WELCOME TO ZIMURA MEMBERSHIP

MEMBERSHIP RULES AND REGULATIONS

Definition of Terms

a) **Association :** shall mean Zimbabwe Music Rights Association
b) **Affiliated Society** means any of the societies in other countries, having objects similar to those of the Association, with which the Association is for the time being affiliated.
c) **Author** (lyrics) the original creator/writer of the text.
d) **Composer** (music) the creator of the music.
e) **Council** means the Council for the time being of the Association, as constituted and authorised to act pursuant to the Association's Articles of Association.
f) **In writing** means written or printed, or partly written and partly printed.
g) **Member** means and includes any full Member, associate Member, or candidate Member elected to membership of the Association pursuant to the Association's Articles of Association.
h) **Patronym** means real name of a composer.
i) **Persons interested** in a work means and includes any Member whom the Council in its discretion from time to time determines to be the composer, author or publisher of a work as above defined or proprietor of any of the rights in such work which, under the Articles, may be administered by the Association; and any person elected to membership as the successor of a deceased member or other deceased person whom the Council in its discretion determines to have been the composer, author or publisher of such work or proprietor of any such rights in such work; and any affiliated society.
j) **Pseudonyms** are names used for composing purposes or stage names
k) **Publisher** in respect of any work means any Member who has acquired the publishing right or license in the work and who has given an undertaking to use all reasonable endeavours to exploit the work for the benefit of the persons concerned and who has either:-
    - Published the work in the normal manner customary in the music trade, or
    - Filed with the Association a certificate signed by the writer(s) of the work authorising the Association to treat the Member as otherwise exploiting the work for the benefit of the persons interested therein; provided that such certificate shall have no effect if at the time it was given or at the time the publisher acquired the publishing right or license in the work, the writer(s) had no interest in the copyright in the work.
l) **Share** means such proportion of the net fee as may be allocated to a person interested in a particular work.
m) **Work** means a work in which the Society owns or controls any of the rights which, under the Articles, may be administered by the Association.

ZIMURA Head Office: 3 Aspen Flats, 80 Mendel Road, Off Sam Nujoma St Ext.
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Email: zimuramembership@gmail.com
Website: www.zimura.co.zw

Please Note: The masculine gender shall also denote the feminine

Rule 1

Every Member, upon his admission, shall declare his works in the manner prescribed by the Association including those works where he is an interested party, to the Association, as and when he creates the musical works. The Association shall not be responsible for any royalty loss or damage sustained by any member by reason of his failure to comply with the provisions of this Rule.

Rule 2

Royalties can only be claimed on works declared to the Association by the Member or a Publisher where that Publisher has interests in the said declared works.

Rule 3

All Royalties should be claimed from the Association within three years from the date they become payable. Failure to do so will result in those royalties being forfeited by way of a transfer to the Association's next Distribution Pool.

Rule 4

Proper procedures should be followed should a Member wish to transfer his membership to an Affiliated Society. Dual membership is only allowed where territorial administration is specified.

Rule 5

Each Member should update the Association as and when his personal contact or any other details change for administration purposes.

Rule 6

Members are obliged to attend the Annual General Meetings for them to keep abreast with the Association's operations and also be able to air their views, recommendations and /or suggestions.

Rule 7

A Member shall not rearrange other member's works without the owner's consent. The Association assists in contacting the rightful owners.

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Rule 8

Every Member shall refrain from doing anything that prejudices the success and interests of the Association and its membership.

Rule 9

A member is required to ask for a ZIMURA license at any entertainment venue or business premise that plays music publicly. Where a member finds a premise/s without a valid license he should notify the office.

Rule 10

Each Member apart from his Patronym may not use more than two pseudonyms. Any changes in pseudonyms should be notified to the Association in writing immediately. A change of name or maiden name should be supported with proper legal documents.

Rule 11

Each Member is obliged to fill in the will and testament upon admission to the Association. Any alterations and/ or amendments of the beneficiary's details should be submitted to the Association immediately.

Rule 12

Any disputes among Members should be resolved at the office by the Dispute Resolution Committee failure of which they can be referred to Zimbabwean Courts for the law to take its course.

Rule 13

A member who has attained Full membership shall wait for six months "waiting period" before he can benefit from the Funeral Scheme. Should a Member pass on, the immediate family must notify the Association immediately. Funeral assistance can only be processed upon notification of the death of a member within twelve months. Claims received after twelve months will not be processed.

Rule 14

The Association shall deduct ten percent of the net royalties due to non- Members to cover administration costs.

Rule 15

Any misconduct by a member deemed serious by the Association, may result in the suspension or termination of membership.

Rule 16

In the event that membership has been cancelled, should one wish to be re-considered, he may re-apply after five years from the date of cancellation. Re-admission into membership is not automatic, its subject to approval by the Board.

Rule 16(i)

If membership is suspended re-instatement would be automatic after a period of three years.

Declaration

I.....**ID.No**.....being in my sober senses hereby accept to be admitted as a member of the Zimbabwe Music Rights Association (ZIMURA) in terms of its Memorandum and Articles of Association. I declare to abide by the terms of this document, as well as its Membership Rules and Regulations.

Signed at.....on this.....day of.....20.....

Signature.....

Signed for and on behalf of the Association.....

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