ProLitteris

Report

Copying Royalties

Subject	26.3532 Postulate on the Modernization of Copying Royalties, WBK-N
By	Philip Kübler, ProLitteris, CEO and Attorney at Law
Date	September 4, 2026

Contents

1 Policy Dossiers on Copying Royalties

For about a year now, copying levies have been the subject of political debate. This primarily refers to the levies paid by companies under Joint Tariff 8 (GT 8), based on Art. 19(1)(c) of the Copyright Act (URG). Other remunerations for personal use, such as the blank media levy (GT 4) in the private sphere and remunerations for educational purposes (GT 7), are not affected or are only marginally affected.

Two parliamentary motions explicitly call for their abolition, whereas the Federal Council and the National Council's committee are examining reforms.

Most recently, on May 22, 2026, the WBK-N Committee adopted Postulate 26.3532, “Modernization of the Copying Levy.” It rejected a parliamentary initiative to abolish the copying levy[1] but wishes to examine possible improvements[2] .

A second legislative proposal to abolish copying levies—a motion with similar demands—is currently following a different political path. As part of this process, on August 20, 2025, the Federal Council commissioned a study from the Swiss Federal Institute of Intellectual Property (IGE), which was awarded to Polynomics. The study has not yet been made public.

2 Questions from cultural associations and media and book publishers

Professional and industry associations in the media and cultural sectors welcome the fact that the relevant committee of the National Council has rejected the abolition of copying levies.

At the same time, the announced reforms raise questions. Joint Tariff 8 (GT 8) was comprehensively revised for the tariff period beginning in 2023, greatly simplified, negotiated by mutual agreement with user associations, and approved by the Federal Arbitration Commission. The concerns raised in the political debate regarding the flat-rate nature of the fees, the basis for calculation, transparency, and digitization pertain to issues that are already being addressed in the tariff proceedings.

The professional and industry associations have therefore posed questions to ProLitteris and the other collecting societies regarding the origin and significance of the reform proposals, usage data, the volume of remuneration, the completeness of collection, and the unpublished Polynomics study.

The questions were submitted specifically by Suisseculture; the Swiss Media Association; SBVV; A*dS; Médias Suisses; LivreSuisse; ALESI; Impressum; Syndicom; and visarte.

ProLitteris is answering these questions on behalf of the five Swiss collecting societies. The answers describe the technical basis for copying royalties.

2.1 To what extent are copying levies no longer in line with the times?

“Copying fees” should really be called “information fees.” They entitle every organization in Switzerland (as well as private individuals and schools) to use information and sources almost at will and without supervision, even if such materials are subject to copyright and related rights. Even third parties may be commissioned, such as media monitoring services or copy shops.

For this freedom, there is a statistically calculated flat-rate royalty, which is minimal for most companies—starting at CHF 32 per year. Thanks to fixed rules—a legal requirement for collecting societies—collection and distribution are efficient.

---

[1] 25.408 Parliamentary Initiative, “The Unfair and Outdated Model of Copy Royalties Is No Longer Appropriate in the Age of Digitalization,” by Thomas Aeschi, March 10, 2025, https://www.parlament.ch/de/ratsbetrieb/suche-curia-vista/geschaeft?AffairId=20250408.

[2] Press release from the WBK-N dated May 22, 2026, https://www.parlament.ch/press-releases/Pages/mm-wbk-n-2026-05-22.aspx?lang=1031. A minority of the committee wishes to act on the parliamentary initiative.

A common misconception is that the fee applies only to photocopies, photocopiers, and multifunction devices. GT 8 has long since covered digital reproductions as well. It also covers internal distribution, e.g., as an email attachment or as content on an intranet.

Based on these facts, the claim that the provision is "outdated" cannot be substantiated. The "information royalty" or "copying royalty" covers standard knowledge management practices within companies. Working professionals may use information and documentation from public sources for internal purposes.

One restriction arising from current developments should be noted: The use of artificial intelligence (AI) affects numerous protected works and performances in everyday professional life, and there is no statutory license for this use. ProLitteris offers an extended collective license (EKL) for internal AI uses, and the Federal Council is planning a revision of the Copyright Act (URG) regarding the licensing and remuneration of AI offerings and AI uses. For this reason as well, no partial revision addressing a single issue should take place prior to this comprehensive revision—especially since copying processes within companies also involve AI uses (uploads and prompts followed by training uses).

2.2 How can the calls for abolition and reform proposals be explained?

If one takes the self-interest of a paying company as the sole benchmark, a flat-rate remuneration per position and organization is naturally less attractive than no remuneration at all. This explains part of the political criticism. It also aligns with the questions and reactions of some clients who are informed by ProLitteris or who contact the supervisory authority, the Institute for Intellectual Property.

However, across all user organizations with which ProLitteris's customer service is in contact, it is clear that while copying royalties may not be popular, they are widely accepted. A good example is a trust company that explains the royalties and reports on them publicly. The value provided in exchange for the copying royalty is understood, both now and in the past.

2.3 Which ideas and concerns belong in the collective bargaining process, and which belong in the political arena?

In the legally regulated collective bargaining process, any matter that falls within the legal framework can be discussed. This includes calculation methods, royalty rates, industry and activity profiles, exemption thresholds, minimum royalties, media surveys, declaration and monitoring procedures, the consideration of already licensed digital offerings, the distinction from other collective bargaining agreements, and the empirical basis.

It is precisely these kinds of questions that are negotiated between collecting societies and the relevant user associations. For the current GT 8, eight negotiation sessions and three working group meetings took place. The calculation models and studies were disclosed, discussed jointly, and gradually refined. Subsequently, the Federal Arbitration Commission reviewed and confirmed the tariff. Legal recourse is always available against its decision.

Individual tracking would be theoretically conceivable, but in practice it would involve a disproportionate amount of effort: Which content was reproduced in analog or digital form, how many pages or files were involved, what rights already existed, and what was the value of each individual use? It is precisely such questions that the statutory flat-rate solution is intended to avoid. There has always been a consensus on this point in the tariff negotiations.

A legislative amendment is required when the legal basis itself is to be changed. This applies in particular to the abolition of the right to remuneration under Art. 20(2) of the Copyright Act (URG) or to legally regulated access by collecting societies to AHV data.

Joint Tariff 8 is valid until the end of 2027. Negotiations for the tariff period beginning in 2028 will start in the fourth quarter of 2026.

2.4 Do reforms make sense now that the tariff was completely revised in 2023?

On behalf of the Swiss collecting societies, ProLitteris has comprehensively reformed the copying tariff, Joint Tariff 8 (GT 8), for the tariff period beginning in 2023. The user associations agreed to the new tariff. Even the Swiss Trade Association commented positively on the new regulations.[3]

The overhaul was substantial. The previously separate tariffs for paper and digital copies were merged. The former set of rules, which included numerous sub-tariffs and ran to about 100 pages, was reduced to a single 10-page tariff. For businesses, only three base rates per workstation now apply, supplemented by a simple media monitoring fee and special rules for copy service providers.

The reform was developed through the tariff negotiation process. Among those represented were the Umbrella Association of Users of Copyright and Related Rights (DUN), the Swiss Trade Association (SGV), the Swiss Bar Association, as well as representatives from the federal government, the cantons, media monitoring services, and copy service providers. In the end, all participating user associations approved the tariff. The DUN and the SGV publicly praised the new regulation as clearer and simpler.

Any new need for reform would have to be based on new findings. Such findings are not apparent in the available information or in the key points from the study, which has not yet been made public. Flat-rate compensation, digital uses, job profiles, data, administrative simplification, and double payments were already the subject of the last tariff negotiations. No new developments have been observed since 2023. Collective Agreement 8 is valid until the end of 2027; negotiations for the collective bargaining period beginning in 2028 will start in the fourth quarter of 2026.

2.5 Does the volume of customer contacts handled by ProLitteris indicate a need for reform?

ProLitteris operates Collective Agreement 8 as a high-volume business. Each year, company data is collected, royalties are calculated, invoices are issued, and numerous inquiries are

[3] Internal Copying: Why Pay—and How Much?, Medialex, November 5, 2021, https://medialex.ch/2021/11/05/internes-kopieren-warum-zahlen-und-wieviel. Copying Royalties: Clearer and Simpler, Gewerbezeitung, January 20, 2023, https://www.gewerbezeitung.ch/de/news_archiv/2023-01-kopierverguetung-klarer-und-einfacher.

answered. These customer interactions provide no indication that the basic structure of the collective agreement, renewed in 2023, is impractical.

The recurring questions primarily concern the legal basis, the number of copies, and the royalty for media monitoring. In rare cases, they pertain to instruction provided to external individuals and professional copying services. It is often necessary to explain that GT 8 covers both paper copies and digital reproductions. The current reporting procedure has been greatly simplified compared to the previous system and can be completed online.

2.6 What concerns and ideas do the collecting societies have?

There is room for improvement, particularly regarding company data. Currently, organizations must declare their headcount figures themselves. Automatically available and reliable basic data would reduce the burden on companies while also making collection more comprehensive. This argues for simpler data processes. Individual measurement or declaration of each copying operation would increase the administrative burden. The same applies to a declaration—which is difficult to verify—that a company does not require protected works and performances.

Collecting societies see room for improvement, particularly in the completeness and simplicity of the collection process. If companies' headcount figures were taken from reliable public data whenever possible, this would eliminate the need for individual declarations by each company. AHV data would be particularly suitable for this purpose. This would relieve companies of the burden of making their own declarations and prevent incorrect or missing headcount figures. A legal basis would need to be established for such access to data, likely within the AHV Act.

The exemption thresholds also need to be reviewed. Currently, the entire industrial and manufacturing sectors, the retail sector, and certain service industries do not pay basic remuneration for up to 14 positions. These sectors also benefit from the freedom of use. Small businesses are also permitted to make internal copies of protected works and do so. The exemption thresholds create additional categories, reduce revenue from remuneration, and may be perceived as unequal treatment compared to similarly sized companies in other sectors. They are based on the outcome of negotiations and concessions made by collecting societies since the introduction of the copying remuneration.

Third, the current exception for organizations without access to a copying device needs to be reviewed. In a modern organization, computers, smartphones, scanners, printers, or other copying devices are practically always available. The exception is narrow, requires declarations and monitoring, and no longer has any practical significance in a digitized work environment . Even copy-pasting, saving, scanning, and other uses constitute reproduction.

These proposals will lead to a simpler, more consistent, and more comprehensive data collection process. They will reduce the administrative burden and improve equal treatment.

2.7 What usage data is collected or could be collected?

For years, copying remuneration has been based on social science usage studies. The 2020 GfS study served as the basis for the tariff period beginning in 2023. It examined analog and digital copying in public administration, the service sector, and industry and commerce, and compared the results with earlier surveys.

For the tariff calculation, the relevant reproductions of third-party protected works were taken into account. Business documents and uses already covered by subscriptions or licenses were excluded. On a weighted average, the calculation model at that time yielded approximately 117 protected paper copy pages and approximately 1,775 digital copy pages per full-time position per year. At a copy page value of CHF 0.035, this amounted to approximately CHF 66 per position per year.

This figure was significantly reduced during negotiations, resulting in a remuneration per position of CHF 3.20, 5.20, or 8.20.

For the next tariff period in 2026, ProLitteris once again commissioned a usage study from gfs-zürich. Even with declining copy volumes in certain areas, the remuneration level of the current tariff remains supported. Sample calculations, an XLS model for planning and forecasting, projections, and other calculations are standard components of every tariff procedure and will once again be required for the new tariff starting in 2028. There has been no indication to date that an additional study is necessary; moreover, the effort involved would have to be proportionate.

2.8 Does an opt-out make sense for individual companies?

An “opt-out” presumably means that a company can declare that it does not use (or intend to use in the future) any protected works or services. This declaration would have to be legally binding and verifiable—requirements that are absent in mass-market business. Such a right to object would undermine the flat-rate remuneration and open the door to abuse. The legal advantage for every company is that protected works may be copied for internal information and documentation purposes without the need for individual rights clearance—and every working person occasionally scans or photographs a document or forwards a professional article. Statistical surveys show that the use of third-party protected works occurs across all sectors.

An opt-out based on a declaration that one copies no or hardly any protected content would require criteria, evidence, controls, and legal procedures. The burden of proof would have to lie with the company. Consequences would have to be provided for false declarations. Thus, a simple annual fee would give rise to a new declaration and control procedure.

The current tariff already includes a very narrow exception: An organization may be exempted from the basic royalty if no person working there has access to any device capable of making analog or digital copies and that is connected to other devices or the Internet (smartphones, tablets, computers, etc.). ProLitteris requires a binding declaration for this.

Even this clearly defined exception creates additional administrative burden, and monitoring is only possible to a limited extent.

A more extensive opt-out would create additional red tape and put honest companies at a disadvantage—those that pay the flat fee—while others underreport their individual usage or submit statements that are difficult to verify.

2.9 What is the total revenue generated by GT 8?

According to the published figures, the annual gross revenue from GT 8 for all companies, government agencies, and other user groups amounts to approximately CHF 12 million. This figure encompasses the copyrights and related rights of all five Swiss collecting societies and all—worldwide—sources in analog or digital form.

This amount is low in relation to the statistically determined usage figures. The GfS data and the copy-page value of CHF 0.035 would have justified significantly higher remuneration in the tariff proceedings. The calculation model yielded a weighted average of approximately CHF 66 per full-time equivalent per year; by sector, this breaks down to roughly CHF 16 for administration, CHF 40 for industry and commerce, and CHF 81 for services and trade.

These figures were not incorporated into the agreed tariff. The collecting societies moved closer to the previous remuneration level. For companies, only CHF 3.20, CHF 5.20, or CHF 8.20 per position per year were agreed upon. Added to this are a minimum remuneration of CHF 32, exemption thresholds of up to 14 positions in numerous industries, a sliding scale for large companies, and transitional rules that limit increases.

The current remuneration volume thus reflects a significantly reduced, mutually negotiated tariff. Already during the 2021/2022 tariff negotiations, the calculation model showed that even moderate rates starting at around CHF 5 per position—without exemption limits—would have resulted in a volume exceeding CHF 30 million if all positions could be fully accounted for.

Against this backdrop, it is appropriate to assess the adequacy of the total compensation volume in future collective bargaining negotiations. Further relief for users is only one possible aspect of this.

2.10 Are remuneration claims being asserted in full?

ProLitteris is obligated to assert statutory remuneration claims in full and on an equal basis for all users, in accordance with the tariff. It uses to access company data, requests the necessary information, estimates missing data according to the rules of the tariff, and, if necessary, enforces claims through legal action.

Nevertheless, a measurement system involving hundreds of thousands of organizations is not mathematically flawless. Companies are founded, restructured, or dissolved; headcounts change; and declarations may be missing or incorrect. ProLitteris is continuously improving its market coverage. Since 2024, a new technical interface to the Federal Statistical Office’s

UID data has resulted in approximately 20,000 additional companies subject to remuneration being identified each year.

In addition, there are agreed-upon gaps in the tariff structure. Exemption thresholds allow companies in entire economic sectors with up to 14 employees to be fully exempt from the basic royalty. The reduced royalty rate for large companies and the "no copy-capable device" exception also reduce revenue collection compared to a solution that would be consistently calculated based on statutory freedom of use.

Any improvement would need to focus on more comprehensive company data, simpler automated assessment criteria, and a review of such exceptions. An additional opt-out would have the opposite effect and create new gaps in coverage.

2.11 What is known about the Polynomics study?

It is known that, in connection with Motion 25.3792, the FDJP commissioned a study, which was awarded to Polynomics through the Swiss Federal Institute of Intellectual Property. The WBK-N had this study presented to it in May 2026 and derived questions from it regarding the flat-rate nature of the system, the traceability of the calculation bases, transparency, and digital working methods.

ProLitteris has not yet received the study. It is also not publicly available. As a result, the managing collecting society cannot verify the full scope of the commission, the data used, the methodology, the individuals and organizations surveyed, or the individual conclusions.

This is unsatisfactory for further policy deliberations. Most of the topics mentioned in the postulate are the subject of tariff proceedings and have already been discussed previously with user associations, experts, and the arbitration commission. Abolition falls outside the current tariff framework and, from the perspective of rights holders, should also be rejected on political grounds. A technical review of the study would be desirable. ProLitteris would be happy to comment on it and participate in a hearing. Likewise, the professional and industry associations representing rights holders should be aware of the basis on which the political reform discussion is founded.

Appendix: The WBK-N's postulate

Source: https://www.parlament.ch/de/ratsbetrieb/suche-curia-vista/geschaeft?AffairId=20263532

2.12 Submitted Text

The Federal Council is tasked with examining the modernization of the private copying levy and reporting to the Federal Assembly. In particular, the following should be examined: an opt-out for companies without significant copying activity; a more targeted assessment based on actual usage or activity profiles; the avoidance of double taxation for licensed digital content; the distinction between GT 8, the blank media levy, cloud usage, and backups; the improvement of the empirical data basis; and greater transparency regarding the collection, use, and distribution of funds.

2.13 Justification

The current system must become simpler, more understandable, and more targeted. Companies that do not engage in relevant copying activities should not be burdened unnecessarily. With regard to digital content, double taxation must be avoided, particularly in cases where licenses or subscriptions are already being paid for. The distinction between copying remuneration, the blank media levy, cloud usage, and backups must also be clarified. Finally, better data on the actual use of the funds is needed.

2.14 Statement by the Federal Council dated August 12, 2026

The Federal Council recommends the adoption of the postulate.

2.15 Press release from the WBK-N dated May 22, 2026 (excerpt)

Copying Royalties: WBK-N Recognizes Need for Reform and Calls for In-Depth Clarification

The WBK-N has conducted a preliminary review of Parliamentary Initiative 25.408, "The unfair and outdated model of copying remuneration is no longer appropriate in light of digitization." The initiative calls for the abolition of the copying royalty system. Currently, companies pay a lump-sum fee to ProLitteris, which collects the royalties and distributes them to the authors. The royalties cover copies of copyright-protected books, brochures, and magazines used internally for informational and documentation purposes.

The Commission was briefed on the study prepared by the Swiss Federal Institute of Intellectual Property (IGE) on behalf of the FDJP in connection with Motion 25.3792, "Abolition of the Private Copying Levy." The study shows that the current system raises questions in various respects, particularly regarding the use of flat rates, the traceability of the calculation bases, and transparency. Furthermore, it is insufficiently adapted to the increasingly digital work practices in companies and organizations.

The Commission therefore recognizes the need for reform. It believes that the existing regulations, as well as possible adjustments and their financial and administrative implications, must be carefully examined. In doing so, consideration must be given to both the consequences for companies and organizations required to pay the compensation and those for the authors. The Commission has therefore unanimously adopted Commission Postulate 26.3532, "Modernization of the Copying Royalty."

The majority of the committee believes that the parliamentary initiative is premature in prescribing a specific solution at this stage. In the majority's view, abolishing the compensation system outright would preempt an in-depth examination of the various reform options. The majority therefore wishes to await the results of the committee postulate before deciding on specific legislative measures. Accordingly, the committee voted 17 to 8 to take no further action on the parliamentary initiative.

A minority of the committee wishes to act on the parliamentary initiative. It believes that the current compensation system is no longer appropriate for the times and that swift legislative action is needed.