

ADULT ENTERTAINMENT VENUES

Licensing Enquiries 1300 162 162 hello@onemusic.com.au onemusic.com.au September 2020



SIGN UP NOW

This licence scheme is designed for our music used in live adult entertainment venues such as gentlemen's clubs offering live striptease shows, erotic dancing and lap dancing and burlesque and cabaret shows. By purchasing this licence and selecting your preferred uses you'll be covered for the use of our music as background music, in music videos, from digital music services as well as our music when used for your performers to dance to. This scheme will cover all of these uses.

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 venue, 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 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.

Where does the **money** go?

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

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

What **music** can I use?

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

Supporting Music Creators


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

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

1. Performance Music

Performance Music covers our music when used in live adult performances such as striptease shows, exotic or erotic dancing, burlesque shows, cabaret shows.

How much does it cost?

PERFORMANCE MUSIC	From 1 July 2020 to 30 June 2021	From 1 July 2021 to 30 June 2022	From 1 July 2022 to 30 June 2023
 <p>Music in OneMusic Australia’s repertoire used for the purpose of live adult entertainment performances at the Location (whether live or recorded), such as striptease shows, exotic or erotic dancing, burlesque shows, cabaret shows and other similar performances</p>	<p>\$0.275 per person admitted to the Location</p>	<p>\$0.30 per person admitted to the Location</p>	<p>\$0.325 per person admitted to the Location</p>
<p>Partial Rights Deduction minus 48.25% on the applicable licence fees for Performance Music where none of the covered uses require a licence from OneMusic Australia for PPCA Sound Recordings (on behalf of PPCA) or APRA Works and AMCOS Works (on behalf of APRA AMCOS).</p>			

The **Adult Entertainment Venues** licence does not cover the use of our music at ticketed events held at your establishment or the use of part of your establishment as a nightclub (i.e. where recorded music is provided for **patrons** to dance) which is covered by a separate [Recorded Music for Dance Use scheme](#).

What do the terms in the table above mean?

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 used for Performance Music 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.

2. Background Music

How much does it cost per year?

Sapphire	Diamond	Platinum
\$3,410.30	\$2,137.80	\$1,221.60
10+ TV Screens Any number of Radios Any number of Music Systems and Music Video Screens Telephone on Hold (up to two Caller Capacity Lines)	7-9 TV Screens Any number of Radios Any number of Music Systems and Music Video Screens Telephone on Hold (up to two Caller Capacity Lines)	2-6 TV Screens Any number of Radios Any number of Music Systems and Music Video Screens Telephone on Hold (up to two Caller Capacity Lines)
Digital Copy/Delivery Plus \$407.20	Digital Copy/Delivery Plus \$407.20	Digital Copy/Delivery Plus \$407.20
Website Use Plus \$559.90	Website Use Plus \$559.90	Website Use Plus \$559.90
Gold	Silver	Bronze
\$534.45	\$203.60	\$132.34
Single TV Screen Any number of Radios Single Music System Telephone on Hold (up to two Caller Capacity Lines)	Single TV Screen Any number of Radios Telephone on Hold (up to two Caller Capacity Lines)	Single TV Screen Single Radio Telephone on Hold (up to two Caller Capacity Lines)
Digital Copy/Delivery Plus \$407.20		
Website Use Plus \$559.90	Website Use Plus \$559.90	Website Use Plus \$559.90

What do the terms in the table above mean?

TV Screens are any screens that carry free-to-air or pay television (including FoxSports) and that play sound, including if it's via an associated audio source. TV Screens do not include screens **exclusively** playing racing or betting services or screens that do not have an associated audio source - Sole, dedicated Keno, TAB and Sky Sports screens are excluded.

Radios are just that, a device that you only use to play terrestrial radio stations like Triple J, Nova or talk back radio.

Music Systems cover a range of different devices used to play music including systems provided by background music suppliers, audio jukeboxes, and PCs, tablets & smartphones – or if you are old school, CD or record players. If you're playing a radio service through an app like TuneIn or the ABC Listen App or playing an internet-only radio station like Apple Beats 1, this requires "Music System" cover. Music Systems don't include TV Screens, Radios or Music Video Screens.

Music Video Screens are any screens that show music videos from a recorded source (e.g. background music supplier, video jukebox or DVD) or taken from the internet (e.g. YouTube).

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

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 adult entertainment venue. If you have VOIP or a Cloud based telephone system, the concept applies to the number of simultaneous users across all locations.

There are a number of music uses that require a licence that includes **Digital Copy/Delivery**.

Digital Copy/Delivery is required if you download or access our music for your business from a personal/non-commercial digital music service, such as Spotify. You should be aware that, a OneMusic Australia licence only gives you permission to use our music at your business; it does not override the Terms of Use of the personal digital music service you are using, nor give you permission to use that particular music service for a commercial purpose – that permission can only come from the owners of that service.

You will also need a licence from us that includes Digital Copy/Delivery if you make any physical or digital copies of our music (such as copying one CD to another, or copying a digital download file). By choosing Digital Copy/Delivery, you are entitled to copy up to 2,000 music tracks.

You do not need to include Digital Copy/Delivery in your licence if you are only playing our music from original CDs that you have bought (and not subsequently copied) or you're playing our music from a commercial background music service such as "Apple Music for Business" (a list of background music services is available here - backgroundmusicguide.com.au). Depending on your use of our music and the arrangements the background music service has with OneMusic Australia, you may not need to get a licence directly from OneMusic Australia. Your background music service provider may already include a OneMusic Australia licence as part of its service package. Check either with us or your commercial music supplier to confirm.

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).

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 July of each Licence Year in accordance with clause 4.3 of the Terms and Conditions unless there are phase-in rates.

Payments

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).

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.

Feedback

Comments and feedback on your licence agreement or the information guides can be sent to us at

hello@onemusic.com.au

Complaints

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

Disputes

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

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

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

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

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

Examples:

The licence fees in these examples apply for licences taken out between 1 July 2020 and 30 June 2021.

Lucky’s Gentleman’s Club, exotic dance venue



10,000 patrons a year attend at \$0.275 = \$2,750



Background Music from 5 TV screens in the Venue (Platinum), music from a Spotify account.

No Telephone on Hold music.



\$1,221.60 plus \$407.20 for Digital Copy/Delivery for the Spotify streaming service = \$1,628.80

No website music use

Total annual licence fee \$4,378.80

Whisper’s Burlesque, cabaret dance venue



15,000 patrons a year attend at \$0.275 = \$4,125



Background Music from 9 TV screens in the Venue (Diamond), music from a AppleMusic account.

No Telephone on Hold music.



\$2,137.80 plus \$407.20 for Digital Copy/Delivery for the AppleMusic streaming service = \$2,545

Website Use of music \$559.90

Total annual licence fee \$7,229.90

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.