

DATE: 20 February 2019

COMMUNITY HALLS FINAL POSITION 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. Feedback from industry associations and stakeholders was received, leading to a second consultation paper being released on 13 September 2018. Those papers can be found [here](#).

Feedback received by OneMusic Australia 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.

YOUR NEW ONEMUSIC LICENCE FEES

The fee structure for the use of music by community halls (inclusive of GST) is illustrated in the table below. The rest of this paper contains relevant definitions, notes about the most recent amendments to the scheme, and information aiming to clarify certain aspects of the scheme.

You may also require coverage for other uses of music – for example, music on hold, and corporate and workplace. These proposed rates are detailed in separate consultation papers available [here](#), but your single OneMusic licence when issued will provide coverage for these additional uses.

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

*Different rooms or areas with different capacities can be reported separately. Days where no music is used do not need to be reported.

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.

“Capacity” means the number of patrons licensed by the Local Government, Liquor Licensing body or Fire Department (as applicable to that venue). Where official sources are not available, or in cases where a venue operates at a lower capacity than the capacity stated on official sources, (for example where a nightclub area is partitioned to make it smaller during slow periods, or if areas of the nightclub are regularly closed to patrons on particular nights), OneMusic may agree to a variation to the reported capacity provided supporting documentation is supplied. Where a layout plan of the premises is supplied delineating the operating nightclub area, OneMusic Australia will calculate capacity at 1 person per 0.75 square metres of space accessible by patrons.

IMPORTANT INFORMATION ABOUT THE LICENCE SCHEME

In previous consultation papers for the OneMusic Community Halls licensing scheme, we proposed an ‘annual base fee per area’, a fee applied to each area of the community hall to which the day rate would be added. To reduce potential costs for community halls, we have removed the base fee and replaced it with a \$50 minimum annual fee per area. The minimum fee will not be added to the day rate.

You do not need to include any days in your reporting to OneMusic where hirers and/or events do not use any music.

If you have multiple rooms or levels in your hall, you are only required to report the capacity of the area hired in which music is used.

Per-day rates will be phased in over four years, to minimise cost impact.

CALCULATOR

To see how the proposed OneMusic Australia scheme will apply to your specific circumstances, you can use the calculator found here: form.jotform.co/apraamcos/communityhalls

NEXT STEPS

Implementation of the new Community Halls licence scheme is scheduled to begin in mid-2019. OneMusic Australia intends to publish the main terms of the licence scheme shortly in order to provide advance notice to businesses of the new structure and rates. The timing of that publication will depend on the finalised start date for OneMusic Australia, but we will endeavour to provide as much notice as possible.

Businesses may object to some of the proposals set out above. Licensees and associations have recourse to expert processes under APRA's existing alternative dispute resolution service, Resolution Pathways.

If there is a reference to Resolution Pathways and the parties are unable to agree on an outcome, then either party may make a reference to the Copyright Tribunal.

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.