

# Regulations on Compensation for Public Transmission for Educational Purposes

Approved on December 18, 2020

Society for the Administration of Remuneration for Public  
Transmission for School Lessons (SARTRAS)



(Purpose)

Article 1 These Regulations intended for the Society for the Administration of Remuneration for Public Transmission for School Lessons (hereinafter referred to as “the SARTRAS”) to define a compensation stipulated in Article 35, paragraph 2 of the Copyright Act (Act No. 48 of 1970; hereinafter referred to as “the Act”) (including a case where the provisions are applied mutatis mutandis to Article 102, paragraph 1 of the Act) based on the provisions in Article 104-13, paragraph 1 of the Act, while considering publicness and variety of educational institutions including schools and impartial exploitation of rights concerning works, performances, records, broadcasts and wired broadcasts (hereinafter referred to as “works, etc.”).

(Definition)

Article 2 In these Regulations, meaning of terms presented in the following items are defined by the respective items:

- (1) “Public transmission for educational purposes” refers to public transmission performed as per the provisions in Article 35, paragraph 1 of the Act (including a case where the provisions are applied mutatis mutandis to Article 102, paragraph 1 of the Act) (except public transmission stipulated in Article 35, paragraph 3).
- (2) “Educational institution” refers to an educational institution stipulated in Article 35, paragraph 1 of the Act. Examples of educational institutions are: “a kindergarten”, “an elementary school”, “a junior high school”, “a compulsory education school”, “a senior high school”, “a six-year secondary school”, “a technical college”, “a university”, “a special education school”, “a specialized training college”, “a technical school”, “a nursery”, a kindergarten cooperation type certified child institution”, “an after-school children’s club”, “a ministerial university”, “a vocational ability development facility”, “a social educational facility”, and “an education center”.
- (3) “Establisher” refers to a person that has established an educational institution.
- (4) “Fiscal year” refers to a period from April 1 in each year to March 31 in the next year.
- (5) “Person subject to compensation calculation” refers to a person scheduled to receive public transmission for educational purposes in a fiscal year in which a compensation is to be paid among the students in an educational institution that performs public transmission for educational purposes.
- (6) “Kindergarten”, “elementary school”, junior high school”, “compulsory education school”, “senior high school”, “six-year secondary school”, “technical college”, and “university” refer to the schools stipulated in Article 1 of the School Education Act,

respectively.

- (7) “Special education school” refers to a special education school stipulated in Article 1 of the School Education Act. “Special needs class” refers to a special needs class stipulated in Article 81, paragraph 2 of the Act.
- (8) “Specialized training college” refers to a specialized training college stipulated in Article 124 of the School Education Act. “Technical school” refers to a technical school stipulated in Article 134 of the Act.
- (9) “Nursery” refers to a facility stipulated in Article 39 of the Child Welfare Act.
- (10) “Kindergarten cooperation type certified child institution” refers to a facility stipulated in Article 39-2 of the Child Welfare Act.
- (11) “After-school children’s club” refers to a facility involved in the after-school child sound upbringing business stipulated in Article 6-3, paragraph 2 of the Child Welfare Act.
- (12) “Ministerial university” refers to an educational institution established by the Government or a local public entity or established by an establisher specified by laws and regulations, based on the laws and regulations, that performs professional education at which the educational institution aims, including the National Defense Academy, the National Tax College and the National Fisheries University.
- (13) “Vocational ability development facility” refers to an educational facility established by the Government or a local public entity or established by an establisher specified by laws and regulations, based on the laws and regulations, that aims to performs vocational education, including a comprehensive vocational capability development university, a vocational capability development university, a vocational capability development college, a vocational capability development school, a vocational capability development center for people with disabilities and a vocational capability development center.
- (14) “Social educational facility” refers to an educational institution established by the Government or a local public entity, or established by an establisher specified by laws and regulations, based on the laws and regulations, that performs social education, including a public hall, a museum, an art museum, a library, a youth center and a lifelong learning center.
- (15) “Education center” refers to a facility that wholly offers educational personnel an opportunity to receive training based on Article 21 of the Special Act for Education Personnel.
- (16) “Correspondence educational institution” refers to an institution aiming to perform education as stipulated in Article 54, paragraph 1, Article 84, Article 108, paragraph

8 and Supplementary Provisions, Article 8 of the School Education Act and includes the Open University of Japan.

- (17)“Open lecture” refers to an open lecture in a university stipulated in Article 107 of the School Education Act.
- (18)“Short course for license renewal” refers to a short course concerning renewal of a teaching license that is held by a university stipulated in Article 9-3 of the Education Personnel Certification Act or a person specified in an ordinance of the Ministry of Education, Culture, Sports, Science and Technology, based on an approval of the Minister of Education, Culture, Sports, Science and Technology.
- (19)“Course certification program” refers to a special course stipulated in Act 105 of the School Education Act (applied mutatis mutandis to Article 123, Article 133, and Article 179 of the Ordinance for Enforcement of the School Education Act).
- (20)“Credited auditor” refers to a person taking one or more class subjects other than a student of the university, as stipulated in Article 31 of the Standards for Establishment of Universities.
- (21)“Student subject to compensation calculation, etc.” refers to, among the students of a course certification program or credited auditors, a person scheduled to receive public transmission for teaching purposes within the fiscal year in which a compensation is to be paid. A person subject to compensation calculation is excluded.
- 2 Unless otherwise provided for in the Regulations, terms in the Regulations shall be used in the same meaning as in laws.

(Amount of compensation irrespective of the count of public transmission for teaching purposes)

Article 3 The amount of a compensation paid by the establisher of an educational institution performing public transmission for teaching purposes shall be an amount obtained by multiplying, for each fiscal year, the compensation per person (annual amount) by the total number of persons subject to compensation calculation in the educational institution in accordance of the kind specified in the following table, irrespective of the type of the work subject to public transmission for teaching purposes and the count of public transmission for teaching purposes.

Kind	Amount of compensation per person (annual amount)
Kindergarten	60 yen
Elementary school	120 yen
Junior high school	180 yen

Compulsory education school	1st-6th grade	120 yen
	7th-9th grade	180 yen
Senior high school		420 yen
	Non-degree course for graduates	720 yen
Six-year secondary school	1st -3rd grade	180 yen
	4th-6th grade	420 yen
	Non-degree course for graduates	720 yen
Technical college	1st-3rd grade	420 yen
	4th -5th grade	720 yen
	Non-degree course for graduates	720 yen
University		720 yen
Special education school	Kindergarten section	30 yen
	Elementary school section	60 yen
	Junior high school section	90 yen
	Senior high school section	210 yen
	Non-degree course for graduates	360 yen
Specialized training college	Higher course	420 yen
	Specialized course	720 yen
	In the General course:	
	Person subject to compensation calculation who receives an education equivalent to that of a kindergarten	60 yen
	Person subject to compensation calculation who receives an education equivalent to that of an elementary school	120 yen
	Person subject to compensation calculation who receives an education equivalent to that of a junior high school education	180 yen
	Person subject to compensation calculation who receives an education equivalent to that of a senior high school education	420 yen
Person subject to compensation calculation who receives an education equivalent to that of a university	720 yen	
Technical school	Person subject to compensation calculation who receives an education equivalent to that of a kindergarten	60 yen
	Person subject to compensation calculation who receives an education equivalent to that of an elementary school	120 yen
	Person subject to compensation calculation who receives an education equivalent to that of a junior high school education	180 yen
	Person subject to compensation calculation who receives an education equivalent to that of a senior high school education	420 yen
	Person subject to compensation calculation who receives an education equivalent to that of a university	720 yen
Nursery		60 yen
Kindergarten cooperation type		60 yen

certified child institution		
After-school children's club		60 yen
Ministerial university		720 yen
Vocational ability development facility	Person subject to compensation calculation who receives an education equivalent to that of a senior high school education	420 yen
	Person subject to compensation calculation who receives an education equivalent to that of a university	720 yen

- (1) The total number of persons subject to compensation calculation shall be calculated based on the number of students in the educational institution to which the persons subject to compensation calculation belongs on the first day of May in the pertinent fiscal year.
- (2) When an establisher has established more than one educational institution, a compensation shall be calculated for each educational institution and the amounts shall be summed up to obtain the total amount.
- (3) The amount of compensation assumed in the case where public transmission for teaching purposes is started in the middle of a fiscal year shall be an amount obtained by multiplying, the number of remaining months, the pertinent compensation amount (annual amount) in the above table divided by 12, by the number of the remaining months of that fiscal year including the month to which the day when the public transmission for teaching purposes started belongs, the total number of persons subject to compensation calculation in the educational institution.
- (4) The amount of compensation assumed in the case where, concerning persons subject to compensation calculation or students subject to compensation calculation, etc., the predetermined enrollment period defined by the establisher of an educational institution is less than one year from its beginning to the end including regular suspension period in summer, winter and spring in the fiscal year in which a compensation is to be paid, may be an amount obtained by multiplying, the pertinent compensation amount in the table in paragraph 1 of this Article divided by 12, by the number of the months corresponding to the enrollment period. The amount of compensation assumed when the enrollment period is less than one month may be a compensation amount calculated as per the provisions in paragraph 2 of this Article.
- (5) In the case where there is a period exceeding one month, other than regular suspension periods in summer, winter or spring, in which no public transmissions

for teaching purposes subject to compensation payment were performed due to a disaster or unavoidable circumstances after the compensation defined in this Article, when the establisher of an educational institution has submitted a document including the content specified by the SARTRAS and approved by the SARTRAS, a payment corresponding to the number of months in which no public transmissions for teaching purposes were performed shall be returned.

- (6) The compensation amount (annual amount) per person by which the total number of the persons in a special needs class subject to compensation calculation is to be multiplied shall read the 50% amount of that stipulated in Article, paragraph 1.
- 2 In the case where public transmission for teaching purposes is performed in an open lecture or a short course for renewal, or in a class held by a social educational facility or an education center, the establisher shall pay separately an amount obtained by multiplying 300 yen by the number of classes held from April 1 to September 30 (in the first half) and from October 1 to March 31 of the next year (in the second half), irrespective of the type of a work subject to public transmission for teaching purposes or the count of the public transmission for teaching purposes, on top of the payment of a compensation pursuant to the provisions in in paragraph 1 of this Article.
- (1) The number of classes refers to a number obtained by dividing the total number of students of a lecture or a short course in which public transmission for teaching purposes is performed in the first half or second half period (the number obtained by multiplying the fixed number per session of a lecture of a short course held in each term by the number of lectures or short courses to calculate a total fixed number, and summing up the results) by 30 (a remainder, if any, shall be added as one class).
  - (2) The number of classes per term shall be calculated based on the number of the number on May 1 (first half) or that on November 1 (second half).
  - (3) Among the classes defined in this paragraph, the compensation amount assumed when only a period is fixed without the count being fixed shall be calculated by applying the provisions in paragraph 1 of this Article, irrespective of this paragraph.

(Compensation amount not pursuant to the preceding Article)

Article 4 Irrespective of the preceding article, ever time public transmission for teaching purposes is performed in an educational institution, when the establisher of the educational institution pays a compensation, the compensation shall be an individual amount obtained by summing up 10 yen per (a) work, (b) voice or video



via performance, (c) voice immobilized on a record, (d) voice or video via broadcast, and (e) voice or video via wired broadcast, and multiplying the total amount by the total number of students, etc. that have received the public transmission for educational purposes. An establisher wishing to meet the application of provisions in this Article must calculate the count of public transmission for educational purposes performed in the educational institution in each of a period from April 1 to September 30 (first half) and a period from October 1 to March 31 in the next year (second half), and submit information that will be helpful for proper requests and distribution of a compensation pursuant to this Article including the information on a work exploited in each session of transmission and the total number students, via a form and a method specified by the SARTRAS, by the deadline specified by the SARTRAS.

- 2 An individual compensation assumed when wishing to meet the the application of provisions in this Article in a case where more than one work is exploited in a class video shall be an amount obtained by calculating an amount per each of the works exploited in the video and summing up the resulting amounts as per the preceding paragraph.

(Miscellaneous)

Article 5 In the case where public transmission for teaching purposes is performed in a remote class held between different educational institutions and when the establisher of an educational institution as a sending party or that of an educational institution as a receiving party has paid the compensation for the educational institution defined in paragraph 1 of Article 3, the remote class shall be permitted to be held. When neither establisher has paid the compensation, the establisher of either educational institution shall pay the amount calculated as per Article 3 based on the number of persons subject to compensation calculation in the receiving party or the amount calculated as per Article 4 based on negotiations between the sending party and the receiving party.

- 2 In the case where an educational institution is located in an area where its sustention is difficult due to a decrease in population, etc. and when the provisions in paragraph 1 or 2 of Article 3 are applied, the amount equal to 50% of a calculated amount shall be paid by the educational institution.
- 3 In the case where public transmission for teaching purposes is performed in a correspondence educational institution and when the provisions in Article 3 are applied, the compensation amount (annual amount) per person by which the total

number of the persons subject to compensation calculation is multiplied shall be an amount equal to 50% of the amount defined in paragraph 1 of Article 3.

- 4 In the case where public transmission for teaching purposes is performed to students of a course certification program or credited auditors and when the provisions in paragraph 1 of Article 3 are applied, the compensation amount (annual amount) per person by which the total number of the persons subject to compensation calculation is multiplied shall be an amount equal to 50% of the amount defined in paragraph 1 of Article 3.
- 5 The amount of compensation assumed in the case where there are special circumstances in which it is difficult to apply Article 2 through paragraph 4 of this Article of the Regulations due to the state of an educational institution or exploitation practices of works, or in the case where such circumstances have suffered a great change, shall be determined by the SARTRAS within the Regulations based on negotiations with the establisher of the educational institution.
- 6 The compensation amount defined in the Regulations is subject to an amount of consumption tax, etc. stipulated in the Consumption Tax Act (Act No. 108 of 1988) or the Local Tax Act (Act No. 226 of 1950).

#### Supplementary provisions

- 1 The regulations will be enforced on April 1, 2021.
- 2 The SARTRAS shall examine the Regulations every time three years have passed since the enforcement date of the Regulations, in consideration of the situation following the enforcement, take necessary measures based on.