

Comments, Complaints and Disputes regulation

Article 1. Definitions

- 1.1 **Comment:** A Comment means a notification submitted by a performing artist rightsholder to Norma indicating that the performing artist rightsholder disagrees with the amendment of a claim, the amount of remuneration paid by Norma, the failure to pay remuneration, or requesting correction of administrative errors.
- 1.2 **Complaint:** A Complaint means a written notification from a performing artist rightsholder indicating that the performing artist rightsholder is dissatisfied with (i) the handling of a Comment or (ii) any other act or omission by Norma whereby the interest of the performing artist rightsholder has been harmed, and which does not constitute a misunderstanding or lack of information that can be quickly resolved.
- 1.3 **Dispute:** A Dispute exists if the performing artist rightsholder is dissatisfied with Norma's response to a Complaint, or if the Complaint has not been handled, or has not been handled within the specified time limits. This also includes disputes between performing artist rightsholders concerning conflicting claims to remuneration distributed by Norma.

Article 2. Comments

- 2.1 A Comment may only be submitted in writing to the Norma Service Desk by email: servicedesk@stichtingnorma.nl.
- 2.2 A Comment must include the following:
 - Norma number
 - a clear description and substantiation of the Comment, where applicable accompanied by supporting evidence
- 2.3 Norma will in any event send a written acknowledgement of receipt to the performing artist rightsholder within five working days of receipt. This acknowledgement includes information regarding the expected processing time and indicates who the performing artist rightsholder may contact with questions.
- 2.4 In principle, a Comment will be processed within six weeks of the date of receipt. If the Comment cannot be processed within this timeframe, Norma will notify the performing artist rightsholder in writing or digitally before the end of that period, specifying a new processing period.
- 2.5 In any event, Norma will process a Comment within three months of receipt of the substantiated Comment from the performing artist rightsholder and will notify the performing artist rightsholder accordingly. If it is not possible to process the Comment within three months due to its complexity, for example because Norma requires

information from third parties, Norma may extend the period up to a maximum of 12 months, provided that the performing artist rightsholder is informed of the status at least every six months.

- 2.6 In any event, Norma will process a Comment within three months of receipt of the substantiated Comment from the performing artist rightsholder and will notify the performing artist rightsholder accordingly. If it is not possible to process the Comment within three months due to its complexity, for example because Norma requires information from third parties, Norma may extend the period up to a maximum of 12 months, provided that the performing artist rightsholder is informed of the status at least every six months.
- 2.7 If the Comment has not been processed within the time limits set out in Article 2.5, or not been dealt with to the satisfaction of the submitter, the submitter of the Comment may file a Complaint within three months of the expiry periods referred to in Article 2.5, or after receipt of the substantive response to the Comment.

Article 3. Complaints

- 3.1 If the performing artist rightsholder wishes to submit a Complaint, they may do so by letter or email addressed to:
Norma
T.a.v. Afdeling Juridische Zaken
Catharina van Renneslaan 20
1217 CX Hilversum
klachten@stichtingnorma.nl

The performing artist rightsholder must include their Norma number, and state that the submission concerns a Complaint and must provide an explanation of the Complaint.

- 3.2 Norma will in any event send a written acknowledgement of receipt to the complainant within five working days of receipt of the Complaint. This acknowledgement includes information regarding the expected processing timeframe and indicates who the complainant may contact with questions.
- 3.3 In principle, the Complaint will be processed within six weeks of the date of receipt. If the Complaint cannot be resolved within this timeframe, Norma will notify the complainant in writing or digitally before the end of that period, stating a new processing period.
- 3.4 Norma will make a decision on the Complaint no later than three months of receipt and will notify the complainant accordingly. If it is not possible to process the Complaint within three months due to its complexity, for example because Norma requires information from third parties, Norma may extend the period up to a maximum of 12 months, provided that the complainant is informed of the status at least every six months.

- 3.5 For Complaints where Norma is dependent on the availability and provision of relevant information from international sister organisations in order to reach a decision, the maximum period of 12 months does not apply. In such cases, Norma will make further arrangements with the complainant regarding the processing period.

Article 4. Disputes

- 4.1 Disputes arising between Norma and the performing artist rightsholder, or between performing artist rightsholders concerning conflicting claims, must be submitted in writing by the performing artist to the Rightsholders Disputes Committee.
- 4.2 The Disputes Committee shall consist of three members appointed and dismissed by the Management Board. The independent chair of the Disputes Committee must hold a Master of Laws degree. The Disputes Committee will hold its meetings at Norma's offices, unless the chair decides otherwise.
- 4.3 Before a Dispute pursuant to Article 4.1 of these Regulations is taken into consideration, the Disputes Committee may require the complainant to pay a deposit. The security deposit is EUR 100 and must be paid by bank transfer to Norma's bank account. On the date the Dispute is received by the Disputes Committee, the committee will instruct Norma to suspend the execution concerned against which the Complaint has been filed.
- 4.4 At Norma's request, provided such request is made at the earliest opportunity, the Disputes Committee will declare the complainant's claim inadmissible if the complainant has not first submitted the Complaint to the CMO in accordance with the CMO's complaints procedure.
- 4.5 In the event of a dispute between performing artist rightsholders concerning a conflicting claim, the Disputes Committee will declare the complainant inadmissible if it has not demonstrated that the Dispute was first submitted to the opposing party and an attempt was made to reach an amicable settlement.
- 4.6 In the event of a dispute between performing artist rightsholders concerning a conflicting claim where the opposing party is not affiliated with Norma, the Disputes Committee may only take the Dispute into consideration if the opposing party submits to this regulation in writing and to the jurisdiction of the Disputes Committee.
- 4.7 Notwithstanding the provisions of Article 4.4 and 4.5, the Disputes Committee may decide to take the Dispute into consideration if, in the opinion of the Disputes Committee, the complainant cannot reasonably be blamed for non-compliance with these conditions.

- 4.8 At Norma's request, the Disputes Committee will also declare the performing artist rightsholder's Dispute inadmissible if the Dispute concerns a matter that is already pending before a court or arbitral tribunal, or in respect of which a court or arbitral tribunal has already rendered a substantive decision; or if the financial interest involved in the Dispute exceeds EUR 100,000; or if a specific committee has been established for handling the Complaint; or if the Disputes Committee has already dealt with the Dispute.
- 4.9 If the Disputes Committee finds the Complaint that is the subject of the Dispute to be well-founded, the complainant who paid a security deposit will receive a full refund.
- 4.10 If the Disputes Committee finds the Complaint to be unfounded, it may declare the deposited security payment forfeited in whole or in part.
- 4.11 If a Complaint is withdrawn during the proceedings, the Disputes Committee may declare the deposited security payment forfeited in whole or in part.
- 4.12 The Disputes Committee will give each party the opportunity to submit its position in writing and will thereafter be authorised to order an oral hearing of the Dispute. Decisions of the Disputes Committee will be given in writing and will contain proper reasoning. The decision will have retroactive effect from the date of receipt of the Complaint by the Disputes Committee.
- 4.13 The Disputes Committee will conduct its procedures in accordance with the Norma Rightsholders Disputes Committee Regulations. Amendments to these Regulations require the prior approval of the Management Board. In the event of conflict between provisions, the provisions of the present Regulations will prevail.
- 4.14 A decision of the Disputes Committee will constitute binding advice by which Norma is bound. This binding advice is final, unless one or more of the performing artist rightsholders concerned submits the binding advice for judicial review before the competent court within three months of the date of the decision, pursuant to Article 7:904 of the Dutch Civil Code.
- 4.15 If the Complaint concerns a decision of the Supervisory Board or the Management Board, or the general policy of the CMO, the Disputes Committee may, insofar as it is competent to hear such Complaints pursuant to Article 4.8, only conduct a marginal review as to whether sufficient consideration has been given to the individual interests of the relevant individual performing artist rightsholder. If the Disputes Committee is of the opinion that this has not sufficiently been the case, the Disputes Committee will request reconsideration of the Dispute by the Supervisory Board or the Management Board (or a committee thereof, as applicable). If the decision of the Supervisory Board was preceded by advice from the Distribution and SoCu Committee, such committee will also be involved in the reconsideration.

This is an English translation of Norma's Dutch Comments, Complaints and Disputes regulation. In the event of discrepancies between the two versions, the Dutch version shall prevail.