

PUBLIC VEHICLES & VEHICLES FOR HIRE

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



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The use of our music in DVDs or music videos on a coach or limousine, advertising screens with sound on light rail, background music on a radio or through a digital music service, in-seat entertainment and even featured music such as a DJ or live performer on your party boat and music on your business' website are all covered in this 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 business, 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 passengers 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 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 sample data and other data sources for other uses of music).

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. Background Music for Vehicles

Background Music covers our music from radios, CD players, and music videos from smartphones, tablets, TVs and other devices that are not used as a *prominent feature* of the entertainment on the vehicle. Cover for our music used in in-seat personal entertainment and music videos is also available.

How much does it cost per year?

Music Use Category	Vehicle Capacity (Seats)	Annual Rate	Partial Rights Deduction
Unrestricted number of devices playing Background Music for Vehicles	1 – 10	\$132.34	If applicable, Partial Rights Deduction minus 48.25% of total amount
	11 – 20	\$162.88	
	21 – 50	\$249.41	
	51 – 120	\$376.66	
	121 – plus	\$564.99	
In-Seat Personal Entertainment in Vehicles	N/A	Plus \$0.1832 per passenger	
Exhibiting Music Videos in Vehicles	1 – 50	\$346.12	
	51 plus	\$692.24	

Add Ons

Digital Copy/Delivery	\$407.20
Website Use	\$559.90

What do the terms in the above table mean?

Vehicle Capacity is the number of passengers you are authorised to carry.

In-Seat Personal Entertainment means on-demand access to music, films and TV shows (shown to passengers on your vehicle’s screens or via Wi-Fi).

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, just because you hold a licence to use our music in a commercial setting, doesn’t mean that your digital music service provider allows you to use your personal account for your business. You should check with your service provider.

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.

The **Website Use** cover provides your business with the necessary permission for the use of our music on your business information 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 business), 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).

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. If you have secured a licence for your use of sound recordings directly from record labels. If you only use traditional terrestrial radio or play a television station directly from a broadcast signal we will deduction Background Music for Vehicles rates by 48.25%.

2. Featured Recorded Music, Live Music Performances and Recorded Music for Dance Use

If you operate a party boat or party bus, you may need additional cover for our music as featured recorded music, live music performances and recorded music for dance use.

How much does it cost per year?

Music Use Category	Per Passenger Per Day of Operation	Partial Rights Deduction
Featured Recorded Music	\$0.29	If applicable, Partial Rights Deduction minus 48.25% of total amount
Recorded Music for Dance Use	\$2.57	
Live Music Performance	0.143	

What do the terms in the above table mean?

Featured Recorded Music is our recorded music played prominently e.g. DJ playing music, a “Retro Night” or a “Jazz Night” or Karaoke.

Recorded Music for Dance Use is specifically for the purpose of dancing - your boat or vehicle is essentially operating as a nightclub.

A **Live Music Performance** is singers, musicians or performers such as a live band playing guitars or a keyboard live.

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.

For an explanation of **Partial Rights Deduction** see page 2.

Transport services not covered under this scheme

Airplanes and cruise ships that offer multi-day pleasure cruises and provide sleeping berths and cabins require different licences from OneMusic Australia (see onemusic.com.au/licences/transport)

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 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

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

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 outside the OneMusic repertoire.

If you make a direct arrangement for only your sound recording use or only your musical work use, contact OneMusic Australia so we can adjust your licence fee.

Deductions & Payments

We believe in a fair go and offer some common-sense concessions which may apply to your licence fees. Because a OneMusic Australia licence now covers the use of both the APRA Works and AMCOS Works (the written songs) plus the PPCA Sound Recordings (the recorded music), we offer a deduction on your licence fees where applicable when you tell us that your business doesn't actually need both of those rights for all of your music needs. It might be that you already have a licence to use sound recordings in your background music from a source other than PPCA, for instance a record company directly. Similarly, you may not be using songs administered by APRA AMCOS for your telephone on hold because your business 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 Australia 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).

Examples:

The licence fees in these examples apply for licences taken out between 1 September 2020 and 31 August 2021.

Rainbow Party boat

The boat has a capacity of 50 passengers and plays background music via a digital music service. On Sundays Live Music is played on the Boat and across the course of the year there are 1,120 passengers on the Sunday cruises. In addition on 60 days of the year the boat hosts a DJ and operates as a floating nightclub with a total attendance of 2,100. The following cover and fees are required.

-  Background Music for Vehicles. Capacity of 50 \$249.41
-  Digital Copy/Delivery \$407.20
-  Live Music Performances \$0.143 x 1,120 passengers \$160.16
-  Recorded Music for Dance Use \$2.57 x 2,100 passengers \$5,397
- Total annual licence \$6,213.77

City Tour Bus

-  One device playing Background Music for Vehicles (capacity 54 passengers) = \$376.66
-  Website music = \$559.90
-  Digital Copy/Delivery \$407.20
- \$1,343.76 per year (less than \$4 a day)

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:

- 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 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 new OneMusic Australia 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.

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.