**Music Copyright Guide for TAFEs**

Updated 12 August 2021

**Introduction**

When we talk about music, we are referring to both [musical works](https://smartcopying.edu.au/glossary/musical-works/) (ie sheet music comprising the score and/or the lyrics of a song) and [sound recordings](https://smartcopying.edu.au/glossary/sound-recordings/) (ie recorded versions of [musical works](https://smartcopying.edu.au/glossary/musical-works/)).

A [musical work](https://smartcopying.edu.au/glossary/musical-works/) can be the score, or both the score and lyrics.  The copyright owner of the score can be different to the copyright owner of the lyrics. Note that if TAFEs are just copying lyrics, they will be considered as [text](https://smartcopying.edu.au/glossary/text/) for the purposes of the [Statutory Text and Artistic Licence](https://smartcopying.edu.au/glossary/statutory-text-and-artistic-works-licence/).

A [sound recording](https://smartcopying.edu.au/glossary/sound-recordings/) can be a recording of the score only, or of both the score and lyrics. Examples of [sound recordings](https://smartcopying.edu.au/glossary/sound-recordings/) are Apple or Spotify tracks, MP3 files, vinyl, CDs, audio cassettes, reel to reel tapes and any other method for recording and storing sounds.

When TAFEs use a [sound recording](https://smartcopying.edu.au/glossary/sound-recordings/), they need permission to use both the [musical work](https://smartcopying.edu.au/glossary/musical-works/) and the sound recording of that [musical work](https://smartcopying.edu.au/glossary/musical-works/). Generally, the composer or music publisher owns copyright in the [musical work](https://smartcopying.edu.au/glossary/musical-works/), and the record label owns copyright in the [sound recording](https://smartcopying.edu.au/glossary/sound-recordings/). If you are only reproducing or performing the [musical work](https://smartcopying.edu.au/glossary/musical-works/) (eg by playing the music with an instrument or singing the song), you only need permission from the owner of copyright in the [musical work](https://smartcopying.edu.au/glossary/musical-works/).

TAFEs often want to use [musical works](https://smartcopying.edu.au/glossary/musical-works/) and [sound recordings](https://smartcopying.edu.au/glossary/sound-recordings/) in different ways inside or outside the classroom. For example:

* playing instruments in class as part of a music appreciation course
* playing [sound recordings](https://smartcopying.edu.au/glossary/sound-recordings/) in class as part of a music and sound production course
* playing [musical works](https://smartcopying.edu.au/glossary/musical-works/) live or playing [sound recordings](https://smartcopying.edu.au/glossary/sound-recordings/) at one off events (eg award ceremonies, graduations, concerts, fashion shows)
* communicating sound recordings (eg uploading a recording of a TAFE concert to the TAFE learning management system)
* playing background [sound recordings](https://smartcopying.edu.au/glossary/sound-recordings/) in public areas, work spaces and TAFE facilities such as fitness centres, cafés or restaurants.

**Copyright Exceptions**

All TAFEs are able to rely on the copyright exceptions in the Copyright Act to use [musical works](https://smartcopying.edu.au/glossary/musical-works/) and/or [sound recordings](https://smartcopying.edu.au/glossary/sound-recordings/) for educational instruction.

**Section 28**

Teachers and students in all TAFEs can perform musical works live or play [sound recordings](https://smartcopying.edu.au/glossary/sound-recordings/) in class under s 28 of the Copyright Act, provided it is:

* in the course of education
* the people in the audience or class are giving or receiving instruction.

Teachers can also upload sound recordings to a TAFE intranet or [digital teaching environment](https://smartcopying.edu.au/glossary/digital-teaching-environment-dte/) (DTE) in order to play them in class, but they should remove them from the intranet/LMS, or remove access to the [sound recordings](https://smartcopying.edu.au/glossary/sound-recordings/) by students, as soon as class is over.

Examples of what TAFE teachers and students can do include:

* singing a [musical work](https://smartcopying.edu.au/glossary/musical-works/) and playing that [musical work](https://smartcopying.edu.au/glossary/musical-works/) using instruments in class
* performing a musical work in a virtual class using a [DTE](https://smartcopying.edu.au/glossary/digital-teaching-environment-dte/)
* using a [DTE](https://smartcopying.edu.au/glossary/digital-teaching-environment-dte/) to show the score of a [musical work](https://smartcopying.edu.au/glossary/musical-works/) to external students so that those students can play along to the score in a virtual class
* playing a [sound recording](https://smartcopying.edu.au/glossary/sound-recordings/) in class in any format (eg digital music from Spotify or Apple music, Google Play Store, CD) using a [DTE](https://smartcopying.edu.au/glossary/digital-teaching-environment-dte/), interactive whiteboard or virtual classroom software
* playing a film (DVD or online film) in class which contains a [musical work](https://smartcopying.edu.au/glossary/musical-works/) and or [sound recording](https://smartcopying.edu.au/glossary/sound-recordings/) using a DVD player or [DTE](https://smartcopying.edu.au/glossary/digital-teaching-environment-dte/).

**Flexible Dealing**

If TAFEs want to copy and communicate [musical works](https://smartcopying.edu.au/glossary/musical-works/) or [sound recordings](https://smartcopying.edu.au/glossary/sound-recordings/) for educational instruction they may be able to rely on the [flexible dealing exception](https://smartcopying.edu.au/flexible-dealing/).

For example, a teacher may be able to:

* prepare an arrangement of a musical work for students to perform in a music class when they cannot buy the arrangement they need
* format shift sound recordings from vinyl, cassette or CD into digital format such as mp3.

See [Flexible Dealing Exception](https://smartcopying.edu.au/flexible-dealing/), see also [Students and Copyright](https://smartcopying.edu.au/students-and-copyright/).

**Disability Exceptions**

If you are copying or communicate musical works or sound recordings in order to make them accessible to a student with a disability, you may be able to do this under the disability exceptions.

See [Disability Access Exceptions](https://smartcopying.edu.au/guidelines/library-exam-and-disability-copying/disability-access-exceptions/).

**Exam Copying**

Teachers are allowed to copy and communicate musical works and sound recordings for use in online and hardcopy exams. This exception does not extend to practice papers. You can only rely on this exception to copy and communicate copyright material for actual exams and assessments.

See [Exam Copying](https://smartcopying.edu.au/guidelines/library-exam-and-disability-copying/copying-for-exams/).

**Fair Dealing**

TAFE teachers will only be able to rely on the [fair dealing exception](https://smartcopying.edu.au/glossary/fair-dealing/) in limited circumstances (ie it must be for their own research and study and not the research and study of their students).

However, TAFE students using [musical works](https://smartcopying.edu.au/glossary/musical-works/) and or [sound recordings](https://smartcopying.edu.au/glossary/sound-recordings/) as part of their study, will generally be able to rely on the [fair dealing exception](https://smartcopying.edu.au/glossary/fair-dealing/) for research and study. For example, TAFE students may be able to rely on the [fair dealing exception](https://smartcopying.edu.au/glossary/fair-dealing/) to use [musical works](https://smartcopying.edu.au/glossary/musical-works/) and [sound recordings](https://smartcopying.edu.au/glossary/sound-recordings/) in an assignment as part of a ‘Sound and Music’ course.

See [Copyright Exceptions](https://smartcopying.edu.au/guidelines/copyright-basics/copyright-exceptions/).

**TAFE Music Licence**

As of 1 January 2021, TAFEs in NSW, Qld, SA, ACT, Tas and NT can rely on the TAFE Music Licence with [APRA, AMCOS](https://smartcopying.edu.au/glossary/apra-amcos-australasian-performing-right-association-and-australasian-mechanical-copyright-owners-society/), [ARIA](https://smartcopying.edu.au/glossary/aria-australasian-recording-industry-association/) and [PPCA](https://smartcopying.edu.au/glossary/ppca-phonographic-performance-company-of-australia-limited/), which are the collecting societies that represent music composers and record labels.

TAFEs in WA are not covered by the TAFE Music Licence and will need to check what music licences are in place for their institute, or obtain individual licences from [OneMusic (APRA and PPCA)](https://onemusic.com.au/) (see further details on OneMusic Licences, below).

TAFEs in NSW, Qld, SA, ACT, Tas and NT can perform [musical works](https://smartcopying.edu.au/glossary/musical-works/) live (eg a live performance by a TAFE band) and use [sound recordings](https://smartcopying.edu.au/glossary/sound-recordings/) in different ways outside the classroom environment, under the TAFE Music Licence. For example, TAFEs can:

* perform/play a [musical work](https://smartcopying.edu.au/glossary/musical-works/) live at TAFE events (eg a TAFE band playing live at a TAFE Open Day)
* play a [sound recording](https://smartcopying.edu.au/glossary/sound-recordings/) at TAFE events (eg use recorded music in a TAFE fashion show)
* play a [sound recording](https://smartcopying.edu.au/glossary/sound-recordings/) as background music in TAFE businesses (eg TAFE training restaurants, fitness centres or cafes)
* play a [sound recording](https://smartcopying.edu.au/glossary/sound-recordings/) as background music in TAFE workplaces (eg staff rooms, TAFE offices)
* make a [sound recording](https://smartcopying.edu.au/glossary/sound-recordings/) to play at TAFE events (eg copy popular songs from a music streaming service to play at a TAFE graduation ceremony)
* incorporate a [sound recording](https://smartcopying.edu.au/glossary/sound-recordings/) into another work (eg adding music to a PowerPoint presentation)
* live stream TAFE events at which a [musical work](https://smartcopying.edu.au/glossary/musical-works/) is performed or [sound recording](https://smartcopying.edu.au/glossary/sound-recordings/) played from a social media platform (eg Facebook Live and YouTube). TAFEs can rely on the licences that APRA AMCOS and record labels have with social media platforms to communicate (ie make available) the stream on the platform. However it is still possible that the performance may be muted or blocked. This is addressed in more detail below.

Note – TAFEs in these jurisdictions can also use [Creative Commons](https://smartcopying.edu.au/what-is-creative-commons/) music for the purposes described above. See ‘Creative Commons Music’ below.

**Recording your TAFE event**

TAFEs can record their events that include the performance of a [musical work](https://smartcopying.edu.au/glossary/musical-works/) live or a [sound recording](https://smartcopying.edu.au/glossary/sound-recordings/). TAFEs can also authorise a third party (eg a professional videographer hired to film a TAFE fashion show or graduation ceremony) to make a recording of a TAFE event on its behalf, and use the recording in the ways listed below.

**What can I do with the recording of our TAFE event?**

TAFEs can do the following with the recording of their TAFE event(s):

* upload the recording to the TAFE website and/or [DTE](https://smartcopying.edu.au/glossary/digital-teaching-environment-dte/)
* upload the recording to educational apps being used for TAFE communications (eg Skillslocker)
* email a digital copy of the recording to the TAFE community (students and parents or guardians)
* provide a physical copy to the TAFE community (for example, on a USB device)
* upload the recording to the TAFE’s official social media page (although where a [musical work](https://smartcopying.edu.au/glossary/musical-works/) or [sound recording](https://smartcopying.edu.au/glossary/sound-recordings/) is played at the TAFE event the post may still be taken down – see ‘Blocking or muting of events on social media’ below).

**Using recorded music in videos or presentations**

TAFEs can incorporate a [sound recording](https://smartcopying.edu.au/glossary/sound-recordings/), or a recording of a performance of a musical work (ie a recording of a TAFE band performing a piece of music) into another unrelated work. For example, they can add a backing track to a PowerPoint presentation or to a video of a graduation ceremony or fashion show. The TAFE can do the following with this new recording:

* upload the recording to the TAFE website, password protected intranet or password protected [DTE](https://smartcopying.edu.au/glossary/digital-teaching-environment-dte/)
* email or provide a physical copy of the recording to students
* upload the recording to an educational app being used for TAFE communications (for example ‘SkillsLocker’).

Note, however, the TAFE **cannot** upload this work to social media.

**Live streaming your TAFE event**

TAFEs can live stream events, where a [musical work](https://smartcopying.edu.au/glossary/musical-works/) is performed live and/or a [sound recording](https://smartcopying.edu.au/glossary/sound-recordings/) is played, in real time from TAFE social media platforms (such as Facebook or YouTube). TAFEs can rely on the licences that APRA AMCOS and record labels have with social media platforms to communicate (ie make available) the stream on the platform.

If you are live streaming a performance where a [musical work](https://smartcopying.edu.au/glossary/musical-works/) or [sound recording](https://smartcopying.edu.au/glossary/sound-recordings/) is being played on social media, it is still possible that the performance may be taken down.

**Blocking or muting of events on social media**

TAFEs can rely on the TAFE music licences to upload recordings of their TAFE event (including events where a [sound recording](https://smartcopying.edu.au/glossary/sound-recordings/) is played) to the TAFE’s official social media platforms such as Facebook and YouTube. In order to communicate (ie make available) those recordings from those social media pages, TAFEs can rely on licences that [APRA AMCOS](https://smartcopying.edu.au/glossary/apra-amcos-australasian-performing-right-association-and-australasian-mechanical-copyright-owners-society/) and [ARIA](https://smartcopying.edu.au/glossary/aria-australasian-recording-industry-association/) have with social media platforms.

Music recording companies (ie record labels) and some music publishers use software to identify potentially infringing content on social media platforms such as Facebook.

When a TAFE institute live streams a performance where a [musical work](https://smartcopying.edu.au/glossary/musical-works/) or [sound recording](https://smartcopying.edu.au/glossary/sound-recordings/) is played, this software may alert Facebook or other social media platforms to mute the recording or send a takedown notice to the TAFE institute. If you are concerned about a live stream or recording being muted or your TAFE being issued with a takedown notice, contact the [National Copyright Unit](https://smartcopying.edu.au/contact-us/). Alternatively, you may want to consider uploading the recording to your TAFE website or password protected intranet.

**I want to use music at my TAFE in a way not described above, what should I do?**

If you want to use [musical works](https://smartcopying.edu.au/glossary/musical-works/) and or [sound recordings](https://smartcopying.edu.au/glossary/sound-recordings/) in a way that is not covered under your TAFE Music Licence or the educational exceptions, [contact the National Copyright Unit](https://smartcopying.edu.au/contact-us/) to discuss.

**OneMusic Licences**

**TAFEs in WA**

TAFEs in WA are not covered by the TAFE Music Licence. If TAFEs in this jurisdiction want to use music in ways not covered by the exceptions in the Copyright Act, they will need to obtain specific licences from OneMusic (APRA and PPCA) or directly from the copyright owner, or use music from other resources (such as alternative music licences, see below).

Some common activities you will need to obtain licences for:

* Fashion Shows, Open Days or Graduation Ceremonies
* TAFE businesses such as fitness centres, restaurants and hair salons
* TAFE corporate areas (eg staff rooms, reception areas)
* telephone on hold music.

It is a good idea for TAFEs to contact their [local copyright manager](https://smartcopying.edu.au/contact-us/) to see if their TAFE has OneMusic licences in place for these activities.

For more information about the licences you should obtain from OneMusic, see **Appendix A**‘OneMusic Licences’ below.

**Alternative music licences to those offered by OneMusic**

Some copyright owners offer an alternative and cheaper licence than those offered by [OneMusic](https://onemusic.com.au/). These licences are offered as a cheaper alternative since they do not deal with either or both of the music collecting societies that are part of [OneMusic (APRA AND PPCA).](https://onemusic.com.au/)

Set out below are examples of alternative licences to those offered by [OneMusic](https://onemusic.com.au/) that can be utilised by TAFE institutes, fitness centres, cafes and restaurants:

* [Audio Network](https://www.audionetwork.com/) – online store for direct licenced musical works/sound recordings
* [Visual Sounds](http://www.visualsounds.com.au/) – musical work/sound recording on hold, restaurants/cafes, fitness centres and background music
* [Music on Hold](https://musiconhold.com.au/) – musical work/sound recording on hold
* [AKM Music](http://www.akmmusic.co.uk/) – musical work/sound recording on hold
* [Pond5](https://www.pond5.com/royalty-free-music/?gclid=CKHvhvTS38ECFVNwvAodqFgAbg) – musical work/sound recording on hold
* [Bensound](https://www.bensound.com/royalty-free-music/) – musical work/sound recording on hold
* [Power Music](http://www.fitnessnetwork.com.au/power-music/) – fitness centre musical work/sound recording.

**Creative Commons Music**

TAFEs in **all jurisdictions** can use CC [musicals works](https://smartcopying.edu.au/glossary/musical-works/) and [sound recordings](https://smartcopying.edu.au/glossary/sound-recordings/) free of charge provided you comply with the terms of the CC licence. The minimum requirement of the CC licences is [attribution](https://smartcopying.edu.au/how-to-attribute-creative-commons-licensed-materials/) – that is, acknowledging the copyright owner and creator when you use a copy of their works.

Using music from Creative Commons is an options TAFE students could consider when they are using music in their TAFE assignments. For example, using music in their multimedia or sound engineering classes.

There are several websites that license [musical works](https://smartcopying.edu.au/glossary/musical-works/) and [sound recordings](https://smartcopying.edu.au/glossary/sound-recordings/) under a CC licence, including:

* [SoundCloud](https://soundcloud.com/search/sounds/?filter.license=to_share) – online sharing platform with option to filter search results for CC content
* [Vimeo](https://vimeo.com/creativecommons) – online community with option to search for CC content
* [CC Mixter](http://ccmixter.org/) – CC sound remix tool and archive
* [Op Sound](http://www.opsound.com/) – CC music archive
* [Magnatune](http://www.magnatune.com/) – CC Record label
* [Jamendo](http://www.jamendo.com/) – CC music distribution site
* [Freesound](http://freesound.org/browse) – collaborative data base of CC licensed sounds.

Always remember to attribute the musician, track and licence in whatever medium you are using the [musical works](https://smartcopying.edu.au/glossary/musical-works/) and [sound recordings](https://smartcopying.edu.au/glossary/sound-recordings/).

Note – if you are incorporating a [musical work](https://smartcopying.edu.au/glossary/musical-works/) and [sound recording](https://smartcopying.edu.au/glossary/sound-recordings/) into another work (eg you are synching music to video footage of your TAFE open day or other TAFE event) you will not be able to use a [musical work](https://smartcopying.edu.au/glossary/musical-works/) and/or [sound recording](https://smartcopying.edu.au/glossary/sound-recordings/) that is licenced under a CC ‘No Derivatives Works’ Licence ([CC BY ND](https://creativecommons.org/licenses/by-nd/4.0/)), which means that the musician does not want you to change, transform or make a derivative work using their [musical work](https://smartcopying.edu.au/glossary/musical-works/) or [sound recording](https://smartcopying.edu.au/glossary/sound-recordings/). Under CC licences, synching the [musical work](https://smartcopying.edu.au/glossary/musical-works/) and [sound recording](https://smartcopying.edu.au/glossary/sound-recordings/) to images amounts to transforming the [musical work](https://smartcopying.edu.au/glossary/musical-works/) and [sound recording](https://smartcopying.edu.au/glossary/sound-recordings/), so you won’t be able to use any [musical works](https://smartcopying.edu.au/glossary/musical-works/) or [sound recordings](https://smartcopying.edu.au/glossary/sound-recordings/) available under this particular CC licence.

See ‘[Legal Music for Videos’](https://creativecommons.org/about/program-areas/arts-culture/arts-culture-resources/legalmusicforvideos/) on the CCs website for more information.

**Appendix A – OneMusic Licences**

Below are the OneMusic licences for TAFE institutes that have not opted in to the TAFE Music Licence. [OneMusic](https://onemusic.com.au/about/) is the platform used by [APRA AMCOS](https://smartcopying.edu.au/glossary/apra-amcos-australasian-performing-right-association-and-australasian-mechanical-copyright-owners-society/) to licence musical works, sound recordings and music videos.

TAFEs in WA and the NT will need to obtain licences from [OneMusic](https://onemusic.com.au/about/) for the playing of music and sound recordings where it is not covered by copyright exceptions. Some of the common activities/events where TAFEs will need a licence from OneMusic include:

* TAFE Fashion Shows, Open Days or Graduation Ceremonies
* TAFE businesses such as fitness centres, restaurants and hair salons
* TAFE corporate areas (eg staff rooms, reception areas)
* telephone on hold music.

Please see a summary of the different licence fees below, however refer to the [OneMusic website](https://onemusic.com.au/licences/) for the most up to date licence fees and to [apply for the licences](https://onemusic.com.au/licences/) you need.

If you have any questions [contact](https://smartcopying.edu.au/contact-us/) the National Copyright Unit for assistance.

[**Event Licences**](https://onemusic.com.au/licences/events)

**a. Event Promoters and Ticketed Music Events**

|  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **APRA Works**  **GCPM – Event Promoters** | **PLUS IF REQUIRED** | **PPCA licensed sound recordings**  **Tariff E4: Music Events and Festivals** | | | | | | |
| 2.2% of Gross Sums Paid for Admission with a $82.50 minimum fee |  | | **Average Ticket $ (per person, per event based on attendee numbers)** | | | | |
|  | **Category** | **<$50** | **$50 – >$70** | **$70 – <$100** | **$100 – <$130** | **$130+** |
| Where the performance area includes [sound recordings](https://smartcopying.edu.au/glossary/sound-recordings/) **during** live artist performances | **E4A** – Between >0 and <25% of the total performance time includes artists using sound recordings | $0.34 | $0.43 | $0.54 | $0.64 | $0.86 |
| **E4B** – Between 25% and <70% of the total performance time includes artists using sound recordings | $0.64 | $0.86 | $1.09 | $1.28 | $1.72 |
| **E4C** – Between 70% and <90% of the total performance time includes artists using sound recordings | $1.02 | $1.32 | $1.68 | $1.99 | $2.67 |
| **E4D** – More than 90% of the total performance time includes artists using [sound recordings](https://smartcopying.edu.au/glossary/sound-recordings/) | $1.48 | $1.96 | $2.44 | $2.94 | $3.92 |
| **OR** | | | | | | |
| Where the stage/performance area **ONLY** includes recorded music played remotely (not through a DJ or other performer who is visible) and is less than 20 minutes in duration between each act – E4I | | $0.26 per person, per event based on attendee numbers | | | | |
| **OR** | | | | | | |
| Where the music event is solely for participants **under 18** and are **not-for-profit** or community music events –**E4U** | | $0.26 per person, per event based on attendee numbers | | | | |

*Note: If an event is promoted by a company with an APRA National Event Promoter license, the APRA Works will continue to be licensed under that licence. A separate PPCA licence will be required under the rates above if PPCA Licensed Sound Recordings are used during the event.*

**b. Music Festivals**

|  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **APRA Works**  **GCLF – Eligible Outdoor Festival Licence** | **PLUS IF REQUIRED** | **PPCA licensed sound recordings**  **Tariff E4: Music Events and Festivals** | | | | | | |
| 1.65% of Gross Sums Paid for Admission with a $82.50 minimum fee |  | | **Average Ticket $ (per person, per event based on attendee numbers)** | | | | |
|  | **Category** | **<$50** | **$50 – >$70** | **$70 – <$100** | **$100 – <$130** | **$130+** |
| Where the performance area includes [sound recordings](https://smartcopying.edu.au/glossary/sound-recordings/) during live artist performances | **E4A** – Between >0 and <25% of the total performance time includes artists using sound recordings | $0.34 | $0.43 | $0.54 | $0.64 | $0.86 |
| **E4B** – Between 25% and <70% of the total performance time includes artists using sound recordings | $0.64 | $0.86 | $1.09 | $1.28 | $1.72 |
| **E4C**– Between 70% and <90% of the total performance time includes artists using sound recordings | $1.02 | $1.32 | $1.68 | $1.99 | $2.67 |
| **E4D** – More than 90% of the total performance time includes artists using [sound recordings](https://smartcopying.edu.au/glossary/sound-recordings/) | $1.48 | $1.96 | $2.44 | $2.94 | $3.92 |
| **OR** | | | | | | |
| Where the stage/performance area **ONLY**includes recorded music played remotely (not through a DJ or other performer who is visible) and is less than 20 minutes in duration **between** each act –**E4I** | | $0.26 per person, per event based on attendee numbers | | | | |
| **OR** | | | | | | |
| Where the music event is solely for participants **under 18**and are **not-for-profit**or community music events – **E4U** | | $0.26 per person, per event based on attendee numbers | | | | |

**What do the terms in tables 1 and 2 mean?**

**Gross Sums Paid for Admission** means the total amount paid for admission to the Event, Ticketed Music Event or Festival, excluding third party booking fees, third party credit charges and government taxes, duties and charges.

**Attendance** means all attendees at the event regardless of whether an entry fee is paid. Where licence fees calculated under Tariff E4: Music Events and Festivals are based on the estimated attendance for an event, you must notify OneMusic in writing of the actual attendance within 10 days of the event. If the actual attendance is higher or lower than your estimated attendance, OneMusic may adjust your licence fees accordingly.

**c) Free Events (music performances with no admission fee)**

|  |  |  |  |
| --- | --- | --- | --- |
| **APRA Works**  **GCLN – Music Performances with no admission fee** | **PLUS IF REQUIRED** | **PPCA licensed sound recordings**  **Tariff B: Events & Festivals** | |
| When [sound recordings](https://smartcopying.edu.au/glossary/sound-recordings/) are used as background entertainment at the event | $0.1895 per person, per event, per day based on estimated attendance, with a $66.38 minimum fee |
| 2.2% of gross expenditure on Music Performers, with a minimum fee of $82.50 | When [sound recordings](https://smartcopying.edu.au/glossary/sound-recordings/) are used as featured musical entertainment at the event | $0.2722 per person, per event, per day based on estimated attendance, with a $66.38 minimum fee |

**d) Special Purpose Featured Music Event**

Events where music featured but not the primary focus (e. comedy or fashion shows)

|  |  |  |  |
| --- | --- | --- | --- |
| **APRA Works**  **GCSF –Special Purpose (Featured Music)** | **PLUS IF REQUIRED** | **PPCA licensed sound recordings**  **Tariff B: Events & Festivals** | |
| When [sound recordings](https://smartcopying.edu.au/glossary/sound-recordings/) are used as background entertainment at the event | $0.1895 per person, per event, per day based on estimated attendance, with a $66.38 minimum fee |
| 2.2% of gross box office receipts pro-rated by the Music Use Percentage over the event’s duration and with a minimum fee of $82.50 | When [sound recordings](https://smartcopying.edu.au/glossary/sound-recordings/) are used as featured musical entertainment at the event | $0.2722 per person, per event, per day based on estimated attendance, with a $66.38 minimum fee |

**e) Catered Entertainment Events**

|  |  |  |  |
| --- | --- | --- | --- |
| **APRA Works**  **GCCA – Catered Entertainment** | **PLUS IF REQUIRED** | **PPCA licensed sound recordings**  **Tariff B: Events & Festivals** | |
| When sound recordings are used as background entertainment at the event | $0.1895 per person, per event, per day based on estimated attendance, with a $66.38 minimum fee |
| 2.2% of Gross Sums Paid for Admissions less a deduction for Food and Drink Expenses (capped at 40% of Gross Sums Paid for Admissions)  Rate is subject to a minimum fee of $82.50 | When sound recordings are used as featured musical entertainment at the event | $0.2722 per person, per event, per day based on estimated attendance, with a $66.38 minimum fee |

**f) Dance and Dance Parties**

|  |  |  |  |
| --- | --- | --- | --- |
| **APRA Works**  **GCPM – Event Promoters** | **PLUS IF REQUIRED** | **PPCA licensed sound recordings**  **Tariff E2: Dances and Dance Parties** | |
| 2.2% of Gross Sums Paid For Admission, with a $82.50 minimum fee | Where [sound recordings](https://smartcopying.edu.au/glossary/sound-recordings/) are performed as the primary form of entertainment for dancing | $3.92 per person, per event based on the number of attendees |

**g) Casual Public Performances and Other Events**

This covers performance of our music that sits outside any event types described above.

|  |  |  |  |
| --- | --- | --- | --- |
| **APRA Works**  **GNPL/GNPM- Casual Public Performances** | **PLUS IF REQUIRED** | **PPCA licensed sound recordings**  **Tariff B: Events & Festivals** | |
| When sound recordings are used as background entertainment at the event | $0.1895 per person, per event, per day based on estimated attendance, with a $66.38 minimum fee |
| Fees start from $82.50, based on music use and event size | When sound recordings are used as featured musical entertainment at the event | $0.2722 per person, per event, per day based on estimated attendance, with a $66.38 minimum fee |

**h) Music Videos**

If our music video used at your event and there are no OneMusic venue licence/s in place that would cover the use if those music videos, a PPCA Music Video licence is required, a PPCA Music Video licence is required, regardless of the category of event.

|  |  |  |  |
| --- | --- | --- | --- |
| **APRA Works** | **PLUS IF REQUIRED** | **PPCA licensed sound recordings**  **PPCA Tariff W: Music Videos (General)** | |
| Included in the relevant APRA Event Licence scheme that applies to the event (see tables above) | Small – Screen Size of less than 76cm | Fees start from $78.24 per screen per day and capped at $742.01 annually per screen, $1,113.26 for two small screens in the same area and $184.840 for each small screen (in the same area) after that |
| Large Screen – Screen Size between 76cm and 250cm | Fees start from $156.61 per screen per day and capped at $1,484.75 annually per single large screen (76cm-250cm), $2,227.74 for two large screens in the same area and $370.64 for each large screen (in the same area) after that |
| Extra Large Screen – Screen Size over 250cm | Fees start from $313.71 per screen between 250cm and 500cm and capped at $3,143.57 annually per screen  Fees start from $713.99 per screen over 500cm and capped at $7,859.32 annually per screen  Price on application for the use of multiple Extra Large Screens |

[**Childcare**](https://onemusic.com.au/licences/childcare-early-learning-services/)

|  |  |  |
| --- | --- | --- |
| **Music for Childcare** | **Annual Rates\*** | |
| * Playing of APRA Works and PPCA Sound Recordings as Background Music at Your Childcare Facility * Performing APRA Works and PPCA Sound Recordings live in Childcare Facility Performances at Your Childcare Facility * Playing of APRA Works and PPCA Sound Recordings for Music in the Workplace and Telephone on Hold at Your Childcare Facility * Use of AMCOS Works and ARIA Sound Recordings to make audio-visual recordings of Childcare Facility Performances * The sending of audio-visual recordings of Childcare Facility Performances via email and over password-protected intranet systems at Your Childcare Facility for personal and non-commercial use by the end user * Digital Copy/Delivery for the above uses   **Literacy Works**   * The use of a Reasonable Portion of Copyright Agency Works | **Long Day Childcare Facility** | $3.37  Per Licensed Place at Your Long Day Childcare Facility |
| **Vacation Childcare Facility** | $2.02  Per Licensed Place at Your Vacation Childcare Facility |
| **Restricted Hours Childcare Facility** | $2.02  Per Licensed Place at Your Restricted Hours Childcare Facility |

[**Workplace Music**](https://onemusic.com.au/licences/workplace-music-and-telephone-on-hold-music/)

|  |
| --- |
| **$2.04 per year for each FTE Employee** |
| Subject to a Minimum Annual Fee of $223.96  Includes:   * Any number of devices for Workplace Music * Digital Copy/Delivery for the purposes of playing Workplace Music |
| If applicable, Partial Rights Deduction minus 48.25% of total amount |
| Website Use $559.90 per year |

[**Telephone on Hold**](https://onemusic.com.au/licences/workplace-music-and-telephone-on-hold-music/)

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
|  | **Telephone on Hold (Communication only)** | | **Telephone on Hold (Communication and Reproduction)** | |  |
| **Caller Capacity** | **Single Location (for 1 Location)** | **Multiple Locations (per Business)** | **Single Location (for 1 Location)** | **Multiple Locations (per Business)** | **Partial Rights Deduction** |
| 1 – 2 | $244.32 | $325.76 | $305.40 | $407.20 | If applicable, Partial Rights Deduction minus 48.25% of total relevant amount |
| 3 – 5 | $320.67 | $468.28 | $397.02 | $585.35 |
| 6 – 10 | $478.46 | $722.78 | $600.62 | $906.02 |
| 11 – 25 | $794.04 | $1,201.24 | $992.55 | $1,501.55 |
| 26 – 50 | $1,506.64 | $2,382.12 | $1,883.30 | $2,972.56 |
| 51 – 100 | $2,392.30 | $4,241.52 | $3,090.65 | $5,059.46 |
| 101 – 200 | $4,784.60 | $8,754.80 | $5,741.52 | $10,505.76 |
| 201 – 300 | $8,144.00 | $15,270.00 | $9,772,80 | $18,324.00 |
| 301 – 400 | $10,505.76 | $20,360.00 | $12,602.84 | $24,432.00 |
| 401 plus\* | $18.32  per additional line | $30.54  per additional line | $22.40  per additional line | $36.65  per additional line |

[**Functions, Conventions and Conference Centres**](https://onemusic.com.au/licences/functions/)

Annual Flat Rate

|  |  |  |
| --- | --- | --- |
| **Annual Flat Rate = the relevant Annual Rate x each 100 persons (or part thereof) of the Location Capacity (up to the Maximum Annual Licence Fee)** | | |
| **Period** | **Annual Rate per 100 persons (or part thereof)** | **Maximum Annual Licence Fee** |
| 1 July 2019 – 31 August 2020 | $728 | $18,200 |
| 1 September 2020 – 31 August 2021 | $936 | $23,400 |
| 1 September 2021 – 31 August 2022 | $1,144 | $28,600 |
| 1 September 2022 – 31 August 2023 | $1,352 | $33,800 |

Day Rate

|  |  |  |
| --- | --- | --- |
| **Day Rate x each 100 persons (or part thereof) of the relevant Function Area Capacity for each day of operation when Music for Functions and Events is being used in that area, subject to the relevant Minimum Annual Fee** | | |
| **Period** | **Day Rate per 100 persons (or part thereof)** | **Minimum Annual Fee** |
| 1 July 2019 – 31 August 2020 | $7 | $65 |
| 1 September 2020 – 31 August 2021 | $9 | $71.50 |
| 1 September 2021 – 31 August 2022 | $11 | $78 |
| 1 September 2022 – 31 August 2023 | $13 | $84.50 |

[**Fitness Centre and Fitness and Wellbeing Instructors**](https://onemusic.com.au/licences/fitness-exercise-wellbeing/)

**a) All Inclusive – bundled offer**

|  |
| --- |
| **$35.83 per Member per year** |
| Subject to a Minimum Annual Fee of **$380.73**  Includes:   * Any number of **devices** for **Background Music** * Any number of **Music Videos** * Any number of devices and any number of **Fitness Classes** using Music in Classes * **Digital Copy/Delivery** for up to 2,000 tracks * Any number of lines for **Telephone on Hold** music |
| Plus **Website Use $559.90**  Plus **Background Music for Dining** |

**b) Background Music**

|  |
| --- |
| **$1.37 per Member per annum** |
| Subject to a Minimum Annual Fee of **$223.96**  Includes:   * Any number of **devices** for **Background Music** * Any number of **Music Videos** |
| If applicable, a Partial Rights deduction of 48.25% applies to the total amount. |
| **Add ons** |
| **Additional music use** |
| Website Use **$559.90**  Digital Copy/Delivery **$407.20**  Telephone on Hold on 1 or 2 lines **$244.32** (If applicable, Partial Rights Deduction minus 48.25% of total relevant amount) |

**c) Music in Classes**

|  |  |  |
| --- | --- | --- |
| **Option A** |  | **Option B** |
| **$5.51**  Per Fitness Class for all classes per annum | **OR** | **$7.75**  for each Fitness Class with more than 10  participants per year |
| **PLUS** |
| **$3.33**  for each Fitness Class with 10 or fewer  participants per year |
| Includes:  Any number of devices for Music in Classes | | |
| 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. | | |
| **Add ons** | | |
| **Additional music use** | | |
| Website Use $559.90  Digital Copy/Delivery $407.20  Telephone on Hold on 1/2 lines $244.32 (If applicable, Partial Rights Deduction minus 48.25% of total relevant amount) | | |

**d) Background Music for Dining (if different music is played in dining areas)**

How much does it cost per year?

If you are playing different background music in your Dining Area, you will need to add a separate Background Music for Dining package.

|  |  |  |
| --- | --- | --- |
| **Gold** | **Silver** | **Bronze** |
| Unrestricted number of devices playing our music from:   1. an online stream or a music download via a personal digital music service or other online source; 2. a “commercial background music supplier”; 3. a commercial recorded music format, such as CD or vinyl record; 4. an internet TV/radio or VOD service; and/or 5. a terrestrial or digital broadcast through TV and/or radio. | Unrestricted number of devices playing our music from:   1. a “commercial background music supplier”; 2. a commercial recorded music format, such as CD or vinyl record; 3. an internet TV/radio service; and/or 4. a terrestrial or digital broadcast through TV and/or radio. | Unrestricted number of devices playing our music only from a terrestrial or digital broadcast through TV and/or radio. |

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Period** | **Dining Area Capacity (Seating)** | **Gold** | **Silver** | **Bronze** |
| 1 September 2020 – 31 August 2021 \* | 7 – 15 | $790 | $340 | $173 |
| 16 – 30 | $1,070 | $620 | $219 |
| 31 – 50 | $1,520 | $1,070 | $380 |
| 51 – 100 | $1,580 | $1,130 | $403 |
| 101+ | $1,635 | $1,185 | $420 |

\*If applicable, Partial Rights Deduction minus 48.25% of the total amount

[**Dining**](https://onemusic.com.au/licences/dining/)

There are 3 different package options:

Background Music for Dining covers our music from radios, CD players, smartphones, tablets, TV screens and other devices that is played in your Dining Area. By Background Music we mean our music when it is not used as a prominent feature of the entertainment you provide at your business.

|  |  |  |
| --- | --- | --- |
| **Gold** | **Silver** | **Bronze** |
| Unrestricted number of devices playing our music from:   1. an online stream or a music download via a personal digital music service or other online source; 2. a “commercial background music supplier”; 3. a commercial recorded music format, such as CD or vinyl record; 4. an internet TV/radio or VOD service; and/or 5. a terrestrial or digital broadcast through TV and/or radio. | Unrestricted number of devices playing our music from:   1. a “commercial background music supplier”; 2. a commercial recorded music format, such as CD or vinyl record; 3. an internet TV/radio service; and/or 4. a terrestrial or digital broadcast through TV and/or radio. | Unrestricted number of devices playing our music only from a terrestrial or digital broadcast through TV and/or radio. |

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **Background Music for Dining** | | | | | |
| **Period** | **Dining Area Capacity (Seating)** | **Package\*** | | | **Partial Rights Deduction** |
| **Gold** | **Silver** | **Bronze** |
| **1 July 2019 –**  **31 August 2020** | 7 – 15 | $700 | $300 | $150 | If applicable, Partial Rights Deduction minus up to 65% of total relevant amount\*\* |
| 16 – 30 | $950 | $550 | $190 |
| 31 – 50 | $1,350 | $950 | $330 |
| 51 – 100 | $1,400 | $1,000 | $350 |
| 101+ | $1,450 | $1,050 | $365 |
| **1 September 2020 –**  **31 August 2021** | 7 – 15 | $790 | $340 | $173 | If applicable, Partial Rights Deduction minus 48.25% of total relevant amount |
| 16 – 30 | $1,070 | $620 | $219 |
| 31 – 50 | $1,520 | $1,070 | $380 |
| 51 – 100 | $1,580 | $1,130 | $403 |
| 101+ | $1,635 | $1,185 | $420 |
| **1 September 2021 –**  **31 August 2022** | 7 – 15 | $835 | $355 | $210 |
| 16 – 30 | $1,130 | $655 | $266 |
| 31 – 50 | $1,605 | $1,130 | $462 |
| 51 – 100 | $1,665 | $1,190 | $490 |
| 101+ | $1,725 | $1,255 | $511 |
| **1 September 2022 –**  **31 August 2023** | 7 – 15 | $870 | $375 | $225 |
| 16 – 30 | $1,180 | $685 | $285 |
| 31 – 50 | $1,680 | $1,180 | $490 |
| 51 – 100 | $1,735 | $1,240 | $515 |
| 101+ | $1,800 | $1,305 | $540 |

The rates above (which are annual fees inclusive of GST at 10%) may be deducted depending on your  
circumstances.

* A deduction of 48.25% applies to licences and renewals commencing 1 September 2020 to 31 August 2021, if your business does not use PPCA Sound Recordings at all or has an alternative licence (e.g.directly with a record label) covering the use of all PPCA Sound recordings played in your restaurant.
* A deduction of 48.25% applies to licences and renewals commencing 1 September 2020 to 31 August 2021, if your business does not use APRA Works and AMCOS Works at all or has an alternative licence for those Works.
* In cases where your restaurant is open fewer than 150 days a year, a 50% deduction will be applied on the relevant Background Music for Dining package rate.  
  You may be eligible for multiple deductions.

**Add Ons**

|  |  |  |
| --- | --- | --- |
| **Featured Music** – Does not include performances where there is an Entry Fee or where Gross Expenditure on Live Artist Performers for that performance is greater than $4,000 | **Dining Area Capacity** | **Rate** |
| **7 – 100** | $12.22 per day |
| **101 plus** | $24.43 per day |

|  |
| --- |
| Website Use $559.90 |

Please check which package is the best option based on music data.

[**Background Music for Retail**](https://onemusic.com.au/licences/retail-and-service-providers/)

Please check which of the following packages (Gold, Silver, Silver Lite or Bronze) is best suited based on music usage.

**Gold**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Gold\*** | **Retail Area (m2)** | **1 July 2019 –**  **31 August 2020** | **1 September 2020 –**  **30 August 2021** | **1 September 2021 –**  **31 August 2022** |
| Unrestricted number of devices playing our music from:   1. an online stream or a music download via a personal digital music service or other online source 2. a “commercial background music supplier” 3. a commercial recorded music format, such as CD or vinyl record 4. an internet TV/radio or VOD service and/ or 5. a terrestrial or digital broadcast through TV and/or radio. 6. Digital Copy /Delivery for 2,000 tracks | 1 – 50 | $476 | $517.44 | $560 |
| 51 – 150 | $552.50 | $600.60 | $650 |
| 151 – 500 | $658.75 | $716.10 | $775 |
| 501 – 1,000 | $977.50 | $1,062.60 | $1,150 |
| 1,001 – 2,000 | $1,190 | $1,293.60 | $1,400 |
| 2,001 – 5,000 | $1,827.50 | $1,986.60 | $2,150 |
| 5,001 – 7,500 | $2,252.50 | $2,448.60 | $2,650 |
| 7,501 – 10,000 | $2,465 | $2,679.60 | $2,900 |
| 10,001 – 15,000 | $2,890 | $3,141.60 | $3,400 |
| 15,001 – 20,000 | $3,315 | $3,603.60 | $3,900 |
| 20,001 plus | $4,590 | $4,989.60 | $5,400 |

**Silver**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Silver\*** | **Retail Area (m2)** | **1 July 2019 –**  **31 August 2020** | **1 September 2020 –**  **30 August 2021** | **1 September 2021 –**  **31 August 2022** |
| Unrestricted number of devices playing our music from:   1. a “commercial background music supplier” 2. a commercial recorded music format, such as CD or vinyl record 3. an internet TV/radio service; and/or 4. a terrestrial or digital broadcast through TV and/or radio. | 1 – 50 | $136 | $147.84 | $160 |
| 51 – 150 | $212.50 | $231.00 | $250 |
| 151 – 500 | $318.75 | $346.50 | $375 |
| 501 – 1,000 | $637.50 | $693 | $750 |
| 1,001 – 2,000 | $850 | $924 | $1,000 |
| 2,001 – 5,000 | $1,487.50 | $1,617 | $1,750 |
| 5,001 – 7,500 | $1,912.50 | $2,079 | $2,250 |
| 7,501 – 10,000 | $2,125 | $2,310 | $2,500 |
| 10,001 – 15,000 | $2,550 | $2,772 | $3,000 |
| 15,001 – 20,000 | $2,975 | $3,234 | $3,500 |
| 20,001 plus | $4,250 | $4,620 | $5,000 |

\*If applicable, Partial Rights Deduction minus 48.25% of the total amount, minimum fee $85

**Silver Lite**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Silver Lite** | **Retail Area (m2)** | **1 July 2019 –**  **31 August 2020** | **1 September 2020 –**  **31 August 2021** | **1 September 2021 –**  **31 August 2022** |
| A single device playing our music from:   1. a “commercial background music supplier” 2. a commercial recorded music format, such as CD or vinyl record 3. an internet TV/radio service | 1 – 50 | $127.50 | $138.75 | $150 |
| 51 – 150 | $175 | $190 | $205 |
| 151 – 500 | $212.50 | $231.25 | $250 |
| 501 – 1,000 | $425 | $462.50 | $500 |
| 1,001 – 2,000 | $552.50 | $601.25 | $650 |
| 2,001 – 5,000 | $807.50 | $878.75 | $950 |
| 5,001 plus | $1,062.50 | $1,156.25 | $1,250 |

**Bronze**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Bronze** | **Retail Area (m2)** | **1 July 2019 –**  **31 August 2020** | **1 September 2020 –**  **30 August 2021** | **1 September 2021 –**  **31 August 2022** |
| Unrestricted number of devices playing our music only from a terrestrial or digital broadcast through TV and/or radio | **1 – 50** | $85 | $86.53 | Plus CPI |
| **51 – 150** | $90 | $91.62 | Plus CPI |
| **151 – 500** | $95 | $96.71 | Plus CPI |
| **501 – 1,000** | $135 | $137.43 | Plus CPI |
| **1,001 – 2,000** | $200 | $203.60 | Plus CPI |
| **2,001 – 5,000** | $375 | $381.75 | Plus CPI |
| **5,001 plus** | $500 | $509.00 | Plus CPI |