

2012年报  
Annual  
Report  
2012



中国音乐著作权协会  
Music Copyright Society of China

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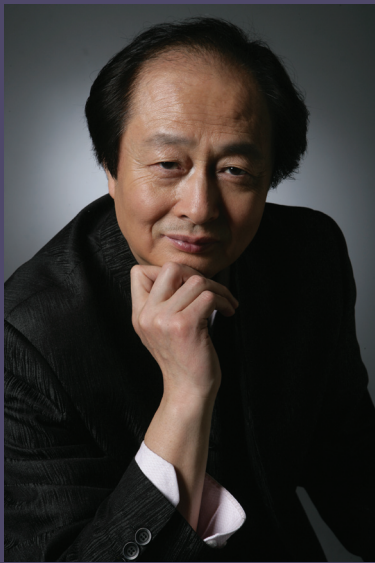
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## 主席寄语



赵季平

2012年是协会成立20周年。20年来，协会始终坚信，尽管自身力量很小，影响有限，但是坚持专心干好一件事，总会有进步、有收获，也一定可以改变、改善词曲作者的收益现状。

在协会成立的第20个年头，协会许可收入首次突破了亿元大关，达到人民币1.099亿元，20年来年均增长达20%。虽然对比欧美日等发达国家的同类组织，我们的差距仍很明显，但是作为这片土地上成立的第一个著作权集体管理机构，协会的工作不仅实际维护着音乐词曲作者们的权益，而且积极推动着我国版权保护事业的立法发展和制度建设，这可以说是协会20年来取得的最大成绩！

2012年，通过全体工作人员的辛勤努力，并在广大会员一如既往的支持、鼓励以及国家相关主管部门的监督指导下，协会各项工作实现了稳中求进。

这一年，继之前与中央电视台、中央人民广播电台签署付酬协议后，1月份协会又与32家地方电视台（省级为主）签署付酬协议，进一步将广播权付酬工作辐射到全国各省市。之后，协会又与中国广播电视协会广播版权委员会协商，于6月份重新启动了关于全国广播电台付酬事宜的谈判工作。从央级台到省级台，从电视台到电台，广播权付酬工作在不断地开花结果。

相应地，在中央电视台提供的音乐作品使用报告的基础上，协会工作人员又付出极大努力作了大量补充信息的统计录入工作，最终于2012年11月首次实现广播权使用费的分配，使得广大词曲作者期盼的重要权益得以真正落实。

这一年，国家版权局公告了《中华人民共和国著作权法》（修改草案）并向社会公开征求意见。协会综合广大会员意见后，代表词曲作者利益先后两次对该草案提出书面修改意见，并将意见公示在协会网站和会讯中。

这一年，为了开拓保护音乐复制权的新思路，协会加入了国际复制权联合会（IFRRO）。在IFRRO组织的框架下，协会与该组织会员比利时音乐复制版权机构（SEMUR）开始着手合作，针对中国大陆的教育机构开展活页乐谱使用的授权许可工作。该项业务预计将于2013年年中正式启动，以授权许可与提供服务相结合，拟创造音乐著作权人与教育机构的双赢局面。

这一年，为了深入进行互联网音乐维权，协会正式起诉腾讯网侵权提供音乐作品网上浏览、在线播放和下载，并将就案件进展持续跟进直至全面胜诉。协会希望可以借本案进一步促使互联网行业建立起版权保护的正常生态环境。

20周年即将过去，新的10年就要来临。继往开来，面对诸多变幻莫测的风风雨雨，协会上下将继续坚持求真务实、真抓实干、不计毁誉的工作作风，始终以维护广大会员的根本利益为中心宗旨。唯有如此，必须如此，协会的未来10年才会走向辉煌，词曲作者的著作权益才会全面实现。

## *President's Statement*

MCSC celebrates its 20th anniversary in the year of 2012. Despite its limited strength and influence, MCSC has always believed that there must be progresses and achievements if one devotes consistent efforts, and the current level of songwriters' income can be changed and improved.

In the 20th year since MCSC's foundation, it has generated for the first time more than one hundred million yuan RMB from licensing, and the number reached 109.9 million yuan RMB. The average growth rate is 20% during the 20-year's period. There is still an obvious gap when compared with similar societies in developed countries. However, as the first copyright collective management organization in mainland China, MCSC not only protects the rights of composers and authors, but also promotes the development of copyright protection and legislation in China, and these are the most plausible achievements made by MCSC.

MCSC made a steady progress in 2012 as a result of the hardworking of all colleagues, the consistent support and encouragement from its members, and the guidance from the supervising officials.

Since the signature of payment agreements with CCTV (China Central Television) and CNR (China National Radio), MCSC entered into payment agreements in January, 2012 with 32 local TV stations (most of which are provincial TV stations), spreading the payment business for broadcasting rights to various provinces and cities in the country. MCSC negotiated thereafter with the Radio Copyright Committee of CRTA (China Radio & Television Association), and restarted the negotiation regarding radio stations' payment national wide in June. Payment business for broadcasting rights with TV stations and radio stations is progressing successfully on both state and provincial levels.

Based on the music usage report provided by CCTV, MCSC's staff devoted great efforts on the gathering and entering of supplemental information accordingly. In November of 2012, the first distribution of income from broadcasting rights was made, realizing an important interest expected by all composers and authors.

In 2012, NCAC (National Copyright Administration of China) announced the amended draft of Copyright Law of the PRC and solicited opinions publicly. After consulting with its members, MCSC submitted two written amendment opinions regarding the amended draft on behalf of composers and authors, and the opinions have been published on the web site and in the newsletter of MCSC.

In 2012, in order to develop new ideas on mechanical rights protection of music, MCSC became a member of the IFRRO (International Federation of Reproduction Rights Organizations). Under the organizational frame of the IFRRO, MCSC started cooperation with Société des Editeurs de Musique (SEMU) from Belgium, an IFRRO member, in the licensing business of sheet music with educational institutions in mainland China. It is estimated that the business which combines licensing and services will formally start in the middle of 2013. It is designated to create a win-win situation for both copyright owners and educational institutions.

In 2012, for the purpose of conducting an in-depth online music protection, MCSC brought a lawsuit against Tencent on infringement, as it provided online browsing, streaming, and downloading of musical works. MCSC will keep following up with the development of the case until receiving a judgment against Tencent. MCSC hopes that this case may promote a normal environment of copyright protection for the Internet industry.

The 20th anniversary will be gone soon, and MCSC is welcoming a new 10-year. Despite the ever-changing environment, MCSC will still keep its members' interests as the foundational objective while being practical, hardworking, and disregarding people's blame or praise. Only by acting this way can MCSC progress towards a bright future in the next 10 years, and may the composers and authors' interests in copyright realize.



协会领导集体 *Leadership of MCSC*

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Zhao Jiping

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**Vice President**

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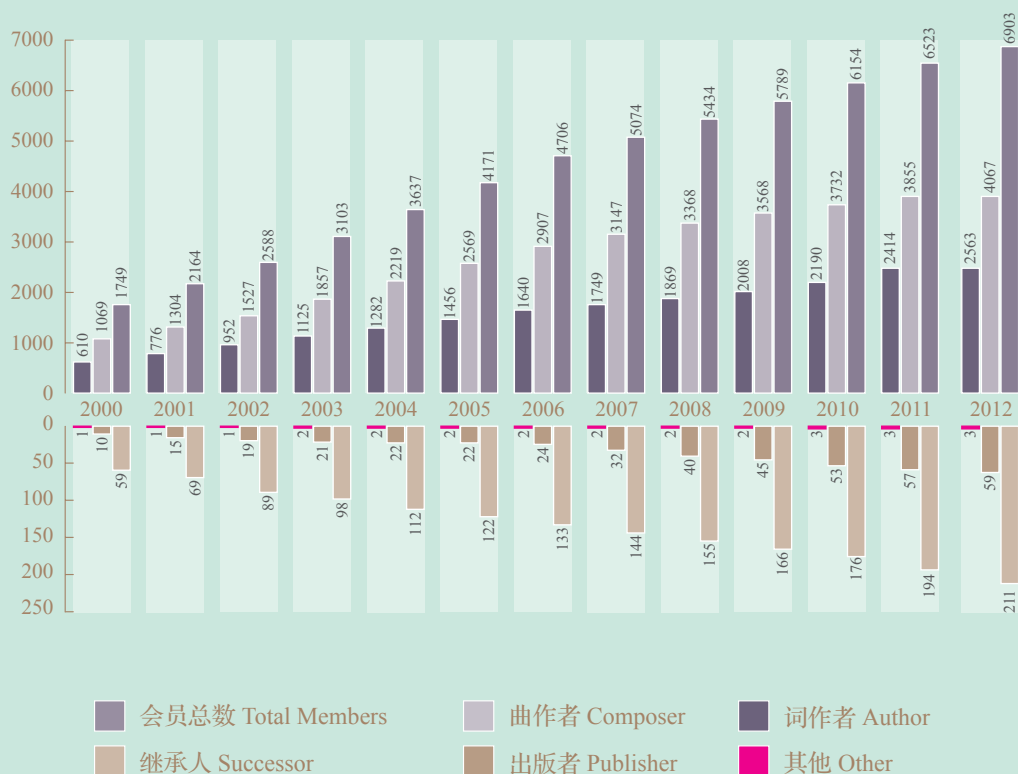
阎 肃  
Yan Su

# 会员发展 *Membership*

2012年，协会新发展个人会员378人、出版公司会员2家，其中个人会员包括词作者149人、曲作者212人、继承人17人。截至年底，协会会员总数达到6903。

In 2012, 380 new members joined MCSC, comprising of 212 composers, 149 authors, 17 successors and 2 publishers. By the end of the year, the membership size of MCSC has grown to 6,903.

2000–2012年会员人数及组成图  
Membership and composition diagram from 2000-2012





2012 年协会许可总收益再一次攀上历史新高位，达到人民币 1.099 亿元，较上一年（许可总收益：人民币 8889 万元）增长 23.65%。

In 2012, the total revenue of MCSC from licensing reached a new record of 109.9 million yuan RMB, representing a 23.65% rise against the total revenue of 88.89 million yuan RMB in 2011.

具体授权许可（按权利分类）收入见下表：

Details of the revenue from licensing (classified by rights) are as follows:

(单位：万元) Unit: 10,000 yuan RMB

表演权 Performing rights	4594.31
广播权 Broadcasting rights	4015.44
复制权 Mechanical rights	546.78
网络收益 Internet revenue	1326.65
海外收益 Revenue from Overseas	508.77

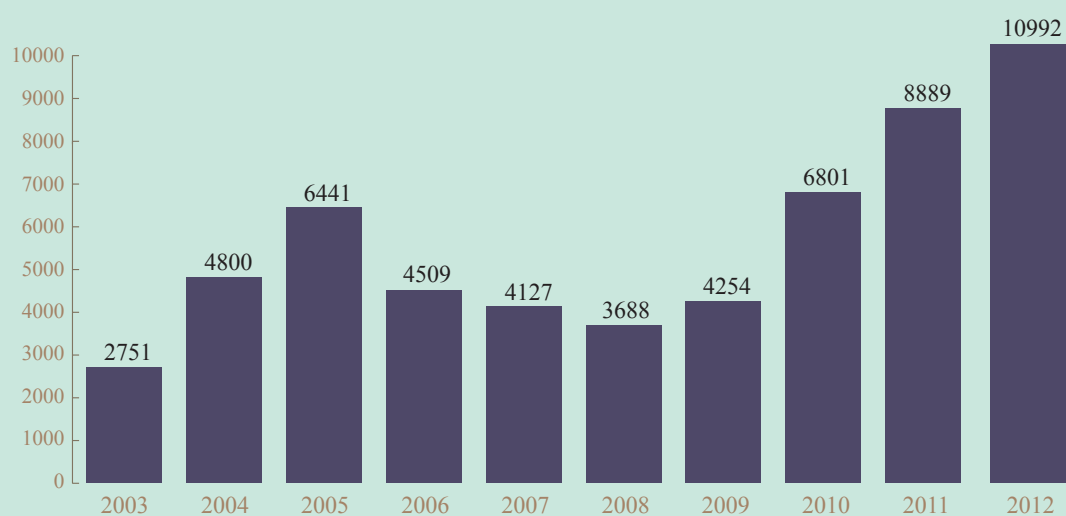




# 许可业务 Licensing

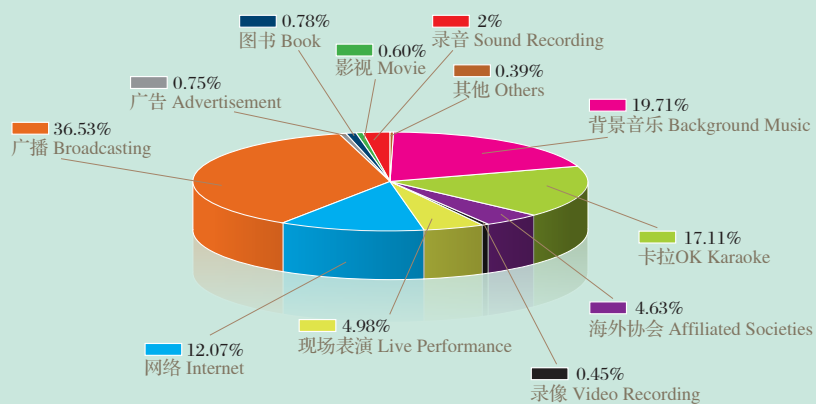
2003-2012年许可收入图 (单位: 万元)

Diagram of Licensing Revenue from 2003-2012 (Unit:10,000 yuan RMB)



2012年许可收入来源图

Statistics of MCSC Licensing Revenue of 2012





2012 年，协会完成分配以及汇款的详情如下：

Details of distribution and remittance completed by MCSC in 2012 are as follows:

2012 年 4 月完成分配，2012 年 5 月 31 日汇款的分配号：

Distribution numbers representing the distributions completed by April 2012 and remittance on May 31, 2012:

M112 2011 年下半年复制权分配，分配金额人民币 375 万元

M112 Distribution of the income from mechanical rights during the second half of 2011, and the amount of which is 3.75 million yuan RMB.

P101 2010 年现场表演分配，分配金额人民币 178 万元

P101 Distribution of the income from live performance in 2010, and the amount of which is 1.78 million yuan RMB.

2012 年 9 月完成分配，2012 年 11 月 12 日汇款的分配号：

Distribution numbers representing the distributions completed by September 2012 and remittance on November 12, 2012:

P102 2010 年广播权分配，分配金额人民币 1900 万元

P102 Distribution of the income from broadcasting rights in 2010, and the amount of which is 19 million yuan RMB.

M121 2012 年上半年复制权分配，分配金额人民币 194 万元

M121 Distribution of the income from mechanical rights during the first half of 2012, and the amount of which is 1.94 million yuan RMB.

B111 2011 年百度分配，分配金额人民币 900 万元

B111 Distribution of the income from Baidu in 2011, and the amount of which is 9 million yuan RMB.

O111 2011 年海外收入分配，分配金额人民币 491 万元

O111 Distribution of the income from overseas, and the amount of which is 4.91 million yuan RMB.

2012 年 12 月完成分配，2013 年 1 月汇款的分配号：

Distribution numbers representing the distributions completed by December 2012 and remittance by January 2013:

K101 2010 年全年卡拉 ok 分配，分配金额人民币 1872 万元

K101 Distribution of the income from karaoke in 2010, and the amount of which is 18.72 million yuan RMB.

P111 2011 年现场表演分配，分配金额人民币 443 万元

P111 Distribution of the income from live performance in 2011, and the amount of which is 4.43 million yuan RMB.

I111 2011 年全年网络收益分配，分配金额人民币 200 万元

I111 Distribution of the income from the Internet in 2011, and the amount of which is 2 million yuan RMB.

2011 年机械表演分配 分配金额人民币 1100 万元

The amount of distribution of the income from mechanical performance in 2011 is 11 million yuan RMB.

2012 年分配金额共计人民币 7653 万元

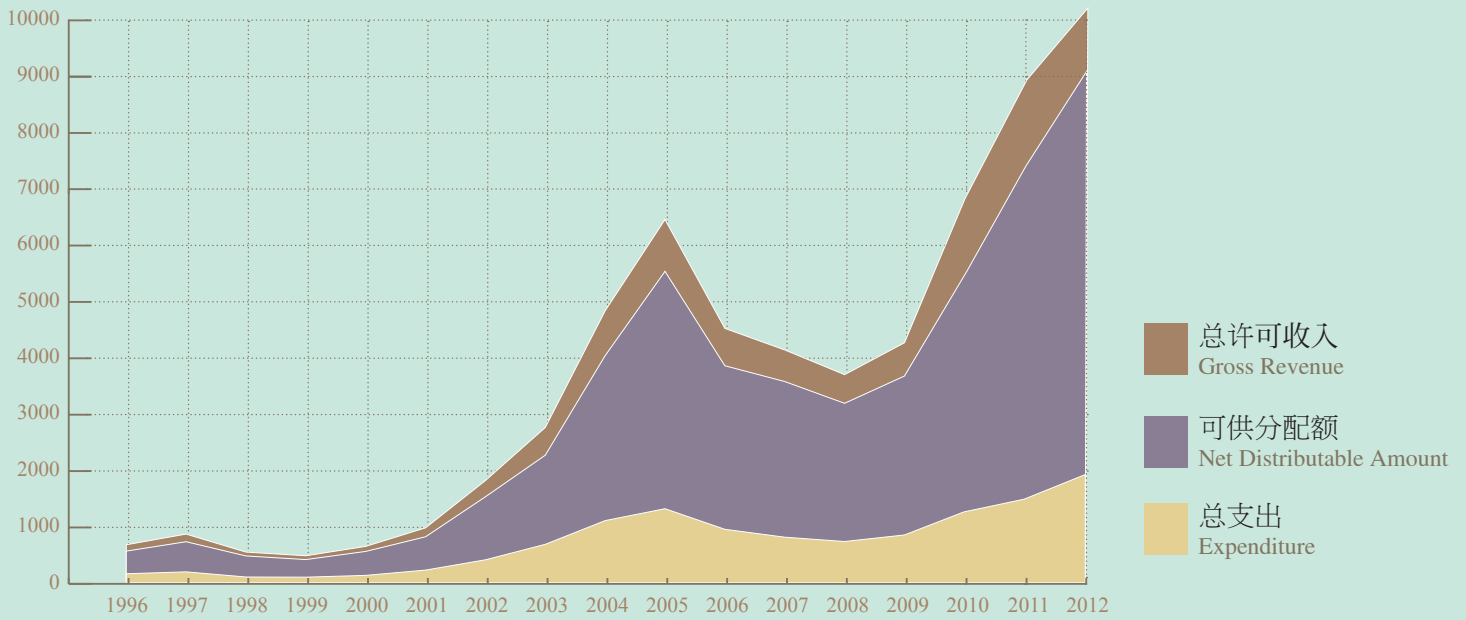
The total amount of distribution in 2012 is 76.53 million yuan RMB.



# 版税分配 *Distribution*

1996–2012年度总收入、可供分配金额和总支出（单位：万元）

Annual Gross Revenue, Net Distributable Amount and Expenditure from 1996-2012 (Unit 10,000 yuan RMB)





## 法律事务 *Legal Affairs*

协会法律部 2012 年共承办民事诉讼案件 71 件，指导外地律所代理的诉讼 58 件，通过诉讼等方式共索赔和追回著作权使用费（已到账）达人民币 234.76 万元，待执行款近 13 万元，诉讼花费总支出为 56.07 万元（其中往年支出 11.64 万元），继续保持了较高的诉讼效率。

In 2012, the legal department of MCSC brought 71 civil law cases to the court, and directed 58 cases undertaken by local agents. By the means of lawsuit, MCSC had recovered as compensation and royalties 2.35 million yuan RMB (received) and 129,950 yuan RMB (to be enforced), and the lawsuits cost 560,694 yuan RMB (including 116,400 yuan RMB from previous years). MCSC keeps a high efficiency in litigation.

# 资料储备 *Documentation*



截至 2012 年底，DIVA 数据库（中文作品登记及分配管理系统）作品数目达到 460 万首，其中协会登记作品为 27 万首，申请 ISWC（国际音乐作品标准编码）作品为 9 万 2 千首。

By the end of 2012, DIVA system has recorded 4.6 million pieces of musical works, wherein 270,000 pieces are registered by MCSC, and 92,000 pieces applied for ISWC (International Standard Musical Work Code).

## 2003 年—2012 年作品统计表

Statistics of musical works from 2003 to 2012

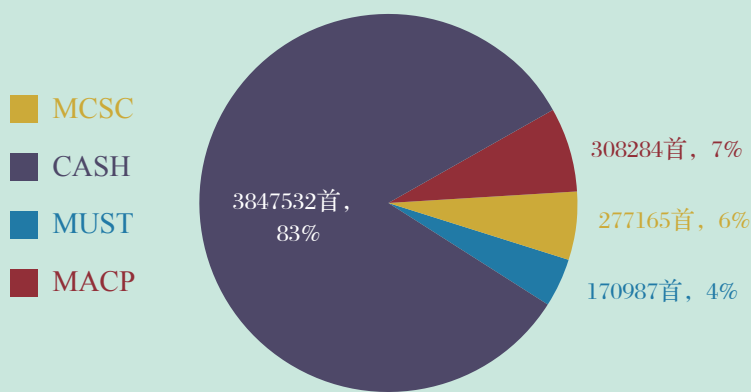
年份 Year	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012
作品种类 Work										
填词作品 Adapted Work	454	893	1924	2277	2627	2661	2949	3366	4287	4478
改编作品 Arrange Work	639	1556	2216	3015	3714	3977	4386	5011	5550	5795
影视作品 Audio/Visual Work	2110	2518	2558	3177	3404	4031	4444	4634	4970	21409
原创作品 Original Work	83809	104057	122503	142756	150786	164230	172462	191893	215756	245483
作品总数 Total Number	87012	109024	129201	151225	160534	174799	184241	204904	230563	277165

## 资料储备 *Documentation*



2012年DIVA各协会作品总量（4603968首作品）

The Total Number of Musical Works Stored in DIVA System by 2012: 4,603,968



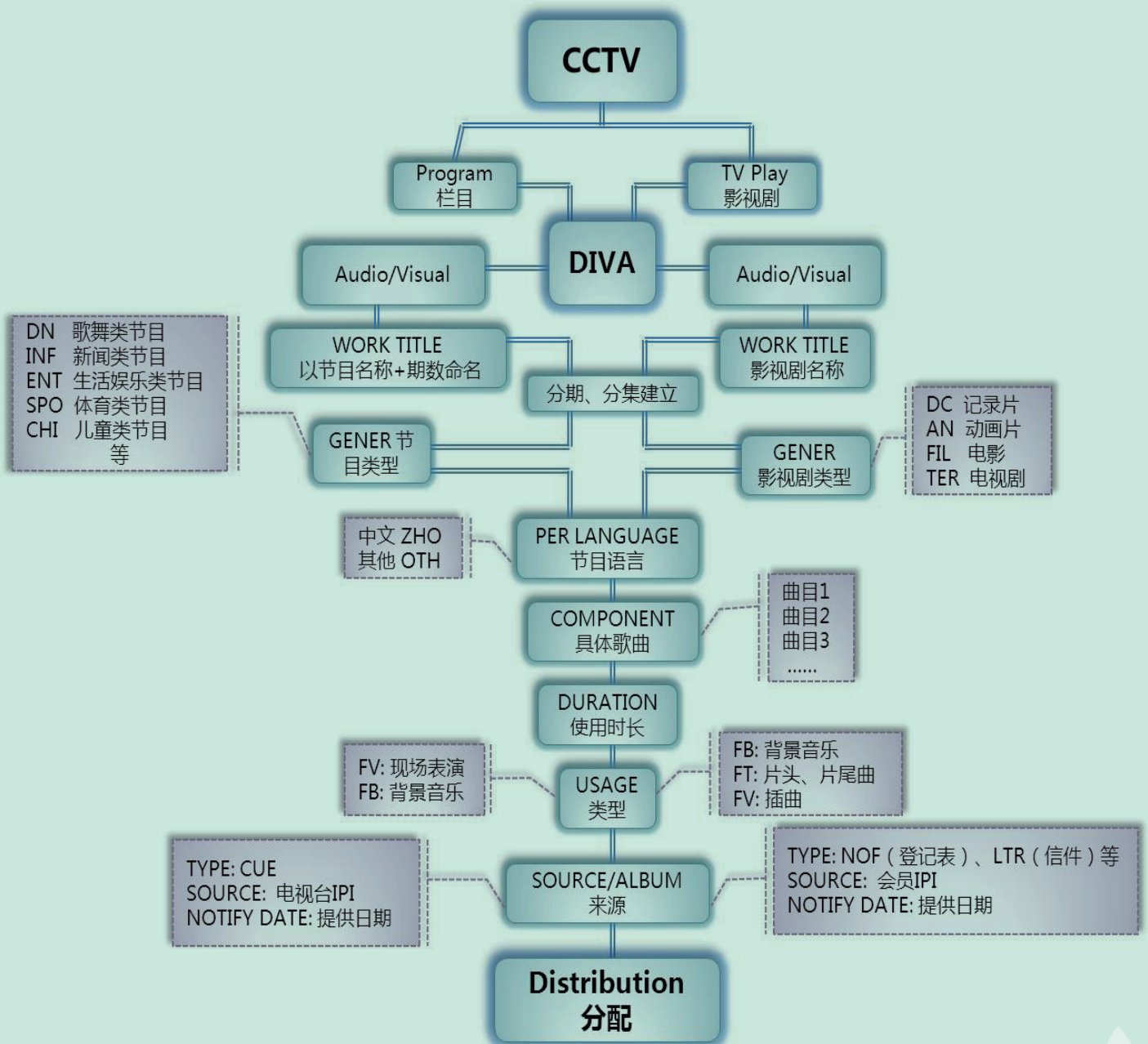
2012年，协会进行了第一次广播权分配，即央视2010年广播权许可使用费分配。这次分配对协会来说意义重大，其中涉及到会员、音乐作者的切身利益，引起协会主管机关、广播电视台甚至全社会的广泛关注。虽然央视提供了大量的2010年音乐使用信息，但内容仍然不够全面、详细。协会还需要解决诸多问题：怎么补充信息？数据如何搜集？补充哪些遗漏内容？怎么进行分配？数据库技术如何支撑？……为此协会相关部门组织多次研讨，群策群力，共同商议实施方案。面对压力和诸多困难，协会专门成立了广播权资料小组，对工作进行周密安排，及时采取应对措施；涉及技术难题时则虚心请教海外协会如香港CASH协会，借鉴他们的成功经验，调整了工作方案，建立了新的工作机制，设计了一套较为实用的操作流程。

MCSC completed in 2012 the first distribution of the income from broadcasting rights, i.e., the distribution of the income from CCTV in 2010. The distribution is important and means a lot to MCSC: it not only involved the interests of MCSC's members and other music copyright owners, but also drew wide attentions from MCSC's supervising officials, radio and TV stations and the public. Although CCTV provided a large amount of information regarding the usage of musical works in 2010, the information is neither comprehensive nor in detail. MCSC needs to solve additional problems: How to supplement information? How to collect data? What information needs to be supplemented? How to conduct distribution? How to support database technique? ..... Related departments of MCSC held meetings to discuss these questions and tried to find solutions. A broadcasting rights information group was established within MCSC to arrange the work and to deal with the pressure and difficulties. When having technical difficulties, MCSC consulted with affiliated societies like CASH and learned their useful experiences. Finally MCSC adjusted its work plans, established new work mechanism, and designed a new set of operational process.



# 资料储备 *Documentation*

广播权资料录入流程  
Process of Entering the Materials of Broadcasting Rights





## 海外签约协会 *Affiliated Societies*

2012年，协会相继与巴西音乐著作权协会 ABRAMUS、印度尼西亚音乐著作权协会 WAMI 就表演权签订了相互代表协议；同年，协会与另一家巴西音乐著作权协会 UBC 签订了表演权单方代表协议，即协会授权其在巴西其管辖区域内代表协会开展著作权集体管理业务。

In 2012, MCSC signed reciprocal representative agreements with ABRAMUS (Brazilian Association of Music and Arts) and with WAMI (Wahana Musik Indonesia) for performing rights. Also, MCSC signed in 2012 a unilateral representative agreement with UBC (Brazilian Union of Composers) for performing rights, in which MCSC authorizes UBC to act on behalf of MCSC to develop the copyright collective management business within the territory of UBC in Brazil.

海外签约协会列表（红色为 2012 年新签约协会）

List of affiliated societies (names in red represent newly signed societies)

协会名称 Society	所属国家/地域 Territory
<b>ABRAMUS/UBC</b>	巴西 Brazil
ACDAM	古巴 Cuba
AEPI	希腊 Greece
AKKA/LAA	拉脱维亚 Latvia
AKM	奥地利 Austria
APDAYC	秘鲁 Peru
APRA/AMCOS	澳大利亚 Australia
ARTISJUS	匈牙利 Hungary
ASCAP / BMI / SESAC/ HARRY FOX	美国 United States
BUMA/STEMRA	荷兰 Netherlands
CASH	香港 Hong Kong
COMPASS	新加坡 Singapore
COSCAP	巴巴多斯 Barbados
COTT	特立尼达和多巴哥 Trinidad and Tobago
EAU	爱沙尼亚 Estonia
GEMA	德国 Germany
HDS ZAMP	克罗地亚 Croatia
IMRO	爱尔兰 Ireland



## 海外签约协会 *Affiliated Societies*

协会名称 Society	所属国家/地域 Territory
JASRAC	日本 Japan
KazAK	哈萨克 Kazakhstan
KODA/NCB	丹麦 Denmark
KOMCA	韩国 Korea
LATGA-A	立陶宛 Lithuania
MACP	马来西亚 Malaysia
MASA	毛里求斯 Mauritius
MCT	泰国 Thailand
MRCSN	尼泊尔 Nepal
MUST	台湾 Taiwan
OSA	捷克 Czech
MCPS-PRS	英国 United Kingdom
RAO	俄罗斯 Russian Federation
SACEM/SDRM	法国 France
SACM	墨西哥 Mexico
SABAM	比利时 Belgium
SADAIC	阿根廷 Argentina
SAMRO	南非 South Africa
SAZAS	斯洛文尼亚 Slovenia
SCD	智利 Chile
SGAE	西班牙 Spain
SIAE	意大利 Italy
SOCAN/ SODRAC	加拿大 Canada
SOKOJ	塞尔维亚 Serbia
SPAC	巴拿马 Panama
STIM	瑞典 Sweden
SUISA	瑞士 Switzerland
TEOSTO	芬兰 Finland
TONO	挪威 Norway
UACRR	乌克兰 Ukraine
MACA	澳门 Macau
WAMI	印尼 Indonesia
ZAMP	马其顿共和国 Macedonia, Republic of

# 收支表 *Statement of Income & Expenditure*

单位：万元 Unit : 10 000 yuan RMB

	2011年 Year 2011			2012年 Year 2012		
收入 Income	表演权 Performing Rights	复制权 Mechanical Rights	总计 Total	表演权 Performing Rights	复制权 Mechanical Rights	总计 Total
表演（国内） Performing- Local	4378.9		4378.9	4594.31		4594.31
表演（海外） Performing- Overseas	562.07		562.07	508.77		508.77
广播权 Broadcasting rights	2025.6		2025.6	4015.44		4015.44
复制 Mechanical rights		815.66	815.66		546.78	546.78
网络 Internet revenue	332.12	774.96	1107.08	398	928.65	1326.65
收入合计 Total	7298.69	1590.62	8889.31	9516.52	1475.43	10991.95
支出 Expenditure						
行政开支 Administrative Expenses	1342.21	199.85	1542.06	1795.15	191.42	1986.57
收支盈余 surplus	5956.48	1390.77	7347.25	7721.37	1284.01	9005.38
可供分配收入 Distributable amount	5956.48	1390.77	7347.25	7721.37	1284.01	9005.38



## 协会执行团队 *Executive Management*

### 总干事 Director General

屈景明 Qu Jingming

### 副总干事 Deputy Director General

刘平 Liu Ping 分管法律事务及会员事务 in charge of Legal Affairs and Membership

贾嵩 Jia Song 分管版税分配、作品资料及总务部事务 in charge of Distribution, Documentation and General Affairs

杨东锴 Yang Dongkai 分管许可授权业务 in charge of Licensing Business

### 会员部主任

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### 分配部主任

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### 信息宣传部主任

Director of Publicity & Information

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### 资料部主任

Director of Documentation

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### 法律部主任

Director of Legal Dept

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### 总务部（财务）主任

Director of General Affairs (involve Finance)

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### 复制权部（含数字网络业务）主任

Director of Mechanical Reproduction Licensing (involve Digital Online Licensing)

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### 表演权部（含广播权业务）主任

Director of Public Performance Licensing (involve Broadcasting Rights Licensing)

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### 表演权业务主管副主任

Deputy Director in charge of Public Performance Licensing

陈志刚 Chen Zhigang

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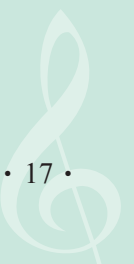
### 广播权业务主管副主任

Deputy Director in charge of Broadcasting Rights Licensing

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( 排名不分先后 in no particular order )





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