

## **The Rights of Rightholders**

(As set out under the Collective Rights Management Directive 2014/26/EU)

Rightholders shall have the right to authorise a collective management organisation of their choice to manage the rights, categories of rights or types of works and other subject-matter of their choice, for the territories of their choice, irrespective of the Member State of nationality, residence or establishment of either the collective management organisation or the rightholder; and, unless a collective management organisation has objectively justified reasons to refuse management, it shall be obliged to manage such rights, categories of rights or types of works and other subject-matter, provided that their management falls within the scope of its activity.

Rightholders shall have the right to grant licences for non-commercial uses of any rights, categories of rights or types of works and other subject-matter that they may choose.

A rightholder shall have the right to terminate an authorisation to manage rights, categories of rights or types of works and other subject-matter granted to a collective management organisation or to withdraw from a collective management organisation any of the rights, categories of rights or types of works and other subject-matter, as determined pursuant to paragraph (2), for the territories of their choice, on serving reasonable notice not exceeding six months but the collective management organisation may decide that such termination or withdrawal is to take effect only at the end of the financial year in which the notice is served.

If there are amounts due to a rightholder for acts of exploitation which occurred before the termination of an authorisation or withdrawal of rights took effect, or under a licence granted before such termination or withdrawal took effect, the rightholder shall retain his rights under Regulations 10, 11, 16, 18, 26 and 31 of the Directive

A collective management organisation shall not restrict the exercise of rights provided for under paragraphs (4) and (5) of the Directive by requiring, as a condition for the exercise of those rights, that the management of rights or categories of rights or types of works and other subject-matter which are subject to the termination or withdrawal be entrusted to another collective management organisation.

In cases where a rightholder authorises a collective management organisation to manage rights, the rightholder shall give consent specifically for each right or category of rights or type of works and other subject-matter which the collective management organisation is authorised to manage and any such consent shall be evidenced in documentary form.

A collective management organisation shall inform rightholders of their rights under this Regulation, as well as of any conditions attached to the right set out in paragraph (3), before obtaining their consent to its managing any right or category of rights or type of works and other subject-matter.

A collective management organisation shall inform rightholders who have authorised it to manage any rights before the coming into operation of these Regulations of their rights under this Regulation, as well as of any conditions attached to the right set out in paragraph (3), by 10 October 2016.