

COMPLAINTS AND DISPUTE

HANDLING PROCEDURES

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ARTICLE 1. INTRODUCTION

In accordance with Article XI.273/1 of the Code of Economic Law ("CEL"), collecting societies shall make available to rightholders, collecting societies, collective management organisations and users of protected works and performances "effective and rapid procedures for handling complaints".

"Rightholders, collecting societies and collective management organisations which have entrusted the management of the rights they represent under a representation agreement, and users of protected works and performances shall be entitled to lodge complaints directly with the collecting societies against the acts of management of copyright or related rights, in particular, with regard to the authorisation of the management of rights, the termination or withdrawal of rights, the conditions of membership, the collection of sums due to the rightholders, deductions and distributions".

"The collecting society shall react to the complaint as quickly as possible and at the latest within one month from the date on which it was lodged. It shall make every effort to find clear, relevant and satisfactory answers". "For exceptional and justified reasons, the time limit for handling the complaint may be extended by a maximum of one additional month". "The response given shall be on a durable medium." "Where the collecting society replies that the complaint is wholly or partly unfounded, it shall give reasons for its reply."

ARTICLE 2. PURPOSE

The purpose of this procedure is to set out the method for handling complaints lodged with AEB.

This procedure, once implemented, should ensure that the following requirements are met:

- acting in a consistent and fair manner when handling the complaint of the rightholder, collecting society, collective management organisation or user of protected works (a "Complainant");
- conducting an impartial investigation by taking a balanced view of all information or evidence gathered;
- taking reasonable steps to actively protect the Complainant's personal data;
- taking account of individual circumstances and needs.

ARTICLE 3. DEFINITION OF A COMPLAINT

A complaint under this policy is defined as: *"the dissatisfaction of a rightholder, collecting society or user of protected works with AEB's acts of management of copyright or related rights, including authorisation to manage rights, termination or withdrawal of rights, membership conditions, collection of amounts due to rightholders, deductions and distributions".*



ARTICLE 4. LODGING COMPLAINTS

All complaints must be lodged using the form entitled "Complaints Procedure" (a blank copy of which is attached to these procedures):

- By registered letter to:

Agicoa Europe Brussels CV
Service des plaintes
Rue des Chartreux 19C/32
1000 Brussels
Belgium

- And by e-mail to: complaint@agicoabrussels.eu

Complaints concerning the collection and/or distribution of royalties by AEB for a given exploitation year must, on pain of inadmissibility, be submitted by sending the "Complaints Procedure" form to the two above-mentioned addresses, at the latest three (3) months after the expiry of the three (3) year reporting period following 31 December of the exploitation year for which the royalties were collected.

ARTICLE 5. PERSON RESPONSIBLE FOR HANDLING COMPLAINTS

The person responsible for handling complaints at AEB (the "**Complaints Officer**") must have the objectivity and independence required to perform this task. He or she must also have sufficient knowledge to perform this task properly and be sufficiently informed about the applicable internal procedures. The name of the person responsible for handling complaints is published on the AEB website.

ARTICLE 6. HANDLING OF THE COMPLAINT BY AEB

Within three (3) working days of receiving the complaint, the Complaints Officer is obliged to send an acknowledgement of receipt to the Complainant.

AEB will conduct an initial review of the complaint and determine whether additional information or documentation is required to conduct an investigation.

AEB may, if necessary, contact the Complainant to obtain additional information.

In principle, **AEB shall provide a definitive response to the Complainant (written reply on a durable medium) within two (2) weeks** after sending the acknowledgement of receipt, provided that the complaint is valid and complete. If the handling process takes longer than two (2) weeks, AEB is obliged to inform the Complainant of the reasons for the delay.

All written documents sent to the Complainant must mention any steps taken and proceedings initiated.



ARTICLE 7. INFORMATION REQUIRED

When investigating a complaint, AEB will rely on the information provided by the Complainant and on the information already available to AEB.

In order for AEB to be able to handle the complaint quickly and efficiently, the following information is required for the complaint to be considered valid in terms of both form and substance:

- the Complainant's contact details;
- if applicable, the Complainant's rightholder number;
- if applicable, the number of the work;
- the nature of the relationship with AEB;
- the person responsible in the Complainant's structure;
- the nature of the complaint;
- details of any action already taken to resolve the problem;
- copies of all documents supporting the complaint.

ARTICLE 8. REGISTER

AEB maintains a regularly updated complaints register which contains the following information:

- the name and contact details of the Complainant;
- the facts detailed in the complaint;
- the measures taken following the investigation of the complaint;
- the exchanges between AEB and the Complainant.

AEB records complaints in order to continuously improve management, to follow up with regular investigations and to mitigate the impact of identified problems.

Personal information is recorded in accordance with applicable privacy laws and AEB's *privacy policy in the context of the complaint handling procedure*.

ARTICLE 9. WEBSITE

Rightholders, collecting societies and collective management organisations, as well as the general public, are informed of the existence of the complaints procedure by means of a notice published on the AEB website.



ARTICLE 10. COLLECTING SOCIETIES AUDITING DEPARTMENT

The auditing department for collecting societies managing copyright and related rights is part of the Department of Economic Inspection of the FPS Economy.

The auditing department ensures that these companies apply the law and their Articles of Association, as well as the tariffs and the collection and distribution rules. Users, rightholders and third parties can lodge a complaint against a collecting society at <https://meldpunt.belgie.be/meldpunt/fr/bienvenue/>, when the decisions and measures taken by the collecting society do not comply with its statutory, contractual or article-based obligations.

ARTICLE 11. AMENDMENTS

Any amendments to these procedures must be approved by the General Assembly.