

DINING

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

Does your dining space have 6 seats or less?
Sign up here instead

SIGN UP NOW

Georgia Mooney

The Dining licence scheme is designed for our music used in restaurants, cafés, bistros – essentially any commercial enterprise preparing meals and hot drinks such as tea and coffee, consumed onsite or off-site. This could be a counter-service fast food franchise or a full table service restaurant.

For our music used dining spaces inside a hotel, club, motel, B&B, guest house, resort, casino, retail shop and other multi-function venues please refer to your industry specific licence scheme.

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 music that is protected by copyright within your restaurant, 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 dining patrons 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.

Some industry Associations hosting OneMusic information

Restaurant & Catering Association (www.rca.asn.au)

Foodies have an insatiable appetite for music



15% More desserts ordered ⁽¹⁾



24% Longer in your venue (slow tempo music) ⁽²⁾



36% Increase in referrals to your business when good music is playing ⁽³⁾



89% People notice when you visibly promote your music licence ⁽⁴⁾



Same wine, different music = different tasting wine ⁽⁵⁾

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.

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 for film screenings, 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?

The Dining licence scheme from OneMusic provides you with cover for a range of common uses of our music in restaurants: background and featured music, website use and telephone on hold. Each is subject to separate fees so you only pay for the types of cover you need.

Background Music for Dining covers our music from radios, CD players, smartphones, tablets, TV screens and other devices that play 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.

1. Background Music for Dining

How much does it cost per year?

Gold	Silver	Bronze
 Unrestricted number of devices playing our music from: <ol style="list-style-type: none"> an online stream or a music download via a personal digital music service or other online source; a “commercial background music supplier”; a commercial recorded music format, such as CD or vinyl record; an internet TV/radio or VOD service; and/or a terrestrial or digital broadcast through TV and/or radio. 	 Unrestricted number of devices playing our music from: <ol style="list-style-type: none"> a “commercial background music supplier”; a commercial recorded music format, such as CD or vinyl record; an internet TV/radio service; and/or 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 September 2022 – 31 August 2023	7 - 15	\$870	\$375	\$225	If applicable, Partial Rights Deduction minus 48.25% of total relevant amount
	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	
1 September 2023 – 31 August 2024	7 - 15	\$904.80	\$390	\$234	
	16 - 30	\$1,227.20	\$712.40	\$296.40	
	31 - 50	\$1,747.20	\$1,227.20	\$509.59	
	51 - 100	\$1,804.40	\$1,289.60	\$535.60	
	101+	\$1,872	\$1,357.20	\$561.60	

The rates above may be deducted depending on your circumstances. You may be eligible for multiple deductions.

- A deduction of 48.25% applies 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.
- A deduction of 48.25% applies 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 business is open fewer than 150 days a year, a 50% deduction will be applied on the relevant Background Music for Dining package rate.

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 \$6,000	Dining Area Capacity	Rate
	7 – 100	\$13.26 per day
	101 plus	\$26.53 per day

 Website Use \$608.10 per year
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What do the terms in the above three tables mean?

Dining Area Capacity means the seating capacity of your restaurant, in other words the number of seats you generally have placed for customers in your whole dining premises - inside and outside - where the music can be heard. If you have six or fewer seats the [OneMusic Retail and Service Providers licence scheme](#) applies.

By **Partial Rights Deduction** we mean where we can apply a percentage saving on the full licence fee for the components of our music not in use in your business. For example, 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 business (perhaps you are using directly-licensed music).

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.

Featured Music is any of our music, whether live or recorded, that has prominence (that is, it is not *background* music). For instance, when a DJ plays music or where live music is put together for a specific purpose or event such as a *Tex Mex Tuesdays* or *Sunday Jazz and Canapes*. Featured Music under this licence scheme does not include performances where there is an Entry Fee (see below) or where Gross Expenditure on Live Artist Performers (see below) for that performance is greater than \$6,000, and you may need to obtain a separate [Event licence](#) from OneMusic to be covered for such use.

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.

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.

By **Entry Fee** we mean a compulsory fee charged for admission such as a ticket price, membership or cover charge.

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

Website Use provides you with the necessary additional cover if you use our 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 our music when you use it on your on hold system, if you have one.

How much does it cost per year?

Telephone on Hold Licence Fees are capped at \$88,450.97 (including GST) per client (irrespective of the number of Locations you have licensed).

Caller Capacity lines	Telephone on Hold (Communication only)		Telephone on Hold (Communication and Reproduction)		Partial Rights Deduction
	Single Location (for 1 Location)	Multiple Locations (per Business)	Single Location (for 1 Location)	Multiple Locations (per Business)	
1 - 2	\$265.35	\$353.80	\$331.69	\$442.25	If applicable, Partial Rights Deduction minus 48.25% of total amount
3 - 5	\$348.27	\$508.59	\$431.19	\$635.74	
6 - 10	\$519.64	\$785	\$652.32	\$984.01	
11 - 25	\$862.39	\$1,304.65	\$1,077.99	\$1,630.81	
26 - 50	\$1,636.34	\$2,587.19	\$2,045.42	\$3,228.46	
51 - 100	\$2,598.24	\$4,577.33	\$3,356.71	\$5,495.01	
101 - 200	\$5,196.49	\$9,508.47	\$6,235.79	\$11,410.17	
201 - 300	\$8,845.09	\$16,584.55	\$10,614.11	\$19,901.46	
301 - 400	\$11,410.17	\$22,112.74	\$13,687.78	\$26,535.29	
401 plus*	\$19.90 per additional line	\$33.16 per additional line	\$24.32 per additional line	\$39.80 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 your restaurant. 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 our music 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 require this extra level of cover because they have made a copy of our music or are accessing our music from a digital music service. For example, you have copied our music from a CD onto a hard drive or made a copy of our music as a digital download. This also covers your business 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 services that most of us use at home. Even with our licence, the use of digital music 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.

For an explanation of **Partial Rights Deduction** see Background Music for Dining above.

For an explanation of **PPCA Sound Recordings** see Background Music for Dining above.

For an explanation of **APRA Works and AMCOS Works** see Background Music for Dining above.

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 OneMusic's vast 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.

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 or phase-ins 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.

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

Supporting Music Creators

Last year the bodies behind OneMusic paid a royalty to more than 1.4 million songs, and more than 67,000 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.

Deductions & Payments

A OneMusic Australia licence covers the use of both the APRA Works and AMCOS Works (the written songs) plus the PCCA Sound Recordings (the recorded music). We now offer a deduction on your licence fees when you tell us that your restaurant doesn't actually need both of those rights for all of your music needs. It might be that PCCA Sound Recordings are not used in your restaurant because you just have live music and no recorded backing tracks, or it may be that you already have a licence to use sound recordings in your background music from a source other than PCCA, for instance a record company directly. Similarly, you may not be using songs administered by APRA AMCOS for your telephone on hold because your restaurant uses a legitimate 'royalty free' music source.

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 or on the OneMusic licensing portal.

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).

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

If you were licensed with PCCA 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) Daunfeldt SO, Rudholm N, Sporre H. *Effects of Brand-Fit Music on Consumer Behavior: A Field Experiment*. HUI Working Papers. 2017
- (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) Net promoter score (NPS) was 36 for good music and 24 for any music. 62 per cent were more likely to stay longer in stores that play good music. Research conducted by Market Measures across significant high-street shopping locations in the UK between July 2017. 1,031 people were spoken to equating to 2,474 retailer evaluations.
- (5) North A, *The effect of background music on the taste of wine*. British Psychological Society.

Examples:

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

Tré Chic (dine-in) Patisserie & Café

12 seats



Background Music for Dining via a non-commercial digital music (streaming) service (Gold Package) \$904.80



Telephone on Hold on one line via a non-commercial digital music (streaming) service (Communication and Reproduction) 3 - 5 Lines \$431.19

\$1,335.99 a year (around \$3.70 a day)

Chris' Fishin', fish and chip shop

10 seats



Background Music for Dining via one radio (Bronze Package)

\$234 (less than 65 cents a day)

Cisco's Italian A La Carte Restaurant

45 seats



Background Music for Dining via a non-commercial digital music (streaming) service (Gold Package) = \$1,747.20



Free live music performance 30 nights a year, performer paid \$500 a night = 30 x \$13.29 = \$397.80

Total \$2,145 (around \$5.90 a day)

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.