



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

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## **STANDARD TARIFF PVFI**

Effective from 6<sup>th</sup> January 1998

**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 bars, lounges, cabaret rooms and similar premises but does not apply to such premises when they form part of a hotel, disco or restaurant. The tariff applies to all performances in premises outside of the areas represented by the Licensed Vintners' Association to which the Standard Tariff HRNPD applies, (but see paragraph 10 re jukeboxes).

This tariff has been fully agreed between the Vintners' Federation of Ireland and IMRO and does not include licensees whose charges are currently calculated by reference to the HRNPD tariff.

### **2. ROYALTY RATES**

The following charges apply to all royalties falling due between

## **6<sup>th</sup> January 2010 and 5<sup>th</sup> January 2011**

### **A. Rates for Electronic Apparatus:**

	<b>Undeclared Performance €uro</b>	<b>Declared &amp; Licensed Performance €uro</b>
(i) Radio (with or without tape, CD or record deck with built in speakers)	115.33	76.89
(ii) Television & Video	92.28	61.51
(iii) For background music	276.83	184.54
or		
(iv) a composite rate for (i), (ii) & (iii) above	346.03	230.69

\* See Definitions

**B. Other Music**

(i) Level of Annual Turnover	Rate per Music Session	
	Undeclared Performance Euro	Declared & Licensed Performance Euro
Under €190,500	13.86	9.22
€190,500 but less than €380,999	21.63	13.86
€380,999 but less than €634,999	27.67	18.44
€635,000 but less than €952,499	36.93	24.61
€952,500 but less than €1,269,999	46.15	30.75
€1,270,000 or more	58.45	38.46

- (ii) Where there is a charge for admission to any event which includes the use of copyright music, the royalty per event shall be calculated as a percentage of gross income from admission charges plus any other income received by the promoter or the licensee in respect of the event e.g. sponsorships or other fees. The rates shall be: -

Undeclared Performance	Declared & Licensed Performance
4.5%	3%

Note 1: This is subject to a minimum charge that corresponds to the turnover levels above (see B(i)).

Note 2: Where other music is promoted in venues covered by this tariff with the venue simply renting out the facilities, this tariff may not apply to the licensee. To avail of this exclusion, the licensee shall notify IMRO on the forms provided at least two weeks in advance of the concert and provide the name and address of the promoter.

**3. PAYMENT TERMS**

- (i) Payment of royalties and VAT due under this tariff is either on receipt of invoice or in cases where royalties exceed €150.00 by means of a banker's direct debit completed at the time of the issuing of the licence or in the case of an existing licence, when the tariff is first applied.
- (ii) The payment by direct debit for royalties due under section 1A of this tariff will be by four consecutive monthly direct debits commencing on the 15<sup>th</sup> of the month of issue of invoice.

\* See Definitions

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- (iii) The payment by direct debit for royalties due under section 1B of this tariff will be by way of eight consecutive monthly direct debits commencing on the 15<sup>th</sup> day of the month following the month of issue of the invoice in order to afford licensees an opportunity to resolve bonafide disputes.

**4. INFLATION ADJUSTMENT**

The foregoing rates of charge are related to the Consumer Price Index of Retail Prices for mid August 2009 (on the November 1989 base) as published in the Irish Statistical Bulletin, ("the basic Index Figure") and will be adjusted on 6<sup>th</sup> November 2010 and each subsequent anniversary of that date in proportion to the changes in the Index. This adjustment shall not be greater than 2% in any one year.

**5. GENERAL CONDITIONS**

This tariff is subject to IMRO's General Conditions Applicable to Tariffs and Licences, a copy of which is available on request.

**6. DEFINITIONS**

"**background music**" means music which is relayed by electronic apparatus other than by radio (as defined in 1A(i) above), and does not include music played for the purpose of dancing or karaoke.

"**other music**" means music performed by means of live performers and/or electronic apparatus where the electronic music is used for the purposes of dancing or where a DJ is employed, this does not include radio and TV. This includes music performed in bars and lounges which are open for an extra hour or longer outside the current ordinary seven-day licensed hours.

Any disagreement on the definition and the categorisation of music under the definitions can be referred to the Arbitration Committee.

**7. MINIMUM ROYALTY**

The minimum annual royalty will be €61.51.

**8. VALUE ADDED TAX**

Each licensee under this tariff shall pay to IMRO, 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

**9. ARBITRATION**

In the event of a dispute arising between IMRO and a VFI member, such a dispute may be referred to the IMRO/VFI Arbitration Committee.

The IMRO/VFI Arbitration Committee Shall consist of an independent Chairman and two other members, one from IMRO and the other from the VFI.

If a dispute is referred to the IMRO/VFI Arbitration Committee the Chairman shall give such directions as he or she considers will ensure a fair and orderly hearing and determination of the dispute.

**10. TRADITIONAL MUSIC (i.e. public domain)**

Irish traditional music in the public domain is exempt from this tariff. Playing of copyright music will incur the full tariff. Where there is a dispute as to whether the music at the session or venue is Irish traditional music, the matter can be referred to the Arbitration Committee.

**11. JUKEBOXES**

Music performed by audio or visual jukeboxes is not covered by this tariff (see Tariff JB).

**12. UNDECLARED PERFORMANCES**

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

**This tariff supersedes all previous editions**