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Music broadcast by an association during a public event: what are the rules?

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In principle, an association does not have the right to broadcast music free of charge at a public event. In order to do so, it must obtain authorization from the Sacem and, except in exceptional circumstances, to pay him copyright. How do I proceed? What penalty does the association face if it does not? The rules differ depending on whether the music is recorded or performed by musicians (concert or ball). We present you with the information you need to know.

Please note

The association may have to move closer to other copyright management businesses or businesses for collecting and allocating rights (SPRD) such as the SACD, the AGADP, the Sofia.

Our page is limited to presenting the rules concerning the Sacem, this being the main SPRD.

Recorded Music

What are the rules for an association to broadcast recorded music during an event? ^

The rules differ depending on whether the work is current or has fallen into the public domain.

In all cases, the association must respect the rules concerning the sound level of public events in order not to disturb the neighbors. Restrictions (level of decibel, hour of silence,...) can be put in place by municipalities or local administrations.

Current Work

To broadcast musical works during a public event (garage sale, fairs,...), in the background on a website or in a premises, the association must **obligatory** comply with the following rules:

- Get a **authorization from Sacem**
- Pay for **broadcasting rights**

The association pays the copyright.

Work in the public domain

The obligation to pay broadcasting rights does not apply to works that have fallen into the public domain and are free of rights. This is the case when the author of a work has died for more than 70 years.

To find out if a work has fallen into the public domain, you can consult the catalog of works of the Sacem:

Sacem: repertoire of works (<https://www.service-public.gouv.fr/particuliers/vosdroits/R55392>)

You can also contact your regional Sacem delegation.

Who shall I contact

Sacem regional delegations [↗ \(https://clients2.sacem.fr/nos-delegations\)](https://clients2.sacem.fr/nos-delegations)

However, you still have **the obligation** to obtain a **authorization from Sacem**.

What are the fees to be paid by the association that broadcasts recorded music during an event? ^

The royalties to be paid consist of the copyright and the *equitable remuneration* when musical works are broadcast by means of recorded media (vinyl, CD, radio, digital files, TV, etc.).

How should the association apply for the broadcast of recorded music during an event? ^

The association must apply for permission to broadcast music by filling in a form on the Sacem website:

Sacem: applications for permission to broadcast music (<https://www.service-public.gouv.fr/particuliers/vosdroits/R55115>)

The completed form must be sent online from your customer area (or by post) to your regional delegation of Sacem.

Who shall I contact

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What is the amount of copyright to be paid by the association that broadcasts recorded music during an event? ^

The amount of copyright will vary depending on the nature of the event. For example:

- For an event with music in the background, the calculation of copyright depends on whether or not it is free to the public.
- For a carnival, it is determined by applying a percentage to the revenue generated or the expenditure incurred.
- For a gymnastics or dance course, it depends on the number of students and the type of course given.
- For a ballet or a choreographic show, it depends on the works used and the conditions of organization of the show.

The amount of equitable remuneration is **65%** copyright with an annual minimum set by sector of activity (bars and restaurants, nightclubs, shops, associative premises, waiting rooms, etc.).

FYI

Reductions may be granted, in particular where the application for authorization is made more than 15 days before the event.

What penalty does the association face if it broadcasts recorded music during an event without following the rules? ^

The dissemination, by any means whatsoever, of a musical work in violation of the rights of the author is a offense. He may be fined up to **€300,000** and a prison sentence of up to 3 years.

Concert or prom

What are the rules for an association to broadcast music played by musicians during a concert or a ball? ^

The rules differ depending on whether the work is current, in the public domain or broadcast during the music festival.

But in any case, the association must respect the rules concerning the sound level of public events so as not to disturb the neighboring inhabitants. Restrictions (decibel level, quiet time,...) may be put in place by municipalities or regional administrations.

Current Work

To perform musical works at a public event (concert, ball, ...), he is **obligatory** comply with the following rules:

- Obtain permission from Sacem
- Pay broadcast fees

It's up to the association to pay the copyright.

Work in the public domain

The obligation to pay broadcasting rights does not apply if the work has fallen into the public domain and is free of rights. This is the case when the author of a work has died for more than 70 years.

To find out if a work has fallen into the public domain, you can consult the catalog of works of the Sacem:

Sacem: repertoire of works (<https://www.service-public.gouv.fr/particuliers/vosdroits/R55392>)

You can also contact your regional Sacem delegation.

Who shall I contact

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However, you are still required to obtain authorization from Sacem.

Music Day

If you organize a concert for free during the music festival, you must **only** get permission from Sacem.

How should the association apply to broadcast music played by musicians at a concert or ball?

The association must make an application for permission to broadcast music on the Sacem website.

Sacem: applications for permission to broadcast music (<https://www.service-public.gouv.fr/particuliers/vosdroits/R55115>)

The completed form must be sent online from your customer area (or by post) to your regional delegation of Sacem.

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The list of musical works to be performed by musicians at the event must be attached to the application for permission.

What are the fees to be paid by the association that broadcasts music played by musicians during a concert or a ball?

The amount of copyright will vary depending on the nature of the event. For example:

- For an event with music in the background, the calculation of copyright depends on whether or not it is free to the public.
- For a carnival, it is determined by applying a percentage to the revenue generated or the expenditure incurred.
- For a gymnastics or dance course, it depends on the number of students and the type of course given.
- For a ballet or a choreographic show, it depends on the works used and the conditions of organization of the show.

FYI

Reductions may be granted, in particular where the application for authorization is made at least 15 days before the event.

What penalty does the association face if it broadcasts music played by musicians at a concert or ball without following the rules?

The dissemination, by any means whatsoever, of a musical work in violation of the rights of the author is a offense. He may be fined up to **€300,000** and a prison sentence of up to 3 years.

Who can help me?

Find who can answer your questions in your region

Sacem regional delegations [↗ \(https://clients2.sacem.fr/nos-delegations\)](https://clients2.sacem.fr/nos-delegations)

Statute and miscellaneous references

Intellectual Property Code: Article L122-4 (https://www.legifrance.gouv.fr/codes/article_lc/LEGIARTI000006278911?lang=en)

Property rights

Online services and forms

Sacem: applications for permission to broadcast music (<https://www.service-public.gouv.fr/particuliers/vosdroits/R55115?lang=en>)

Online service

Additional topics

Duty Collection and Allocation business (SPRD)

(<https://metiers.philharmoniedeparis.fr/sprd-societes-perception-repartition-droits.aspx?lang=en>)

Philharmonie de Paris