[CZ] Sound Mixers as Creators

IRIS 2006-5:1/35

Jan Fučík
Česká televize

Sound mixers in the Czech Republic are endeavouring to obtain recognition as creators. The basis of their campaign is a report dated 16 May 2006 by an expert (a professor at the Prague College of Cinematography), according to whom sound mixers should be classified as such.

Copyright issues are governed by the Czech Copyright Act. The authority responsible for supervising collecting societies in the Czech Republic is the Ministry of Culture. As early as 5 May 2003, the sound mixers set up a company, *Ochranná asociace zvukařů - autorů* (Association for the Protection of Sound Mixers - Creators - OAZA), which subsequently applied to the Ministry of Culture for a permit to manage the sound mixers' copyrights. The ministry initially turned down the application on the ground that another collecting society that was already registered could undertake the task. However, the Administrative Court then set aside this decision as it had not been properly substantiated and referred the case back to the ministry. In November 2006, the latter then issued OAZA with the permit applied for. As far as can be seen, this is the only specialised collecting society in Europe.

OAZA subsequently called on users (mosty broadcasters) to pay copyright fees, but the broadcasters refused to do so on the ground that sound mixers were not creators of works. This corresponds to the legal position in most European countries, where sound mixers are under no circumstances recognised as creators. In some, but not all cases, they are classified as performing artists.

OAZA has instituted legal proceedings, but they will probably last for some years and it may only then be possible to resolve the present issue.

Rozhodnutí ministerstva kultury České republiky č.j. 10145/2003 o udělení oprávnění organizaci OAZA ke kolektivní správě práv autorů a jiných nositelů práv podle § 95 Autorského zákona k dílům zvukařů - autorů (tzv. mistrů zvuku)

http://www.mkcr.cz/assets/autorske-pravo/kolektivni-sprava/03-10145-Rozhodnut__ve_v_ci_zvuka___-_pro_zve_ejn_n__na_webu_MK__2_.pdf

Decision No. 10145/2003 of the Ministry of Culture of the Czech Republic concerning the issue of a permit to the company OAZA for the management of

© European Audiovisual Observatory (Council of Europe) 2026

sound mixers' copyrights

© European Audiovisual Observatory (Council of Europe) 2026

© European Audiovisual Observatory (Council of Europe) 2026