

STATE AND FEDERAL GOVERNMENT

Licensing Enquiries 1300 162 162 government@onemusic.com.au onemusic.com.au October 2023

SIGN UP NOW

Under the *Copyright Act 1968* (Cth) (the **Copyright Act**), Australian state, territory and federal government bodies have special obligations to seek permission (a licence) for the use of copyright-protected music or make arrangements with the relevant copyright owners to remunerate them for use of their music.

OneMusic Australia makes compliance easier for government departments and agencies by bringing together the music represented by APRA AMCOS and PCCA into one simple and easy-to-access scheme for state, territory and federal government bodies.

Why do I need a **OneMusic** agreement?


1 Compliance. If you use music protected by copyright within your government operated location, Commonwealth legislation requires you to obtain a licence or reach an agreement as to remuneration with the relevant copyright owner(s). This *State and Federal Government* scheme sets out OneMusic Australia's standardised rates for the most common ways OneMusic Australia's repertoire is used by state and federal government bodies. In the absence of an agreement between the parties, a government body may refer the matter to the Copyright Tribunal.¹


2 Lead by example. Government bodies lead by example in respecting Australia's music creators while serving their communities and stakeholders. Thousands of businesses and organisations all around Australia hold OneMusic Australia licences for the use of our music and it is important that government has the necessary arrangements in place when using music creators' intellectual property.

3 Improve service levels. From calming callers on hold, playing background music in public service areas, staff listening to music while they work or using music at corporate events; your employees and the communities accessing your services will appreciate listening to great music.

What do I need to know ?

 OneMusic Australia is a joint initiative between Australasian Performing Right Association Limited (**APRA**), Australasian Mechanical Copyright Owners Society Limited (**AMCOS**) and Phonographic Performance Company of Australia (**PCCA**).

 Music creators generally authorise two organisations to administer their rights and collect their royalties in Australia, that is APRA AMCOS and PCCA.

 OneMusic Australia's *State and Federal Government* scheme enables you to notify us of your intended use of our music as contemplated under section 183 of the Copyright Act.

 A separate licence scheme covers the use of our music within [local Councils](#).

What music can I use?

Our State and Federal Government scheme covers the vast majority of all commercially released music from around the world.

What is a **public performance**?

A performance is a 'public performance' for the purposes of the Copyright Act if it takes place outside of a private or domestic setting.

Where does the **money** go?

OneMusic distributes the fees it collects to APRA, AMCOS and PCCA, the bodies behind this licensing initiative. After the deduction of administration and operational costs, all fees collected are distributed to members or licensors who create the music you use (according to a range of direct data, sample data and other data sources).

Where we need to apply it to your fees, 10% is paid to the Australian Taxation Office as GST.

¹Section 183(5) of the Copyright Act 1968 (Cth)

We have created this OneMusic Australia State and Federal Government scheme based on our established commercial licences for the most common uses of music in your sector - music in the workplace, background music, featured music and telephone on hold music. You can select the types of music use that applies to your government body and each use is charged separately so you only pay for the ways in which you actually use music.

1. Workplace Music

Workplace Music covers you to:

- allow your employees to play our music while at work (including via radios, streaming services and CDs) whether the music is played on speakers or via headsets and earphones;
- allow your employees to use music in staff training/inductions or other presentations;
- allow your employees to play background music online via closed networks when working remotely, during staff meetings, staff training and presentations to which the general public are not admitted; and
- perform our music for the benefit of employees, their families, or corporate guests at free functions and private conferences put on by you. If there is an Entry Fee at any function, or the Gross Expenditure on Live Artist Performers is \$50,000 or more, you will need to obtain a separate [Event licence](#) from OneMusic Australia.



OneMusic Australia understands that Workplace Music may only be used intermittently at some workplaces or corporate functions, and the rate has been determined with this in mind. A OneMusic Australia agreement for Workplace Music ensures your government department is compliant with the Copyright Act for those times when our music is used (and supports the music creators who make the music you use).

How much does it cost per year?

\$2.21 per year for each FTE Employee

Subject to a Minimum Annual Fee of **\$243.24**

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

What do the terms in the above table mean?

FTE stands for the number of Full Time Equivalent employees.

For an explanation of **Digital Copy/Delivery**, see page 5.

For an explanation of **Gross Expenditure on Live Artist Performers**, see page 5.

Supporting Music Creators

Your licence fees go back to the creators of that music as royalties. Last year the bodies behind OneMusic Australia paid royalties to more than 1.4 million songs, and more than 50,000 local songwriters and recording artists.





2. Background Music

Many government bodies use background music in publicly-accessible areas such as service areas for customers obtaining licences or accessing social and health services. Background Music is also often used in areas available to the public within government operated museums, galleries and zoos.

OneMusic Australia offers three types of cover for Background Music: Gold, Silver and Bronze (see the tables below), plus additional cover if you use our music in your car park, have Featured Music, show music videos or have our music on your website.


How much does it cost per year?

Gold*	Area Size (m²)	1 September 2023 – 31 August 2024
 Unrestricted number of devices playing our music from: <ul style="list-style-type: none"> a. an online stream or a music download via a personal digital music service or other online source; b. a “commercial background music supplier”; c. a commercial recorded music format, such as CD or vinyl record; d. an internet TV/radio or VOD service; and/or e. a terrestrial or digital broadcast through TV and/or radio.  Digital Copy /Delivery for 2,000 tracks	1 - 50	\$602.78
	51 - 150	\$699.66
	151 - 500	\$834.21
	501 – 1,000	\$1,237.86
	1,001 – 2,000	\$1,506.96
	2,001 – 5,000	\$2,314.26
	5,001 – 7,500	\$2,852.46
	7,501 – 10,000	\$3,121.56
	10,001 – 15,000	\$3,659.75
	15,001 – 20,000	\$4,197.96
	20,001 plus	\$5,812.56

Area Size does not include any associated car parking area where music is audible. Please see set fee for car parking below.

These terms in the table directly above are explained in more detail on page 4.

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

Silver*	Area Size (m²)	1 September 2023 – 31 August 2024
 Unrestricted number of devices playing our music from: <ul style="list-style-type: none"> a. a “commercial background music supplier”; b. a commercial recorded music format, such as CD or vinyl record; c. an internet TV/radio service; and/or d. a terrestrial or digital broadcast through TV and/or radio. 	1 - 50	\$172.22
	51 - 150	\$269.09
	151 - 500	\$403.65
	501 – 1,000	\$807.30
	1,001 – 2,000	\$1,076.40
	2,001 – 5,000	\$1,883.70
	5,001 – 7,500	\$2,421.89
	7,501 – 10,000	\$2,691
	10,001 – 15,000	\$3,229.19
	15,001 – 20,000	\$3,767.40
	20,001 plus	\$5,381.99

*If applicable, Partial Rights Deduction minus 48.25% of the total amount, minimum fee \$89.

Bronze	
	Unrestricted number of devices playing our music only from a terrestrial or digital broadcast through TV and/or radio.

Area Size (m ²)	1 September 2023 – 31 August 2024
1 - 50	\$161.45
51 - 150	\$220.66
151 - 500	\$269.09
501 - 1,000	\$538.20
1,001 – 2,000	\$699.66
2,001 – 5,000	\$1,022.58
5,001 plus	\$1,345.49

Add ons

	Car Parks
	Featured Music**
	Exhibiting Music Videos
	Website Use

Area Size (m ²)	1 September 2023 – 31 August 2024	Partial Rights Deduction
N/A	\$552.81 per year	N/A
1 – 2,000	\$13.26 per day	If applicable, Partial Rights Deduction minus 48.25% of total amount
2,001 plus	\$26.53 per day	
1 – 2,000	\$375.91 per year	N/A
2,001 plus	\$751.83 per year	
N/A	\$608.10 per year	N/A

**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 or held by a national event promoter (these are licensed separately, including directly by the national event promoter). Please find list of national event promoters here: onemusic.com.au/nep/

What do the terms in the above table mean?

Background Music means the public use of our music from radios, CD players, smartphones, tablets, TV screens and other devices where the music is not used as a prominent feature.

In working out the **Area Size** you should calculate the total size in square metres where Background Music is audible by the general public. The Area Size does not include storerooms or any areas which are not open to the public.

By **Partial Rights Deduction** we mean where we can apply a percentage saving on the full licence fee for any rights in our music that are not, in fact, being exercised by your organisation. For example, you may have entered into a direct arrangement with a record label or commercial music supplier to cover the rights in respect of your playing of all sound recordings.

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**? The Australasian Performing Right Association (or APRA) and the Australasian Mechanical Copyright Owners Society (or AMCOS) has been given the right to license the use of musical works and lyrics by our members - songwriters, composers and music publishers - so that they can be played to the public and/or copied by licence holders. APRA, operating as OneMusic Australia, has been authorised by AMCOS to license the AMCOS Works on its behalf.

Music in Car Parks only applies in indoor or outdoor car parks where our music is audible to those members of the public who use your services for parking.

To **Exhibit Music Videos** means to play our music videos via a source such as a TV network channel (MTV or ABC Rage), online platforms such as Vevo, digital services such as Apple Music or YouTube or from a DVD or Blu-Ray disc.

Featured Music means our music, whether it is live or recorded, used in a prominent way (that is, it is not Background Music). For instance, when a DJ plays our music or where our music is played live and put together for a specific purpose or event like a gallery donors' night. Featured Music under this scheme 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. For such performances you may need to obtain a separate Event licence from OneMusic – see page 5.

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

By **Gross Expenditure** 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.

A **Live Artist Performer** is any performer (including singers, musicians, DJs, dancers, models and conductors) included in the performance of our music.

Digital Copy/Delivery is required if you download or access our music 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.

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 are 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).

Some background music suppliers offer to include a OneMusic Australia licence as part of their service offering, in which case you may not need to deal directly with OneMusic Australia. Please confirm either with us or your commercial music supplier.

Website Use provides you with the necessary additional cover if you use our music on your organisation's 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 Terms and Conditions of the *State and Federal Government* scheme available at onemusic.com.au.

Music at Events

Events with no Entry Fee and where the Gross Expenditure on Live Artist Performers is less than \$6,000, can be covered as "Featured Music" under this *State and Federal Government* scheme.

For all other events, OneMusic Australia has established event licences which are [available online](#). If you have any queries about the OneMusic Australia arrangements for any of your events, please contact us to discuss at government@onemusic.com.au.

If there is an event at your Government Operated Location which is held by a national event promoter, these are licensed directly by the national event promoter. A list of national event promoters is available here: onemusic.com.au/nepl.

A separate licence scheme covers APRA Works used in a [Dramatic Context](#), for example in theatre and ballet productions. **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.

3. Telephone on Hold

Telephone on Hold applies to the use of our music when it is used on your on-hold system, if you have one.

How much does it cost per year?

Caller Capacity	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 relevant 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	

*Licence Fees are capped at \$88,450.97 (including GST) per client (irrespective of the number of Government Operated Locations licensed).

What do the terms in the table above mean?

Caller Capacity Lines means how many lines (playing music) you can place on hold at any one time at all your locations. If you have VOIP or a Cloud based telephone system, the concept applies to the number of simultaneous users across all your 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, such as via personal digital music services. 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.

4. Background Music for Dining

If you have a separate Dining Area where our music playing in that area is different to our music playing in other areas, you will need additional cover for that Dining Area as set out below.

How much does it cost per year?

If you advise us that the Dining Area is open less than 150 days a year we will apply a 50% deduction on your background music fees for that Area.

Dining Package A	Dining Package B	Dining Package C
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.

Period	Dining Area Capacity (Seating)	Dining Package A	Dining Package B	Dining Package C
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

[^] If applicable, Partial Rights Deduction minus 48.25% of the total amount.

What do the terms in the table above mean?

Dining Area Capacity means the seating capacity of each of your Dining Areas.

A **Dining Area** is an area within your premises that is open to the public with seating for at least seven people. The primary function of the Dining Area is the sale of food and importantly the music played in the dining area is different to that which is audible in any other area of your venue. If you do not provide food or you do not have a Dining Area that fits this definition, then there’s no Background Music for Dining fee required for your government body at that location.

For an explanation of **Partial Rights Deductions**, see the Background Music section page 4.

For an explanation of **PPCA Sound Recordings** see the Background Music section page 4.

For an explanation of **APRA Works** and **AMCOS Works** see the Background Music section page 4.

Deductions & Payments

This OneMusic Australia scheme covers the use of both the APRA Works and AMCOS Works (the written songs) plus the PCCA Sound Recordings (the recorded music). We offer a deduction on the applicable fees under this scheme if your government body does not actually require an agreement with OneMusic Australia for both of those rights.

It might be that you already have a licence or remuneration arrangement to use certain 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 you are using 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 fees when you make the proper declaration in your agreement with us.

How were the rates set and will they change?

The rates in OneMusic Australia's *State and Federal Government* scheme substantively mirror the established market rates in OneMusic Australia's other comparable licence schemes, being the *Retail & Service Providers* and *Places of Interest Activity & Amusement* licences. Where the rates charged for Background Music differ as between these two licences, OneMusic Australia has adopted the lower rate for this *State and Federal Government* scheme.

In the development of these comparable licence schemes, the relevant industries were extensively consulted regarding the terms of the schemes, including the rates. Please email us at consultations@onemusic.com.au if you would like further information regarding these consultations.

If any of the ways in which you regularly use music is not captured by this scheme, please contact us to discuss your requirements.

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.

Do I have to go through OneMusic to play music in my business?

If you want access to the largest possible collection of commercially-released music, then the OneMusic *State and Federal Government* scheme 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 arrangements with copyright owners or solely using music that falls outside OneMusic Australia's vast repertoire.

If you make any direct arrangement for the use of music, please contact OneMusic Australia so we can discuss the appropriate adjustments to your fees and/or licensing arrangements.

Feedback

Comments and feedback on your licence agreement or the information guides can be sent to us at government@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 about 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 email us government@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 to licences taken out between 1 September 2023 and 31 August 2024.

Department of Administrative Examples (DoAE)

A hypothetical Commonwealth department provides various administrative support services to a range of other government bodies. The department does not operate any locations open to the general public, however like many federal departments, DoAE requires cover for Workplace Music to allow employees to occasionally play our music while at work, during training, or at social or corporate events.

DoAE has 432 Full Time Equivalent (FTE) employees.

- ▶ Workplace Music for 432 FTE Employees at a rate of \$2.21 annually per FTE = \$954.72 (GST inclusive)

Permits, Services and Licences Agency (PSLA)

PSLA is a hypothetical public facing agency that provides permits and licences to residents of the state. The PSLA operates 10 visitor centers open to the public and two corporate offices which are accessible by employees and corporate guests.

Waiting areas in each visitor centre play free-to-air terrestrial television or radio. The Area Size of the waiting areas where music can be heard are all between 501 - 1,000m².

Staff in the corporate offices occasionally listen to soft music throughout the workday and at social events.

- ▶ Background Music Bronze Package (501 - 1,000m²) = \$538.20 per location, 10 x \$538.20 = \$5,382

- ▶ Workplace Music for 180 FTE Employees at a rate of \$2.21 annually per FTE = \$397.80

Total Licence Fee = \$5,779.80 (GST inclusive)

Imaginary State Museum & Gallery

In this example, a government run museum and gallery allows for Background Music to be played throughout the entire museum with a floorspace of 3,500m². Background Music is accessed via a range of devices, including the personal digital music services of museum staff.

Separate to the main museum is a dining area with a capacity of 60 persons. Background Music is accessed via a range of devices in this area, including the personal digital music services of staff.

Each summer the museum runs a series of 12 free events on the lawn (1200m²) that include Featured Music (live music and DJs) with live artist expenditure for each event of less than \$6,000.

Once per year the museum hosts a ticketed event on new year's day with high profile Australian artists performing. Ticket prices are between \$50-80.

- ▶ Background Music Gold Package 2001 - 5,000m² = \$2,314.26 per location

- ▶ Dining Package A (51-100 capacity) = \$1,804.40

- ▶ Featured Music Add On for 12 free summer events, \$13.26 per day, 12 * \$13.26 = \$159.12

Total Licence fee = \$4,277.78 (GST inclusive)

A separate event licence will be required for the new year's day event and this licence will be based on the details of the event such as whether the performers use any sound recordings as part of their performance, the number of attendees and the estimate gross box office for the event. More information regarding OneMusic Australia event licences can be found on our website.

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.