

OUR CONSULTATION PROCESS WITH YOU

OneMusic Australia is consulting with community halls and would like to hear your views. If you have already provided us with comment, thank you – your further feedback is welcome and encouraged.

In your business, you're likely to be paying licence fees to APRA AMCOS and PPCA, the caretakers of the copyright in the music you use. These fees ensure you're legally entitled to use music in your community hall, and with your support music creators are paid for their contribution to your business.

This is the second consultation paper we've released on the proposed OneMusic Australia scheme for community halls. We've made some adjustments to our original proposal based on the feedback we've received so far – thank you.

We'd like you to take a look and let us know if you have any additional feedback. Remember, this is just a proposal, and may not become the final scheme.

To see how the proposed OneMusic Australia scheme will apply to your specific circumstances, review:

- The patron capacity of each separate hireable space in the hall.
- How many days the hall operates annually, on average.
- Which licences you currently have for your hall – cost comparisons will only be valid if you currently hold a licence with both APRA AMCOS and PPCA.

What should I do next?

If you have any questions about OneMusic Australia during this consultation, feel free to ask them at questions@onemusic.com.au

If you'd like to take part in the consultation process and provide some feedback, we'd love to hear your thoughts at consultations@onemusic.com.au.

YOUR PROPOSED NEW ONEMUSIC LICENCE FEES

The proposed fee structure for the use of music in community halls is illustrated in the table below. The rest of this consultation paper contains information about why and how we developed and amended these proposed fees in response to your feedback, and lets you know how to further take part in the consultation process.

YEAR	ANNUAL BASE FEE PER AREA	DAY RATE PER 100 PERSONS OR PART THEREOF OF THE CAPACITY OF THE HALL
1	\$50	\$7
2	\$55	\$8
3	\$60	\$9
4	\$65	\$10

The above fees apply for functions and events where expenditure on artists is under \$4,000 per function. For those where expenditure is over \$4,000, the fees are as follows:

EVENTS OR FUNCTIONS WHERE ARTIST EXPENDITURE EXCEEDS \$4,000	
Capacity of Area	Rate Per Event or Function (Inc GST)
< 100	\$12
101 – 200	\$24
201 – 400	\$48
401 – 600	\$72
601 – 800	\$96
801 – 1,000	\$120
>1,000	\$180

All music use at the hall will be included except for exercise and fitness classes, dance classes, nightclub or dance party events, and events held by national event promoters. Halls that are usually and primarily used as music venues will not be licensed under this scheme.

DATE: 13 September 2018

COMMUNITY HALLS SECOND CONSULTATION PAPER

OneMusic Australia is an initiative of APRA AMCOS and PPCA. On 15 December 2017, OneMusic Australia released a consultation paper seeking feedback on a proposed music licensing scheme for community halls. That paper can be found [here](#).

OneMusic Australia received welcome feedback on that paper from individual halls and from Restaurant & Catering Australia which has been helpful in determining if the proposed scheme is practical and accepted by the sector. This document serves as further notification that OneMusic Australia has reviewed the way in which community halls will be licensed to use music in order to implement a new, wide-ranging and simplified music licensing scheme. This paper is not for the purpose of consultation on the individual distribution processes undertaken by APRA AMCOS and PPCA.

The proposed scheme set out below is expected to commence from mid 2019 and OneMusic Australia will provide due notice to community halls to migrate their existing licences where relevant.

FEEDBACK RECEIVED

OneMusic Australia received limited feedback on the first consultation paper for community halls. We acknowledge that some submissions asserted that the existing APRA AMCOS, existing PPCA and/or proposed OneMusic rates are too high. However, these submissions did not include any relevant data, economic analysis or examination necessary to give proper consideration or weight to these submissions, therefore the fees have not changed from those originally proposed. If the same assertions still apply to the proposed fees, we invite submissions that include critical assessment and analysis.

Submissions received did highlight a need to clarify some points, which are the following:

RELEVANT CAPACITY AND REPORTING

Some respondents to the first consultation paper for community halls expressed concern regarding the use of venue or room capacity as a metric determining the per-day rate payable. OneMusic Australia accepts that although the 'official' capacity of a hall – that is, the number of patrons licensed by the local government, liquor licensing body or fire department as applicable to that venue – may not accurately represent the capacity of the venue *as hired*. OneMusic reminds community halls that only the capacity of each space hired need be included in reporting, and only those events where music is used.

EVENTS WHERE HIRER IS LICENSED

As one of the respondents to the first consultation paper, Restaurant and Catering Australia asked that a more robust system be used to ascertain if hirers are already appropriately licensed for the public performance of music when hiring venues “than relying on dialogue occurring between the two parties”.

In order to avoid 'doubling up' on licensing for the same event, we consider community halls asking hirers directly to be the best method of determining if they already hold the appropriate music licences, however we are open to considering alternative suggestions.

USE OF SOUND RECORDINGS

OneMusic received some feedback pointing out that often, the hirers of community halls use music but do not play sound recordings, for example during rehearsals for a band or choir. We acknowledge and accept that this is the case, and have taken this into account when setting the rates for this licence.

TRANSITIONAL ARRANGEMENTS

There may be a number of community halls that are currently licensed only by APRA AMCOS or PPCA but actually require licences for the rights offered by both organisations. APRA AMCOS and PPCA recommend that these organisations revisit their licensing status now, rather than wait for OneMusic Australia to commence, in order to ensure they are fully covered and not unwittingly infringing.



SUBMITTING YOUR FEEDBACK

OneMusic Australia is committed to developing music licensing schemes that are fair, equitable and relevant to Australian industries. Your feedback on the above proposal is integral to this process.

Please provide your feedback in the form of a submission to consultation@onemusic.com.au by close of business 11 October 2018. All submissions must be in a Microsoft Word or PDF format.

FURTHER QUESTIONS

If you have any questions or would like to discuss the proposal further, please email questions@onemusic.com.au and we will be in touch as soon as possible.