



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

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STANDARD TARIFF H, R, N, PD

Effective from 6th July 2009

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, which has been discussed with the Irish Hotels Federation, the Restaurants Association of Ireland, the Irish Nightclub Industry Association and Licensed Vintners Association, who represent the majority of users of music under this tariff and who have approved the terms of this tariff on behalf of their members. The tariff applies to the following performances of music in hotels, Dublin public houses, nightclubs, restaurants, guest houses and similar establishments. It will remain in effect subject only to inflation adjustments as defined in this document for a period of 5 years from the 6th July 2007 to 5th July 2012.

2. ROYALTY RATES

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

6th July 2007 and 5th July 2012

(a) Featured Music

(Live Music, Cabaret, Discos, Supper Dances, Dinner Dances, Ordinary Dances, Weddings† and miscellaneous)

Increase - 14% per annum

	Charge for Unlicensed Performances - Per Session				
	€				
	2007/08	2008/09	2009/10	2010/11	2011/12
Licensed Capacity not exceeding 100	13.03	15.55	17.92	20.43	23.29
Licensed Capacity not exceeding 200	22.08	26.36	30.38	34.64	39.48
Licensed Capacity not exceeding 300	31.02	37.03	42.68	48.65	55.46
Licensed Capacity not exceeding 400	35.47	42.35	48.81	55.64	63.44
Licensed Capacity not exceeding 500	39.81	47.53	54.77	62.44	71.18
Licensed Capacity not exceeding 600	44.14	52.70	60.73	69.28	78.92
Licensed Capacity not exceeding 700	47.60	56.83	65.50	74.67	85.11
Charge per 100 capacity thereafter	2.66	3.17	3.65	4.17	4.74

* See Definitions

Charge for Licensed Performances - Per Session					
	€				
	2007/08	2008/09	2009/10	2010/11	2011/12
Licensed Capacity not exceeding 100	8.65	10.33	11.90	13.57	15.46
Licensed Capacity not exceeding 200	14.74	17.59	20.28	23.11	26.36
Licensed Capacity not exceeding 300	20.65	24.65	28.42	32.40	36.94
Licensed Capacity not exceeding 400	23.61	28.19	32.49	37.05	42.24
Licensed Capacity not exceeding 500	26.56	31.71	36.55	41.66	47.49
Licensed Capacity not exceeding 600	29.45	35.16	40.52	46.19	52.66
Licensed Capacity not exceeding 700	31.75	37.91	43.69	49.82	56.80
Charge per 100 capacity thereafter	1.78	2.13	2.45	2.78	3.17
	(maximum charge)				

Note 1: † Weddings will be charged at the rate equivalent to licensed capacity not exceeding 100.

Note 2: Where live concerts with cover charges take place this tariff will not apply. The concert tariff LP will apply. Live concerts will be defined as musical entertainments consisting entirely or almost entirely of copyright music performed at an event*

(b) Background Music

Increase - 3% per annum

Charge for Unlicensed Performances - Per Annum					
	€				
	2007/08	2008/09	2009/10	2010/11	2011/12
Radio and/or Tape/CD player alone or with Radio and/or Television	100.82	108.75	113.25	116.64	120.15
Radio and/or television alone	84.32	90.96	94.72	97.56	100.48
<i>for each unit of 20 seats or part thereof*</i>					

Charge for Licensed Performances - Per Annum					
	€				
	2007/08	2008/09	2009/10	2010/11	2011/12
Radio and/or Tape/CD player alone or with Radio and/or Television	67.18	72.47	75.47	77.73	80.07
Radio and/or television alone	56.23	60.66	63.16	65.06	67.01
<i>for each unit of 20 seats or part thereof*</i>					

Rates for Hotel Bedrooms (CPI increases will apply)

Rooms	€				
	2007/08	2008/09	2009/10	2010/11	2011/12
0 - 50	62.59	65.55	66.27		
51 - 100	125.18	131.10	132.54		
101 - 150	187.77	196.65	198.80		
151 - 200	250.36	262.20	265.07		
Per 50 rooms thereafter	62.59	65.55	66.27		

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 either in advance or at the end of the licence period are unauthorised and constitute an infringement of copyright and will be charged as unlicensed performances.

4. MISCELLANEOUS

Other performances which are not covered under this tariff such as performances by means of jukeboxes, live music pay in events, etc. will be assessed under the appropriate tariffs.

5. INFLATION ADJUSTMENT

The foregoing rates of charge are related to the Consumer Price Index of Retail Prices of 147.7 points for mid-December 2008 (on the November 1996 base) as published in the Irish Statistical Bulletin, and will be adjusted on 6th July 2010 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

“**featured music**” means: -

- (i) live music performed by performers of musical instruments and singers, whether or not they combine their performances with other activities such as dancing
or,
- (ii) music performed by means of a record/tape/cd player primarily intended for entertainment and/or dancing as distinct from background music which is to add atmosphere. For the avoidance of doubt this includes but is not limited to disco club music.

“**background music**” means performances by means of a record and/or cd/tape player (excluding juke boxes or video performances) or by means of a radio or

television set operated on the premises or by diffusion through a loudspeaker, however conveyed, from another part of the premises or from a source outside the premises.

“**capacity**” means the maximum number of persons who may be admitted to the area of entertainment at any one time (assessed by reference to fire or similar regulations where available).

The simultaneous or consecutive musical performances that take place in separate rooms in a premises are separately assessable.

“**event**” shall mean an uninterrupted musical event, save for short intervals or breaks. Repeat performances of the same programme such as afternoon and evening sessions shall be deemed to be separate events.

8. MINIMUM ROYALTY

The minimum annual royalty under this tariff for 2009/2010 is €63.16.

9. 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.

10. LATE PAYMENTS

Invoices are payable 30 days from the date of issue. Interest is payable thereafter until the date of actual payment at the rate specified in the EC (late payments on Commercial Transactions) Regulations 2002.

This tariff supersedes all previous editions