

COMMUNITY HALLS

Licensing Enquiries 1300 162 162 hello@onemusic.com.au onemusic.com.au June 2019

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Missy Higgins

The Community Halls licence scheme is designed for those who operate community halls **not owned by the local Council** to cover the use of music at that hall. This may be a church hall, a scout/guide hall, a school of arts hall or any other type of community hall. Music commonly used at halls is covered in this scheme with only a few exceptions. Halls owned by a local Council are licensed under the Councils scheme (onemusic.com.au/councils)

Why do I need a OneMusic licence?

1 Shows your organisation respects and supports songwriters and recording artists, our cultural creators.

2 Permission. If you use or permit the use of copyright music within your hall, 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 allowing music to be played at your hall as you are more likely to have a steady stream of bookings due to the music use permission you have. Keep patrons entertained, engaged and create 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 PPCA (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.

Where does the money go?

OneMusic distributes the fees it collects to APRA AMCOS and PPCA, 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 which are representative of real-time music use).

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

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.

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.

Under the Community Halls licence scheme there are two types of cover. Background Music for Community Halls and Premium Live Performances. You may require both types of cover for the same day. Details are provided below.

1. Music for Community Halls

Music for Community Halls covers you for all **Background Music** used by you or someone who has hired your hall plus performances by Live Artist Performers subject to a few limitations below (additional cover is required for Premium Live Performances).

How much does it cost per year?

The Music for Community Halls fees are based on a Day Rate x each 100 persons of the **Community Hall Capacity** for each day of operation, subject to a Minimum Annual Fee of \$50.

Period	Day Rate/ 100 persons (or part thereof)
1 July 2019 – 30 June 2020	\$7
1 July 2020 – 30 June 2021	\$8
1 July 2021 – 30 June 2022	\$9
1 July 2022 – 30 June 2023	\$10

What do the terms in the table above mean?

By **Background Music** we mean music from any number of 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 your Community Hall or event.

A **Live Artist Performer** is any performer participating in the performance of music including featured and back up singers, musicians, DJs, electronic music artists, dancers etc as long as the Gross Expenditure on Live Artist Performers is \$4,000 or less.

By **Gross Expenditure on Live Artist Performers** 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.

As the licence is based on your **Community Hall Capacity** (in units of 100) it is important to know that by 'Capacity' we mean the maximum number of people that are permitted into your Community Hall. You may want to check with your Local Government Area Planning Department on what figure was originally approved.

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.

Premium Live Performances attract additional cover, please see below.

Some music uses the Music for Community Halls fee and Premium Live Performances does not cover

A community hall that is primarily used as a **music venue** will not be licensed under this Community Halls licence scheme but under the Hotels, Pubs, Taverns, Bars & Casinos licence scheme onemusic.com.au/licences/hotels.

If you are running **exercise and fitness classes** using music, you would not be licensed under the Community Halls licence scheme but would need to be licensed under the [Fitness, Exercise and Wellbeing Providers and Instructors](#) licence scheme.

If your community hall event is a **dance class**, a concert or a recital run by a Dance and Performance School (or Instructor) you would not be licensed under the Community Halls licence scheme but would need to be licensed separately as a [Dance School](#).

If your community hall is being used as a **nightclub** you would not be licensed for that use under the Community Halls licence scheme but would need to be licensed under the [Recorded Music for Dance Use](#) licence scheme. Recorded Music for Dance Use means the use of recorded music for the purpose of dancing.

If your event is a **dance party** you would not be licensed under the Community Halls licence scheme but would need to be licensed separately under an [Event](#) licence.

Events held in your hall by a [National Event Promoter](#) would not be covered under the **Music for Community Halls** scheme but licensed separately, including directly by the National Event Promoter. A list of these promoters are provided [here](#). Please note that based on our experience it would be very rare for this to occur.

The use of music in a **Dramatic Context** would not be licensed under the Community Halls licence scheme but would need to be licensed under the [Dramatic Context](#) scheme. Dramatic Context means the musical piece is in conjunction with a presentation on the live stage that has a *storyline* and *one or more narrators or characters* or as a *ballet*.

What would be considered a Dramatic Context show? If your community hall hosts a group playing the songs of a band they admire, including dressing in the style of the original band members and they introduce the songs with ad-lib in between those songs, this would not be considered Dramatic Context. However, if a storyline and a narrator/character *were added*, the show would be classified as Dramatic Context.

2. Premium Live Performances

As a community hall, if you want to host Premium Live Performances you can. A Live Performance is considered *Premium* when the Gross Expenditure on Live Artist Performers for a single event is more than \$4,000.

How much does it cost?

The cost of having Premium Live Performances in your community hall is based on the relevant Day Rate in the table below. Your Community Hall Capacity will determine what the rate will be for each day that a Premium Live Performance occurs in your community hall.

Background music played on days where the community hall is being used for a Premium Live Performance must also be declared as a day of operation under the Music for Community Hall fee.

Community Hall Capacity	Day Rate
1 – 100	\$12
101 - 200	\$24
201 - 400	\$48
401 - 600	\$72
601 - 800	\$96
801 – 1,000	\$120
1,001 plus	\$180

What do the terms in the table above mean?

For an explanation of on **Community Hall Capacity** please see Music for Community Halls, above.

For an explanation of **Gross Expenditure on Live Artist Performers**, see Music for Community Halls above.

For an explanation of a **Live Artist Performer** see Music for Community Halls above.

It is important to note that where you host an event in your Community Hall 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.

Some music uses Premium Live Performances does not cover

As with Music for Community Halls cover, music in a **Dramatic Context** is not covered.

As with Music for Community Halls, events held in your hall by a [National Event Promoter](#) are not covered under **Premium Live Performances** but licensed separately, including directly by the National Event Promoter.

What **cover** do I need and how do I **report**?

Firstly, you need to find out the maximum capacity you are authorised to hold in all the spaces you 'hire out' or use for events and functions within your community hall.

Secondly, review your expenditure on Live Artist Performers at each event you (or third parties using the community hall) plan to host this year. Are any events by Live Artist Performers over the \$4,000 Gross Expenditure on Live Artist Performers threshold? Skip to the Premium Live Performances rates table to check the day rate (depending on the size of your community hall).

Even though Premium Live Performances are on a separate rates table, make sure you still count any days you host *Premium Live Performances* in your overall calculation of the days music is used, not just the days general background music is played and (non-premium) performances by Live Artist Performers are held.

If you have a community hall with capacity for 700, made up of one large room of 640 person capacity and one small room of 60 person capacity and you use the smaller room for your Premium Live Performance event (and there is no other music being used), we will accept the smaller room capacity for that event. You would need to advise us in your reporting.

If you're unsure, feel free to contact us on 1300 162 162. We're here to ensure you only have to pay for the cover you need.

You will need to declare your music use either online through our eCommerce portal or in a licence agreement. It's important that your declaration is truthful and accurate.

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, and phase-in rates, OneMusic will not increase or change licence fees in this scheme 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 July of each year in accordance with clause 4.3 of the Terms and Conditions unless there are phase-in rates.

Payments

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.

Do I have to go through **OneMusic** to play music at my Hall?

If you want to use music or authorise the use of music at your community hall, you must have permission and generally pay a licence fee. A small percentage of organisations do not wish to have music playing and of course, no licence is required. If you want access to the largest possible music collection, the OneMusic licence provides the easiest and most cost effective way to access the world's repertoire of music. If you are happier with less choice there are other options, which may include direct licensing arrangements with copyright owners or solely using music or permitting the use of outside the OneMusic repertoire.

If you make a direct arrangement for the use of music, contact OneMusic Australia so we can adjust your licence fee.

Comments

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

Disputes

If you have been fully licensed 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**

Kopps Harbour District Hall



Operates (with music use) a full 104 days a year - no National Event Promoter events.

One hireable room has an official capacity of 170 (which equals 2 units of 100).

Licence fees for Music for Community Halls \$7 a day x 104 days a year x 2 units of 100 = \$1,456 per year.

Shireton Community Hall



Operates (with music use in both its rooms) a full 204 days a year including four National Event Promoter events.

One room has an official capacity of 120 (which equals 2 units of 100).

A second room has an official capacity of 45 (which equals 1 unit of 100).

Licence fees for Music for Community Halls \$7 a day x 204 days a year x 3 units of 100 = \$4,284.

In addition, \$5,500 is paid per performance to a string quartet in a Premium Live Performance 3 nights a year, all held in the 120 capacity room (under the 101-200 rate) \$24 x 3 = \$72.

No licence fee is payable by Shireton Community Hall for the four National Event Promoter (NEP) events because the NEP is separately licensed by OneMusic.

Total licence fees are \$4,356 per year.

Port Kiri Club Hall



Operates with music use in summer and opens two days a week throughout the season.

No Live Artist Performers, background music only.

Licence fee for Music for Community Halls \$7 a day for two days a week for 12 weeks (24 days) = \$168.00 per year.

** Rates for Music for Community Halls are phased-in to the full rate over four years.

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.