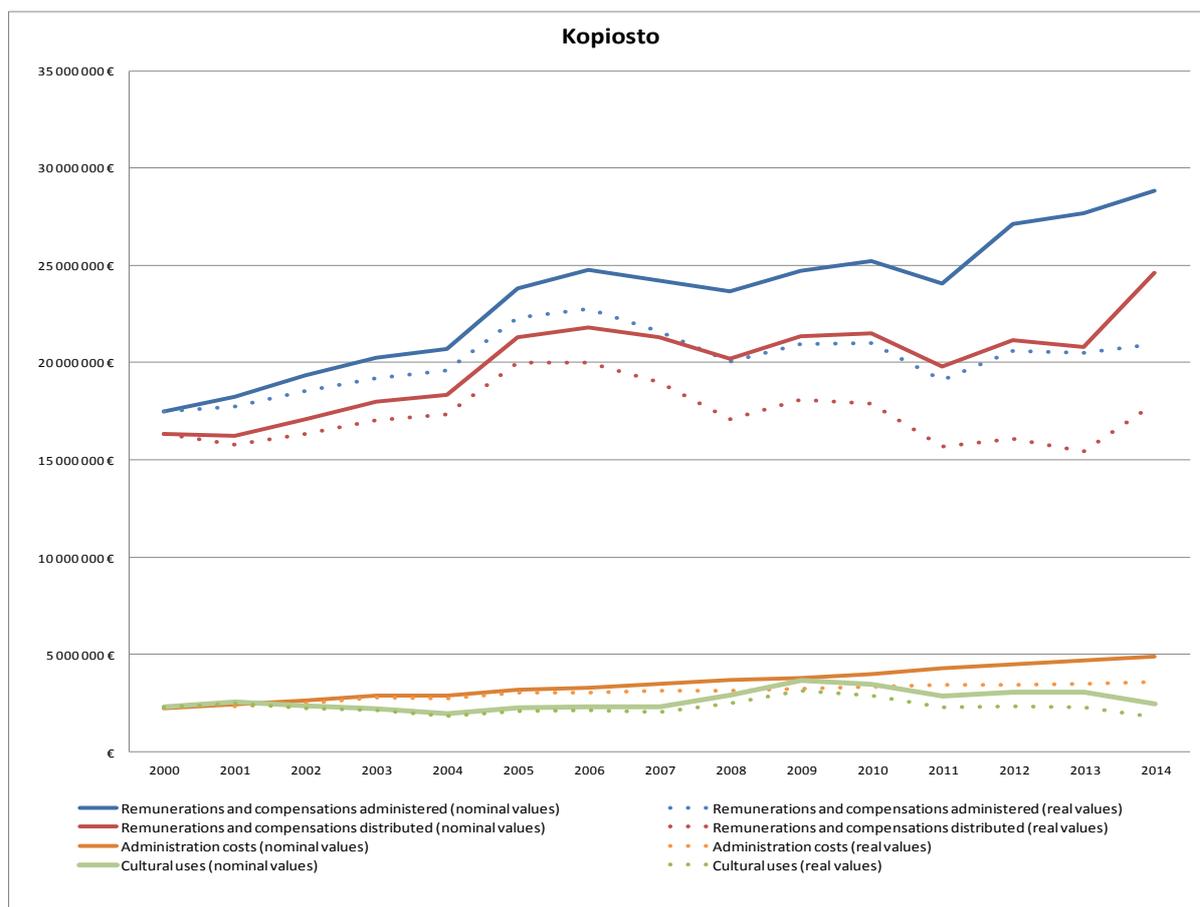
<sup>57</sup> Source: Email from Kopiosto (10.12.2015)

<sup>58</sup> Source: The website of AVEK at [http://www.kopiosto.fi/avek/en\\_GB/](http://www.kopiosto.fi/avek/en_GB/). Visited on 3.6.2015. The financial support is mainly funded from accumulated compensations for private copying, see the annual report of AVEK 2013–2014, available (in Finnish) at [http://www.kopiosto.fi/avek/avek/avek\\_lyhyesti/fi\\_FI/toimintakertomus/](http://www.kopiosto.fi/avek/avek/avek_lyhyesti/fi_FI/toimintakertomus/). Visited on 3.6.2015.

<sup>59</sup> Source: Annual report of Kopiosto 2014, p. 19.

The following figure presents the amounts of remunerations administered and distributed by Kopiosto, as well as the administration costs and the amounts devoted to cultural uses, accompanied with their values adjusted to inflation.<sup>60</sup>

**Figure 2. Overview: Kopiosto 2000–2014<sup>61</sup>**



Although Kopiosto’s revenues in real terms have been increasing rather steadily during the period examined, there have also been years when the funds administered have decreased compared to previous years. According to Kopiosto, their revenues have been affected especially by the changes in the levels of private copying compensations and remunerations for photocopying. For example, in 2005, the amount of private copying levies administered by Kopiosto increased by almost 15 percent (0.59 million €) compared to the previous year, due to an increase in the sales of DVDs at the beginning of the century. During the same year, the revenue from photocopying licenses increased by 22 percent (2.0 million €), mainly due to successful licensing negotiations, new data on the actual use of works, and information campaigns.<sup>62</sup> In comparison, in 2011, the amount of private copying funds managed by Kopiosto plunged by 42.5 % compared to the previous year. During 2007–2010, the level of funds

<sup>60</sup> The calculations are based on the consumer price index by Statistics Finland with 2000 as year of reference. The precise figures are presented in Appendix B of this report. See Official Statistics of Finland (OSF): Consumer price index [e-publication]. ISSN=1799-0254. July 2015, Appendix table 5. Consumer Price Index 2000=100. Helsinki: Statistics Finland, [http://www.stat.fi/til/khi/2015/07/khi\\_2015\\_07\\_2015-08-14\\_tau\\_005\\_en.html](http://www.stat.fi/til/khi/2015/07/khi_2015_07_2015-08-14_tau_005_en.html). Visited on 9.9.2015.

<sup>61</sup> Values of 2000–2005 concerning the remunerations distributed have been calculated by subtracting the annual costs of operation from the overall revenue of each year. From 2006 onwards, Kopiosto has reported the actual volume of remunerations distributed to right holders each year to Statistics Finland. These figures better reflect the actual amounts of remunerations distributed on each particular year but are, however, not directly comparable to the figures of 2000–2005.

<sup>62</sup> For example, the amount of licensing revenue from photocopying by public administration doubled in 2005 as new data on the actual use of works was gathered. Source: Annual report of Kopiosto 2005, pp. 4–7.

collected as private copying levies had been higher than in the following years owing to, *i.a.*, high sales figures of digital set-top boxes. However, as the compensation for private copying is funded from the state budget from 2015 onwards, Kopiosto expects that the level of compensations for private copying will increase compared to the last few years. Furthermore, the CMO expects that especially the licensing of online recording services of television programs will raise their overall revenue.<sup>63</sup>

The administration costs of Kopiosto consist mainly of personnel costs inevitably connected to their collective management operations, and the amount of these costs seem to have remained on a steady level during the period examined. However, a certain share of the costs of their operations have been directed also to developing new services as well as to lobbying activities. Furthermore, during the last few years the CMO has directed funds to improvements in their customer interface as well as to enhancements in the services offered to their member organizations.<sup>64</sup>

The changes in the amount of private copying levies collected until 2014 by Teosto has affected also the amount of funds directed to cultural purposes, as they have been the main source of funds for AVEK. Hence, the amount of funds distributed by AVEK was high especially between 2008 and 2010. The anticipated increase in the overall revenues of Kopiosto is expected to be reflected also in the level of funds distributed to cultural uses through AVEK.<sup>56</sup>

### **C. COPYRIGHT ASSOCIATION OF ARTISTS WORKING IN THE FIELD OF VISUAL ARTS KUVASTO<sup>65</sup>**

Kuvasto, founded in 1987, is a copyright society for artists working in the field of visual arts. Its purpose is to look after the rights of visual artists under copyright legislation and promote the conditions for using visual art.<sup>66</sup> The financial information used in this study was provided by Kuvasto on request.

<b>Table 5. Remunerations administered and distributed by Kuvasto 2007–2014<sup>67</sup></b>		
<b>Year</b>	<b>Remunerations administered<sup>68</sup></b>	<b>Remunerations distributed<sup>69</sup></b>
<b>2007</b>	618 154 €	527 508 €
<b>2008</b>	502 693 €	441 432 €
<b>2009</b>	542 477 €	474 429 €
<b>2010</b>	568 547 €	506 509 €
<b>2011</b>	604 045 €	518 368 €
<b>2012</b>	590 290 €	488 780 €
<b>2013</b>	612 169 €	500 607 €
<b>2014<sup>70</sup></b>	593 519 €	360 871 €

<sup>63</sup> Source: Annual report of Kopiosto 2011 and annual report of Kopiosto 2014, pp. 4–6.

<sup>64</sup> Source: Annual report of Kopiosto 2014, p. 4.

<sup>65</sup> Free translation; the original Finnish name of the CMO is “Visuaalisen alan taiteilijoiden tekijänoikeusyhdistys KUVASTO ry”.

<sup>66</sup> Source: Kuvasto's website, “About Kuvasto”, at <http://kuvasto.fi/in-english/>. Visited on 26.6.2015.

<sup>67</sup> Source: Email from Kuvasto (16.10.2015)

<sup>68</sup> Nominal values, including the remunerations collected by the CMO itself, the remunerations collected from other organizations and other compensations and remunerations allocated to right holders through the CMO (for example for private copying). No other income such as membership fees and investment revenue are included.

<sup>69</sup> Payments made to individual right holders, including remunerations for resale, exhibitions, reproductions and communication to the public. Compensations for private copying and remunerations for public lending and photocopying are distributed collectively as grants or other direct donations to collective purposes. Source: Annual report of Kuvasto 2014, available at [http://kuvasto.fi/hallinta/wp-content/uploads/2014/12/kuvasto\\_vuosikertomus\\_verkko.pdf](http://kuvasto.fi/hallinta/wp-content/uploads/2014/12/kuvasto_vuosikertomus_verkko.pdf). Visited on 4.12.2015.

<sup>70</sup> These amounts reported in the annual report of Kuvasto 2014 exclude a larger set of remunerations for the digital use of works by the Finnish National Gallery. Sources: Email from Kuvasto (16.10.2015); Annual report of Kuvasto 2014.

During the time period of 2007 to 2014, the remunerations administered annually by Kuvasto have varied between 503 000 and 618 000 euros. It seems that the volume of remunerations administered by the CMO has remained steady during the period examined.

According to the annual report of Kuvasto, the amount of remunerations administered by the CMO in 2014 was 593 519 €, and the amount of remunerations distributed individually<sup>69</sup> was 360 871 €. However, Kuvasto received a larger set of remunerations in 2014 for the digital use of works by the Finnish National Gallery to be distributed during several following years, and these funds are not included in the figures presented in Table 5. If this additional set of remunerations is taken into account, the overall amount of remunerations administered in 2014 by the CMO was 2.39 million euros.<sup>71</sup>

The amount of remunerations distributed yearly has varied between 441 000 euros and 528 000 euros in the period 2007–2013. The funds are distributed mainly during the year following the collection, but some of the funds may have been distributed with a greater delay.<sup>72</sup>

<b>Table 6. Administration costs and cultural uses, Kuvasto 2007–2014<sup>73</sup></b>		
<b>Year</b>	<b>Administration costs (overhead rate<sup>74</sup>)</b>	<b>Money distributed to cultural uses (amount)</b>
<b>2007</b>	29 %	34 000 € <sup>75</sup>
<b>2008</b>	39 % / 34 %	36 000 € <sup>76</sup>
<b>2009</b>	39 % / 34 %	36 000 € <sup>77</sup>
<b>2010</b>	39 % / 34 %	25 000 € <sup>78</sup>
<b>2011</b>	39 % / 34 %	20 000 € <sup>79</sup>
<b>2012</b>	34 %	24 000 € <sup>80</sup>
<b>2013</b>	27.91 %	21 000 € <sup>81</sup>
<b>2014</b>	25 % <sup>82</sup>	18 000 € <sup>83</sup>

Information concerning the overall amount of administration costs in Kuvasto was not accessible at the time of the study. However, Kuvasto reported the fixed shares of administrative deductions (“overhead rate”) made from the licensing revenue directed to individual right holders, decided annually by the board of the CMO. The overhead rate may be the same for all categories of remunerations, or it may

<sup>71</sup> Sources: Email from Kuvasto (16.10.2015); Annual report of Kuvasto 2014.

<sup>72</sup> Source: Interview with Kuvasto (30.9.2015)

<sup>73</sup> Source: Email from Kuvasto (16.10.2015)

<sup>74</sup> In Finnish “hallintokuluprosentti”, referring to the fixed share of administrative deductions made from all licensing revenue before distributing the money to right holders. The percentage is decided annually based on the operating costs of the CMO.

<sup>75</sup> Source: Email from Kuvasto (10.12.2015).

<sup>76</sup> Source: Kuvasto's website (in Finnish), at <http://kuvasto.fi/2009/02/visek-2008-apurahansaajat/>. Visited on 4.12.2015.

<sup>77</sup> Source: Kuvasto's website (in Finnish), at <http://kuvasto.fi/2010/02/vuoden-2009-visek-apurahan-saajat/>. Visited on 4.12.2015.

<sup>78</sup> Source: Kuvasto's website (in Finnish), at <http://kuvasto.fi/2011/02/visek-2010-apurahan-saajat/>. Visited on 4.12.2015.

<sup>79</sup> Source: Kuvasto's website (in Finnish), at <http://kuvasto.fi/2012/02/visek-2011-apurahat-jaettu/>. Visited on 4.12.2015.

<sup>80</sup> Source: Kuvasto's website (in Finnish), at <http://kuvasto.fi/2013/03/visek-2012-apurahansaajat-paatetty/>. Visited on 4.12.2015.

<sup>81</sup> Source: Annual report of Kuvasto 2013, available at <http://kuvasto.fi/hallinta/wp-content/uploads/2014/12/Kuvasto-Vuosi-2013.pdf>. Visited on 4.12.2015.

<sup>82</sup> A separate overhead rate will be calculated for the funds collected for the digital use of works by the Finnish National Gallery. Source: Email from Kuvasto (8.10.2015).

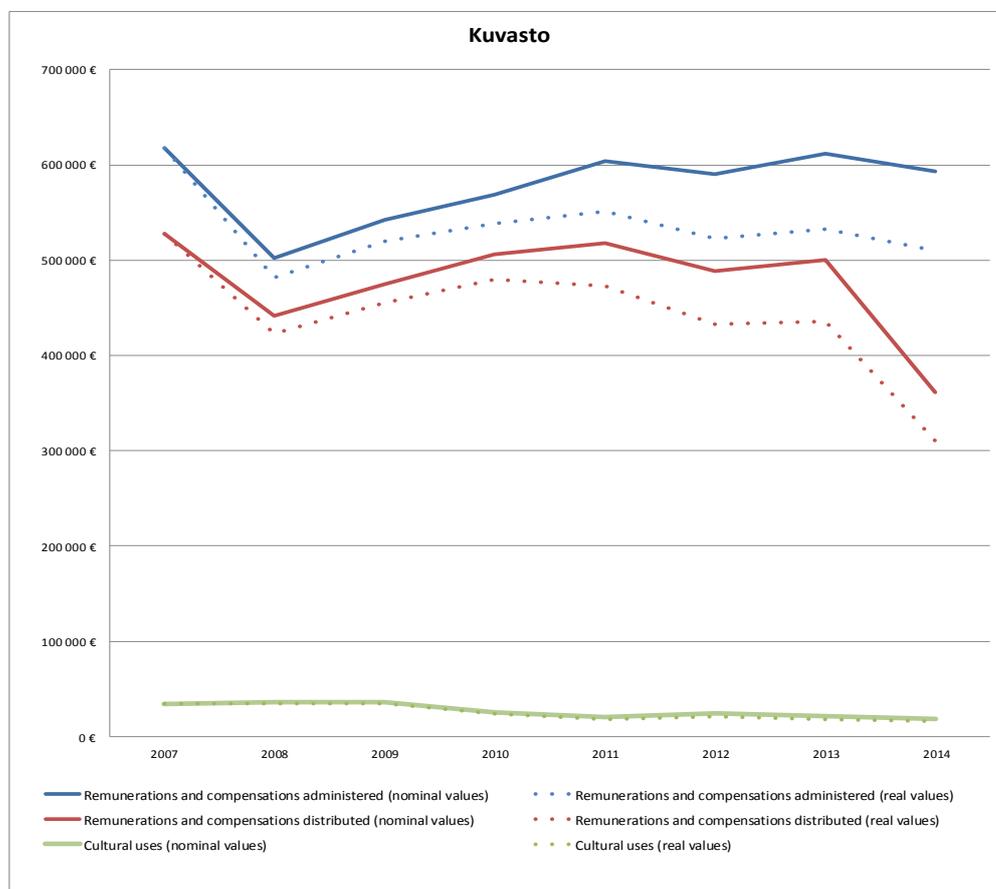
<sup>83</sup> Source: Annual report of Kuvasto 2014.

vary on the basis of the type of the remuneration managed (e.g. in 2008–2011 two different rates were used). As the numbers presented indicate, the rate has decreased during the past three years; this in turn may be a sign of decrease in the overall amount of administration costs of Kuvasto.

In addition to individual remunerations, Kuvasto also distributes funds for collective purposes. These funds include money directed to cultural purposes through VISEK (Visuaalisen taiteen edistämiskeskus), operating in conjunction with Kuvasto. VISEK promotes audiovisual and digital art by distributing annual grants funded from compensations for private copying, allocated to VISEK by the Finnish Ministry of Education and Culture.<sup>83</sup> The total amount of grants has varied between 36 000 euros in 2008 and 18 000 euros in 2014. During the examined period, the annual total has been declining, reflecting the general decrease in the amount of compensations collected for private copying in Finland.

The following figure presents the amounts of remunerations administered and distributed by Kuvasto, as well as the amounts devoted to cultural uses, accompanied with their values adjusted to inflation.<sup>84</sup>

**Figure 3. Overview: Kuvasto 2007–2014.**<sup>85</sup>



<sup>84</sup> The calculations are based on the consumer price index by Statistics Finland with 2007 as year of reference. The precise figures are presented in Appendix B of this report. See Official Statistics of Finland (OSF): Consumer price index [e-publication]. ISSN=1799-0254. Appendix table 4. Year-on-year changes in the Consumer Price Index, per cent (Access method: [http://www.stat.fi/til/khi/2015/05/khi\\_2015\\_05\\_2015-06-15\\_tau\\_004\\_en.html](http://www.stat.fi/til/khi/2015/05/khi_2015_05_2015-06-15_tau_004_en.html)). Helsinki: Statistics Finland. Visited on 15.12.2015.

<sup>85</sup> The figures of 2014 exclude a larger set of remunerations for the digital use of works by the Finnish National Gallery (approximately 1,8 million €) to be distributed during several following years. If this additional set of remunerations is taken into account, the overall amount of remunerations administered in 2014 by the CMO has been 2,39 million euros.

## D. SANASTO

Sanasto is a Finnish copyright society for literary copyright holders. Its purpose is to promote, supervise and manage the rights of copyright holders in the field of literature in Finland and abroad. It was founded in 2005, but the first payments to right holders were not made until in 2010.<sup>86</sup> Most of the financial information used in this study was publicly available as part of Sanasto's annual reports.

<b>Year</b>	<b>Remunerations administered<sup>87</sup></b>	<b>Remunerations distributed</b>
<b>2010<sup>88</sup></b>	5 479 059 €	282 405 € <sup>89</sup>
<b>2011<sup>90</sup></b>	2 764 717 €	3 028 344 €
<b>2012<sup>91</sup></b>	3 325 000 €	3 182 000 €
<b>2013<sup>92</sup></b>	3 527 856 €	4 858 627 €
<b>2014<sup>93</sup></b>	3 810 418 €	4 503 250 €

Between 2011 and 2014, the remunerations administered by Sanasto have increased substantially from 2.76 million euros to 3.81 million euros, after a drop from 5.48 million euros in 2010. Remunerations were not distributed until the year 2010, when the total amount of money distributed was just over 280 000 euros.<sup>94</sup> Since 2011, the amount of remunerations distributed has varied between 3.0 and 4.6 million euros.

Although Sanasto distributes the funds they manage with precision and almost with no delay, the CMO reserves a certain share of the remunerations for public lending for a period of three years, in case unknown individual right holders make claims for their money or the CMO is able to find a right holder that they could not contact before. If the funds are not claimed, they are distributed evenly to the individual right holder clients of Sanasto.<sup>95</sup>

<sup>86</sup> Source: Sanasto's website, at <http://www.sanasto.fi/front-page/>. Visited on 26.6.2015.

<sup>87</sup> Nominal values, including the remunerations collected by the CMO itself, the remunerations collected from other organizations and the remunerations funded from the state budget (public lending). No other income such as membership fees and investment revenue are included.

<sup>88</sup> Source: Annual report of Sanasto 2010.

<sup>89</sup> Including only remunerations for the use of literary works in original radio and television transmissions, which were the first remuneration categories to be piloted as a part of the distribution system of Sanasto.

<sup>90</sup> Source: Annual report of Sanasto 2011.

<sup>91</sup> Source: Annual report of Sanasto 2012.

<sup>92</sup> Source: Annual report of Sanasto 2013, available at <http://sanasto-fi-bin.directo.fi/@Bin/e85d97fb84450bad1f2171595a541811/1434367982/application/pdf/413100/Vuosikertomus%202013.pdf>. Visited on 15.6.2015.

<sup>93</sup> Source: Annual report of Sanasto 2014, available at <http://sanasto-fi-bin.directo.fi/@Bin/8a8a42c0fb1c669237d072e9fcde178c/1434369248/application/pdf/567295/Vuosikertomus%202014.pdf>. Visited on 15.6.2015.

<sup>94</sup> Detailed statistics on the remunerations distributed are presented on Sanasto's website, at <http://www.sanasto.fi/tilastot/>. Visited on 4.11.2015.

<sup>95</sup> In addition, Sanasto has a minimum limit of 10 euros for settlements made to individual right holders: if the remunerations belonging to a right holder do not reach the minimum limit, the funds are set aside to be distributed later. Unless the minimum limit for settlements is reached within three years, the remunerations are regarded as outdated. Source: Sanasto's website, "Tilityssäännöt", at <http://www.sanasto.fi/tekijalle/tilitykset/tilityssaannot/>. Visited on 12.12.2015.

Table 8. Administration costs and cultural uses, Sanasto 2010–2014			
Year	Administration costs		Money distributed to cultural uses <sup>96</sup>
	Amount	% of the amounts administered	Amount
2010 <sup>88</sup>	300 000 €	5.48 %	42 478 €
2011 <sup>90</sup>	460 000 €	16.64 %	69 800 €
2012 <sup>91</sup>	485 000 €	14.59 %	26 412 €
2013 <sup>92</sup>	528 289 €	14.97 %	38 653 €
2014 <sup>93</sup>	649 247 €	17.04 %	55 903 €

The amount of administration costs has been growing as Sanasto has introduced new services and has been assigned to administer new areas of collective management. Between 2010 and 2014, their administration costs increased from 300 000 euros to 649 247 euros. Their share in the amounts of remunerations administered varied between 5.5 and 17.0 percent.

All remunerations collected by Sanasto are distributed *per se* to individual right holders. However, the figures presented in table 8 concerning the amount of money allocated to cultural uses represent the annual variation in the overall amount of money administered by a copyright fund "Kirjallisuuden tekijänoikeusrahasto" operating under Sanasto.<sup>97</sup> The purpose of this fund is to promote the rights of literary copyright holders in Finland. The funds are allocated to collective purposes (e.g. promotional campaigns and seminars, lobbying, the Sanasto Award) by the board of Sanasto.<sup>98</sup>

Since 2009, in addition to e.g. leftover money from public lending remunerations (funds that could not be distributed to individual right holders), a certain share of the investment revenue of Sanasto has been allocated to their copyright fund. In addition, remunerations for the use of literature in the streaming service of the Finnish Public Broadcasting Company (*Yleisradio*), *Elävä Arkisto*, has been directed to the fund to be used collectively, as no data on the actual use of individual works has been available.<sup>99</sup> Between 2010 and 2014, the overall sum of funds to be used for collective purposes has ranged between 20 000 and 70 000 euros.

The following figure presents the amounts of remunerations administered and distributed by Sanasto, as well as the administration costs and the amounts devoted to collective purposes, accompanied with their values adjusted to inflation.<sup>100</sup>

<sup>96</sup> Source: Email from Sanasto (3.12.2015).

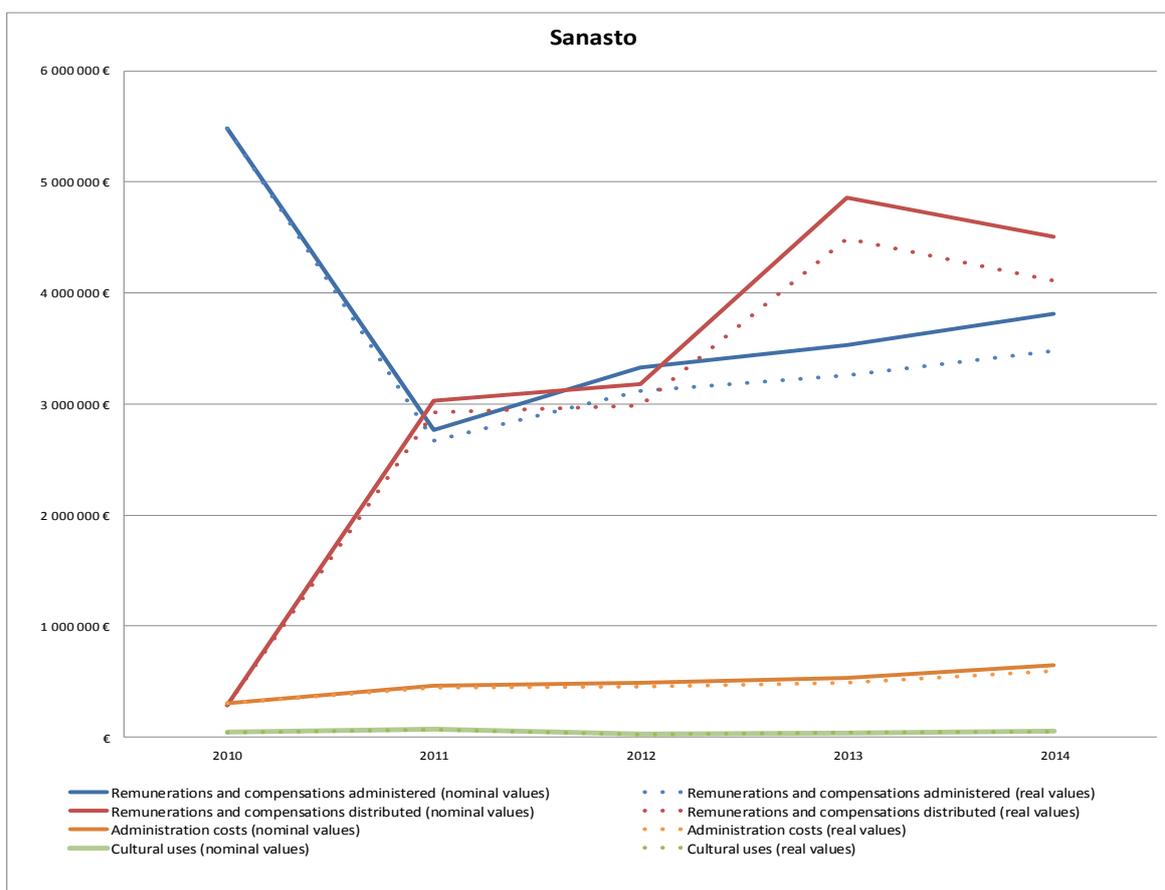
<sup>97</sup> Annual change in this case refers to the annual increase in the overall size of the fund after the annual costs of the fund have been reduced.

<sup>98</sup> Source: Interview with Sanasto (30.9.2015). See also Sanasto's website, at <http://www.sanasto.fi/sanasto/toiminta/kirjallisuuden-tekijanoikeusraha/>. Visited on 28.10.2015.

<sup>99</sup> Source: Emails from Sanasto (1.12.2015 and 3.12.2015).

<sup>100</sup> The calculations are based on the consumer price index by Statistics Finland with 2010 as year of reference. The precise figures are presented in Appendix B of this report. See Official Statistics of Finland (OSF): Consumer price index [e-publication]. ISSN=1799-0254. Appendix table 4. Year-on-year changes in the Consumer Price Index, per cent (Access method: [http://www.stat.fi/til/khi/2015/05/khi\\_2015\\_05\\_2015-06-15\\_tau\\_004\\_en.html](http://www.stat.fi/til/khi/2015/05/khi_2015_05_2015-06-15_tau_004_en.html)). Helsinki: Statistics Finland. Visited on 15.12.2015.

**Figure 4. Overview: Sanasto 2010–2014**



According to Sanasto, the large amount of remunerations administered in 2010 is explained by the fact that although Sanasto was officially appointed to manage the distribution of remunerations for public lending already in 2008, the CMO received the funds reserved for these purposes from the Ministry of Education and Culture with a delay. Furthermore, Sanasto had to create a new system for the distribution process, which took approximately one year. Hence, the figure of 2010 includes remunerations for public lending also from previous years.<sup>101</sup>

The amount of funds administered has been increasing as Sanasto has introduced new services and the CMO has been assigned to administer new areas of collective management (e.g. use of literary works in original radio and television transmissions<sup>102</sup>, textbooks for visually impaired<sup>103</sup>).

The annual amounts of remunerations distributed by Sanasto e.g. in 2013 and 2014 have been higher than the figures concerning the funds administered, because Sanasto has been distributing retroactively remunerations for public lending. For example, in 2010, they distributed remunerations for 2007, and in 2011, they distributed remunerations for public lending budgeted for 2008 and 2009. By 2013, Sanasto had reached their current pace of distributing remunerations also with regards to remunerations for public lending: now payments are made with minimum delay, already during the same year the CMO receives the funds from the ministry.<sup>104</sup>

<sup>101</sup> Source: Interview with Sanasto (30.9.2015).

<sup>102</sup> Copyright Act, section 25 f.

<sup>103</sup> Copyright Act, section 17.

<sup>104</sup> Source: Interview with Sanasto (30.9.2015). The distributions are based on lending data from the previous year.

The operations of Sanasto have been executed with high accuracy and efficiency already from the beginning of their journey. Between 2009 and 2014, the CMO has developed completely new systems for the management of various licensing schemes and for the distribution of individual remunerations. The fixed share of administrative deductions made for each settlement (overhead rate) has been lowered continuously with the decision of the board of Sanasto, and thanks to their established practices, it is expected that the share of administration costs is going to decrease in the future.<sup>101</sup>

### ***E. FINNISH COMPOSERS' COPYRIGHT SOCIETY TEOSTO<sup>105</sup>***

Teosto, the Finnish Composers' Copyright Society, was founded in 1928 to represent music authors and publishers. Its purpose is to enable successful professional music-making in Finland by collecting and distributing to music authors and music publishers remunerations for public performances and recordings of their music, selling and developing services for its customers' music use needs, as well as promoting diversity in, awareness of and performances of Finnish music.<sup>106</sup> The financial information used in this study was publicly available as part of Teosto's annual reports.

<b>Table 9. Remunerations administered and distributed by Teosto 2000–2014</b>		
<b>Year</b>	<b>Remunerations administered<sup>107</sup></b>	<b>Remunerations distributed</b>
<b>2000<sup>108</sup></b>	39 683 979 €	36 611 285 €
<b>2001<sup>108</sup></b>	42 266 859 €	39 607 008 €
<b>2002<sup>109</sup></b>	44 867 075 €	42 017 757 €
<b>2003<sup>110</sup></b>	45 640 849 €	42 254 992 €
<b>2004<sup>111</sup></b>	49 917 546 €	47 120 648 €
<b>2005<sup>112</sup></b>	49 487 504 €	46 974 065 €
<b>2006<sup>113</sup></b>	51 310 960 €	48 770 107 €
<b>2007<sup>114</sup></b>	55 610 597 €	54 265 232 €
<b>2008<sup>115</sup></b>	54 538 356 €	50 274 285 €
<b>2009<sup>116</sup></b>	59 353 220 €	54 072 222 €
<b>2010<sup>117</sup></b>	58 456 114 €	52 428 758 €
<b>2011<sup>118</sup></b>	60 272 924 €	53 291 514 €

<sup>105</sup> Säveltäjien Tekijänoikeustoimisto Teosto r.y.

<sup>106</sup> Source: Teosto's website, "Info corner", at <https://www.teosto.fi/en/teosto>. Visited on 26.6.2015.

<sup>107</sup> Nominal values, including the remunerations collected by the CMO itself, the remunerations collected from other organizations, and the compensations administered (for example for private copying). No other income such as membership fees and investment revenue are included.

<sup>108</sup> Source: Annual report of Teosto 2001.

<sup>109</sup> Source: Annual report of Teosto 2002.

<sup>110</sup> Source: Annual report of Teosto 2003.

<sup>111</sup> Source: Annual report of Teosto 2004.

<sup>112</sup> Source: Annual report of Teosto 2005.

<sup>113</sup> Source: Annual report of Teosto 2006.

<sup>114</sup> Source: Annual report of Teosto 2007.

<sup>115</sup> Source: Annual report of Teosto 2008.

<sup>116</sup> Source: Annual report of Teosto 2009.

<sup>117</sup> Source: Annual report of Teosto 2010.

<b>2012</b> <sup>119</sup>	62 840 872 €	55 522 327 €
<b>2013</b> <sup>120</sup>	66 005 907 €	57 974 474 €
<b>2014</b> <sup>121</sup>	65 409 416 €	56 010 793 €

The data concerning the financial operations of Teosto was easily available and very thorough over a quite long period of time. Remunerations administered by Teosto have steadily grown from 39.7 million euros in 2000 to 65.4 million euros in 2014. The remunerations distributed have varied between 36.6 million euros and 58.0 million euros.<sup>122</sup>

<b>Table 10. Administration costs and cultural uses, Teosto 2000–2014</b>			
<b>Year</b>	<b>Administration costs</b>		<b>Money distributed to cultural uses<sup>123</sup></b>
	<b>Amount</b>	<b>% of the amounts administered</b>	<b>Amount</b>
<b>2000</b> <sup>108</sup>	6 859 780 €	17.29 %	1 173 153 €
<b>2001</b> <sup>108</sup>	7 072 665 €	16.73 %	1 165 961 €
<b>2002</b> <sup>109</sup>	7 404 592 €	16.50 %	1 177 940 €
<b>2003</b> <sup>110</sup>	7 898 111 €	17.30 %	1 324 789 €
<b>2004</b> <sup>111</sup>	7 414 305 €	14.85 %	1 696 760 €
<b>2005</b> <sup>112</sup>	7 755 296 €	15.67 %	1 800 260 €
<b>2006</b> <sup>113</sup>	7 791 874 €	15.19 %	1 819 870 €
<b>2007</b> <sup>114</sup>	8 045 951 €	14.47 %	1 726 283 €
<b>2008</b> <sup>115</sup>	8 397 523 €	15.40 %	1 878 783 €
<b>2009</b> <sup>116</sup>	9 876 559 €	16.64 %	1 987 855 €
<b>2010</b> <sup>117</sup>	9 087 898 €	15.55 %	2 486 608 €
<b>2011</b> <sup>118</sup>	9 520 882 €	15.80 %	2 633 561 €
<b>2012</b> <sup>119</sup>	10 189 717 €	16.22 %	2 679 197 €
<b>2013</b> <sup>120</sup>	10 406 203 €	15.77 %	2 887 330 €
<b>2014</b> <sup>121</sup>	11 865 490 €	18.14 %	3 379 424 €

Following the increase in the volume of their operations, the administration costs of Teosto increased from 6.9 million euros in 2000 to 11.9 million euros in 2014. Their share of the remunerations administered in the same year varied slightly between 14.5 % and 18.1 %.

<sup>118</sup> Source: Annual report of Teosto 2011, available at [http://www.teosto.fi/sites/default/files/files/Vuosikertomus\\_2011.pdf](http://www.teosto.fi/sites/default/files/files/Vuosikertomus_2011.pdf). Visited on 16.6.2015.

<sup>119</sup> Source: Annual report of Teosto 2012, available at [http://www.e-julkaisu.fi/teosto/vuosikertomus/2012/pdf/Vuosikertomus\\_2012\\_korjattu.pdf](http://www.e-julkaisu.fi/teosto/vuosikertomus/2012/pdf/Vuosikertomus_2012_korjattu.pdf). Visited on 28.9.2015.

<sup>120</sup> Source: Annual report of Teosto 2013, available at [http://www.teosto.fi/sites/default/files/files/Teosto\\_tilinpaaos\\_2013.pdf](http://www.teosto.fi/sites/default/files/files/Teosto_tilinpaaos_2013.pdf). Visited on 28.9.2015.

<sup>121</sup> Source: Annual report of Teosto 2014, available at <http://www.teosto.fi/sites/default/files/files/Tilinp%C3%A4%C3%A4t%C3%B6s%20FI%202014.pdf>. Visited on 28.9.2015.

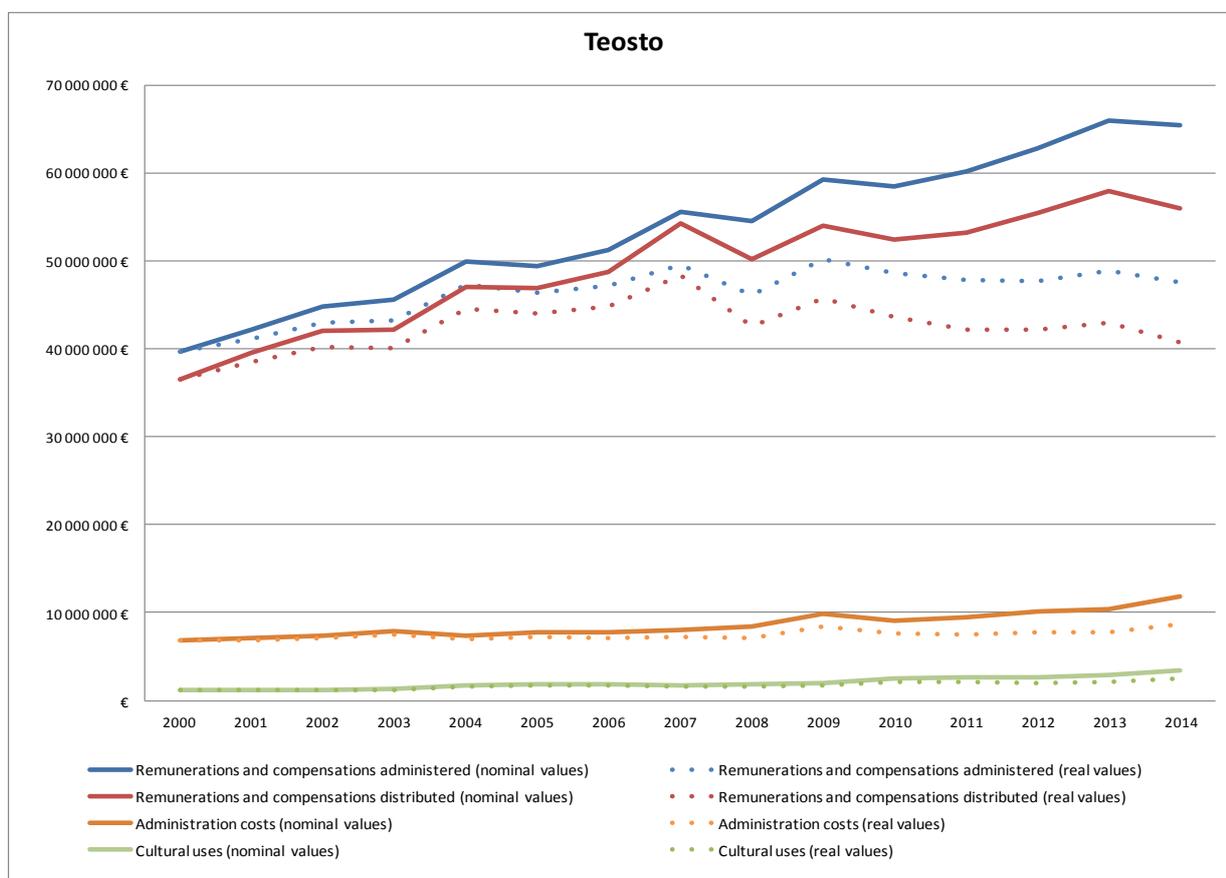
<sup>122</sup> Until the end of 2014, Teosto was responsible for collecting private copying compensations on behalf of all right holder categories in Finland. The figures in Table 9 concerning remunerations administered and distributed include also compensations for private copying collected by Teosto to be distributed by other CMOs. Following the amendment 1171/2014 to the Copyright Act, from 2015 onwards, the compensations for private copying are funded from the state budget.

<sup>123</sup> Including funds allocated to the promotional fund of Teosto as well as contributions made to the member organizations of Teosto, the Finnish Music Foundation (MES, Musiikin edistämissäätiö) and Music Finland (previously Fimic, the Finnish music information center).

Teosto has also distributed part of its income for cultural uses every year. The amounts slowly increased from 1.2 million euros to 3.4 million euros. The share of funds directed to cultural purposes in the amounts of remunerations administered also increased during the examined period, representing a maximum of 5.2 % of the amounts administered.

The following figure presents the amounts of remunerations administered and distributed by Teosto, as well as the administration costs and the amounts devoted to cultural uses, accompanied with their values adjusted to inflation.<sup>124</sup>

**Figure 5. Overview: Teosto 2000–2014**



The real volume of remunerations distributed has been following the developments in remunerations and compensations administered by Teosto. The operations of Teosto have remained rather stable during the examined period, and the collection and distribution systems as well as the administration costs of the CMO can be stated to have reached an efficient level over time.

The administration costs slightly increased in 2013 and 2014 after Teosto moved its operations to rented business premises from their own estate. In addition, a certain share of their human resources has been allocated to establishing a new licensing entity, GT Music Licences Ltd, together with Gramex. Their goal is to create a new centralized licensing system for background music and primary event use (discotheques or related events).<sup>125</sup>

<sup>124</sup> The calculations are based on the consumer price index by Statistics Finland with 2000 as year of reference. The precise figures are presented in Appendix B of this report. See Official Statistics of Finland (OSF): Consumer price index [e-publication]. ISSN=1799-0254. July 2015, Appendix table 5. Consumer Price Index 2000=100. Helsinki: Statistics Finland, [http://www.stat.fi/til/khi/2015/07/khi\\_2015\\_07\\_2015-08-14\\_tau\\_005\\_en.html](http://www.stat.fi/til/khi/2015/07/khi_2015_07_2015-08-14_tau_005_en.html). Visited on 9.9.2015.

<sup>125</sup> Source: Interview with Gramex (29.9.2015). See also the website of GT Music Licences, at <http://www.gtmsiikkiluvat.fi/>. Visited on 28.10.2015.

According to Teosto, there are three main factors affecting the level of their administration costs. First, each collective management organization is forced to assess their goals concerning their market coverage in the licensing market: what types of licenses the CMO is willing to offer and to which categories of users. The volume of licenses granted inevitably affects the resources needed to run the operations of the organization. Second, the level of accuracy pursued in the distribution of remunerations has required the CMO to develop more efficient information systems as well as adjust the processing of data on the actual use of works. Comprehensive documentation of works has proved to be essential in this case, and it can be stated that this elaborative approach has also increased the legitimacy of their operations. Third, the CMO has allocated resources also to different types of promotional activities, including lobbying. These activities also require investments in human resources and certain type of know-how.<sup>126</sup>

The amount of money distributed to cultural uses is annually decided by the general meeting of the society. Typically, the meeting may direct a maximum of 10 % of the funds collected to be distributed to collective purposes. These purposes are also decided by the general meeting, and they include e.g. continual payments to member organizations of Teosto, donations to different types of funds and societies promoting music culture (e.g. Music Finland), specific direct financial support (e.g. for sheet music, projects) as well as the annual Teosto award.<sup>126</sup>

The slight increase in the funds allocated to cultural uses in 2014 is explained partially by the fact that in 2013, Gramex and Teosto joined their own copyright foundations (ESEK<sup>127</sup> and LUSES<sup>128</sup>) and created a new foundation, MES (Musiikin edistämisseätiö) designed to promote and support music culture in Finland.<sup>129</sup> Financial support directed to this foundation from both organizations includes e.g. remunerations which could not have been distributed to individual foreign right holders<sup>130</sup>. In addition to annual donations, Teosto has donated original capital of 500 000 euros to MES.<sup>131</sup>

#### ***F. COLLECTIVE SOCIETY FOR AUDIOVISUAL PRODUCERS TUOTOS***<sup>132</sup>

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Tuotos was founded in 1998 to represent independent film and audiovisual producers. The purpose of the society is to collectively license audiovisual works and to support the development of the audiovisual sector. Tuotos administers remunerations for e.g. the use of television programs and films for educational activities and scientific research, online recording services of television programs and retransmission of television transmissions. In addition, Tuotos distributes compensations for private copying of audiovisual works and grants one-time licenses for public performance of films.<sup>133</sup>

The information used in this study was not publicly available in the form of annual financial reports. At the time of making this research, financial data concerning the remunerations and compensations administered by Tuotos was accessible only for three years, from 2012 to 2014.<sup>134</sup> However, Statistics

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<sup>126</sup> Source: Interview with Teosto (15.10.2015).

<sup>127</sup> Esittävän taiteen edistämiskeskus.

<sup>128</sup> Luovan säveltaiteen edistämisseätiö.

<sup>129</sup> MES supports music culture through grants and different kinds of direct contributions to *i.a.* projects, events, productions, education and research in the field. See MES' website, at <http://www.musiikinedistamissaatio.fi/>. Visited on 28.10.2015.

<sup>130</sup> In accordance with the practice established in reciprocal representation contracts between CMOs.

<sup>131</sup> Source: MES' website: <http://www.musiikinedistamissaatio.fi/>. Visited on 28.10.2015.

<sup>132</sup> AV-tuottajien tekijänoikeusyhdistys Tuotos ry in Finnish.

<sup>133</sup> Source: Tuotos' website (in Finnish), at <http://www.tuotos.fi/info/>. Visited on 5.12.2015.

<sup>134</sup> The annual reports from the period 2000–2014 were requested from Tuotos but they were able to provide the report concerning the year 2014 only. The annual report of 2013 (which also included data concerning 2012) was available online, but not from Tuotos' website, at [http://finisan.fi/fileadmin/user\\_upload/TUOTOS\\_VUOSIKERTOMUS\\_2013.pdf](http://finisan.fi/fileadmin/user_upload/TUOTOS_VUOSIKERTOMUS_2013.pdf). Visited on 5.12.2015.

Finland has compiled annual statistics on remunerations collected and distributed by Finnish collective management organizations between 2006 and 2013; this data is also presented in Table 12 below.

<b>Table 11. Remunerations administered and distributed by Tuotos 2012–2014</b>		
<b>Year</b>	<b>Remunerations administered<sup>135</sup></b>	<b>Remunerations distributed</b>
<b>2012</b>	1 385 589 € <sup>136</sup>	854 000 € <sup>137</sup>
<b>2013</b>	1 441 013 € <sup>136</sup>	1 169 087 € <sup>138</sup>
<b>2014</b>	1 400 292 € <sup>138</sup>	1 058 608 € <sup>138</sup>

During the time period of 2012 to 2014, the remunerations administered annually by Tuotos have varied between 1.39 million and 1.44 million euros. The remunerations distributed have varied between 0.85 million and 1.17 million euros.

According to the cultural statistics of Statistics Finland, the overall sum of remunerations collected by Tuotos have increased from just over 0.58 million euros in 2006 to approximately 1.44 million euros in 2013. Similarly, the amount of funds distributed to producers of audiovisual works has grown during the period examined from around 0.54 million euros in 2006 to just over 0.98 million euros in 2013. However, the figures of 2012–2014 do not perfectly match those that were found in the annual reports (see Table 11).

<b>Table 12. Remunerations collected and distributed by Tuotos 2006–2013.<sup>139</sup></b>		
<b>Year</b>	<b>Remunerations collected</b>	<b>Remunerations distributed</b>
<b>2006</b>	583 338 €	537 965 €
<b>2007</b>	697 443 €	563 780 €
<b>2008</b>	927 206 €	430 292 €
<b>2009</b>	920 316 €	808 641 €
<b>2010</b>	1 250 077 €	900 480 €
<b>2011</b>	1 262 339 €	1 030 894 €
<b>2012</b>	1 386 422 €	1 080 736 €
<b>2013</b>	1 438 154 €	981 901 € <sup>140</sup>

The amount of remunerations administered as well as the share of different remuneration categories in the overall sum have changed over the years as Tuotos has introduced new services, gained more members and signed new co-operation agreements. For example, in 2006, almost 60 percent of the overall remunerations administered by Tuotos comprised of compensations for private copying (approximately 350 000 €), the remaining 40 percent being remunerations for retransmission of

<sup>135</sup> Nominal values, including the remunerations collected by the CMO itself, the remunerations collected from other organizations and the compensations for private copying. No other income such as membership fees and investment revenue are included.

<sup>136</sup> Source: Annual report of Tuotos 2013.

<sup>137</sup> Source: Kuhlberg Miira, Castrén Martina, *Teekijänoikeusjärjestöt ja teosmarkkinoiden toimivuus*. Kilpailu- ja kuluttajaviraston selvityksiä 2/2014, p. 12, referring to the annual report of Tuotos 2012.

<sup>138</sup> Source: Annual report of Tuotos 2014.

<sup>139</sup> Source: Statistics Finland, Cultural Statistics' table service, Table 12.8 Royalties collected and disbursed by copyright societies, at [http://pxweb2.stat.fi/sahkoiset\\_julkaisut/kulttuuritilasto/data/tau\\_12.8.xls](http://pxweb2.stat.fi/sahkoiset_julkaisut/kulttuuritilasto/data/tau_12.8.xls). Visited on 5.12.2015.

<sup>140</sup> 400 000 euros of this sum was distributed in January 2014.

television transmissions and for educational use of audiovisual works.<sup>141</sup> By contrast, in 2013, private copying compensations represented only a sixth (approximately 234 000 €) of the overall remunerations, whereas the most significant revenue streams came from licenses for reproductions of television programs for educational purposes (just over 40 %, 620 000 €<sup>142</sup>) and retransmission of television transmissions (around 30 %, 477 497 €<sup>143</sup>).

Table 13. Administration costs, Tuotos 2012–2014		
Year	Administration costs	% of remunerations administered
2012	423 268 € <sup>136</sup>	30.5 %
2013	390 544 € <sup>136</sup>	27.1 %
2014	439 836 € <sup>138</sup>	31.4 %

Between 2012 and 2014, administration costs represented just under a third of the amounts administered by Tuotos. In 2014, the share of administration costs increased due to a rise in personnel costs and because of certain nonrecurring costs concerning the relocation of their office as well as the changes made in their communications services and financial administration. As the volume of remunerations managed by the CMO is rather low, even small changes in the annual amounts of funds administered are evidently reflected in their costs of operation.<sup>138</sup>

Tuotos distributes the remunerations administered directly to right holders and does not finance cultural programs.

<sup>141</sup> Source: Annual report of Tuotos 2006. The report was available online, but not from Tuotos' website, at [http://www.finisan.fi/fileadmin/user\\_upload/Tuotos\\_vuosikertomus2006.pdf](http://www.finisan.fi/fileadmin/user_upload/Tuotos_vuosikertomus2006.pdf). Visited on 5.12.2015.

<sup>142</sup> In Finnish "opetustallennuskorvaus".

<sup>143</sup> In Finnish "edelleenlähetyskorvaus".

## Conclusions

### **A. ANALYSIS AND SUMMARY OF THE RESULTS**

The rationale behind collective management of rights is based on economies of scale (lower unit costs for negotiating licenses) and lowering of transaction costs (costs of searching and identifying right holders and negotiating on the terms for the use of works). Licensing markets working through collective management organizations should have higher overall efficiency than markets where licenses are negotiated on an individual basis. However, the monopoly power of CMOs or other factors potentially reducing their efficiency might hinder this positive effect. Therefore, the efficiency of CMOs is regarded as one aspect in the framework for assessing the copyright system's operation.

The collective management organizations operating in Finland differ in many ways including their age, the number and kind of their members or clients, and the type and the scope of the copyrighted subject matter collectively managed. The results are therefore affected, among other things, by the services offered by each CMO and the characteristics of the different industries where collective management of rights is used. As a result, no comparison of the CMOs' efficiency should be made on the basis of this study.

This analysis is based on financial information from the Finnish CMOs Gramex, Kopiosto, Kuvasto, Sanasto, Teosto and Tuotos, provided in their annual reports or financial statements, as well as interviews conducted with representatives of each CMO. Additionally, in some cases data was retrieved from the Cultural statistics' table service of Statistics Finland. The collective management organization Filmex, founded in 2013, was not covered in this study.

#### **▪ REMUNERATIONS ADMINISTERED AND DISTRIBUTED**

In terms of remunerations administered and distributed, the largest CMOs is Teosto, with more than 65 million euros administered in 2014. The CMOs analyzed in this report vary largely in size and in age, and the amounts administered also vary greatly. However, all of the CMOs examined have increased the amounts administered and distributed over the time period analyzed. This trend has been particularly noticeable for more recent CMOs and might be explained by the experience acquired over the years as well as by the changes in the areas of collective management covered by each CMO.

The proportion of remunerations distributed when compared to the amounts administered vary among CMOs. Various factors including the age of the CMO, the scale of operations, economic factors as well as financial policies can explain these differences as well as variations over time. In most cases, more recently established CMOs have increased the amounts of remunerations distributed over time, and longer established ones have kept it at a relatively steady level.

#### **▪ ADMINISTRATION COSTS**

The administration costs of the CMOs are affected by a variety of issues. As presented in the pilot report on Description Sheet 12 – *Collective Management of Rights*, the right holder categories represented by different CMOs, the numbers of clients and members, the terms of collection and distribution of remunerations, as well as the scope of rights managed by the organization all affect the level of administrative work needed.

In particular, the interviews with the CMOs' representatives revealed three crucial factors influencing the level of administration costs. Firstly, each collective management organization has to assess its goals concerning their market coverage: what types of licenses the CMO is willing to offer and to which categories of users. The volume of licenses granted inevitably affects the resources needed to run the

operations of the organization. Secondly, an essential factor affecting the administration costs of the CMO is the level of accuracy pursued especially in the distribution of remunerations; a higher level of accuracy increases the legitimacy of the CMO's operations but might result in the need to develop more efficient information systems as well as to adjust the processing of data on the actual use of works. Comprehensive documentation of works has proved to be essential in this case. Thirdly, another source of administration costs is the need for the CMO to allocate resources to different types of promotional activities, including lobbying. These activities also require investments in human resources and certain types of know-how. As a result, no comparison between the levels of administration costs in different CMOs can be made. A meaningful analysis should also take into account in-depth information on policy choices made by each CMO that are likely to influence administration costs on a short-term basis.

However, generally speaking, the CMOs analyzed have kept their level of administration costs rather steady over time, most of them at less than 20 % of the amounts administered, which suggests sensible financial operation. The level of administration costs of collective management (as a %) could be expected to decrease when the scale of operation increases, as the fixed costs related to the operations of the CMOs are spread out over more units of remunerations administered. Moreover, in most cases, the figures on administration costs are publicly available alongside other financial information, which increases the transparency of the CMOs.

The administration costs could be studied further by having a closer look at the cost structure of each organization. This figure should however be analyzed with keeping in mind the specific characteristics of each CMO. Furthermore, the number of professionals in the workforce cannot be directly adjusted to follow changes in the level of remunerations administered by the CMO.

#### ▪ CULTURAL USES OF THE REMUNERATIONS ADMINISTERED

In some cases, part of the remunerations administered by the CMOs is used for collective purposes, such as cultural uses. In the long term, the amounts devoted to cultural uses are invested in favor of copyright holders. They can be related to specific tasks or mandates of the CMOs and the information on their level will not as such shed light on the efficiency of CMOs. This information is however interesting when studying the social and cultural impacts of the copyright system.

The amounts devoted to cultural uses depend on the policies of each CMO as well as on their level of revenue collected. Contributions to cultural uses are typically organized through different kinds of promotional funds and foundations aiming at developing and promoting culture in the fields of activity of the CMO's clients and members. These contributions are often funded from those remunerations which the CMO has not been able to distribute to individual right holders and shares of the proceeds of investment activities of the CMOs. Additionally, a certain part of the money dedicated to cultural uses is funded from the state budget and hence allocated by the Ministry of Education and Culture directly to specific purposes and foundations. In every case the contributions to cultural uses represent a rather small part of the amounts administered by the CMOs.

#### ▪ GENERAL CONCLUSIONS

It has been estimated, that in 2012, the total amount of direct copyright revenue in Finland was approximately 2 931 million euros.<sup>144</sup> Collective management organizations take part in administering a certain share of this overall amount, and on the basis of the data collected for the purposes of this study, it can be calculated that in the same year, a total of almost 115 million euros was administered by the six Finnish CMOs. Furthermore, a total of almost 95 million euros of different types of

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<sup>144</sup> The estimation includes the following industries: press and literature, music, theatre and opera, motion picture and video, radio and television, photography, software and database, visual and graphic arts, and advertising. Source: Koskinen-Olsson Tarja & Muikku Jari, *Direct Copyright Revenue Streams in Creative Industries in Finland*. Publications of the Finnish Copyright Society No 31/2014.

remunerations was distributed to individual right holders and to cultural purposes. Hence, it seems that the revenue streams administered collectively by CMOs seem to represent only a minor part of the total amount of direct copyright revenue in Finland.

The study indicates that it is not relevant to compare the financial situations of the different CMOs due to large differences in the scope of their operation, the services offered, and the types of the copyrighted subject matter collectively managed. However, generally speaking, the trends seem to indicate an evolution towards ever better efficiency. As a general rule, all CMOs seem to distribute a large majority of their income to right holders, therefore indicating the efficiency of collective management of rights. Moreover, important financial information on the levels of remunerations administered and distributed, the administration costs and the amounts devoted to cultural uses is generally publicly available, increasing the transparency of the CMOs.

## ***B. METHODOLOGICAL FINDINGS***

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### **▪ LIMITATIONS**

As a general rule, the collected financial information was provided in the annual reports and financial statements of the CMOs and was publicly available. In most cases the information is available online at least for the most recent years.

The figures are affected by a number of factors, such as the age of the CMO, the number and kind of its members or clients, and the type and the scope of the copyrighted subject matter collectively managed. Therefore, the data concerning different CMOs is not directly comparable.

No conclusions should be made on the basis of the administration costs data before analyzing longer time-series data and taking a closer look at the organizations' financial statements and balance sheets. A series of interviews was conducted in order to get an understanding of the cost structures of the CMOs.

### **▪ GUIDELINES FOR FUTURE RESEARCH**

The information collected provides an insight into the efficiency of the Finnish CMOs. In particular, time-series data is needed in order to get a thorough understanding of the CMOs' efficiency. When numerical figures covering different years are presented in a time sequence, it is useful to calculate real values (nominal values adjusted to inflation) in order to assess the real evolution of these sums over time.

In the case of Finland, the workload for collecting data and drafting this report could be evaluated at ten weeks of full-time work. However, in the case of Finland, the data was relatively easily available - this might not be the case in other countries. Moreover, a new EU Directive on the collective management of copyright and related rights and multi-territorial licensing, adopted in February 2014, includes requirements for financial transparency of CMOs. This is likely to make the necessary data more easily accessible in the countries of the European Union.

In addition to the information specified in the methodology card applied in this pilot study, future studies could compare the size of copyright revenue streams managed by CMOs to the size of copyright revenue streams managed individually in different industries. A method for studying the total of direct copyright revenue streams in a country is presented in Methodology Card 13.

## Appendices

### A. METHODOLOGY CARD

Methodology card as presented in the Methodology Handbook, draft version 1.12.2015.

Element: Collective management of rights	Methodology card 9. Efficiency of collective management organizations	
Key question	What is the amount of remunerations and compensations administered and distributed by CMOs? How cost-effective are the collective management organizations?	
Type of data	<i>objective data</i>	
Description	The efficiency of each CMO, as measured through the amounts of remunerations and compensations administered and distributed, and through analysis of the administration costs and the income distributed for cultural or social purposes	
Parameters to measure	<ol style="list-style-type: none"> <li><b>1. The amounts of remunerations and compensations a) administered and b) distributed by each CMO</b></li> <li><b>2. The amount of administration costs and their share in the remunerations and compensations administered by each CMO</b></li> <li><b>3. The amount of possible remunerations and compensations directed to cultural and social uses by each CMO</b></li> </ol>	
Guidelines for data collection	<p>The information can be collected as a desktop study using the annual reports and financial statements of the organizations as well as other relevant documents. In addition, representatives of each CMO should be interviewed in order to complement the data collected through desktop research and to identify the issues affecting the figures. The data should be collected over a period allowing meaningful analysis and presented as yearly figures in both nominal and real values (corrected for inflation); consider for example a period of 5 or 10 years.</p> <p>The data should be calculated separately for each collective management organization operating in the country.</p>	
Definitions	<i>Remunerations and compensations</i>	<i>All types of revenue collected, administered and distributed by a CMO on behalf of right holders for the use of their works.</i>
	<i>Amounts administered</i>	<i>Remunerations collected by the a CMO itself and other types of copyright revenue the CMO is in charge of distributing to its members, such as remunerations collected abroad on behalf of national right holders according to the terms of reciprocal representation contracts, compensations funded from the state budget or from specific levies, etc.</i>
	<i>Amounts distributed</i>	<i>Remunerations distributed directly to right holders, excluding the operating expenses of the CMO as well as the amounts benefiting right holders through indirect means (such as those allocated to cultural and social uses).</i>
	<i>Administration costs</i>	<i>Operating expenses of the CMO, such as employee salaries, office administration costs etc.</i>
	<i>Cultural uses</i>	<i>Special funds or activities organized or financed by a CMO with the purpose of developing and promoting culture in the fields of activity of the CMO's clients and members.</i>
	<i>Social uses</i>	<i>Special funds or activities organized or financed by a CMO with the purpose of supporting the social needs of the CMO's clients and members, such as pension funds.</i>
Limitations of the indicator	- The results concerning each collective management organization are likely to be affected by several external factors including the organization's experience, the industry in which it operates, the types of subject matter administered, the level of use of collective	

management, and the economic situation in the country. Comparisons should not be made between the efficiency of collective management organizations operating in different environments.

- The transparency and accountability of the services of CMOs is not taken into consideration.

## B. RESULT TABLES

Figures in italics represent real values, adjusted to inflation. The calculations are based on the consumer price index by Statistics Finland with the first year of data available for each CMO as year of reference.<sup>145</sup>

Table A1. Gramex 2000–2014					
Year	Remunerations <sup>146</sup>		Administration costs		Money distributed to cultural uses
	Amount administered	Amount distributed	Amount	% of the amount administered	Amount
<b>2000</b>	13 676 024 € <i>(13 676 024 €)</i>	12 851 972 € <i>(12 851 972 €)</i>	1 804 266 € <i>(1 804 266 €)</i>	13.19 %	1 699 539 € <i>(1 699 539 €)</i>
<b>2001</b>	15 754 400 € <i>(15 344 786 €)</i>	13 197 258 € <i>(12 854 129 €)</i>	1 944 694 € <i>(1 894 132 €)</i>	12.34 %	1 688 539 € <i>(1 644 637 €)</i>
<b>2002</b>	15 151 100 € <i>(14 514 754 €)</i>	10 799 099 € <i>(10 345 537 €)</i>	2 050 636 € <i>(1 964 509 €)</i>	13.53 %	1 373 720 € <i>(1 316 024 €)</i>
<b>2003</b>	15 437 500 € <i>(14 650 188 €)</i>	12 385 791 € <i>(11 754 116 €)</i>	2 046 200 € <i>(1 941 844 €)</i>	13.25 %	1 680 358 € <i>(1 594 660 €)</i>
<b>2004</b>	15 580 000 € <i>(14 754 260 €)</i>	12 162 108 € <i>(11 517 516 €)</i>	2 267 423 € <i>(2 147 250 €)</i>	14.55 %	1 816 097 € <i>(1 719 844 €)</i>
<b>2005</b>	16 514 000 € <i>(15 490 132 €)</i>	12 790 773 € <i>(11 997 745 €)</i>	2 284 999 € <i>(2 143 329 €)</i>	13.84 %	1 832 710 € <i>(1 719 082 €)</i>
<b>2006</b>	15 799 400 € <i>(14 519 649 €)</i>	13 108 424 € <i>(12 046 642 €)</i>	2 492 031 € <i>(2 290 176 €)</i>	15.77 %	2 370 583 € <i>(2 178 566 €)</i>
<b>2007</b>	16 546 000 € <i>(14 759 032 €)</i>	12 822 276 € <i>(11 437 470 €)</i>	2 616 368 € <i>(2 333 800 €)</i>	15.81 %	2 533 962 € <i>(2 260 294 €)</i>
<b>2008</b>	18 134 200 € <i>(15 359 667 €)</i>	10 562 375 € <i>(8 946 332 €)</i>	2 553 105 € <i>(2 162 480 €)</i>	14.08 %	2 719 953 € <i>(2 303 800 €)</i>
<b>2009</b>	18 294 000 € <i>(15 495 018 €)</i>	12 383 385 € <i>(10 488 727 €)</i>	2 463 184 € <i>(2 086 317 €)</i>	13.46 %	2 621 642 € <i>(2 220 531 €)</i>
<b>2010</b>	19 747 000 € <i>(16 449 251 €)</i>	14 466 696 € <i>(12 050 758 €)</i>	2 563 944 € <i>(2 135 765 €)</i>	12.98 %	2 735 176 € <i>(2 278 402 €)</i>
<b>2011</b>	19 170 000 € <i>(15 201 810 €)</i>	17 300 000 € <i>(13 718 900 €)</i>	2 560 537 € <i>(2 030 506 €)</i>	13.36 %	2 932 007 € <i>(2 325 082 €)</i>
<b>2012</b>	19 657 000 € <i>(14 919 663 €)</i>	13 700 000 € <i>(10 398 300 €)</i>	2 589 447 € <i>(1 965 390 €)</i>	13.17 %	3 165 149 € <i>(2 402 348 €)</i>

<sup>145</sup> Official Statistics of Finland (OSF): Consumer price index [e-publication].

ISSN=1799-0254. July 2015, Appendix table 4. Year-on-year changes in the Consumer Price Index, per cent (Access method: [http://www.stat.fi/til/khi/2015/05/khi\\_2015\\_05\\_2015-06-15\\_tau\\_004\\_en.html](http://www.stat.fi/til/khi/2015/05/khi_2015_05_2015-06-15_tau_004_en.html)) and Appendix table 5. Consumer Price Index 2000=100 ([http://www.stat.fi/til/khi/2015/11/khi\\_2015\\_11\\_2015-12-14\\_tau\\_005\\_en.html](http://www.stat.fi/til/khi/2015/11/khi_2015_11_2015-12-14_tau_005_en.html)), Helsinki: Statistics Finland. Visited on 15.12.2015.

<sup>146</sup> Nominal values, including remunerations collected by the CMO itself (media licensing and public performance), remunerations collected by other collective management organizations abroad as well as compensations for private copying. No other income such as membership fees and investment revenue are included.

<b>2013</b>	20 035 000 € (14 845 935 €)	18 600 000 € (13 782 600 €)	2 802 048 € (2 076 318 €)	13.99 %	4 118 616 € (3 051 894 €)
<b>2014</b>	20 523 000 € (14 920 221 €)	18 499 000 € (13 448 773 €)	3 176 620 € (2 309 403 €)	15.48 %	6 516 705 € (4 737 645 €)

Sources: Annual reports of Gramex 2000–2014.

<b>Table A2. Kopiosto 2000–2014</b>					
<b>Year</b>	<b>Remunerations<sup>147</sup></b>		<b>Administration costs</b>		<b>Money distributed to cultural uses</b>
	<b>Amount administered</b>	<b>Amount distributed</b>	<b>Amount</b>	<b>% of the amount administered</b>	<b>Amount</b>
<b>2000</b>	17 487 467 € (17 487 467 €)	16 316 000 € (16 316 000 €)	2 200 000 € (2 200 000 €)	12.58 %	2 284 678 € (2 284 678 €)
<b>2001</b>	18 237 423 € (17 763 250 €)	16 224 000 € (15 802 176 €)	2 400 000 € (2 337 600 €)	13.16 %	2 537 803 € (2 471 820 €)
<b>2002</b>	19 340 801 € (18 528 487 €)	17 068 000 € (16 351 144 €)	2 600 000 € (2 490 800 €)	13.44 %	2 324 561 € (2 226 929 €)
<b>2003</b>	20 253 454 € (19 220 528 €)	17 976 000 € (17 059 224 €)	2 900 000 € (2 752 100 €)	14.32 %	2 210 941 € (2 098 183 €)
<b>2004</b>	20 719 992 € (19 621 832 €)	18 324 000 € (17 352 828 €)	2 900 000 € (2 746 300 €)	14.00 %	1 947 236 € (1 844 032 €)
<b>2005</b>	23 796 126 € (22 320 766 €)	21 313 000 € (19 991 594 €)	3 200 000 € (3 001 600 €)	13.45 %	2 225 130 € (2 087 172 €)
<b>2006</b>	24 749 266 € (22 744 575 €)	21 783 000 € (20 018 577 €)	3 300 000 € (3 032 700 €)	13.33 %	2 292 000 € (2 106 348 €)
<b>2007</b>	24 222 876 € (21 606 805 €)	21 300 000 € (18 999 600 €)	3 500 000 € (3 122 000 €)	14.45 %	2 292 000 € (2 044 464 €)
<b>2008</b>	23 647 856 € (20 029 734 €)	20 179 000 € (17 091 613 €)	3 700 000 € (3 133 900 €)	15.65 %	2 911 417 € (2 465 970 €)
<b>2009</b>	24 710 274 € (20 929 602 €)	21 342 000 € (18 076 674 €)	3 800 000 € (3 218 600 €)	15.38 %	3 675 368 € (3 113 037 €)
<b>2010</b>	25 234 034 € (21 019 950 €)	21 501 000 € (17 910 333 €)	4 000 000 € (3 332 000 €)	15.85 %	3 472 776 € (2 892 822 €)
<b>2011</b>	24 077 430 € (19 093 402 €)	19 786 000 € (15 690 298 €)	4 300 000 € (3 409 900 €)	17.86 %	2 836 033 € (2 248 974 €)
<b>2012</b>	27 128 933 € (20 590 860 €)	21 158 000 € (16 058 922 €)	4 500 000 € (3 415 500 €)	16.59 %	3 062 386 € (2 324 351 €)
<b>2013</b>	27 679 668 € (20 510 634 €)	20 795 000 € (15 409 095 €)	4 700 000 € (3 482 700 €)	16.98 %	3 034 259 € (2 248 386 €)
<b>2014</b>	28 833 076 € (20 961 646 €)	24 640 000 € (17 913 280 €)	4 900 000 € (3 562 300 €)	16.99 %	2 470 207 € (1 795 840 €)

Sources: Annual reports of Kopiosto 2001–2014; Emails from Kopiosto (13.10.2015 and 10.12.2015).

<sup>147</sup> Nominal values, including the remunerations collected by the CMO itself, the remunerations collected from other organizations and other compensations and remunerations allocated to right holders through the CMO (for example for private copying and public lending). No other income such as membership fees and investment revenue are included.

Table A3. Kuvasto 2007–2014				
Year	Remunerations <sup>148</sup>		Administration costs	Money distributed to cultural uses
	Amount administered	Amount distributed	Overhead rate <sup>149</sup>	Amount
2007	618 154 € (618 154 €)	527 508 € (527 508 €)	29 %	34 000 € (34 000 €)
2008	502 693 € (482 083 €)	441 432 € (423 333 €)	39 % / 34 %	36 000 € (34 524 €)
2009	542 477 € (520 235 €)	474 429 € (454 977 €)	39 % / 34 %	36 000 € (34 524 €)
2010	568 547 € (538 414 €)	506 509 € (479 664 €)	39 % / 34 %	25 000 € (23 675 €)
2011	604 045 € (551 493 €)	518 368 € (473 270 €)	39 % / 34 %	20 000 € (18 260 €)
2012	590 290 € (522 407 €)	488 780 € (432 570 €)	34 %	24 000 € (21 240 €)
2013	612 169 € (532 587 €)	500 607 € (435 528 €)	27.91 %	21 000 € (18 270 €)
2014 <sup>150</sup>	593 519 € (510 426 €)	360 871 € (310 349 €)	25 % <sup>151</sup>	18 000 € (15 480 €)

Sources: Emails from Kuvasto (16.10.2015 and 10.12.2015); Annual reports of Kuvasto 2013–2014; Kuvasto's website at <http://kuvasto.fi/visek/>.

Table A4. Sanasto 2010–2014					
Year	Remunerations <sup>152</sup>		Administration costs		Money distributed to cultural uses
	Amount administered	Amount distributed	Amount	% of the amount administered	Amount
2010	5 479 059 € (5 479 059 €)	282 405 € (282 405 €)	300 000 € (300 000 €)	5.48 %	42 478 € (42 478 €)
2011	2 764 717 € (2 670 717 €)	3 028 344 € (2 925 380 €)	460 000 € (444 360 €)	16.64 %	69 800 € (67 427 €)
2012	3 325 000 € (3 118 850 €)	3 182 000 € (2 984 716 €)	485 000 € (454 930 €)	14.59 %	26 412 € (24 774 €)
2013	3 527 856 € (3 256 211 €)	4 858 627 € (4 484 513 €)	528 289 € (487 611 €)	14.97 %	38 653 € (35 677 €)
2014	3 810 418 €	4 503 250 €	649 247 €	17.04 %	55 903 €

<sup>148</sup> Nominal values, including the remunerations collected by the CMO itself, the remunerations collected from other organizations and other compensations and remunerations allocated to right holders through the CMO (for example for private copying). No other income such as membership fees and investment revenue are included.

<sup>149</sup> In Finnish “hallintokuluprosentti”, referring to the fixed share of administrative deductions made from all licensing revenue before distributing the money to right holders. The percentage is decided annually based on the operating costs of the CMO.

<sup>150</sup> The figures do not include a larger set of remunerations (1,8 million €) for the digital use of works by the Finnish National Gallery to be distributed during several following years.

<sup>151</sup> A separate overhead rate will be calculated for the funds collected for the digital use of works by the Finnish National Gallery. Source: Email from Kuvasto (8.10.2015).

<sup>152</sup> Nominal values, including the remunerations collected by the CMO itself, the remunerations collected from other organizations and the remunerations funded from the state budget (public lending). No other income such as membership fees and investment revenue are included.

(3 478 912 €)      (4 111 467 €)      (592 763 €)      (51 039 €)

Sources: Annual reports of Sanasto 2010–2014; Emails from Sanasto (1.12.2015 and 3.12.2015).

Table A5. Teosto 2000–2014					
Year	Remunerations <sup>153</sup>		Administration costs		Money distributed to cultural uses
	Amount administered	Amount distributed	Amount	% of the amount administered	Amount
<b>2000</b>	39 683 979 € (39 683 979 €)	36 611 285 € (36 611 285 €)	6 859 780 € (6 859 780 €)	17.29 %	1 173 153 € (1 173 153 €)
<b>2001</b>	42 266 859 € (41 167 921 €)	39 607 008 € (38 577 226 €)	7 072 665 € (6 888 776 €)	16.73 %	1 165 961 € (1 135 646 €)
<b>2002</b>	44 867 075 € (42 982 658 €)	42 017 757 € (40 253 011 €)	7 404 592 € (7 093 599 €)	16.50 %	1 177 940 € (1 128 467 €)
<b>2003</b>	45 640 849 € (43 313 166 €)	42 254 992 € (40 099 987 €)	7 898 111 € (7 495 307 €)	17.30 %	1 324 789 € (1 257 225 €)
<b>2004</b>	49 917 546 € (47 271 916 €)	47 120 648 € (44 623 254 €)	7 414 305 € (7 021 347 €)	14.85 %	1 696 760 € (1 606 832 €)
<b>2005</b>	49 487 504 € (46 419 279 €)	46 974 065 € (44 061 673 €)	7 755 296 € (7 274 468 €)	15.67 %	1 800 260 € (1 688 644 €)
<b>2006</b>	51 310 960 € (47 154 772 €)	48 770 107 € (44 819 728 €)	7 791 874 € (7 160 732 €)	15.19 %	1 819 870 € (1 672 461 €)
<b>2007</b>	55 610 597 € (49 604 653 €)	54 265 232 € (48 404 587 €)	8 045 951 € (7 176 988 €)	14.47 %	1 726 283 € (1 539 844 €)
<b>2008</b>	54 538 356 € (46 193 988 €)	50 274 285 € (42 582 319 €)	8 397 523 € (7 112 702 €)	15.40 %	1 878 783 € (1 591 329 €)
<b>2009</b>	59 353 220 € (50 272 177 €)	54 072 222 € (45 799 172 €)	9 876 559 € (8 365 445 €)	16.64 %	1 987 855 € (1 683 713 €)
<b>2010</b>	58 456 114 € (48 693 943 €)	52 428 758 € (43 673 155 €)	9 087 898 € (7 570 219 €)	15.55 %	2 486 608 € (2 071 344 €)
<b>2011</b>	60 272 924 € (47 796 429 €)	53 291 514 € (42 260 171 €)	9 520 882 € (7 550 059 €)	15.80 %	2 633 561 € (2 088 414 €)
<b>2012</b>	62 840 872 € (47 696 222 €)	55 522 327 € (42 141 446 €)	10 189 717 € (7 733 996 €)	16.22 %	2 679 197 € (2 033 511 €)
<b>2013</b>	66 005 907 € (48 910 377 €)	57 974 474 € (42 959 086 €)	10 406 203 € (7 710 997 €)	15.77 %	2 887 330 € (2 139 512 €)
<b>2014</b>	65 409 416 € (47 552 645 €)	56 010 793 € (40 719 846 €)	11 865 490 € (8 626 211 €)	18.14 %	3 379 424 € (2 456 841 €)

Sources: Annual reports of Teosto 2001–2014.

<sup>153</sup> Nominal values, including the remunerations collected by the CMO itself, the remunerations collected from other organizations, and the compensations administered (for example for private copying). No other income such as membership fees and investment revenue are included.

Table A6. Tuotos 2012–2014				
Year	Remunerations <sup>154</sup>		Administration costs	
	Amount administered	Amount distributed	Amount	% of the amount administered
2012	1 385 589 € (1 385 589 €)	854 000 € (854 000 €)	423 268 € (423 268 €)	30.5 %
2013	1 441 013 € (1 419 398 €)	1 169 087 € (1 151 551 €)	390 544 € (384 686 €)	27.1 %
2014	1 400 292 € (1 365 285 €)	1 058 608 € (1 032 143 €)	439 836 € (428 840 €)	31.4 %

Sources: Annual reports of Tuotos 2013–2014; Kuhlberg M. & Castrén M., *Tekijänoikeusjärjestöt ja teosmarkkinoiden toimivuus*. Kilpailu- ja kuluttajaviraston selvityksiä 2 (2014).

Table A7. Tuotos: Remunerations 2006–2013 (Source: Statistics Finland)		
Year	Remunerations	
	Amount collected	Amount distributed
2006	583 338 € (583 338 €)	537 965 € (537 965 €)
2007	697 443 € (680 007 €)	563 780 € (549 686 €)
2008	927 206 € (866 010 €)	430 292 € (401 893 €)
2009	920 316 € (859 575 €)	808 641 € (755 271 €)
2010	1 250 077 € (1 152 571 €)	900 480 € (830 243 €)
2011	1 262 339 € (1 120 957 €)	1 030 894 € (915 434 €)
2012	1 386 422 € (1 192 323 €)	1 080 736 € (929 433 €)
2013	1 438 154 € (1 215 240 €)	981 901 € (829 706 €)

Source: Statistics Finland, Cultural Statistics' table service, Table 12.8 Royalties collected and disbursed by copyright societies, at [http://pxweb2.stat.fi/sahkoiset\\_julkaisut/kulttuuritilasto/data/tau\\_12.8.xls](http://pxweb2.stat.fi/sahkoiset_julkaisut/kulttuuritilasto/data/tau_12.8.xls).

### C. INFORMATION SOURCES

#### Collective management organizations:

- Gramex's website, at <http://www.gramex.fi/>, in particular:
  - "What is Gramex?", at [http://www.gramex.fi/en/what\\_is\\_gramex](http://www.gramex.fi/en/what_is_gramex).
  - Annual reports of Gramex 2000–2014.

<sup>154</sup> Nominal values, including the remunerations collected by the CMO itself, the remunerations collected from other organizations and the compensations for private copying. No other income such as membership fees and investment revenue are included.

- Annual report of Gramex 2005, at [http://www.gramex.fi/easydata/customers/gramex/files/ajankoht/toimintakertomus\\_2005\\_low\\_2.pdf](http://www.gramex.fi/easydata/customers/gramex/files/ajankoht/toimintakertomus_2005_low_2.pdf).
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- Annual report of Gramex 2011, at [http://www.gramex.fi/easydata/customers/gramex/files/toimintakertomukset/gramex\\_toimintakertomus\\_2011\\_web.pdf](http://www.gramex.fi/easydata/customers/gramex/files/toimintakertomukset/gramex_toimintakertomus_2011_web.pdf).
- Annual report of Gramex 2012, at [http://www.gramex.fi/easydata/customers/gramex/files/toimintakertomukset/gramex\\_toimintakertomus\\_2012\\_web.pdf](http://www.gramex.fi/easydata/customers/gramex/files/toimintakertomukset/gramex_toimintakertomus_2012_web.pdf).
- Annual report of Gramex 2013, at [http://www.gramex.fi/easydata/customers/gramex/files/toimintakertomukset/gramex\\_toimintakertomus\\_2013\\_web.pdf](http://www.gramex.fi/easydata/customers/gramex/files/toimintakertomukset/gramex_toimintakertomus_2013_web.pdf).
- Annual report of Gramex 2014, at [http://www.gramex.fi/easydata/customers/gramex/files/toimintakertomukset/gramex\\_toimintakertomus\\_2014\\_web.pdf](http://www.gramex.fi/easydata/customers/gramex/files/toimintakertomukset/gramex_toimintakertomus_2014_web.pdf).
- Kopiosto's website, at [http://www.kopiosto.fi/kopiosto/en\\_GB/](http://www.kopiosto.fi/kopiosto/en_GB/), in particular:
  - "Kopiosto in brief", at [http://www.kopiosto.fi/kopiosto/kopiosto\\_in\\_brief/en\\_GB/kopiosto\\_in\\_brief/](http://www.kopiosto.fi/kopiosto/kopiosto_in_brief/en_GB/kopiosto_in_brief/).
  - Annual reports of Kopiosto 2001–2014.
  - Annual report of Kopiosto 2005, at [http://www.kopiosto.fi/kopiosto/kopiosto/hallinto/fi\\_FI/hallinto/\\_files/77683298148090110/default/Kopioston\\_vuosi\\_2005.pdf](http://www.kopiosto.fi/kopiosto/kopiosto/hallinto/fi_FI/hallinto/_files/77683298148090110/default/Kopioston_vuosi_2005.pdf).
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  - Annual report of Kopiosto 2013, at [http://www.ejulkaisu.fi/kopiosto/vuosikertomus/2013/pdf/kopiosto\\_FIN\\_05\\_06.pdf](http://www.ejulkaisu.fi/kopiosto/vuosikertomus/2013/pdf/kopiosto_FIN_05_06.pdf).
  - Annual report of Kopiosto 2014, at [http://www.kopiosto.fi/kopiosto/kopiosto/talous/fi\\_FI/talous/\\_files/93883437854109272/default/Kopiosto\\_Vuosikertomus\\_2014.pdf](http://www.kopiosto.fi/kopiosto/kopiosto/talous/fi_FI/talous/_files/93883437854109272/default/Kopiosto_Vuosikertomus_2014.pdf).
- Kuvasto's website, at <http://kuvasto.fi/>, in particular:
  - "About Kuvasto", at <http://kuvasto.fi/in-english/>.
  - "VISEK", at <http://kuvasto.fi/visek/>.
  - "VISEK 2008 -apurahansaajat", at <http://kuvasto.fi/2009/02/visek-2008-apurahansaajat/>.
  - "VISEK 2010 -apurahansaajat", at <http://kuvasto.fi/2011/02/visek-2010-apurahan-saajat/>.
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  - "Vuoden 2009 VISEK -apurahansaajat", at <http://kuvasto.fi/2010/02/vuoden-2009-visek-apurahan-saajat/>.
  - Annual report of Kuvasto 2013, at <http://kuvasto.fi/hallinta/wp-content/uploads/2014/12/Kuvasto-Vuosi-2013.pdf>.

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- Sanasto's website, at <http://www.sanasto.fi/front-page/>, in particular:
  - "Kirjallisuuden tekijänoikeusrahasto", at <http://www.sanasto.fi/sanasto/toiminta/kirjallisuuden-tekijanoikeusraha/>.
  - "Tilastot", at <http://www.sanasto.fi/tilastot/>.
  - "Tilityssäännöt", at <http://www.sanasto.fi/tekijalle/tilitykset/tilityssaannot/>.
  - Annual reports of Sanasto 2010–2014.
  - Annual report of Sanasto 2013, at <http://sanasto-fi-bin.directo.fi/@Bin/e85d97fb84450bad1f2171595a541811/1434367982/application/pdf/413100/Vuosikertomus%202013.pdf>.
  - Annual report of Sanasto 2014, at <http://sanasto-fi-bin.directo.fi/@Bin/8a8a42c0fb1c669237d072e9fcde178c/1434369248/application/pdf/567295/Vuosikertomus%202014.pdf>.
- Teosto's website, at <https://www.teosto.fi/>, in particular:
  - "Info corner", at <https://www.teosto.fi/en/teosto>.
  - Annual reports of Teosto 2001–2014.
  - Annual report of Teosto 2011, at [http://www.teosto.fi/sites/default/files/files/Vuosikertomus\\_2011.pdf](http://www.teosto.fi/sites/default/files/files/Vuosikertomus_2011.pdf).
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#### Other online materials:

- Annual report of AVEK 2013–2014 (in Finnish), at [http://www.kopioisto.fi/avek/avek/avek\\_lyhyesti/fi\\_FI/toimintakertomus/](http://www.kopioisto.fi/avek/avek/avek_lyhyesti/fi_FI/toimintakertomus/).
- AVEK, at [http://www.kopioisto.fi/avek/en\\_GB/](http://www.kopioisto.fi/avek/en_GB/).
- Cupore website, <http://www.cupore.fi/Pilotreports.php>.
- GT Music Licences, at <http://www.gtmusiikkiluvat.fi/>.
- Musiikinedistämissäätiö, at <http://www.musiikinedistamissaatio.fi/>.
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- Official Statistics of Finland (OSF): Consumer price index [e-publication]. ISSN=1799-0254. July 2015, Appendix table 5. Consumer Price Index 2000=100. Helsinki: Statistics Finland, [http://www.stat.fi/til/khi/2015/07/khi\\_2015\\_07\\_2015-08-14\\_tau\\_005\\_en.html](http://www.stat.fi/til/khi/2015/07/khi_2015_07_2015-08-14_tau_005_en.html).

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- Kuhlberg M. & Castrén M., *Tekijänoikeusjärjestöt ja teosmarkkinoiden toimivuus*. Kilpailu- ja kuluttajaviraston selvityksiä 2 (2014).

#### ***D. CONSULTED PARTIES***

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#### **Interviews:**

- Lauri Kaira, Director (information), and Juhani Ala-Hannula, Legal adviser, Gramex, 29.10.2015
- Martti Kivistö, Director (regulatory and policy affairs), Teosto, 15.10.2015
- Elina Kuusikko, Executive director, Filmex, 1.10.2015
- Tommi Nilsson, Executive director, and Kati Pelkonen, Account and communications manager, Kuvasto, 30.9.2015
- Kirsi Salo, Legal adviser, Tuotos, 5.10.2015
- Anne Salomaa, Executive director, Sanasto, 30.9.2015
- Tuomas Talonpoika, Director of department of Legal affairs and Digital media, and Juhani Ala-Hannula, Legal adviser, Gramex, 16.12.2015

#### **Emails:**

- Sari Ahonen, Senior vice president (rightsholder services), Kopiosto, 10.12.2015
- Pentti Nieminen, Distributions planner, Sanasto, 3.12.2015
- Tommi Nilsson, Executive director, Kuvasto, 8.10.2015, 16.10.2015 and 10.12.2015
- Anne Salomaa, Executive director, Sanasto, 1.12.2015
- Jukka-Pekka Timonen, Senior vice president (legal affairs), Kopiosto, 13.10.2015

#### **The following parties were also consulted during the preliminary study between February and June 2013:**

- Lauri Kaira and Sari Lindström, Gramex
- Johanna Haapiainen-Mikkonen and Tuula Viitanen, Kopiosto
- Tommi Nilsson, Kuvasto
- Anne Salomaa and Anna Storm, Sanasto
- Marja-Leena Karjula, Teosto
- Sanna Lahovaara and Kirsi Niittyinperä, Tuotos

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Cupore webpublications 39:5	<i>Markets for Copyrighted Products and Services – Focus: Literature (Book Publishing Industry). Report on Piloting in Finland.</i>
Cupore webpublications 39:6	<i>Volume of Domestic Production of Copyrighted Products and Services. Report on Piloting in Finland.</i>
Cupore webpublications 39:7	<i>Volume of Exported and Imported Copyrighted Products and Services. Report on Piloting in Finland.</i>
Cupore webpublications 39:8	<i>Development of Digital Business Models and Income Based on Digital Distribution. Report on Piloting in Finland.</i>
Cupore webpublications 39:9	<i>Copyright Law. Report on Piloting in Finland.</i>
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Cupore webpublications 39:12	<i>Use of Impact Assessment and Research in Policy Development. Report on Piloting in Finland.</i>
Cupore webpublications 39:13	<i>Public Administration of Copyright. Report on Piloting in Finland.</i>
Cupore webpublications 39:14	<i>Enforcement by Public and Private Actors – Focus: Public Authorities. Report on Piloting in Finland.</i>
Cupore webpublications 39:15	<i>Enforcement by Public and Private Actors – Focus: Private Actors. Report on Piloting in Finland.</i>
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Cupore webpublications 39:17	<i>Application of Sanctions and Remedies for Copyright Infringement. Report on Piloting in Finland.</i>
Cupore webpublications 39:18	<i>Availability of Alternative Dispute Resolution Mechanisms. Report on Piloting in Finland.</i>
Cupore webpublications 39:19	<i>Use of Alternative Resolution Mechanisms for Solving Copyright Disputes. Report on Piloting in Finland.</i>
Cupore webpublications 39:20	<i>Individual Exercise of Rights – Focus: Literature (Book Publishing Industry). Report on Piloting in Finland.</i>
Cupore webpublications 39:21	<i>Collective Management of Rights. Report on Piloting in Finland.</i>
Cupore webpublications 39:22	<i>Efficiency of Collective Management Organizations. Report on Piloting in Finland.</i>
Cupore webpublications 39:23	<i>Copyright-related Information Activities. Report on Piloting in Finland.</i>
Cupore webpublications 39:24	<i>Copyright-related Education for the Public in General. Report on Piloting in Finland.</i>
Cupore webpublications 39:25	<i>Public Awareness of the Rights. Report on Piloting in Finland.</i>
Cupore webpublications 39:26	<i>Copyright-related Education as Part of the Education of Professionals for Creative Industries. Report on Piloting in Finland.</i>
Cupore webpublications 39:27	<i>Research on Copyright-related Topics. Report on Piloting in Finland.</i>
Cupore webpublications 39:28	<i>Copyright-related Research and Study Programs in Universities and Research Institutes. Report on Piloting in Finland.</i>
Cupore webpublications 39:29	<i>Efficiency of Copyright as an Incentive to Create and Invest in Creative Works – Focus: Literature (Book Publishing Industry). Report on Piloting in Finland.</i>
Cupore webpublications 39:30	<i>Access to Copyrighted Works by the Public. Report on Piloting in Finland.</i>
Cupore webpublications 39:31	<i>Access to Copyrighted Works for Follow-on Creation.</i>
Cupore webpublications 39:32	<i>Transaction Costs in Transfer and Licensing of Rights – Focus: Literature (Book Publishing Industry). Report on Piloting in Finland.</i>
Cupore webpublications 39:33	<i>Terms for Transfer and Licensing of Rights – Focus: Literature (Book Publishing Industry). Report on Piloting in Finland.</i>
Cupore webpublications 39:34	<i>Unauthorized Use of Copyrighted Works in Physical Form. Report on Piloting in Finland.</i>
Cupore webpublications 39:35	<i>Unauthorized Use of Copyrighted Works in Digital Form. Report on Piloting in Finland.</i>
Cupore webpublications 39:36	<i>Analysis of Stakeholders' Opinions on the Copyright System – Focus: Literature (Book Publishing Industry). Report on Piloting in Finland.</i>
Cupore webpublications 39:37	<i>Analysis of Stakeholders' Opinions on the Copyright System – Focus: End-users. Report on Piloting in Finland.</i>