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Introduction

Upon concluding a publishing contract, the publisher can make an advance payment on the royalties to the composer/author.

There are two options:

1. Advances recoverable on the mechanical reproduction rights
2. Advances recoverable on all rights (transfer of a claim)

1. Advances recoverable on the mechanical reproduction rights

1.1. Description

In the context of a publishing or sub-publishing contract, original publishers may grant an advance to a composer/author. The advance is part of the publishing contract.

The advance is recoverable on the share of the composer/author in works published by the original publisher. It is only paid back using the distributions of mechanical reproduction and user rights.

At each distribution, we include the amount already paid to the publisher on the distribution statements of the composer/author and the publisher. This way, both parties can follow the progress of the advance payment scheme.

1.2. Conditions

An advance contract mechanical rights can be concluded under the following conditions:

- The publisher and the composer/author are affiliated to Sabam;
- The advance contract is only valid for works in publication with the original publisher;
- The works to which the advance contract applies are known by ICE (the publisher knows the ICE key. Works and agreements can be declared and consulted via [MyAgreements](#) and [MyWorx](#));
- The publisher notifies Sabam via e-mail or letter when the advance is paid back.

1.3. How to declare?

In order to declare an advance contract mechanical rights, please provide us with the original publishing or sub-publishing contract containing the amount of the advance on the mechanical rights.

The contract must be dated and signed by all parties involved.

You can send it to us via:

e-mail: member@sabam.be

or

letter: Rue d'Arlon 75-77, 1040 Brussels

2. Advances recoverable on all rights

2.1. Description

Regardless of the publishing or sub-publishing contract, original publishers can grant an advance to a composer/author. The advance is recorded in a separate document, regardless of the publishing contract: the transfer of claim.

A transfer of claim is recoverable on all rights of the composer/author. It is thus paid back using all sorts of rights and all works in which the composer/author has a share. Throughout the duration of the advance, the composer/author will therefore not receive any rights.

The transfer of claim clearly contains the amount of the advance paid, the express provision that the advance can be paid back using all rights and all works of the intellectual right holder and that the publisher is obligated to notify Sabam once the claim has been paid back.

At each distribution, we include the amount already paid to the publisher on the distribution statements of the composer/author and the publisher. This way, both parties can follow the progress of the advance payment scheme. Quarterly payments are made by Sabam to the publisher (in February, May, August and November).

2.2. Conditions

- The composer/author is affiliated to Sabam. The publisher does not necessarily need to be affiliated to Sabam. He can also be affiliated to another society;
- The transfer of claim is a separate document attached to the publishing contract;
- The transfer of claim is valid for all sorts of rights and all works of the composer/author;
- Claims cannot be accumulated. A new claim can only start after the previous one has been completed;
- The publisher notifies Sabam via e-mail or letter when the advance is paid back.

2.3. How to declare ?

In order to declare a transfer of claim, please provide us with the dated transfer of claim, signed by all parties involved (a model document is available on our [website](#)).

Provide link to this document:

You can send the contract to us via:

e-mail: member@sabam.be

or

letter: Rue d'Arlon 75-77, 1040 Brussels

3. How to modify or terminate?

You can pass on modifications or terminations to Sabam via:

e-mail: member@sabam.be

or

letter: Rue d'Arlon 75-77, 1040 Brussels

Has the advance been paid back? Then the publisher is obligated to inform Sabam thereof.

4. General Rules

More information on advances and the transfer of a claim can be found in the General Rules ([link](#)) under Article 38B.

5. Questions?

Should you have any questions regarding advances, please contact our Customer Service at 02/286.84.84 or by e-mail to member@sabam.be. They will be more than happy to help.