

REGISTERED AND LICENSED CLUBS

Licensing Enquiries 1300 162 162 getallicence@onemusic.com.au onemusic.com.au August 2023

SIGN UP NOW

DESIGNED FOR NOT-FOR-PROFIT MEMBER-BASED ENTITIES SUCH AS:

• RSL CLUBS • SPORTING CLUBS • CULTURAL CLUBS • REGISTERED & LICENCED CLUBS

Your licence explained

Music for Clubs

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For examples of how this licence works in practice, see page 9.

Most clubs will have the use of our music completely covered under a single per-member rate (other uses need additional cover). This scheme also incorporates a Legacy Licence Fee Cap on fee increases for qualifying clubs.

Why do I need a OneMusic licence?

1 Shows your club respects and supports songwriters and recording artists creators of Australian culture.

2 Permission. If you use music that is protected by copyright within your club, Commonwealth legislation requires permission (a licence) from the creators of that music. You can read independent legal information at copyright.org.au.

3 The big one. You benefit by using music: keeping your members and guests entertained, engaged and creating a better atmosphere.

Music creators generally authorise two organisations to administer their rights and collect their royalties in Australia. A OneMusic licence bundles all those rights into one licence and simplifies the process of gaining the required permission to use our music. If you wanted to use our music, and you did not have this licence, you would, for example, need to deal directly with the composers, songwriters, music publishers, recording artists and record labels who own the rights in the music you wish to use.

Draw on the power of music



75% of club guests like to hear music in lobbies, bars, restaurants and public spaces ⁽¹⁾



24% Stay longer in your club (slow tempo music) ⁽²⁾



89% People notice when you visibly promote your music licence. ⁽³⁾



High volume, fast paced music = drink more beer ⁽⁴⁾

Where does the money go?

OneMusic distributes the fees it collects to APRA AMCOS and PCCA, the bodies behind the licensing initiative. After the deduction of administration and operational costs, all fees collected are distributed to members or licensors (according to a range of direct data, sample data and other data sources for other uses of music). All fees quoted include GST.

Our fees include GST so 10% is paid to the Australian Tax Office as GST. Did you know OneMusic's licence fees are fully tax deductible?

What music can I use?

We've done the hard work for you so our licence covers you to use any of our music, which includes the vast majority of all commercially released music from around the world.

Supporting Music Creators

Last year the bodies behind OneMusic paid a royalty to more than 1.4 million songs, and more than 50,000 local songwriters and recording artists.

Let's be honest: music creators have earned this money. They've earned it through the hard work it took to reach the stage of being a professional songwriter or recording artist and they've also earned it by putting thousands of hours into creating a product businesses want to use.

1. Music for Clubs

This cover is for the use of our music as background music within your club including bar, dining and gym areas, certain ‘featured’ musical events, our music when it’s used in dance classes, our music when it’s used for club employees, committees and volunteers, telephone on hold at club premises and making digital copies for these uses.

How much does it cost per year?

Music for Clubs		Member number	Rate per Member
Background Music for all Locations (including all ancillary areas such as gymnasiums)		For each member up to 5,000 Members	\$0.77
Featured Music Events (whether live or recorded) where Entry Fee is \$40 or less, excluding Premium Featured Music Events, Excluded Events and the use of Recorded Music for Dance Use (see below)		For each Member over 5,000 Members	\$0.33
Music in Dance Classes for all Locations		Subject to a Minimum Annual Fee of \$149.26	
Workplace Music for all Locations		Partial Rights Deduction minus 48.25% on the applicable licence fees for Music for Clubs where none of the covered uses require a licence from OneMusic Australia for PPCA Sound Recordings (on behalf of PPCA) or APRA Works and AMCOS Works (on behalf of APRA AMCOS).	
Telephone on Hold for all Locations			
Exhibition of Music Videos			
Digital Copy/Delivery for the uses above			
Website Use plus \$608.10 for each website for each Location			

What do the terms in the table above mean?

By **Member** we mean a person who is registered as a member of your Club or Club group.

Background Music covers our music when it’s from radios, CD players, and music and music videos from smartphones, tablets, TV screens and other devices that are not used as a *prominent feature* of the entertainment of the Club facilities or event.

Premium Featured Music Events are Featured Recorded Music Performances, Live Music Performances and Recorded Music Performances where the Entry Fee is greater than \$40.

Excluded Events are those music events by [National Event Promoters](#) at your venue. You do not need to report or pay licence fees to us for that performance as they are licensed separately and directly by the [National Event Promoter](#).

Workplace Music is our music when it’s played by (or for) your Club staff including music on employees’ headphones or radios while working, in staff recreation areas and lunchrooms and the like as well as in Club presentations and training sessions and includes the use of our music during staff only video conferences when held via a secure network, for all Locations owned by the Club.

Telephone on Hold is when you use our music on your on-hold system regardless of the caller capacity of your phone system for all Locations owned by the Club.

Digital Copy/Delivery on the above music uses is included in the Registered and Licensed Clubs scheme. This covers your Club if if you download or access our music for your business from a non commercial digital music service. You should be aware that a OneMusic Australia licence, even when it includes Digital Copy/Delivery only gives you permission to use our music in your Club; it does not override the Terms of Use for the personal digital music service you are using, nor does it give you permission to use that particular digital music service for a commercial purpose – that permission can only come from the owners of that digital music service. Even with our licence, the use of digital music streaming services by you in your business may be in breach of the terms and conditions of your end user agreement with that service. You should check with your service provider.

The **Website Use** cover provides your Club with the necessary permission for the use of our music on your Club information website. The music you use can only be played in the background of your website and is subject to a number of other limitations, which can be found in clause 2.2 of the Licence Agreement Terms and Conditions available at onemusic.com.au. These limitations mean that the music cannot itself generate any revenue, you must use between 10 and 15 different music tracks, you can’t use more than one track of a particular artist or group (so the music doesn’t give the appearance that the artist or group are endorsing your Club), you can only use legal copies when putting the music on your website and, finally, the music itself can’t be interactive (where the user can choose and change the music they listen to).

What is a PPCA Sound Recording? A sound recording is simply a physical recording of a piece of music or song (such as what's on a CD or a digital file like an MP3) and a PPCA Sound Recording is a sound recording that the Phonographic Performance Company of Australia (or PPCA) is authorised by the copyright owners to license for copying and for performing in public - for instance when a business plays music to their customers. OneMusic Australia has been authorised by PPCA to license the PPCA Sound Recordings on its behalf.

What is an APRA Work and an AMCOS Work? A musical work is the underlying words and music of a song that have been written by a songwriter and/or composer. The Australasian Performing Right Association (or APRA) and the Australasian Mechanical Copyright Owners Society (or AMCOS) has been given the right to license the APRA Works and AMCOS Works by the songwriters, composers and music publishers – so that those words and music can be played to the public by licence holders in their businesses and/or copied. APRA, operating as OneMusic Australia, has been authorised by AMCOS to license the AMCOS Works on its behalf.

By **Partial Rights Deduction** we mean where we can apply a percentage saving on the full licence fee for the components of music not in use in your Club.

For example, clubs that use background music which does not require a PPCA licence (e.g. the club only plays music from terrestrial broadcast stations) or does not include any PPCA recordings (e.g. only uses ClubMUSIC recordings), or that have licensed either the musical works or the sound recordings directly with copyright owners - a 48.25% 'partial rights' deduction will be applied to the relevant rates.

Legacy Licence Fee Cap

OneMusic understands that the new per-member fee structure will see some clubs experience large changes in their annual licence fee for the uses covered under the rate. Because of this it has agreed with Clubs Australia, for eligible clubs only, to introduce a '*Legacy Licence Fee Cap per member fees*'.

Of course, as the the per-member rate does not cover Recorded Music for Dance, Fitness Classes, or premium uses of Featured Recorded Music, Live Music Performances and Live Music incorporating Recorded Music Performances, the Legacy Licence Fee Cap will not apply to these music uses.

If your club was fully licensed for Background Music, Featured Recorded Music Performances and Live Music Performances where ticket or admission prices are \$40 or less, Music in Dance Classes, Workplace Music, Telephone on Hold Music, Music used on Websites and Digital Copy/Delivery tariffs by both PPCA and APRA AMCOS prior to 1 July 2019 you will be eligible for the Legacy Licence Fee Cap. Clubs that only held APRA AMCOS licences prior to this date may be eligible if only APRA licensing is required, for example if only broadcast radio or TV, or so-called 'PPCA-free' product, is used *throughout* the club.

How the Legacy Licence Fee Cap works

Say your club paid \$20,000 for all Background Music, Featured Recorded Music Performances and Live Music Performances where ticket or admission prices were \$40 or less, Music in Dance Classes, Workplace Music, Telephone on Hold Music, Music used on Websites and Digital Copy/Delivery and were fully licensed with both PPCA and APRA AMCOS before 1 July 2019. The \$20,000 figure becomes your *Legacy Licence Fee*.

Perhaps the OneMusic licence fee for these uses then works out to be \$26,000 a year (a 135% increase), your club would only pay the capped increase of \$5,000 (25%) plus the original \$20,000 fee for the period 1 July 2019 - 31 August 2020.

The following year 1 September 2020 - 31 August 2021 the Cap is 50% on the Legacy Year which means in this example the increase would be limited to \$10,000.

The following year 1 September 2021 - 31 August 2022 the Cap is 75% on the Legacy Year which means in this example the increase would be limited to \$15,000.

The following year 1 September 2022 - 31 August 2023 the Cap is 100% on the Legacy Year which means in this example the increase would be limited to \$20,000.

The following year 1 September 2023 - 31 August 2024 the Cap is 125% on the Legacy Year which means in this example the increase would be limited to \$25,000.

So this club would not pay their correct and adjusted OneMusic licence fee on these music uses until the sixth year.

OneMusic will assess each club's eligibility for the cap and notify those that qualify. If you believe your club is eligible for the cap we will be happy to discuss and re-assess your particular circumstances.

The cap will be assessed each year and may apply in one year and not another.

Combined Member Numbers

Where a licensee operates as a group, for example where one club owns and operates more than one club location, you should provide combined member numbers (with a list of the clubs covered) and a membership figure total to calculate the group's annual fee.

2. Premium Featured Music Events

a. Featured Recorded Music Performances where Entry Fee is greater than \$40

How much does it per year?

Featured Recorded Music Performances

\$0.264 per person admitted to each FRMP Area for each day of operation (24 hour period)

What do the terms in the above table mean?

Featured Recorded Music Performances are those events where recorded music is played prominently for example a DJ playing music at your club or a Karaoke night but does not include Excluded Events. FRMP Area is the specific area within your venue where Featured Recorded Music Performances can be heard. Per person admitted is the attendance at your FRMP Area. The attendee figure is capped at (that is, will never be more than) the FRMP Area Capacity for each day of operation. You report to us the number of annual attendees for each FRMP Area, the FRMP Area Capacity and the annual days of operation.

b. Live Music Performances where Entry Fee is greater than \$40

A **Performance** falls into two categories. A **Live Music Performance** is where singers, musicians or performers such as a live band play guitars or a keyboard while belting out a song, all live. A **Recorded Music Performance** (see next section) includes where a performer includes sound recordings as an element of their live performance. For example, if performers play recorded music to accompany their activity on stage or by including remixes, samples or stems from other tracks in their performance.

Because this use covers performances where no PPCA Sound Recordings are used, no fees for that use apply. If the performance does include sound recordings, then you should count those performances as a Recorded Music Performance covered in the next section. It does not include Excluded Events.

A separate licence scheme covers music used in a **Dramatic Context**. Dramatic Context is defined as the performance of musical works: a) in conjunction with a presentation on the live stage that has: (i) a storyline; and (ii) one or more narrators or characters; or b) as a Ballet.

How much does it cost per year?

PPCA Sound Recordings

No PPCA Sound Recordings

APRA Works and AMCOS Works Minimum Annual fee of \$28.60 incl GST

2.2% of Gross Expenditure on Live Artist Performers.

For all Live Music Performances where the Live Artist Performer is paid a fee to perform directly by Your Club, including any monies paid by You to that Live Artist Performer from the box office for that Live Music Performance.

1.65% of Gross Sums Paid for Admission.

For all Live Music Performances where the Live Artist Performer is paid only by a third party such as a booking agent.

What do the terms in the table above mean?

For an explanation of **PPCA Sound Recordings** see page 3.

For an explanation of **APRA Works and AMCOS Works** see page 3.

A **Live Artist Performer** is any performer participating in the performance of our music including featured and and back up singers, musicians, DJs, electronic music artists, dancers etc.

By **Gross Expenditure** we mean the total of all salaries, wages, profit shares, allowances and accommodation, travel and other expenses (but excluding GST), of the Live Artist Performer or their agent, manager, assistant or associate.

By **Gross Sums Paid for Admission** we mean the total amount paid for entry to the event (including the value of all tickets sold or redeemed), but excluding government taxes or other charges

c. Recorded Music Performances where Entry Fee is greater than \$40.

Recorded Music Performance includes where a performer includes sound recordings as an element of their live performance. For example, if performers play recorded music to accompany their activity on stage or by including remixes, samples or stems from other tracks in their performance. This does not include Excluded Events.

These fees are only for Recorded Music Performances, information for live performances that DO NOT use sound recordings should be reported Live Music Performances where Entry Fee is greater than \$40 (above).

How much does it cost per year?

PPCA Sound Recordings		APRA Works and AMCOS Works
\$0.29 per person admitted to each Recorded Music Performance (i.e. a performance where there is an Entry Fee, and the Entry Fee is greater than \$40)	PLUS	2.2% of Gross Expenditure on Live Artist Performers For all Recorded Music Performances where the Live Artist Performer is paid a fee to perform directly by Your Club, including any monies paid by You to that Live Artist Performer from the box office for that Live Music Performance
		1.65% of Gross Sums Paid for Admission. For all Recorded Music Performances where the Live Artist Performer is paid only by a third party such as a booking agent.

What do the terms in the table above mean?

For an explanation of **PPCA Sound Recordings** see page 3.

For an explanation **APRA Works and AMCOS Works** see page 3.

For an explanation of **Live Artist Performer** see page 4.

For an explanation of **Gross Expenditure** see page 4.

For an explanation of **Gross Sums Paid for Admission** see page 4.

For an explanation of **Excluded Events** see page 2.

3. Recorded Music for Dance Use (RMFD)

Recorded Music for Dance Use is dancing (such as a nightclub or physically separate dance area). This does not include Excluded Events.

How much does it cost per year?

Recorded Music for Dance Use
\$1.98 per person admitted to each RMFD Area for each day of operation (24 hour period)

What do the terms in the table above mean?

Per person admitted is the attendance at your RMFD area. The annual attendee figure is capped at (that is, will never be more than) the RMFD Area Capacity for each day of operation. You report to us the number of annual attendees for each RMFD Area, the RMFD Area Capacity and the annual days of operation.

For an explanation of **Excluded Events** see page 2.

If you have a separate area in your Club where recorded music is played for the purpose of dancing (what we call Recorded Music for Dance Use or RMFD), then you'll need to tell us the number of annual attendees to that area.

The attendees to the RMFD Area may be different on different nights of the week. For example, the second floor of a club might be closed on a Thursday night but open on a Friday night. The annual attendees for the two separate RMFD Areas should be declared separately. The RMFD Area that will need to be licensed for this type of music use is any "Physically Separate" area that plays recorded music for the purpose of dancing, and has a dance floor or, if it doesn't have a dance floor, charges an Entry Fee.

When we talk about a multi-function area being **Physically Separate** we mean that it is clearly distinguishable from other areas of your venue either by a defined perimeter or by different access. This may be a separate room, separate space within a room or a separate floor area, the space may have a separate entrance or it may have a separate Entry Fee.

Recorded Music For Dance Use licensing has a few exclusions. If your Recorded Music For Dance Use event is a non-ticketed private function you don't fall under this licence, but there are other options for licensing. Contact us to discuss.

If your Recorded Music For Dance Use is a dance event or a dance party you would be licensed separately under an [Event licence](#). If you feature ballroom dancing (or similar) you would be licensed as a [dance school](#) or if your event is for under-aged people such as blue light discos you would be licensed under a [APRA AMCOS](#) featured music licence and a [PPCA event licence under Tariff E4\(i\)](#).

It is important to note that where you host a RMFD use night under a [National Event Promoter](#) blanket licence, you do not need to report or pay licence fees to us for that performance as they are licensed separately and often directly.

4. Music in Fitness Classes from any number of devices

A **Fitness Class** is any structured form of exercise conducted commercially in a ‘class or tutorial style’. You might better know these classes as ‘group fitness’ such as Les Mills, MOSSA, Radical and Zumba, circuit, dance, cycle/spin as well as flexibility/stretching/abdominal workouts, yoga, Pilates or aqua fitness.

These classes could be held within a Club, Fitness Centre or anywhere else including outdoors - as long as it is led by a Fitness and Wellbeing Instructor. To fall under this definition, the Fitness Class needs to be directed by a staff or freelance fitness instructor and is included in a timetable type of notice to clients and prospects.

How much does it cost per year?

Option A		Option B
<p style="text-align: center;">\$5.98</p> <p style="text-align: center;">Per Fitness Class for all classes per annum</p>	OR	<p style="text-align: center;">\$8.41</p> <p style="text-align: center;">for each Fitness Class with more than 10 participants per year</p>
		<p style="text-align: center;">PLUS</p>
		<p style="text-align: center;">\$3.61</p> <p style="text-align: center;">for each Fitness Class with 10 or fewer participants per year</p>
<p>A Partial Rights Deduction of 48.25% applies to the per class rate for each Fitness Class that does not use PPCA Sound Recordings or does not use APRA Works or AMCOS Works. Of course, classes that do not use any music do not attract a fee and should not be declared.</p>		

What do the terms in the table above mean?

As the name suggests **Music in Classes** is the use of our music when it is played specifically for a timetabled class or session, which is directed by a fitness instructor, inside or outside a venue.

By **devices** we mean a music system including those provided by audio jukeboxes, PCs, tablets, smartphones and music video screens – or if you are old school, CD or record players.

By **Partial Rights Deduction** we mean where we can apply a percentage saving on the full licence fee for the components of music not in use in your Club. PPCA Sound Recordings may not be in use (perhaps you just have live music and no recorded backing tracks) or perhaps APRA Works and AMCOS Works are not used at your Club (perhaps you are using directly-licensed music).

For an explanation of **PPCA Sound Recordings** see page 3.

For an explanation of **APRA Works and AMCOS Works** see page 3.

Deductions & Payments

A OneMusic Australia licence covers the use of both the APRA Works and AMCOS Works (the written songs) plus PPCA Sound Recordings (the recorded music), we offer a deduction on your licence fees where applicable when you tell us that your Club doesn’t actually need both of those rights for all of your music needs. It might be that you already have a licence to use sound recordings in your background music from a source other than PPCA, for instance a record company directly. In these cases you may be eligible for a Partial Rights Deduction, which will be applied by us to your licence fees when you make the proper declaration either in your licence agreement.

A club may benefit from both a partial rights deduction and the Cap at the same time.

How were the rates set and will they change?

If you are interested in how the rates for this sector were set, please visit onemusic.com.au/consultation

Apart from yearly CPI reviews, phase-in rates and Caps, OneMusic will not increase or change licence fees without first consulting the industry.

Rates include 10% GST. The GST-exclusive component of the rates set out in the tables above will all be increased by CPI on 1 September of each Licence Year in accordance with clause 4.3 of the Terms and Conditions unless there are phase-in rates.

Do I have to go through OneMusic to play music in my business?

If you want access to the largest possible music collection, then the OneMusic licence provides the easiest and most cost effective way to access the vast majority of the world's repertoire of music. There are other options, which may include direct licensing arrangements with copyright owners or solely using music outside the OneMusic repertoire.

If you make a direct arrangement for your sound recording use or your musical work use, contact OneMusic so we can adjust your licence fee.

Feedback

Comments and feedback on your licence agreement or the information guides can be sent to us at hello@onemusic.com.au

Complaints

If you are not satisfied or have an issue with the manner or standard of your interactions with OneMusic Australia you can review our [complaints procedure here](#) and if you wish to proceed with a complaint you can send it to this address complaints@onemusic.com.au

Disputes

If you do not agree with how we apply a licence to your business - you disagree about the licence agreement OneMusic has asked you to enter into, our rates or how your licence fees have been calculated - you can:

- a. send details directly to us at disputes@onemusic.com.au or 16 Mountain Street, Ultimo, NSW 2007; or
- b. lodge it directly with our independent third party Alternative Dispute Resolution facilitator, [Resolution Pathways](#).

More information this process and how to lodge a dispute is available at [complaints and dispute resolution](#) on our website.

If you were licensed with PPCA and APRA AMCOS before OneMusic and you consider your annual fee has seen an unexpected increase under the OneMusic scheme, please contact us on 1300 162 162 or hello@onemusic.com.au

If you want to know more about the differences between a "Complaint" and a "Dispute", please see [complaints and dispute resolution](#) on our website.

⁽¹⁾ <http://www.musicworksforyou.com>

⁽²⁾ Milliman RE. *The Influence of Background Music on the Behavior of Restaurant Patrons* Journal of Consumer Research. Vol. 13, No. 2 (Sep., 1986), pp. 286-289

⁽³⁾ Swedish research showed only 11 per cent of people felt it of 'no importance' that musicians get paid for music that is played in a business they visit, leaving 89% who do care. The importance of music for business. STIM, SAMI and Heartbeats International.

⁽⁴⁾ Guéguen N, Jacob C, Le Guellec H, Morineau T, Lourel M. *Sound Level of Environmental Music and Drinking Behavior: A Field Experiment With Beer Drinkers*. Université de Bretagne- Sud. 2008.

APRA AMCOS is the trading name of APRA (Australasian Performing Right Association) and AMCOS (Australasian Mechanical Copyright Owners Society). APRA AMCOS grants licences for the live performance, broadcast, communication, public playing and reproduction of its members' musical works. APRA AMCOS then distributes the net licence fees collected to its 115,000+ songwriter, composer and music publisher members and affiliated societies worldwide.

PPCA (Phonographic Performance Company of Australia Ltd) grants licences for the broadcast, communication or public playing of recorded music (such as CDs, records and digital downloads or streams) and music videos. PPCA then distributes the net licence fees collected to its licensors (generally record labels) and registered recording artists.

This information sheet is a guide only. Refer to the licence for full terms and conditions.

Examples:

The licence fees in these examples apply for licences taken out between 1 September 2023 and 31 August 2024

Beachside RSL, NSW

Beachside RSL is a large club with 12,456 members.

They service both the local community and particularly over the summer months, holidaymakers and tourists.

The club has background music playing in its bar and dining area and on Friday nights and Sunday afternoons and has a number of live bands playing, entry is by ticket at \$10 each.

They operate a nightclub on 15 Saturdays across the summer period. On average they have 105 attendees per night. The nightclub area has a capacity of 120 people.

The RSL also has music on hold including for its restaurant.

Beachside RSL respects music creators and has been licensed by APRA AMCOS and PPCA for several years and has been advised they are eligible for the Legacy Licence Fee Cap.

Beachside RSL needs the following annual cover from OneMusic:



Music for Clubs @ \$0.77 x 5,000 plus \$0.33 x 7,456 = \$6,310.48

Legacy Licence Fee = \$3,213

Legacy Licence Fee Cap = \$3,213 plus 125% = \$4,016.25



Recorded Music For Dance Use (RMFD)

- \$1.98 x 105 attendees, Capacity of 120 x 15 nights = \$3,118.50

Total licence fee = \$7,134.75

The Local Bowlo, Qld

The Bowlo, which has 1,504 members, has two television screens that are generally turned on to Foxsports. They also host various community events at which DJs may be hired to play music.

On occasion they host karaoke nights.

The Bowlo also runs a fitness class each Monday and Wednesday morning primarily targeted at young parents – generally between 12 and 18 people attend each session.

The Local Bowlo does not qualify for the Legacy Licence Fee Cap because in the past they were not licensed with PPCA.

The local Bowlo needs the following annual cover from OneMusic:



Music for Clubs @ \$0.77 x 1,504 = \$1,158.08

Legacy Licence Fee does not apply



Music in Fitness Classes \$5.98 per class x 104 classes per year = \$621.92

Total licence fee = \$1,780