

What is „AMUS“?

AMUS stands for Association of Composers – Musical Creators, and it is a CMS (hereinafter CMS) authorized by the Law to administer the rights of authors. AMUS Association is non-profit legal entity for collective management of rights of the authors of musical works.

Whose rights AMUS represents?

AMUS is currently representing the rights of all authors of musical works – composers, lyricists and arrangers, or other rights' holders. The Law on Collective Management of Copyright and Related Rights of Bosnia and Herzegovina, under Article 17, states that it is presumed that the CMS is authorized to administer the rights of all authors and their works.

Which are AMUS' activities?

AMUS is an Association as well as specialized legal entity whose main activities are collective management of copyrighted works and protection of authors' rights in general. The collective management of rights means that AMUS is authorized to administer the rights of all authors and their works in Bosnia and Herzegovina. AMUS performs the above-mentioned activities based upon the License for collective management of rights of authors of musical works which was awarded to AMUS by the Institute for Intellectual Property of BiH, the relevant state authority (License number: IP-03-47-5-12-06059/VT issued on 21.06.2012.). This decision was published in the Official Gazette No.55/12 on July 17th 2012). AMUS is the only CMS in Bosnia and Herzegovina authorized by the Law to license and to charge the users for the use of copyrighted works according to the pre-defined Tariff.

We've never heard of AMUS, and we didn't know that we need the permission for usage of musical works?

AMUS is a relatively new CMS that had started its work in June of 2012. However, ignorance of the Law is not an excuse and it does not justify the use of copyrighted works without having the license to do so. According to Article 27 Paragraph (1) of the Law on Collective management of Copyright and Related Rights it is a responsibility of the users of copyrighted works (organizers of cultural and entertainment events, club, bar, pub and coffee shop owners and so on) to seek the license for the public performance of musical work and to inform the CMS about every usage.

How do you distribute the collected funds?

All collected funds are allocated to authors based on data of usage of musical works, received from all users, apart from the percentage taken for the administration costs. Distribution of funds is equal to domestic and foreign authors alike, depending on the use of any particular work.

What are the royalties?

Royalties are a fee paid to the authors for the use of their works.

How do you determine the Fee?

The fee for the use of copyrighted works is calculated in accordance to predetermined rate. Users are obligated to pay the compensation for the usage of the said collective organization. The tariff for catering and tourist facilities are defined by the Collective Agreement between the CMS and the Representative Association of this user-category ("Official Gazette „No. 43/11)

What is a public performance?

Public performance of musical works is any performance of musical work in a place that is accessible to the public, or at any place that brings together persons that aren't related to each other by any specific means.

How do you determine the tariff for the public performance of musical works?

The tariff is determined in accordance with previously agreed contract. For example, the fee for the use of music in a bars, clubs, restaurants or coffee shops is determined by calculating the type of business, number of seats, the kind of music that is being used (live performances or „mechanical“ music – music played on mechanical devices), whether or not there's an entrance fee and so on. Current tariff was agreed and signed with „HORECA BiH“, an Association that includes over 700 hotels, restaurants, motels and other facilities. ("Official Gazette" no. 43/11)

I bought the CD legally in the CD shop, can I use it in my place of business without the permission of AMUS?

By purchasing a copy of the work on CD does allow the public use of the copyrighted works. You can listen to it at your house, your car and all the private areas in which the contents of the CD won't be used publicly

Why?

Compact Disc, as an object, is your private property intended only your personal use. Musical content on the purchased sound carrier falls under copyright protection in accordance with the Law on Copyright and Related Rights, and its public use must be licensed by CMS, which is clearly indicated on any legally acquired recordings. Any kind of public performance of copyrighted musical content requires a license, which is issued by AMUS for a certain fee through Contract on use of copyrighted works in public performances.

What will happen if I do not want to pay for the License?

In the event of unauthorized use of copyrighted works AMUS is obligated to issue a Decision for banning the public performance of copyrighted works upon which the police, in accordance with Article 27 Paragraph 2 of the Law on Collective Management of Copyright and Related Rights of Bosnia and Herzegovina (Official Gazette No. 63/10), must ban the event. Unauthorized use of copyrighted works is considered a criminal offense under Article 243 Paragraph 1 and 5 of the Criminal Code of Bosnia and Herzegovina (" Official Gazette" , no. 37/03 , 61/04 , 30/ 05, 53 /06 and 55/ 06), which carries a possible sentence of up to 5 years of imprisonment, next to the cash-fine.

Which are the obligations of Users?

a) Acquirement of contract for use of copyrighted works

The user of copyrighted works from the CMS' repertoire must have an „Agreement on transfer of non-exclusive transfer of rights for the use of copyrighted works“. The agreement must be signed at least 72 hours prior to the event, under the provisions of the applicable collective agreement.

b) Reporting to the CMS.

The general obligation of all users - organizers of cultural and entertainment events, concerts and/or any other ways of live use of copyrighted musical works, where there's a entrance fee, obligated consummation charge or any other form of payment, is to acquire the license 72 hours prior to the event. After the license had been acquired, the user must notify the CMS about the works that were played at the licensed event within 2 weeks.

What is Copyright?

Copyright is a set of legal rules governing the rights of authors in relation to his/hers works.

What is Copyrighted Work?

Copyrighted work is a human creation in the field of literature, art or science that has a spiritual content, certain shape and is original.

What is the subject of copyright protection?

The subject of copyright protection is work of author (copyrighted work).

How long does a copyright last?

Copyright has a limited shelf life. It lasts for the duration of life of the author, and 70 years after his/hers death. After this period had passed the work becomes free for use (public domain), but the integrity of the work and memory of its author must be respected in full, which essentially means that the names of original authors of the work must be stated in all uses of copyrighted works.