

AMUS

ASSOCIATION OF COMPOSERS – MUSIC AUTHORS

In accordance with Article 23 Paragraph (2) and Article 25 Paragraph (2) of the Law on Collective Management of Copyright and Related Rights, the Association of Composers – Music Authors hereby publishes

AGREEMENT

ON THE USE OF PROTECTED REPERTOIRE THROUGH PUBLIC PERFORMANCE OF COPYRIGHTED MUSICAL COMPOSITIONS IN ZARA BH LTD. IN SARAJEVO

Concluded in Sarajevo on 16/7/2013 between:

- I. Association of Composers – Music Authors of Bosnia and Herzegovina – AMUS, located in Sarajevo, Obala Kulina Bana 22/II, entered into the Register of Associations kept by the Ministry of Justice of Bosnia and Herzegovina, under the registration number RU-28/02, Register Book I, represented by Hajrić Mirza, the managing director of the Administrative and Professional Service (hereinafter: “Collective organisation“) and
- II. “ZARA BH” Ltd. located in Sarajevo, Tešanjaska 24a Sarajevo, with ID number: 201721340007, VAT number: 4201721340007, represented by Ana Rogić, Authorized Officer (hereinafter: “User”)
Hereinafter Contracting parties where acceptable;

HAVING IN MIND THAT:

1. The Collective organisation is the holder of the Permit to conduct activities related to the collective management of copyright for musical compositions and that the Permit was issued by the Institute for Intellectual Property of Bosnia and Herzegovina based on Decision no. IP-03-47-5-12-06059/12 VT adopted on 21/6/2012;
2. The User, “ZARA BH” Ltd., has expressed interest in regulating with the Collective organisation matters relating to public reproduction of musical compositions;

The Contracting parties hereby regulate their interrelations as follows:

Article 1

Based on this Contract, the Collective organisation shall issue a PERMIT to the User for use of musical compositions by domestic and foreign authors which are part of the protected repertoire on the territory of Bosnia and Herzegovina.

The PERMIT relates to public reproduction of musical compositions in “ZARA BH”, address: Tešanjaska no. 24a, in shops owned by the INDITEX group in Mepas Mall, Kardinal Stepinca bb in Mostar as follows:

ZARA 1554 m².

Manner of public reproduction: all forms of regular or occasional use of musical compositions via mechanical reproduction.

Article 2

The fee for public reproduction of musical compositions shall be established according to the Tariff of the Collective organisation in the following manner:

Size of space (m ²)	Number of points:
up to 50 m ²	50
between 51 and 100 m ²	75
between 101 and 200 m ²	100
between 201 and 300 m ²	150
between 301 and 400 m ²	200
between 401 and 800 m ²	300
between 801 and 1,500 m ²	500
for every additional 400 m ²	100 each
Value of a point: 0.22, VAT not included	

Article 3

In accordance with the Tariff referred to in Article 2 of the Contract, the fee from this Contract shall be established on an annual basis in the following manner:

ZARA: $1554 \text{ m}^2 = 600 \text{ points} \times 0.22 \text{ BAM} = 132.00 \text{ BAM}$

TOTAL MONTHLY FEE: 132.00 BAM

(in writing: one hundred and thirty two convertible marks).

The Collective organisation hereby declares it is not registered as a taxpayer of value added tax with the Indirect Taxation Authority of BiH, which shall be stated on the invoice issued to the User by the Collective organisation.

Article 4

The Contracting parties agree that the total monthly fee referred to in the previous Article shall be paid on a monthly basis according to the invoice issued by the Collective organisation immediately upon signing the Contract.

Article 5

The User is obligated to pay the fee set in Article 4 of the Contract to the transaction account of the Collective organisation in the following manner:

UniCredit Bank Plc. Account number: 338-690-226-589-140-3.

When making the payment, the User is obligated to state the number of the Contract and the period for which the payment is being made, i.e. the period from 1/7/2013 to 1/7/2014.

Article 6

The Contracting parties agree that the Contract does not cover musical, entertainment or any other events (performing musical compositions at parties, celebrations, banquets, celebrations

of the New Year, Women's Day, carnivals, Valentine's Day, special occasions, concerts, weddings etc.), for which a separate contract needs to be concluded with the Collective organisation, if the User is the organiser of such events.

The User is obligated to report to the Collective organisation all musical, entertainment or other events, including concerts, held during the duration of this Contract (live performances) which are not included in the Contract, if the User is the organiser.

Article 7

The Contract is concluded for a one-year (1) period, i.e. starting from 1/7/2013 and terminating on 1/7/2014. This is also the period for which the Collective organisation issues the Permit to the User. Each Contracting party may terminate the contract in writing for whatever reason or no reason at all, with a notice period of one (1) month. The notice of termination shall be sent via registered mail and the notice period starts from the day the notice is posted.

Article 8

In case the User fails to pay the fee established by this Contract, the Collective organisation is entitled to seek redress before the competent Court.

Article 9

The User is obligated to inform the Collective organisation in a timely manner of changes in circumstances affecting the set amount of the Fee referred to in this Contract.

The Collective organisation is obligated to notify the User in a timely manner if its Permit to conduct collective management of copyright is revoked.

Article 10

All matters not regulated by this Contract shall be directly regulated by provisions of the Law on Copyright and Related Rights as well as the Rulebook on fees for public performance and reproduction of musical compositions, as well as fees for using sheet music.

Article 11

All disputes arising from the Contract shall be settled before the Municipal Court of Sarajevo.

Article 12

The Contract is executed in four (4) identical copies, with two signed copies for each of the contracting parties.

The legal obligation of introducing a Tariff for the use of copyrighted musical compositions in the category of "BUSINESS-TRADE PREMISES" is hereby fulfilled.

Number: 01-P-JJ-392/13

Collective organisation

User

Managing Director

Authorised Officer

of the Administrative and Professional Service

Mirza Hajrić, sgd.

Ana Rogić, sgd.

(OG-1125/13-G)