



**IRISH MUSIC RIGHTS ORGANISATION
EAGRAS UM CHEARTA CHEOLTA**

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STANDARD TARIFF VT

Effective from 6th May 1991

IMRO does not undertake to offer a licence or permit at the rates of charge shown in this tariff in respect of any performances unless application has been made in advance of the performance.

1. SCOPE OF TARIFF

This tariff applies to performances of copyright music within the repertoire controlled by IMRO* in theatrical premises and presentations including stage plays, variety shows* and concerts, admittance to which is gained by purchase of a ticket or by subscription. It does not apply to performances at premises to which there is no admission charge or only a nominal charge.

2. ROYALTY RATES

The following rates apply to all royalties falling due under this tariff between

6th May 2010 and 5th May 2011

	Unlicensed €	Licensed €
2.1. PERFORMANCES AT STAGE PLAYS		
2.1.1 Overture, entr'acte and exit music only		
The annual royalty is: -		
Capacity of up to 1,000 seats	391.71	261.18
Capacity of over 1,000 seats	542.38	361.56
2.1.2 "Incidental"* or "curtain"* music with or without overture, entr'acte and exit music		
The weekly royalty is: -		
Capacity of up to 1,000 seats	18.06	12.07
Capacity of over 1,000 seats	24.11	16.04

* See Definitions

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2.2. PERFORMANCES AT VARIETY SHOWS AND CONCERTS

2.2.1 The **royalty** per event shall be calculated as a percentage of actual gross income* from variety shows and concerts as follows: -

Actual Gross Income		
Up to €146,261	4.5%	3.0%
€146,261 - €292,523	6.75%	4.5%
€292,523 and over	9.0%	6.0%

2.2.2 Subject to paragraph 4.2. of this tariff, where the licensee establishes in respect of a variety show that controlled music* is performed during less than 75% of the performing time*, the royalty for the event shall be subject to the following discounts:-

Duration of Controlled Music

25% of performing time* or less;	Discount – 75%
Between 25% and 50% of performing time*:	Discount – 50%
Between 50% and 75% of performing time*:	Discount – 25%

2.3. MINIMUM ANNUAL ROYALTY

The royalties payable under this tariff are subject to a **minimum annual payment** of

€180.76	€120.50
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3. LICENCE

All performances in the first year will be charged at the unlicensed performance rate unless the user applies in writing for a licence before the music is performed.

Any performances not declared are unauthorised and constitute an infringement of copyright and will be charged as unlicensed performances.

4. DURATION OF CONTROLLED MUSIC

4.1. For the purposes of computing the duration of time that the controlled music occupies, the following shall not be counted as the performance of controlled music: -

- Playing controlled music off stage, except by way of accompaniment to a sung, instrumental, danced or mimed performance on stage; and
- Playing a few bars of controlled music on entrance or exit only or otherwise purely incidentally to an item on the programme not including any other performance of controlled music.

4.2. A licensee shall only be entitled to a discount under paragraph 2.2.2 of this clause if he gives IMRO notice in writing of his intention to claim a discount in respect of a particular show. Such notice shall be accompanied by such information as IMRO may need to enable the discount to be computed and shall be given in time to enable IMRO to verify, by attendance at a performance of the show, the particulars on which the claim is based, and in any event must reach IMRO not more than five clear days after the first performance of the show or not less than 10 clear days before the last performance of the show, whichever date may be the earlier.

* See Definitions

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5. **INFLATION ADJUSTMENT**

The foregoing rates of charge, including the gross income thresholds set out in paragraph 2.2.1, are related to the Consumer Price Index of Retail Prices for February 2010 (on the November 1996 base) as published in the Irish Statistical Bulletin, "the basic Index Figure", and will be adjusted on 6th May 2011 and each subsequent anniversary of that date in proportion to annual changes in that index.

6. **GENERAL CONDITIONS**

This tariff is subject to the General Conditions applicable to Tariffs and Licences, a copy of which is available on request.

7. **DEFINITIONS**

"repertoire controlled by IMRO" means all and any musical works, and words associated with such works, in which rights to perform publicly and to authorise others to do the same are vested in IMRO.

"variety shows" means stage entertainments, however designated, in the nature of variety revues, pantomime or concert party productions, as distinct from musical entertainments consisting entirely or almost entirely of controlled light or "popular" music and from concerts or recitals of such music.

"incidental" or **"curtain"** music' means music heard by the theatre audience as an accompaniment to a play but which is not performed by or intended to be audible to any of the characters in the play.

"gross income" shall mean the aggregate amount received or receivable in respect of admission charges together with all other payments received or receivable by the promoter in respect of the event. If such payments are not made in money or are made as a result of transactions negotiated otherwise than at arm's length the income in respect to such payments shall be deemed to be the income which would have been receivable by the promoter as the result of an arm's length transactions with money consideration.

"controlled music" means all and any musical works and words associated with such works, in which rights to perform publicly and to authorise others to do the same, are vested in IMRO.

"performing time" means the total time occupied by a single performance of a variety show, except for the customary interval or intervals, unless controlled music is performed during such intervals.

8. **VALUE ADDED TAX**

Every licensee under this tariff shall pay to the Irish Music Rights Organisation Limited, in addition to the royalty due under the tariff, a sum in respect of Value Added Tax calculated at the relevant rate on the royalty payable.

This tariff supersedes all previous editions