

## 9. UK and German Contracts

### 9.1 Professional authors

**Table 9.1 Do you have an agent?**

(a) UK (professional authors)

	<i>Number of authors</i>	<i>% of total</i>
NO	339	56.5
YES	261	43.5
<i>Total</i>	600	100.0

(b) Germany

	<i>Number of authors</i>	<i>% of total</i>
NO	203	85.3
YES	35	14.7
<i>Total</i>	238	100.0

**Table 9.2 Do you take legal/professional advice before signing a publishing/production contract?**

(a) UK (professional authors)

	<i>Number of authors</i>	<i>% of total</i>
Never	193	34.3
Yes, sometimes	210	37.4
Yes, as a matter of course	159	28.3
<i>Total</i>	562	100.0

(b) Germany

	<i>Number of authors</i>	<i>% of total</i>
Never	81	34.3
Yes, sometimes	116	49.2
Yes, as a matter of course	39	16.5
<i>Total</i>	236	100.0

**Table 9.3 Have you succeeded in changing the terms of a contract you were offered in 2005?**

(a) UK (professional authors)

	<i>Number of authors</i>	<i>% of total</i>
NO	267	56.9
YES	202	43.1
<i>Total</i>	469	100.0

(b) Germany

	<i>Number of authors</i>	<i>% of total</i>
NO	122	59.8
YES	82	40.2
<i>Total</i>	204	100.0

**Table 9.4 Have you received advances?**

(a) UK (professional authors)

	<i>Number of authors</i>	<i>% of total</i>
NO	104	18.3
YES	464	81.7
<i>Total</i>	568	100.0

(b) Germany

	<i>Number of authors</i>	<i>% of total</i>
NO	127	55.9
YES	100	44.1
<i>Total</i>	227	100.0

**Table 9.5 What is your usual royalty rate?**

(a) UK (professional authors)

Mean	10.07
Minimum	0
Maximum	70
<i>Valid</i> <i>responses</i>	373

(b) Germany

Mean	9.05
Minimum	0
Maximum	40
<i>Valid</i> <i>responses</i>	119

**Table 9.6 Do you assert your moral rights?**

(a) UK (professional authors)

	<i>Number of authors</i>	<i>% of total</i>
Never	109	20.0
Yes, sometimes	82	15.0
Yes, as a matter of course	355	65.0
<i>Total</i>	546	100.0

(b) Germany

	<i>Number of authors</i>	<i>% of total</i>
Never	N/A	N/A
Yes, sometimes	N/A	N/A
Yes, as a matter of course	N/A	N/A
<i>Total</i>		100.0

**Table 9.7 Have you ever had a dispute with a publisher over moral rights?**

(a) UK (professional authors)

	<i>Number of authors</i>	<i>% of total</i>
NO	397	88.6
YES	51	11.4
<i>Total</i>	448	100.0

(b) Germany

	<i>Number of authors</i>	<i>% of total</i>
NO	169	75.4
YES	55	24.6
<i>Total</i>	224	100.0

**Table 9.8 What proportion of your works are currently available on the internet?**

(a) UK (professional authors)

Percentage of works	<i>Number of authors</i>	<i>% of total</i>
0%	318	62.8
1 – 10%	78	15.4
10 – 40%	31	6.1
40 – 60%	18	3.6
60 – 90%	18	3.6
90 – 100%	43	8.5
<i>Total</i>	506	100.0

(a) Germany

Percentage of works	<i>Number of authors</i>	<i>% of total</i>
0%	118	56.2
1 – 10%	58	27.6
10 – 40%	20	9.5
40 – 60%	6	2.9
60 – 90%	2	1.0
90 – 100%	6	2.9
<i>Total</i>	210	100.0

**Table 9.9 Have you received remuneration for Internet use?**

(a) UK (professional authors)

	<i>Number of authors</i>	<i>% of total</i>
NO	233	85.3
YES	40	14.7
<i>Total</i>	273	100

(b) Germany

	<i>Number of authors</i>	<i>% of total</i>
NO	167	90.8
YES	17	9.2
<i>Total</i>	184	100.0

**Table 9.10 Has your personal negotiating position improved over the last five years?**

(a) UK (professional authors)

	<i>Number of authors</i>	<i>% of total</i>
Improved	125	24.2
No change	244	47.2
Worsened	148	28.6
<i>Total</i>	517	100.0

(b) Germany

	<i>Number of authors</i>	<i>% of total</i>
Improved	46	20.6
No change	91	40.8
Worsened	86	38.6
<i>Total</i>	223	100.0

**Table 9.11 Has the negotiating position of writers in general improved over the last five years?**

(a) UK

	<i>Number of authors</i>	<i>% of total</i>
Improved	34	8.0
No change	134	31.7
Worsened	255	60.3
<i>Total</i>	423	100.0

(b) Germany

	<i>Number of authors</i>	<i>% of total</i>
Improved	15	7.7
No change	32	16.3
Worsened	149	76.0
<i>Total</i>	196	100.0

## 9.2 Audio-visual authors

**Table 9.12 Do you have an agent?**

(a) UK (audio-visual writers)

	<i>Number of authors</i>	<i>% of total</i>
NO	42	37.5
YES	70	62.5
<i>Total</i>	112	100.0

(b) Germany (audio-visual writers)

	<i>Number of authors</i>	<i>% of total</i>
NO	26	66.7
YES	13	33.3
<i>Total</i>	39	100.0

**Table 9.13 Do you take legal/professional advice before signing a publishing/production contract?**

(a) UK (audio-visual writers)

	<i>Number of authors</i>	<i>% of total</i>
Never	37	34.9
Yes, sometimes	33	31.1
Yes, as a matter of course	36	34.0
<i>Total</i>	106	100.0

(b) Germany (audio-visual writers)

	<i>Number of authors</i>	<i>% of total</i>
Never	7	18.9
Yes, sometimes	14	37.8
Yes, as a matter of course	16	43.2
<i>Total</i>	37	100.0

**Table 9.14 Have you succeeded in changing the terms  
of a contract you were offered in 2005?**

(a) UK (audio-visual writers)

	<i>Number of authors</i>	<i>% of total</i>
NO	47	51.1
YES	45	48.9
<i>Total</i>	92	100.0

(b) Germany (audio-visual writers)

	<i>Number of authors</i>	<i>% of total</i>
NO	15	44.1
YES	19	55.9
<i>Total</i>	34	100.0

**Table 9.15 Have you received advances?**

(a) UK (audio-visual writers)

	<i>Number of authors</i>	<i>% of total</i>
NO	31	31.3
YES	68	68.7
<i>Total</i>	99	100.0

(b) Germany (audio-visual writers)

	<i>Number of authors</i>	<i>% of total</i>
NO	29	76.3
YES	9	23.7
<i>Total</i>	38	100.0

**Table 9.16 What is your usual royalty rate?**

(a) UK (audio-visual writers)

Mean	11.30
Minimum	2.5
Maximum	70
<i>Valid responses</i>	43

(b) Germany (audio-visual writers)

Mean	8.09
Minimum	0
Maximum	10
<i>Valid responses</i>	11

**Table 9.17 Do you assert your moral rights?**

(a) UK (audio-visual writers)

	<i>Number of authors</i>	<i>% of total</i>
Never	26	26.3
Yes, sometimes	21	21.2
Yes, as a matter of course	52	52.5
<i>Total</i>	99	100.0

(b) Germany (audio-visual writers)

	<i>Number of authors</i>	<i>% of total</i>
Never	N/A	N/A
Yes, sometimes	N/A	N/A
Yes, as a matter of course	N/A	N/A
<i>Total</i>		100.0

**Table 9.18 Have you ever had a dispute with a publisher over moral rights?**

(a) UK (audio-visual writers)

	<i>Number of authors</i>	<i>% of total</i>
NO	62	89.9
YES	7	10.1
<i>Total</i>	69	100.0

(b) Germany (audio-visual writers)

	<i>Number of authors</i>	<i>% of total</i>
NO	23	62.2
YES	14	37.8
<i>Total</i>	37	100.0

**Table 9.19 What proportion of your works are currently available on the internet?**

(a) UK (audio-visual writers)

Percentage of works	<i>Number of authors</i>	<i>% of total</i>
0%	62	68.9
1 – 10%	14	15.6
10 – 40%	6	6.7
40 – 60%	2	2.2
60 – 90%	2	2.2
90 – 100%	4	4.4
<i>Total</i>	90	100.0

(a) Germany (audio-visual writers)

Percentage of works	<i>Number of authors</i>	<i>% of total</i>
0%	28	77.8
1 – 10%	5	13.9
10 – 40%	1	2.8
40 – 60%	2	5.2
60 – 90%	0	0
90 – 100%	0	0
<i>Total</i>	36	100.0

**Table 9.20 Have you received remuneration for Internet use?**

(a) UK (audio-visual writers)

	<i>Number of authors</i>	<i>% of total</i>
NO	48	88.9
YES	6	11.1
<i>Total</i>	54	100

(b) Germany (audio-visual writers)

	<i>Number of authors</i>	<i>% of total</i>
NO	27	93.1
YES	2	6.9
<i>Total</i>	29	100.0

**Table 9.21 Has your personal negotiating position improved over the last five years?**

(a) UK (audio-visual writers)

	<i>Number of authors</i>	<i>% of total</i>
Improved	23	24.5
No change	43	45.7
Worsened	28	29.8
<i>Total</i>	94	100.0

(b) Germany (audio-visual writers)

	<i>Number of authors</i>	<i>% of total</i>
Improved	5	13.9
No change	13	36.1
Worsened	18	50.0
<i>Total</i>	36	100.0

**Table 9.22 Has the negotiating position of writers in general improved over the last five years?**

(a) UK (audio-visual writers)

	<i>Number of authors</i>	<i>% of total</i>
Improved	7	8.8
No change	26	32.5
Worsened	47	58.8
<i>Total</i>	80	100.0

(b) Germany (audio-visual writers)

	<i>Number of authors</i>	<i>% of total</i>
Improved	1	2.9
No change	1	2.9
Worsened	33	94.3
<i>Total</i>	35	100.0

## 9.3 Contract data related to income (t statistics)

**Table 9.23 Mean Writing Incomes of Writers With and Without Agents in the UK (Professional Authors), 2004-5, and Germany, 2005**

(a) UK (professional authors)

<i>Do you have an agent?</i>	<i>Valid responses</i>	<i>Mean writing income (£)</i>
NO	284	17,093
YES	237	41,417
<i>t statistic</i>		4.56***

(b) Germany

<i>Do you have an agent?</i>	<i>Valid responses</i>	<i>Mean writing income (€)</i>
NO	155	17,633
YES	32	27,769
<i>t statistic</i>		2.04**

\*\*\*Significant difference at the 1% level

\*\* Significant difference at the 5% level

\* Significant difference at the 10% level

**Table 9.24 Mean Writing Incomes of Writers With and Without Contractual Changes in the UK (Professional Authors), 2004-5, and Germany, 2005**

(a) UK (professional authors)

<i>Have you succeeded in changing the terms of a contract in 2005?</i>	<i>Valid responses</i>	<i>Mean writing income (£)</i>
NO	245	22,950
YES	180	40,507
<i>t statistic</i>		2.87***

(b) Germany

<i>Have you succeeded in changing the terms of a contract in 2005?</i>	<i>Valid responses</i>	<i>Mean writing income (€)</i>
NO	95	13,080
YES	76	28,964
<i>t statistic</i>		3.73**

**Table 9.25 Mean Writing Incomes of Writers With and Without Advances in the UK (Professional Authors), 2004-5, and Germany, 2005**

(a) UK (professional authors)

<i>Have you received advances?</i>	<i>Valid responses</i>	<i>Mean writing income (£)</i>
NO	81	18,662
YES	417	30,376
<i>t statistic</i>		2.38**

(b) Germany

<i>Have you received advances?</i>	<i>Valid responses</i>	<i>Mean writing income (€)</i>
NO	94	18,405
YES	84	20,789
<i>t statistic</i>		0.61

**Table 9.26 Mean Writing Incomes of Writers With and Without Publishing Disputes over Moral Rights in the UK (Professional Authors), 2004-5, and Germany, 2005**

(a) UK (professional authors)

<i>Have you ever had a dispute with a publisher over moral rights?</i>	<i>Valid responses</i>	<i>Mean writing income (£)</i>
NO	353	31,691
YES	40	34,732
<i>t statistic</i>		0.45

(b) Germany

<i>Have you ever had a dispute with a publisher over moral rights?</i>	<i>Valid responses</i>	<i>Mean writing income (€)</i>
NO	138	17,586
YES	42	25,863
<i>t statistic</i>		1.80*