

# COMMUNITY HALLS

Licensing Enquiries 1300 162 162 hello@onemusic.com.au onemusic.com.au September 2021

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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 our 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. Halls owned by a local Council are licensed under the Councils scheme ([onemusic.com.au/licences/government/](http://onemusic.com.au/licences/government/))

## 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 music that is protected by copyright 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](http://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.

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 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 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.

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.

## 1. Music for Community Halls

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

### How much does it cost per year?

The Music for Community Halls fees are based on a Day Rate x each 100 person capacity for each day of operation, subject to a Minimum Annual Fee of \$50. When our music is played as background music on days where the community hall is being used for a Premium Live Performance these days must also be declared as a day of operation under the Music for Community Halls fee.

Period	Day Rate/ 100 persons (or part thereof)
1 September 2020 – 31 August 2021	\$8
1 September 2021 – 31 August 2022	\$9
1 September 2022 – 31 August 2023	\$10

### What do the terms in the table above mean?

By **Background Music** we mean when our music is used 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.

By **any source** 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.

Even with our licence, the use of digital music streaming 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.

You may be better to consider a commercially licensed digital music service. We have compiled a list of these music services in the [Background Music Guide](#).

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.

### Music uses the scheme does not cover

A function space that is primarily used as a music venue - licensed under the [Hotels, Pubs, Taverns, Bars & Casinos scheme](#).

Exercise and fitness classes using our music - licensed under the [Fitness Centre and Fitness and Wellbeing Instructors scheme](#).

Dance classes, concerts or recitals run by a Dance and Performance School (or Instructor) - licensed separately as a [Dance and Performance Instructors and Dance School scheme](#).

Nightclubs - licensed under the [Recorded Music for Dance Use scheme](#). Recorded Music for Dance Use means the use of our recorded music for the purpose of dancing.

Dance parties - licensed under an [Event licence](#).

Premium Live Performance (where artists are paid more than \$4,000 to perform) - licensed under an [Event licence](#).

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 as long as the Gross Expenditure on Live Artist Performers is \$4,000 or less. Where Gross Expenditure on Live Artist Performers for an event is more than \$4,000 this is a **Premium Live Performance**.

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.

Events held by a **National Event Promoter** - licensed directly by the National Event Promoter. A list of these promoters are provided [here](#).

The use of our music in a **Dramatic Context** - licensed under the **Dramatic Context** scheme. Dramatic Context means the musical piece is used 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 centre 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.

Community Hall Capacity	Day Rate
1 – 100	\$12.33
101 - 200	\$24.65
201 - 400	\$49.30
401 - 600	\$73.96
601 - 800	\$98.61
801 – 1,000	\$123.26
1,001 plus	\$184.89

### What do the terms in the table above mean?

For an explanation of **Community Hall Capacity** please see Music for Community Halls, page 2.

For an explanation of **Gross Expenditure on Live Artist Performers**, see Music for Community Halls page 2.

For an explanation of a **Live Artist Performer** see Music for Community Halls page 2.

### Some music uses Premium Live Performances does not cover

Music in a **Dramatic Context** is not covered.

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'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 when you use our music 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](http://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 September 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. (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 at my Hall?

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.

## Feedback

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

[hello@onemusic.com.au](mailto: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](mailto: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](mailto: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](mailto: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 September 2021 and 31 August 2022\*\*

**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 \$9 a day x 104 days a year x 2 units of 100 = \$1,872 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 and a second room has an official capacity of 45 (Total capacity is 165 which equals 2 units of 100).

Licence fees for Music for Community Halls \$9 a day x 204 days a year x 2 units of 100 = \$3,672.

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) \$24.65 x 3 = \$73.95.

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 \$3,745.95 per year.

**Port Kiri Club Hall**

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

Official capacity of 90 people (rounded to 100 or 1 unit of 100).

No Live Artist Performers, background music only.

Licence fee for Music for Community Halls \$9 a day for two days a week for 12 weeks (24 days) = \$216 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 108,000+ 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.*