



S T A T U T E S

of the Copyright Protection Organization -Association of Authors of Works of Fine Art and Architecture and of the Picture Plane in Audiovisual Works – Civic Association

(in compliance with the provisions of Act No. 83/1990 Coll., on the Association of Citizens, as
subsequently amended)

Article I

Legal Nature, Name, Registered Office and Territorial Competence

1. The Copyright Protection Organization -Association of Authors of Works of Fine Art and Architecture and of the Picture Plane in Audiovisual Works is a non-profit, non-governmental legal entity, established under Act No. 83/1990 Coll., on the Association of Citizens, as subsequently amended. It may acquire rights and make commitments in its own name.
2. The Copyright Protection Organization -Association of Authors of Works of Fine Art and Architecture and of the Picture Plane in Audiovisual Works – Civic Association uses the abbreviation "OOA-S".
3. The registered office of OOA-S is Prague 1, Žitná 49, Organization Registration No. (IČ): 60166916. The Committee may change the address of the registered office of the Association by its decision; a change of address of the registered office is not subject to the approval of the General Meeting.
4. OOA-S is active over the entire territory of the Czech Republic and it carries on from the activities of the former Copyright Protection Organization(OOA).

Article II

OOA-S Mission and Objectives

1. The basic mission of OOA-S is to protect and administer the rights of the authors of works of fine art and architectural works and of the picture plane in audiovisual works, as well as other represented holders of copyright to such works, acquired on the basis of Act No. 121/2000 Coll., on Copyright, Rights Associated with Copyright and the Amendment of Certain Laws (Copyright Act), as amended by subsequent regulations, associated laws and international copyright conventions, as well as by other international agreements to which the Czech Republic is bound.
2. OOA-S meets the following activity objectives:
 - a) public awareness-raising and educational activities,
 - b) motivation and support for youth and new talent in the visual arts,

- c) close collaboration with professional organizations and associations of authors of works of visual art, scientific and professional institutes, institutes of higher education and other cultural establishments and cultural workers.
 - d) arrangement of specialist courses, training and other educational activities including lectorship activities,
 - e) information and press office activities,
 - f) cultural and artistic agency activities.
3. OOA-S may establish foundations.

Article III Scope and Nature of Activities

1. OOA-S provides and performs copyright protection and administration based on the authorization to perform collective administration granted by the Ministry of Culture of the Czech Republic¹, in a systematic manner, in its own name, on its own liability and within the scope of agreements on representation for purposes of exercising copyright concluded with individual authors of works of fine art and architectural works and of the picture plane in audiovisual works, or copyright heirs or any other holders or acquirers of such rights. Collective administration is the primary OOA-S activity.
2. A further OOA-S activity consists in the protection and administration of authors' ownership rights and agency activity, particularly with regard to the arrangement of agreements and the granting of agreement for the use of works on behalf of the represented rights holder, collection, recovery and charging of authors' remuneration in favour of entitled parties, and exercise of rights to due settlement. Separate accounting records are maintained for activities not included under the main OOA-S activities.
3. OOA-S is also authorized to protect the rights of represented Czech authors and copyright holders outside the Czech Republic, particularly on the basis of bilateral agreements with foreign counterpart organizations involved in ensuring reciprocity of performance.

Article IV Membership of International Organizations

In accordance with its mission, OOA-S is entitled to join international non-governmental organizations involved in copyright administration and protection issues.

¹Authorization dated 3.3.2005, Ref. No. 7751/2003 (cf. Notification of the Ministry of Culture of the Czech Republic published in the Commercial Bulletin 7/06) in connection with the Decision of the Ministry of Culture of the Czech Republic of 9.7.1997 Ref. No.: 5534/1997 (cf. § 106 para. 7 Copyright Act) and other decisions of the Ministry of Culture.

Article V Representing Rights Holders

1. OOA-S represents each rights holder in the exercise of his rights, which it collectively administers under the law, or with whom it has concluded an agreement on the collective representation of his rights.
2. OOA-S shall under normal circumstances take on the representation of each rights holder for the exercise of his rights, if requested to do so.

Article VI Commencement, Duration and Expiry of OOA-S Membership

1. Any person may request acceptance as an OOA-S member if he is a holder of copyright to works of fine art, architectural works or the picture plane in audiovisual works, if he credibly proves that his work has been appropriately used.
2. Under the same conditions as those given in paragraph 1, a legal entity may also be an OOA-S member. The provisions of these statutes are applied mutatis mutandis for legal entities, unless the nature of the matter indicates that the analogy cannot be made.
3. An applicant shall request membership on a standard "Membership Application" form, where of his own free will the applicant undertakes to contribute to achieving the objectives and to share in the activities of the Association. The acceptance procedure begins on the date the correctly completed form is delivered. There is no legal right to acceptance. Details are set out in the OOA-S Code.
4. Membership may be suspended by a decision of the Committee under Article 4 para. 4.
5. Membership may be tied to payment of membership contributions if their amount has been determined by the Committee at the proposal of the Supervisory Board.
6. Membership of OOA-S expires
 - a) with the death of the member or liquidation without legal successor,
 - b) on the date written notification is delivered to the member of termination of his membership in the Association,

- c) upon exclusion based on a decision made by the Committee if there has been a substantial breach of the OOA-S Code.
7. Recourse against a decision of the Committee on questions of membership involves an appeal to the General Meeting, which may be submitted within a fifteen-day period through the OOA-S Office. An appeal has no dilatory effect.

Article VII
Rights and Responsibilities of OOA-S Members

1. A member has the right
- a) to take part in the General Meeting of represented OOA-S members with a right to vote,
 - b) to elect representatives to Association bodies,
 - c) to be elected to Association bodies,
 - d) to decide on the OOA-S distribution regulations,
 - e) to submit proposals, initiatives and complaints,
 - f) to be regularly informed about events at OOA-S.
2. A member has the obligation
- a) to actively take part in the activities of the Association and to defend the interests of the Association,
 - b) to pay membership contributions if they have been set by a decision of the Committee,
 - c) to properly perform any function in an Association body to which he has been elected,
 - d) to take part in the General Meetings of the Association.

Article VIII
OOA-S Bodies, Representation and Proceedings

1. The OOA-S bodies are:
- a) The General Meeting,
 - b) The Committee,
 - c) The Supervisory Board,
 - d) The Director.
2. The right to vote must be exercised by each member in person, except in the case of legal entities, which vote through their statutory bodies, company secretaries or authorized representatives.
3. At no time shall members of the Association act on behalf of the Association, unless power of attorney is issued to them for such proceedings.

4. Membership on the Committee and the Supervisory Board is an honorary function with remuneration for the performance of office.

Article IX General Meeting (OOA-S GM)

1. The General Meeting is the highest OOA-S body. It decides on all substantial matters relating to the activities of the Association.
2. The General Meeting:
 - a) approves the Association Statutes, including any alterations and supplements to them,
 - b) elects and recalls members of the Committee and the Supervisory Board,
 - c) approves the rules for the division and use of particular financial resources.
3. The OOA-S General Meeting also:
 - a) may approve the procedures for concluding collective agreements with users of copyright works involving visual arts, architecture and the picture plane in audiovisual works,
 - b) verifies and approves the report on OOA-S financial management, including the final accounts verified by an auditor and a report on OOA-S activities over the previous period.
4. The ordinary General Meeting is convened at least once a year.

Article X OOA-S Committee

1. The Committee is the OOA-S executive body in the period between General Meetings. Members of the Committee are elected by the General Meeting, with a three-year period of office. The Committee has at least five members. Details on the election of Committee members may be determined by the OOA-S Code. Repeated membership in the Committee is permissible. The Committee is to include representatives of various authorial professions. No authorial profession is permitted to have a majority; the implementation of these rules is regulated by the OOA-S Code.
2. Based on the special authorization of the General Meeting, the Committee may also temporarily exercise the powers of the General Meeting to the extent indicated in the written copy of the relevant resolution of the General Meeting.
3. The Committee is headed by a Chairperson who is elected by members of the Committee from their own ranks. The Chairperson acts on behalf of the

Committee externally, directs its activities, convenes Committee meetings and together with the Director determines its agenda. The Committee Chairperson is the OOA-S Chairperson.

4. The OOA-S Committee meets regularly at least once every two months throughout its period of office.
5. An extraordinary meeting of the Committee may also be convened upon the request of the OOA-S Director, if there is any danger in delay.
6. The Committee approves the OOA-S Code and alterations and supplements to it by a two-thirds majority of all members.

Article XI OOA-S Supervisory Board

1. The Supervisory Board is the three-member auditing body of the Association. Members of the Supervisory Board are elected by the General Meeting and their period in office is three years. Membership of the Supervisory Board is incompatible with membership of the Committee.
2. The activity of the Supervisory Board is led by its Chairperson, who is elected by members of the Supervisory Board from their own ranks. The Chairperson of the Supervisory Board is invited to Committee meetings.
3. The Supervisory Board also provides binding interpretations of the Statutes and other internal documents of the Association and plays the role of an arbitration body in disputes between members of the Association, except for disputes of a copyright nature.

Article XII OOA-S Director

1. OOA-S is headed by the OOA-S Director, who is appointed and recalled by the Committee. The office of Director is incompatible with membership of the Committee or the Supervisory Board. The Director is the OOA-S executive, whose employment commences upon his appointment.
2. The Director establishes the OOA-S Office, which is the organizational, economic and administrative centre of the Association.
3. In particular, the Director:
 - a) manages the running of the Association,
 - b) takes part in all meetings of the Committee, to which he submits a detailed report on the activities of the Association, and of the General Meeting, to which he submits an annual report on the activities of the Association, particularly on the economic management of the Association,

- c) concludes, amends and cancels employment contracts with OOA-S employees, takes on external co-workers and assistance, and deals with other legal affairs,
- d) issues internal regulations and ensures compliance with them,
- e) monitors the economical utilization of Association resources, and ensures proper bookkeeping and maintenance of membership records,
- f) draws up, arranges and signs agreements with copyright users, persons obligated to pay special remuneration, collective administrators and counterpart organizations,
- g) signs agreements with represented copyright holders.

Other rights and responsibilities of the Director are regulated in an Annex to the Deed of Appointment.

Article XIII Procedure and Representation

1. The OOA-S Director acts on behalf of OOA-S with regard to all exterior matters. He also holds a signature mandate for the Association.
2. Members of the Committee, who by a resolution of the Committee have received such special authorization, are entitled to act independently on behalf of OOA-S to the extent indicated in the written copy of the Committee resolution in question.
3. OOA-S employees are entitled to act on behalf of OOA-S within the scope of the functions and powers conferred upon them. Their signature mandate is regulated by an internal regulation.

Article XIV OOA-S Financial Management

1. OOA-S is a non-profit organization.
2. OOA-S revenue comprises in particular:
 - a) special expenses for the exercise of collective administration, i.e. part of the authors' remuneration paid to the authorized recipient for costs associated with OOA-S activities,
 - b) grants, gifts and legacies,
 - c) the financial contributions of natural persons and legal entities,
 - d) interest and other capital yields.
3. Another source of OOA-S revenue may also be other monies provided in compliance with legal regulations, e.g. membership contributions and registration fees.
4. OOA-S stands surety for its liabilities with all its property, including its receivables and claims, with the exception of the receivables of represented copyright holders, which OOA-S only administers.

Article XV
OOA-S Dissolution

1. OOA-S may be dissolved:
 - a) by the decision of the OOA-S General Meeting; the agreement of at least four fifths of all members is required for this decision to be effective,
 - b) by withdrawal from authorization agreements if all members exercise their copyright individually.
2. When winding up the Association, the Committee shall appoint a liquidator, who is to decide how to deal with the liquidation assets of the Association.
3. The liquidator shall inform the authority at which the Association is registered of the commencement and conclusion of liquidation proceedings.

Article XVI
Transitory and Concluding Provisions

1. The OOA-S Code provides detailed implementation of the OOA-S Statutes.
2. This amendment to the Statutes comes into effect on the date it is approved by the General Meeting, i.e. 12.12.2006, and comes into operation upon its registration at the Ministry of the Interior.

Prague 12th December 2006

Accuracy attested by:

Doc. Ing. Jiří Mojžíš, in his own hand
OOA-S Chairman