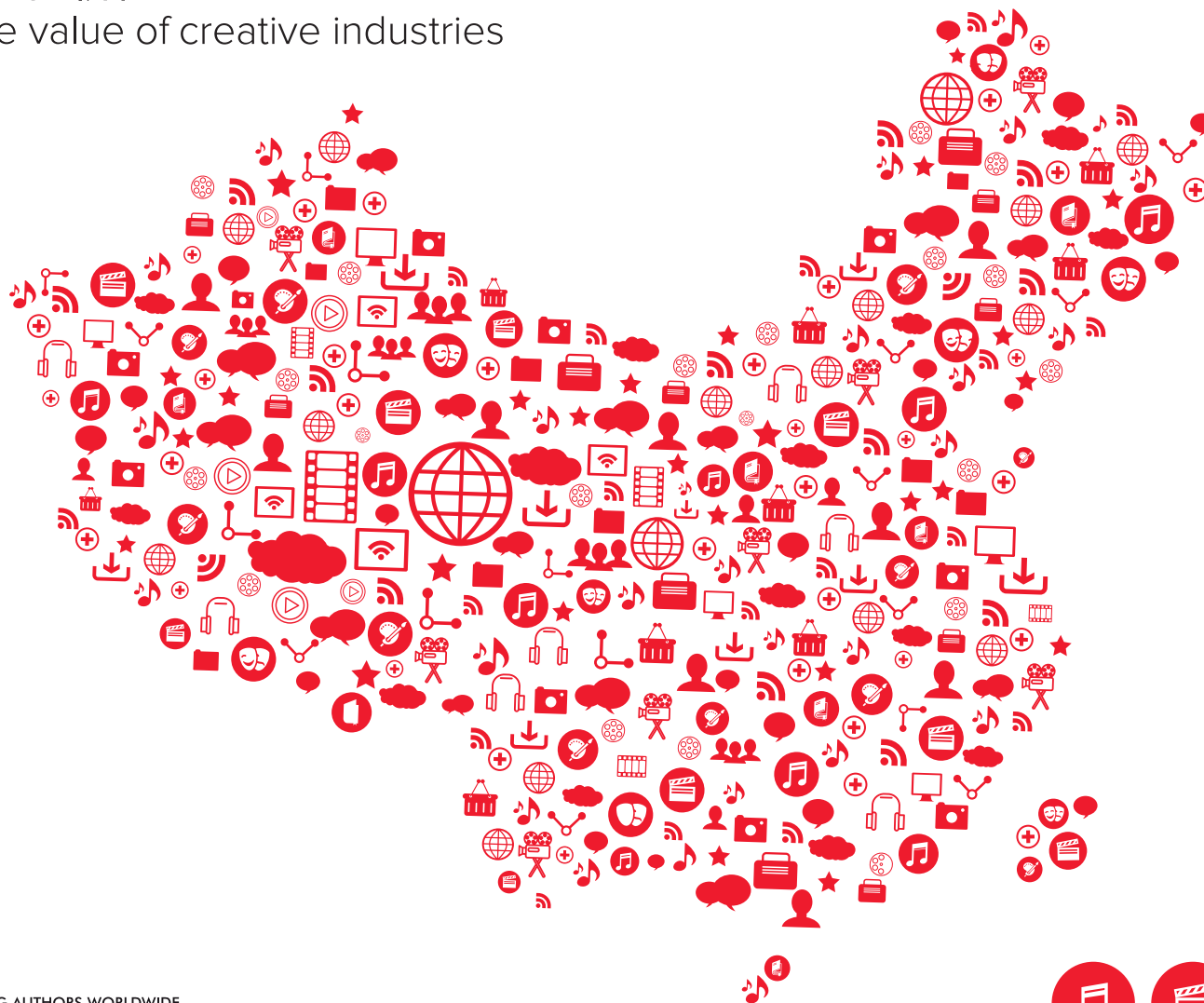


# CISAC 中国报告 China Report 2018

释放创意产业的价值

Unlocking the value of creative industries



SERVING AUTHORS WORLDWIDE  
AU SERVICE DES AUTEURS DANS LE MONDE  
AL SERVICIO DE LOS AUTORES EN EL MUNDO



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释放创意产业的价值

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## 前 | 言

近年来，中国在促进和支持文化及创意产业方面取得了举世瞩目的重大变化。

在电影和音乐等领域，中国一直在推行旨在支持国际合作和繁荣创意经济的政策。正版数字娱乐领域的开拓及政府在版权和执法方面更有力的行动均助推了该政策。

这些发展已经带动了更多投资，带动了文化和娱乐行业的增长，并为创作者和他们的商业伙伴带来了更多的收入。而这些在未来都有巨大的增长潜力。

实现该潜力的一个关键是，中国要沿着其前进的道路坚定不移地走下去：加强版权立法并建立能够保障创作者获得公平报酬的机制。创意产业在中国经济中扮演着重要的角色，其持续发展将通过保护人类的创造力和知识产权这两大要素来实现，这两个要素也是创意产业的基础。



中国在全球  
版权收入中举足轻重

Gadi Oron  
CISAC总干事



# Introduction

China has seen a major transformation in recent years, in its promotion and support of cultural and creative industries.

In sectors such as film and music, China has pursued policies to support international cooperation and a thriving creative economy. This has been helped by the creation of a vast licensed digital entertainment sector, combined with stronger government action on copyright and enforcement.

These developments have already led to more investment, a growing cultural and entertainment sector and more revenues for creators and their commercial partners. There is enormous potential for further growth.

One vital key to unlocking this potential is for China to continue resolutely along the path on which it is progressing: strengthening copyright laws and developing systems for creators to be fairly remunerated. The creative industries play an important role in China's economy and the continued growth of this sector will be achieved through the protection of 2 elements on which these industries are based: human creativity and intellectual property rights.

*China has an essential role  
to play in the global collections  
landscape*

Gadi Oron,  
Director General, CISAC



## CISAC 与中国

### 发展伙伴关系

CISAC代表全球最大的创作者网络，并为400多万音乐、电视剧和电影、文学、戏剧和视觉艺术创作者发声。

CISAC总部设在巴黎，汇聚了121个国家和地区的239家集体管理组织。这些组织管理着版权，为创意作品在公共场所、网络或广播中的使用以及作品的复制、再利用、出租或转售发放许可，并从这些使用中收取版权。

这种集体管理制度的有效性以及为作者收取版权的数额，在很大程度上取决于版权立法及其实施和执行。

2014年，CISAC做出具有里程碑意义的决定：将亚太区总部设立在北京。这证明CISAC致力与中国加强合作。向国际社会表明了CISAC对中国市场的重视。中国音乐著作权协会（MCSC）是CISAC的会员之一。此外，CISAC还与中国国家版权局（NCAC）和中国文学艺术界联合会（CFLAC）密切合作，以促进创作者的利益和创意产业的发展。

CISAC的使命是与世界各地的会员协会合作，协助他们监督创意作品的使用、许可的发放、版权的收取和分配。

## CISAC 2018全球版权报告

### 全球基于版权的版权年收入达96亿欧元

CISAC是全球创作者版权收入数据的独家权威发布机构。2018年11月，CISAC发布其年度全球版权报告，该报告包含了创意领域的全面数据来源。报告凸显了包括中国在内的全球关键数据和主要趋势。

报告显示了2017年全球版权总收入增长了6.2%，达96亿欧元。创作者的版权收入在过去五年内稳步增长。收入最多的领域是音乐，其次是视听（电视和电影）、视觉艺术、文学和戏剧。欧洲是最大的版权收入来源。

### 全球版权数据



2017年全球版权（十亿欧元）



2017年的增长



自2013年以来的增长



2017年数字收入（十亿欧元）

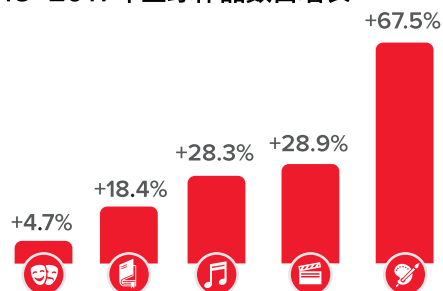


2017年数字收入的增长



数字收入在总收入中的占比

### 2013-2017年全球作品数目增长



许可使用的最大来源是电视和广播，占全球所有版权收入的40%。增长最快、最重要的版权来源是数字市场。

2017年，来自数字平台的收入增加了24%，首次超10亿欧元。在过去5年里，CISAC会员从数字服务中收取的版权几乎增加了两倍（增长了166%）。

## CISAC and China: developing partnerships

CISAC represents the world's largest global network of creators. It is the voice of over 4 million authors of music, TV series and films, literature, drama and visual art.

The Confederation, based in Paris, brings together 239 authors' societies in 121 countries/territories. These societies manage rights and collect royalties for the use of creative works in public, online or via broadcast, as well as their reproduction, reuse, lending or resale.

The effectiveness of this collective management system, and the amount collected for authors, critically depends on copyright legislation and its implementation and enforcement.

In 2014 CISAC opened its regional office for Asia-Pacific in Beijing, and with that landmark decision the Confederation committed to partnering with China, signalling to the international community the importance CISAC places on the Chinese market.

The Confederation counts the Music Copyright Society of China (MCSC) as one of its members. It also works closely with the National Copyright Administration of China (NCAC) and the China Federation of Literary and Art Circles (CFLAC), to promote the interests of creators and the creative economy.

CISAC's mission is to work with its member societies across the world to help them monitor use of creative works, issue licenses, collect royalties and distribute income.

## CISAC's 2018 Global Collections Report: a €9.6 billion global sector dependent on copyright

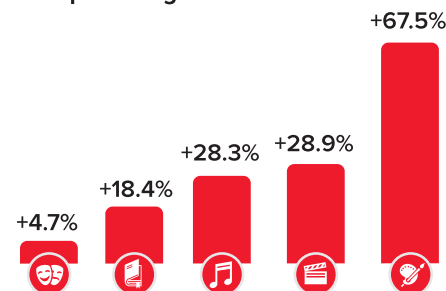
CISAC is the exclusive data authority on the royalties collected for creators globally. In November 2018, CISAC has published its annual Global Collections Report, a comprehensive source of data on the creative sector. The report highlights key data and trends worldwide, including in China.

The Report shows that total royalties collections in 2017 rose 6.2% to €9.6 billion. Royalties' collections for creators have seen steady growth over the last five years. The largest repertoire in terms of collections is music, followed by audiovisual (TV & film), visual art, literature and drama. The majority of royalties are collected in Europe.

### Global collections in numbers



### Global repertoire growth 2013-2017

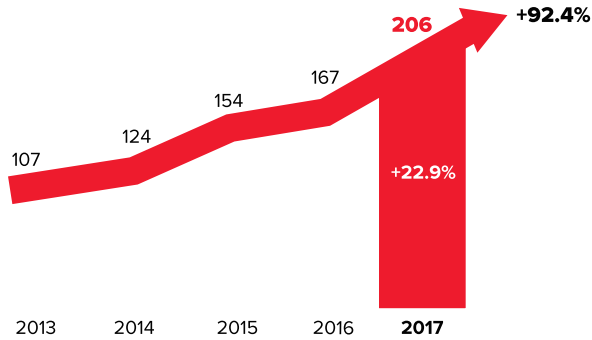


The largest source of licensed use is TV and Radio, representing 40% of all royalty collections globally. The fastest growing and most important source of royalties is the digital market.

Collections from digital services increased 24% in 2017 and for the first time exceeded €1bn. In the last 5 years, the royalties collected by CISAC members from digital services nearly tripled (up 166%).

## 著作权在中国的成长发展

中国五年间版税的增长（百万人民币）



中国按使用形式的版税细分（百万人民币）

	收入	年增长率	5年增长率
<b>使用类型</b>			
电视和广播	45	+16.2%	+30.8%
数字	78	+21.9%	+433%
现场和背景	72	+28.6%	+35.8%
同步	4.3	+63.6%	+115%
CD和视频	3.7	+9.2%	+103%
其他	1.9	-6.1%	+166%
<b>权利类型</b>			
表演权	141	+23.3%	+53.0%
机械权	61	+19.9%	+371%
其他权利	4.3	+63.6%	+115%
<b>总计</b>	<b>206</b>	<b>+22.9%</b>	<b>+92.4%</b>

CISAC的独家数据显示，中国创作者从其作品中获得的回报规模虽小却增长迅猛。

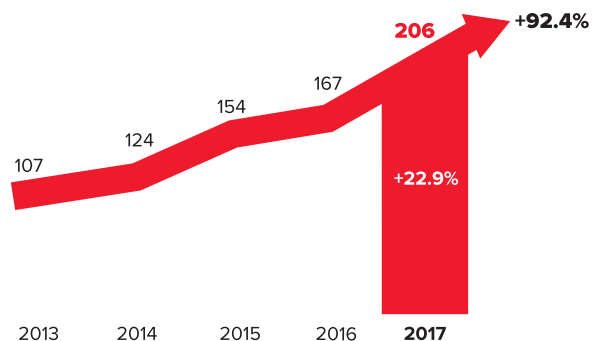
有关中国的关键数据：

- **中国音乐著作权协会（MCSC）仅在5年内就实现了收入翻倍。**2017年，其收费总计2.06亿元人民币（约2700万欧元），成为亚太地区收费第四高的协会（首位是日本）。2017年是音著协连续第九年收费保持增长。
- **中国数字收入所占比例奇高**，反映出中国数字娱乐行业的快速增长。数字收入自2013年以来增长了5倍多，是创作者最大的收入来源，占音著协收入的38.1%。几近全球数字收入份额（13%）的三倍。
- **国际音乐创作者可以受益。**根据音著协2017年的版税分配比例，其超过三分之一（36%）的音乐版税分配给了海外协会。
- 虽然2018年的收入未被包括在2018全球版税报告中，预期到2018年，中国的数字收费总额将是2017年的两倍多。这主要受益于音著协与中国主要数字平台腾讯（Tencent）达成了许可协议。希望其他的主要数字平台也能效仿这一成例，以类似的收费水平获得许可。
- **未来增长潜力巨大。**根据2018年CISAC全球版税报告，目前中国在全球排名第29位。考虑到中国的人口基数以及中国娱乐行业的快速发展，中国有潜力在未来几年进入世界十大（版税收入）市场之列。
- **在音乐领域，流媒体订阅已经在中国开创了一个全新的许可领域。**据英国的研究分析公司Futuresource估算，2017年中国在线音乐服务的订阅用户总数已达3000万。这一数字较2016年翻了一倍，自2014年以来更是增长了近10倍。宽带和智能手机普及率的提高，以及基于订阅的流媒体服务的蓬勃发展，都助推了这一增长。Futuresource预测，音乐流媒体订阅用户将在未来2至3年翻番。
- Futuresource的数据显示，以用户数量计算，**中国拥有全球最大的付费电视市场**，2017年的付费电视用户超过3.6亿。中国还拥有全球最大的视频点播订阅用户，2017年约为1.8亿，比2015年增长了4倍多，未来4年有望翻倍。
- **国内外音乐的价值被广电行业所低估。**与国际标准相比，广播电台、电视台目前支付的版税较低，版税水平应做调整才能为创作者带来更高的回报。

1、《流媒体音乐服务概述和音乐市场最新状况》，Futuresource，2018年9月

## A growing authors rights sector in China

Five year growth in Chinese Collections (CNY million)



Collections in China by use (CNY million)

	Collections	Growth	5 year Growth
<b>Type of Use</b>			
TV & Radio	45	+16.2%	+30.8%
Digital	78	+21.9%	+433%
Live & Background	72	+28.6%	+35.8%
Synchronisation	4.3	+63.6%	+115%
CD & Video	3.7	+9.2%	+103%
Other	1.9	-6.1%	+166%
<b>Type of Right</b>			
Performing Rights	141	+23.3%	+53.0%
Mechanical Rights	61	+19.9%	+371%
Other Rights	4.3	+63.6%	+115%
<b>Total</b>	<b>206</b>	<b>+22.9%</b>	<b>+92.4%</b>

CISAC's exclusive data shows China developing a small but rapidly growing system for remunerating creators for their work.

Key highlights of the data on China include:

- **Chinese society MCSC has doubled collections in only 5 years.** In 2017, it collected CNY206m (€27 million) to become the fourth largest contributor to collections in the Asia-Pacific region, which is led by Japan. 2017 was the 9th consecutive year of growth in collections reported by MCSC.
- **China has an exceptionally high share of collections from digital sources,** reflecting the rapid growth of its digital entertainment sector. Digital collections have grown over fivefold since 2013 and are the largest source of creators' income, representing 38.1% of MCSC's collections. This is nearly three times the global digital share of collections (13%).
- **International music creators can benefit.** Over a third (36%) of music collections in 2017 were distributed to foreign societies, according to MCSC.
- **It is expected that China's digital collections in 2018 will be more than double** the level of the previous year. This is as a result of licensing agreements signed between MCSC and the major Chinese digital platform Tencent. It is hoped that other major digital platforms will follow this precedent to obtain a licence at the similar fee level.
- **There is huge potential for further growth.** Today, China ranks 29th among countries according to the 2018 CISAC Global Collections Report. Given its population and the rapid development of the Chinese entertainment sector, China has the potential to enter the list of top 10 markets (for royalty collections) in upcoming years.
- **In the music sector, subscription streaming has created a vast new licensed sector in China.** UK-based research analytics firm Futuresource estimates the total number of Chinese online music service subscribers reached 30 million in 2017. This number doubled since 2016 and grew nearly tenfold since 2014. Improved broadband and smartphone penetration as well as thriving subscription-based streaming services are driving this growth. Futuresource forecasts music streaming subscribers will double within the next 2-3 years.
- **China has the largest Pay-TV market in the world in terms of subscribers,** at over 360 million in 2017, according to Futuresource. It now also has the largest subscription video on demand customer based in the world approximately 180 million in 2017<sup>1</sup>, over four-fold growth on 2015, with this set to double again in the next 4 years.
- **The broadcast sector is undervaluing Chinese and international music.** Royalty rates paid by broadcasters are low compared to international standards and could generate substantially higher returns for creators.

<sup>1</sup> Streaming Music Service Overview & Music Market Update, Futuresource, September 2018.



## 构筑未来

中国已经了解到以权利为基础的产业的巨大文化和经济机遇。因此，支付给创作者的数字收入未来还有巨大的增长潜力。考虑到中国庞大的数字使用情况，以及多达8.02亿互联网用户数<sup>2</sup>，目前的收费额还只是应收额的一小部分。

CISAC以其国际视野及其对世界各地版权产业的了解，展望了未来的首要任务：

- 数字音乐许可领域的开拓令人鼓舞，但**未经许可的使用仍是中国市场的一个重大隐忧**，尤其是网络盗版问题。为此，中国政府已经加大了打击网络侵权盗版音乐的力度——特别是通过剑网行动。CISAC极其支持在著作权法修正案中对互联网服务提供商（ISP）责任的规定，以加强网络监管，强化网络责任。
- **对于视觉艺术，创作者的一个重要收入来源是追续权**。这项权利目前已经存在于全球80多个国家，让视觉艺术家在其作品被拍卖行出售时能够从售价中获得分成。这项权利目前在中国尚有缺位。若得以引入，将极大惠及中国本土乃至世界各地的艺术家。英国自2006年引入追续权以来，当地代表视觉艺术家的协会DACS就已经收取并向近5000名艺术家支付了超过6500万英镑（7400万欧元）的追续权使用费。
- **对于视听创作者（电视和电影的导演和编剧），给予更强的权利保护将为该领域带来显著的增长**。根据现行《著作权法》，视听作品的作者无法得到有意义的保护，也无权从其作品的二次使用中获得经济利益，致使只有数字服务提供商、制片人和发行商才能从电视剧或电影的商业成功中获利。目前尚在修订中的著作权法应该承认编剧和导演为视听作品的作者，以纠正这种不平衡。

2、数据来源：CNNIC

## 结 | 论

中国已经了解到权利的商业价值以及中国互联网网民所带来的巨大文化和经济机遇。

中国拥有强大的本土市场，文化和数字产业上的国内和国际投资不断增长，对权利许可价值的了解也在不断增强，中国在全球许可收费领域将愈发举足轻重。

先进的著作权法将有助于巩固中国在全球创意和文化产业格局中的地位。

CISAC代表全球239个协会，希望中国著作权法的修正案能尽快通过，以帮助中国本土以及国际创作者实现真正的潜力。

## Building for the future

China has recognised the value of rights-based industries as well as the enormous cultural and economic opportunity of its internet-connected population. There is, however, enormous potential for further growth in the digital income paid to creators. Considering China's vast digital usage, with an estimated 802 million internet users (CNNIC), collections are a fraction of what they could be.

CISAC, with its international perspective and knowledge of the sector across the world, sees certain priorities for the future:

- The creation of a licensed digital music sector is encouraging but **unlicensed use remains a key concern** for the Chinese market, particularly online piracy. The Chinese government has helped this development by stepping up the fight against online music infringement and piracy, especially via the Jianwang Campaign (剑网行动). CISAC strongly supports proposed Copyright Act amendments that would include a liability provision for internet service providers (ISPs) to reinforce internet regulation and promote more responsibility online.
- **For visual arts, an essential revenue source for creators is the resale right.** The right already exists in more than 80 countries/territories and allows visual artists to obtain a share from the sale price when their artwork is sold in an auction house. The right does not exist at present in China but, if enacted, will greatly benefit Chinese artists locally and around the world. In the UK, the local society representing visual artists DACS has already collected and paid over £65 million (EUR74m) in resale right royalties to nearly 5,000 artists and estates since its introduction in 2006.
- **For audiovisual creators (TV and Film directors and screenwriters), adopting stronger rights will generate significant growth in the sector.** Under the current copyright law, authors of audiovisual works are not entitled to meaningful protection and cannot benefit financially from secondary uses of their work, leaving only digital service providers, producers and distributors to make money from the commercial success of the TV series or films. The pending Copyright Act would recognise screenwriters and directors as authors of audiovisual works, correcting this imbalance.

## Conclusion

China has recognised the value of rights-based commerce as well as the enormous cultural and economic opportunity of its internet-connected population.

With a strong local market, growing domestic and international investment in the cultural and digital industries and increased awareness of the value of licensing, China has an essential role to play in the global collections landscape.

Adopting a modern Copyright Act would solidify China's place in the global creative and cultural industries' landscape.

Representing 239 societies around the globe, CISAC hopes that the pending amendments to China's copyright law will be passed as soon as possible, to help achieve China's true potential for local and international creators.

**CISAC**

International Confederation of Societies of Authors and Composers

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