

RECORDED MUSIC FOR DANCE USE

Licensing Enquiries 1300 162 162 welcome@onemusic.com.au onemusic.com.au August 2019

SIGN UP NOW

This licence scheme is designed for businesses that use recorded music for patrons to dance to. This could be a dedicated nightclub, dance club or disco. If you are a [hotel, bar, tavern or casino](#) or a [registered and licensed club](#) please go to that industry on the OneMusic website and access the Recorded Music For Dance Use licence scheme.

Why do I need a OneMusic licence?

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

2 Permission. If you use copyright music within your business, 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: it gives them something to dance to and keeps them engaged and creates a better atmosphere.

In Australia music creators generally authorise two organisations to administer their rights and collect their royalties – APRA AMCOS (composers and music publishers) and PCCA (recording artists and record labels). A OneMusic licence bundles all those rights into one licence and further simplifies the process of gaining the required permission to use music. Without 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.

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.

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. Licence fees are paid out according to data from music recognition technology (see below) and the ARIA Dance Charts.

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

OneMusic Australia will continue with the joint APRA AMCOS and PCCA roll-out of Music Recognition Technology (currently using DJ Monitor and Kuvo) to capture what tracks are being played in selected nightclubs and other venues. This data is used by both organisations to make more accurate payments to their members and licensors based on a sample of music played in nightclubs.

What music can I use?

We've done the hard work for you so our licence allows you to use **virtually any commercially released music** from anywhere around the world.



OneMusic
AUSTRALIA

1. Recorded Music for Dance Use (RMFD)

OneMusic Australia had proposed a single harmonised rate to cover the rights of both APRA AMCOS and PCCA. However, in order to enable consultations with the industry to continue, this new scheme will at least initially use the existing rates and structures for Recorded Music for Dance Use of APRA AMCOS and PCCA.

Recorded Music for Dance Use is specifically for the purpose of dancing such as a nightclub or dance area.

How much does it cost per year?

PPCA Sound Recordings	PLUS	APRA Works and AMCOS Works
\$1.354 multiplied by the RMFD Area Capacity for each day of operation (24 hour period)		\$0.912 per person admitted to the RMFD Area for each day of operation (24 hour period)

If you are using music which does not involve both APRA AMCOS – for the underlying musical work and PCCA rights – for protected sound recordings, a OneMusic licence for only the relevant right may be applicable.

PLUS

 Website Use \$550
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What do the terms in the table above mean?

The **RMFD Area Capacity** is the maximum amount of people (overall capacity) permitted to your Recorded Music for Dance Use venue. This Capacity may be different on different nights of the week. For example, the second floor of your venue might be closed on a Thursday night but open on a Friday night. The number of nights for the two separate RMFD Areas should be declared separately. The attendee rate charged for APRA Works and AMCOS works is capped at (that is, will never be more than) your RMFD Area Capacity.

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 at welcome@onemusic.com.au 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](#).

It is important to note that where you host a Recorded Music for Dance 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.

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) have been given the right to license the APRA Works and AMCOS Works by the owners of the copyright – 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.

Website Use provides you with the necessary additional cover if you have music on your business' 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 venue), 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).

2. Telephone on Hold

Telephone on Hold is the music you use on your on hold system, if you have one.

How much does it cost per year?

Telephone on Hold Licence Fees are capped at \$80,000 (including GST) per client (irrespective of the number of Locations you have licensed). However, we would expect most businesses covered under this licence scheme to have only a small number of lines.

Caller Capacity lines	Telephone on Hold (Communication only)		Telephone on Hold (Communication and Reproduction)		Partial Rights Discount
	Single Location (for 1 Location)	Multiple Locations (per Business)	Single Location (for 1 Location)	Multiple Locations (per Business)	
1 - 2	\$240	\$320	\$300	\$400	If applicable, Partial Rights Discount minus 48.25% of total relevant amount
3 - 5	\$315	\$460	\$390	\$575	
6 - 10	\$470	\$710	\$590	\$890	
11 - 25	\$780	\$1,180	\$975	\$1,475	
26 - 50	\$1,480	\$2,340	\$1,850	\$2,920	
51 - 100	\$2,350	\$4,140	\$3,036	\$4,970	
101 - 200	\$4,700	\$8,600	\$5,640	\$10,320	
201 - 300	\$8,000	\$15,000	\$9,600	\$18,000	
301 - 400	\$10,320	\$20,000	\$12,380	\$24,000	
401 plus*	\$18 per additional line	\$30 per additional line	\$22 per additional line	\$36 per additional line	

What do the terms in the table above mean?

When we talk about **Caller Capacity Lines** we mean how many lines (playing music of course) you can place on hold at any one time at all retail product of service locations. If you have VOIP or a Cloud based telephone system, the concept applies to the number of simultaneous users across all locations.

Communication Only - you need this cover only when you have not made a copy of a recording to use on your Telephone on Hold system. For example, your Telephone on Hold music is sourced directly from a purchased CD or an external agency has created and supplied your Telephone on Hold messaging.

Communication and Reproduction - many businesses now require this extra level of cover because they have made a copy or are accessing music from a digital music service. For example, you have copied a CD onto a hard drive or made a copy of a digital download. This also covers your venue if you are using an existing recording for a purpose for which it has never been licensed for, such as in the case of personal digital music streaming services like Spotify or Apple Music. Even with our licence, the use of these services by you in your business may be in breach of the terms and conditions of your end user agreement with that service.

By **Partial Rights Discount** we mean where we can apply a percentage saving on the full licence fee for the components of music not in use in your business. For example, PPCA Sound Recordings may not be in use or perhaps the APRA Works and AMCOS Works a used on your Telephone on Hold service have been directly licensed by you with the composer.

For an explanation of **PPCA Sound Recordings** see Recorded Music for Dance Use above.

For an explanation of **APRA Works and AMCOS Works** see Recorded Music for Dance Use above.

Discounts & Payments

We believe in a fair go and offer some common-sense concessions which may apply to your licence fees. Because a OneMusic Australia licence now covers the use of both the APRA Works & AMCOS Works (the written songs) and the PPCA Sound Recordings (the recorded music), we now offer a variation or discount on your licence fees where applicable when you tell us that your business doesn't actually need both of those rights for all of your music needs. In these cases you may not have to pay one of the Recorded Music for Dance fees or be eligible for a Partial Rights Discount for Telephone on Hold use, which will be applied by us to your licence fees when you make the proper declaration either in your licence agreement or on the OneMusic Australia licensing portal.

You pay when you first take out our licence, then just once a year. If your OneMusic annual licence fee is more than \$500 we will invoice you quarterly, or you can opt to pay annually no matter what your Licence Fee amount is. (Just a note that we calculate your quarterly licence fee according to the relative number of days in each quarter, not by dividing your annual fee by four).

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, OneMusic will not increase or change licence fees without first consulting the industry. As flagged on page 2, consultations continue with the industry on the Recorded Music for Dance Use rate.

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 July of each Licence Year in accordance with clause 4.3 of the Terms and Conditions.

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 100,000+ 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.

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

The OneMusic licence provides the easiest and most cost effective way to access 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 only your sound recording use or only your musical work use, contact OneMusic Australia so we can adjust your licence fee, as applicable.

Comments

We care about the service we give you and we welcome your feedback. If you'd like to comment on our service, email welcome@onemusic.com.au.

Disputes

If you have been fully licensed with APRA AMCOS, PPCA and ARIA before OneMusic and you consider your annual fee has seen an unexpected increase under the new initiative, please talk to us about setting up reasonable payment terms. If you do not agree with how we apply this licence to your business, with our fees, or with any of our services, you can use our convenient and independent dispute resolution system. Email disputes@onemusic.com.au or call 1300 162 162. Read about our formal complaints procedure [here](#).

Examples:

The licence fees in these examples apply for licences taken out between 1 July 2019 and 30 June 2020

SinCentral Club



160 patron official capacity and on average across the year, 130 people admitted nightly in Recorded Music for Dance Use Area

Opens 45 nights a year

Nightclub plays popular tracks containing both PPCA Sound Recordings and APRA Works and AMCOS Works.

For use of PPCA Sound Recordings $\$1.354 \times 45 \text{ days} \times 160 \text{ person capacity} = \$9,748.80$.

For use of APRA Works and AMCOS Works. $\$0.912 \times 130 \text{ people admitted nightly} \times 45 = \$5,335.20$.

They have a website without music \$0.00

Spotify plays through their one Telephone on Hold line = \$300 for communication and reproduction.

Total annual licence fee is \$15,384.00 and this will be billed as quarterly invoices of \$3,846.00 (unless the business requests an annual invoice).

Tommy's Burlesque Boutique



250 patron official capacity and on average across the year 200 people admitted nightly.

During the three winter months (41 days of the 165 they open), they close the top floor and the capacity becomes 200.

Opens 165 days a year

Nightclub plays popular tracks containing both PPCA Sound Recordings and APRA Works and AMCOS Works.

For use of PPCA Sound Recordings in winter $\$1.354 \times 41 \text{ days} \times 200 \text{ person capacity} = \$11,102.80$

For the rest of the year for use of PPCA Sound Recordings $\$1.354 \times (165 \text{ days open} - 41 \text{ winter days}) \times 250 \text{ person capacity} = \$41,974$.

For use of APRA Works and AMCOS Works $\$0.912 \times 200 \text{ people admitted nightly} \times 165 = \$30,096$

They have a website with music \$550

Total licence fee is \$83,722.80 and this will be billed as quarterly invoices of \$20,930.70 (unless the business requests an annual invoice).