

# Ifirro STATUS REPORT 2002-2003

**COUNTRY OF OPERATION**      **B e l g i u m**  
**ORGANISATION**                **Reprobel**  
   **Koninklijke Prinsstraat 87**  
   **Rue du Prince Royal 87**  
   **Bruxelles B-1050 Brussel**  
   **Email address: reprobel@reprobel.be**  
   **Website: www.reprobel.be**

## 1. GENERAL INFORMATION

- a) **History summary:** Reprobel was founded in June 1994 and has been registered as a collecting society by the Minister of Justice in June 1996. Then, Reprobel was designated as the only collecting society entitled to collect reprographic fees in Belgium in October 1997. Collection started on the 1st of January 1998.
- Reprobel publishes an electronic newsletter, *Bruit de papier/Geluid van papier*.  
Its website is in Dutch, French and German and got a summary in English.
- b) **Legal system:** Legal license , with equipment levy and operators levy for all sectors (education, public sector and private sector)
- c) **Members:** All collecting societies of owners of reprographic rights of literary and artistic works  
Authors' societies : ASSUCOPIE, JAM/SAJ, KVBKB/ARAPB, SABAM, SACD, SCAM, SOFAM and VEWA  
Publishers' societies : COPIEBEL, COPIEPRESSE, REPROCOPY, REPRO PP, REPROPRESS, SEMU and SABAM
- d) **Composition of Board of Directors:** 14 members, 7 designated by authors' collecting societies and 7 designated by publishers' collecting societies.
- e) **Staff:** 21,7 full time equivalent.
- f) **Licensing:** all sectors.
- g) **Other rights:** none.
- h) **Financial year:** 1 January to 31 December.
- i) **Total income from all licensing for last financial year (2002):**  
12.924.883,65 EUR

## 2. DOMESTIC REPROGRAPHIC COLLECTIONS BY SOURCE (2002)

- a) **Equipment levy:** 4.780.524,76 EUR
- b) **Operators levy:** total: 8.096.359,11 EUR

**Operators levy (levies paid in 2002 for previous and/or future periods included!):**

- **Education (43%)**
- **Government & government-funded (12%)**
- **Business & Professions (33%)**
- **Libraries (1%)**
- **Others (press reviews, color reproductions) (11%)**

## 3. REPROGRAPHIC INCOME FROM OTHER RROS (2002)

47.999,78 EUR (Cancopy and Copibec)

## 4. ADMINISTRATIVE COSTS (2002)

Costs : 1.671.375 EUR  
This amount includes investments and provisions

## 5. DISTRIBUTION PLANS (up till March 2003)

- a) **Summary of distribution plan(s):** In 2002 the Authors' College distributed 3,723.737,52 EUR The Publishers' College distributed 2.328.790,39 EUR.
- b) **Author/Publisher split:** legal split 50/50.  
For the collection period 1/1/02 to 31/12/02 the total amount of distribution for the Authors' College is 6.756.339, 99 EUR and for the Publishers' College also 6.756.339, 99 EUR (without costs of the Colleges).
- c) **Distribution to National Rightsholders:** see 5 a)
- d) **Distribution to Foreign RRO's fees collected in 1998-2002:** in progress; see 7.

## 6. DISTRIBUTION TO RIGHT OWNERS OF VISUAL MATERIAL

**a) Do you distribute to visual artists (plastic artists, graphic designers, photographers) individually or through cooperation with a national collecting society representing this repertoire?**

Both individually and through collecting societies are possible.

**b) Do you apply a proportion by percentage for the distribution between the repertoires of writing authors and visual authors and can you describe this proportion?**

Paid in 2002:

Publishers' part (50%): proportion: unknown

Authors' part (50%) (up till March 2003)

Photographers: 6,93% & Other visual artists: 14,13%; total: 21,06%

Writing artists: 78,94%

**e) How much money did you distribute in the past year to visual artists in general?**

Paid in 2002:

Publishers' part (50%): unknown

Authors' part (50%) (up till March 2003):

Photographers and other visual artists: 784.219,12 EUR

Writing artists: 2.939.518,40 EUR

## 7. BILATERAL AGREEMENTS BY TYPE (up till June 2003)

**Type A:** Stichting Reprerecht (Netherlands), Copibec (Québec).

**Others (type A and/or B):** in progress (CFC, Kopinor, CLA, Cedro, etc.)

## 8. ACADEMIC PERMISSIONS

by law

## 9. ELECTRONIC STORAGE & ELECTRONIC DOCUMENT DELIVERY

- a) **Legal situation:** no change (The Belgian legal situation is very complex, with a mix of exclusive right and legal license for education and research)
- b) **Actual licensing:** none by Reprobel; by publishers of newspapers and magazines some licensing based on exclusive right, for instance Mediargus (Dutch language newspapers and magazines) and Pressbanking (French language newspapers and magazines)
- c) **Pilot projects:** none

## 10. DEVELOPMENTS SINCE LAST REPORT

- a) **Legislation:** none; Government and Parliament were unable to fix the transition of the EU Directive of May 2001 (Information Society) before 22 December 2002.  
In the meantime, negotiations were started between authors, publishers and the government of the implementation of the public lending right.
- b) **Court cases:** still one case: In 1998, machine makers went to “the Council of State” for an abrogation of the equipment levy provisions in the Royal Decree. Resolution is expected in 2003. And authors’ collecting societies started a case against the Belgian State following the non-implementation of the public lending right in Belgium.
- c) **Surveys & statistical results:** a survey on copying (accent on type of works) by the Author’s College, a survey on copying (accent on mediums) by the Publisher’s College and a survey on copying in primary and secondary schools in Flanders. Next to this, a general survey on copying in Belgium (number of machines, number of copies, number of protected works copied etc. is on its way.
- d) **New areas of licensing:** none.
- e) **Others:** none.