

DATE: 12 April 2019

KARAOKE VENUES

FINAL POSITION PAPER

OneMusic Australia is an initiative of APRA AMCOS and PPCA. On 4 April 2017 OneMusic Australia released a consultation paper seeking feedback on a proposed music licensing scheme for dining businesses. Feedback from industry associations and stakeholders was received, leading to a second consultation paper being released on 22 November 2018. Those papers can be found [here](#).

OneMusic Australia has received minimal feedback on the proposed scheme’s structure or rate, however we acknowledge that the structure and rates for Background Music proposed in the second consultation paper were too complicated, so we have now included coverage for the use of background music in common areas of dedicated karaoke venues in the rates for karaoke use at no additional charge.

Karaoke venues that source background music for common areas from a personal digital music service will be subject to a fee for Digital Copy/Delivery.

Accordingly, the final licence scheme for Karaoke Venues is expected to include the structure and rates described below.

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Karaoke venues that use both licensed works and PPCA sound recordings (and hence need coverage for both APRA AMCOS and PPCA rights) should refer to Table 1. Those that use non-PPCA sound recordings, or license their sound recordings directly with rights owners, only require licensing for APRA AMCOS rights and should refer to Table 2.

TABLE 1: MUSIC FOR KARAOKE VENUES – JOINT RIGHTS LICENCE (LICENSED WORKS AND PPCA RECORDINGS)

KARAOKE AREA CAPACITY (PERSONS)	RATE (PER DAY)			
	1 JULY 2019 – 30 JUNE 2020	1 JULY 2020 – 30 JUNE 2021	1 JULY 2021 – 30 JUNE 2022	1 JULY 2022 – 30 JUNE 2023
1 – 50	\$32	\$37	\$41	\$48
51 – 100	\$43	\$50	\$56	\$65
101 – 200	\$48	\$56	\$63	\$74
201 – 400	\$53	\$62	\$69	\$82
401 – 800	\$62	\$73	\$81	\$95
800+	\$75	\$88	\$98	\$115

PLUS

Digital Copy/Delivery	\$400 (only required if you make digital copies/delivery of background music outside your karaoke rooms)
Website Use	\$550

TABLE 2: MUSIC FOR KARAOKE VENUES – SINGLE RIGHTS LICENCE

KARAOKE AREA CAPACITY (PERSONS)	RATE (PER DAY)			
	1 JULY 2019 – 30 JUNE 2020	1 JULY 2020 – 30 JUNE 2021	1 JULY 2021 – 30 JUNE 2022	1 JULY 2022 – 30 JUNE 2023
1 – 50	\$17	\$19	\$21	\$25
51 – 100	\$22	\$26	\$29	\$34
101 – 200	\$25	\$29	\$33	\$38
201 – 400	\$27	\$32	\$36	\$42
401 – 800	\$32	\$38	\$42	\$49
800+	\$39	\$46	\$51	\$60

PLUS

Digital Copy/Delivery	\$400 (only required if you make digital copies/delivery of background music outside your karaoke rooms)
Website Use	\$550

Rates include 10% GST. The GST-exclusive component of the rates set out in the tables above will be increased by CPI on 1 July of each licence year after 30 June 2023.

DEFINITIONS

The following definitions are relevant to the OneMusic licensing scheme for karaoke venues. The definitions will form part of the final terms and conditions offered by OneMusic, subject to possible minor amendments required to draft the agreement without changing the intent of the meaning.

Digital Copy/Delivery means to reproduce up to 2,000 tracks containing PPCA Sound Recordings and/or APRA Works and AMCOS Works:

- a) by copying from a licensed physical copy (e.g. a CD) to an electronic copy or another physical one;
- b) by copying from a licensed electronic copy (e.g. a legally acquired MP3 download) to another electronic copy or a physical one; or
- c) by downloading or accessing a stream from a personal digital music service for the purpose of performing music in public (that is, using a subscription, ad-funded or download music service that is limited in its terms of use to non-commercial listening).

Karaoke Area Capacity means the maximum capacity of all Karaoke Rooms at the Location.

Karaoke Room means a designated area within the Location and similar areas where the only music performed is Karaoke Music.

Music for Karaoke Venues means the use of any Licensed Music (recorded or otherwise) at the Location, including music:

- a) used for the sole purpose of facilitating Karaoke in Karaoke Rooms; and
- b) that is not given prominence or used as a feature of the Location or any part of the Location (including music contained in television programmes and films).

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/karaoke

NEXT STEPS

Implementation of the new Karaoke Venues Licence 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.

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 scheme further, please email questions@onemusic.com.au and we will be in touch as soon as possible.