

Directive 2014/26/EU of the European Parliament and of the Council
of 26 February 2014 on collective management of copyright and
related rights and multi-territorial licensing of rights in musical works
for online use in the internal market (Text with EEA relevance)

TITLE II

COLLECTIVE MANAGEMENT ORGANISATIONS

CHAPTER 2

Management of rights revenue

Article 11

Collection and use of rights revenue

- 1 Member States shall ensure that collective management organisations comply with the rules laid down in paragraphs 2 to 5.
- 2 A collective management organisation shall be diligent in the collection and management of rights revenue.
- 3 A collective management organisation shall keep separate in its accounts:
 - a rights revenue and any income arising from the investment of rights revenue; and
 - b any own assets it may have and income arising from such assets, from management fees or from other activities.
- 4 A collective management organisation shall not be permitted to use rights revenue or any income arising from the investment of rights revenue for purposes other than distribution to rightholders, except where it is allowed to deduct or offset its management fees in compliance with a decision taken in accordance with point (d) of Article 8(5) or to use the rights revenue or any income arising from the investment of rights revenue in compliance with a decision taken in accordance with Article 8(5).
- 5 Where a collective management organisation invests rights revenue or any income arising from the investment of rights revenue, it shall do so in the best interests of the rightholders whose rights it represents, in accordance with the general investment and risk management policy referred to in points (c) and (f) of Article 8(5) and having regard to the following rules:
 - a where there is any potential conflict of interest, the collective management organisation shall ensure that the investment is made in the sole interest of those rightholders;
 - b the assets shall be invested in order to ensure the security, quality, liquidity and profitability of the portfolio as a whole;
 - c the assets shall be properly diversified in order to avoid excessive reliance on any particular asset and accumulations of risks in the portfolio as a whole.