



BILD-KUNST

Collecting Society BILD-KUNST 53113 Bonn Weberstraße 61

Legal society by state award

Main Office Frankfurt am Main

Directive on electronic voting and live broadcasting

Version according to the decision of the Administrative Council of 28 July 2017

– Valid from 29 July 2017 –

A. Subject matter of the directive

The directive regulates details on electronic access rights and electronic voting rights according to section 8 (6c, 6d) of the statute.

B. Service

Members of Bild-Kunst may exercise their rights in connection with the Membership Assembly (MA) by electronic means as follows:

- electronic voting,
- access to the live broadcast of the MA.

Using these electronic offerings is not mandatory. However, electronic voting and/or access to the live broadcast will only be activated after prior electronic registration in the registration portal.

C. Requirements for members

The registration portal and electronic offerings are available to members whose agreement has been concluded no later than 90 days prior to the General Assembly.

A member must also have suitable technical requirements to be able to use the registration portal and the electronic offerings. Details, e. g. on the necessary software versions, will be published to the website of VG Bild-Kunst as required.

VG Bild-Kunst is not obliged to remedy any technical disturbances in the sphere of influence of the member. In this case, the member may appoint a representative in writing and/or participate in person in the General Assembly on the basis of the requirements of the directive on the delegation of votes.

D. Obligations for members

The member treats his/her login credentials and passwords provided as confidential and avoids misuse.

The member will cast the vote in person only.

The live broadcast of the GA is intended exclusively for members. If a member follows the live broadcast, he/she needs to ensure that no unauthorised persons participate.

Bild-Kunst has the right to exclude members who intentionally or grossly negligent violate the above obligations from using the technical offerings.

Members who wish to make use of the electronic offerings must ensure to obtain information regularly and in a timely manner on the website of Bild-Kunst about possible problems, process changes and assistance.

E. Obligations of Bild-Kunst

Bild-Kunst must ensure that appropriate technologies (hardware and software) and lines are used within their sphere of

influence, ensuring seamless availability of respective state-of-the-art technology. Preferably, certified solutions should be used, if available.

Bild-Kunst continues to ensure that data protection regulations are adhered to within its sphere of influence and that abuse of member data is avoided.

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F. Counting committee

The counting committee consists of the managing director and a notary.

If the managing director is indisposed, the executive board will appoint a suitable representative from the ranks of the staff of VG Bild-Kunst.

The managing director is in charge of the following:

- to start and end the electronic voting process and count votes in cooperation with the technical service provider,
- to be the contact for technical and administrative queries in relation to the electronic services.

The notary is in charge of the following:

- to receive the results of the electronic voting from the technical service provider and to hand out two identical copies of the results in two sealed envelopes,
- to hand over both envelopes to the managing director before the attended event.

During the assembly, only one of the two sealed envelopes will be opened for the counting of the votes. If a member questions the authenticity of the announced electronic voting results, the second envelope shall be opened in the presence of the member and witnesses, and its content be used to verify the announced results.

G. Registration portal

Every authorised member receives individual login credentials to register in the designated registration portal. This information is sent at the same time as the invitation to the General Assembly.

Upon delivery of the individual login credentials to the delivery service, Bild-Kunst has fulfilled its obligation towards the member to provide electronic participation rights.

If the member does not receive any login credentials, even though Bild-Kunst has announced the dispatch on its website, the member must complain to Bild-Kunst, in case the member wishes to use the electronic offerings. For this complaint, the member must provide their membership number and confirm that login credentials were not received.

The registration portal is available to members from the date stated in the invitation letter, i. e.

- for at least 9 days to register for electronic voting,
- up to 20 days at least before the General Assembly to register the intended use of live broadcasting of the General Assembly.

H. Registration for electronic voting

If a member wishes to exercise his/her right to electronic voting for the General Assembly, an electronic registration in the registration portal is mandatory.

The system will display information on the postal address stored at Bild-Kunst, to which login credentials for voting will be sent.

The member may change the postal address for the next dispatch of login credentials. The member is responsible to ensure that Bild-Kunst stores the correct postal address.

Registration for electronic voting has been successful only if a registration confirmation has been received from the system. If a registration cannot be completed successfully, you can complete further registration attempts within the period specified in section G.

If no registration can be completed successfully within the specified period, the member can delegate his/her voting rights and/or participate in the General Assembly in person.

J. Registration for the use of live broadcasting

If a member wishes to watch the live broadcast of the General Assembly, the electronic registration in the registration portal is mandatory.

You need to have a valid email address to register for the live broadcast. The email address must be entered correctly.

After registration, you will receive an automatic email from the registration portal with a verification link to the email address provided.

The registration is successfully completed once the verification link was confirmed and the confirmation page of the portal is displayed.

If a registration cannot be completed successfully, you can make further registration attempts within the period specified in section G.

If no registration can be completed successfully within the specified period, the member can participate in the General Assembly in person.

The member expressly acknowledges that there can be no alternative to attend this General Assembly should the live broadcast fail for technical reasons.

K. Electronic voting

Every member who completed the registration according to section I can submit an electronic vote. In this case, Bild-Kunst will send the individual login credentials by mail to the address stated by the member and will indicate the relevant web address under which electronic voting is possible.

The member bears the risk of any postal delivery failure. If the member does not receive any login credentials despite registration, there is still the option to delegate the voting rights or to participate in the General Assembly in person.

An electronic vote is automatically considered a withdrawal of all previously submitted written or electronic delegations of voting rights. It results in later delegated voting rights being invalid.

In case of a successful electronic voting, no further voting is possible, neither by electronic means nor in person in the General Assembly.

The member can only cast an electronic vote personally, the electronic voting of delegated votes of other members is not possible.

Upon delivery of the individual login credentials to the delivery service, Bild-Kunst has fulfilled its obligation towards the member to participate in electronic voting.

Members who have successfully registered for electronic voting must ensure to obtain information about the dispatch regularly and in a timely manner on the website of Bild-Kunst. If the member does not receive any individual login credentials within the period indicated on the website, it must complain to Bild-Kunst within 5 days after the end of the period indicated on the website.

If the complaint is not filed within the deadline, electronic voting for this General Assembly is no longer possible. In that case, the member has the possibility to attend the General Assembly in person.

The electronic voting system will be available for electronic voting 10 days after delivery of the individual login credentials at the latest and for at least 10 days.

Within this period, the member can log into the system any number of times, unless he/she casts a vote.

The members see a ballot paper of questions in short form and respective possible answers for voting.

Sending the ballot paper will cast the vote. In that case, a corresponding confirmation will be displayed by the system. After submission of the ballot paper no correction, modification or deletion is possible.

L. Live broadcast

Bild-Kunst provides a live broadcast of the General Assembly on the internet in a secure area for its members who do not attend the General Assembly in person.

Every member who completed the registration according to section J can participate in the live broadcast.

Bild-Kunst will send the individual login credentials by email to the email address provided by the member and will indicate the relevant web address under which the live broadcast can be viewed.

The email with the login credentials shall not be forwarded, shared or copied, nor may login credentials be made accessible to others.

The email with the login credentials will be sent within 48 hours before the General Assembly, but no later than 30 minutes before the start of the assembly.

If an authorised member does not receive any email with login credentials for the live broadcast, this does not constitute any reason for appeal. This also applies if, for technical reasons, no or only a partial live broadcast (audio only, video only) is possible, or a live broadcast is interrupted. In these cases, Bild-Kunst is not obliged to accept complaints, provide remedy or offer alternatives.

Copying or recording of the live broadcast is prohibited. So is the distribution or publication of any illegally made copy of the live broadcast of the General Assembly.

Only Bild-Kunst itself has the right to produce copies and make them available on its website. In doing so, any rights to own images will be respected and, if necessary, the consent of those concerned will be obtained.

The live broadcast ends when the chair of the meeting declares the attended event to be closed. The technical broadcast will end at this point in time.