IRISH MUSIC RIGHTS ORGANISATION CLG
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STANDARD TARIFF J

Introduced on 1st January 2016
Rates effective from 1st January 2018

To be read in conjunction with the Dual Licence Contract* and the Dual Licence General Terms*.

1. SCOPE OF TARIFF

Subject to the exclusions in paragraph 2, this tariff applies to performances of copyright music within the Repertoire Controlled by IMRO at sports, social and other clubs or at similar establishments.

2. DUAL COPYRIGHT MUSIC LICENCE CONTRACT

This tariff is incorporated into and forms an integral part of the Dual Licence Contract. A breach of any term or condition of this tariff shall constitute a breach of the Dual Licence Contract. In the event of any conflict between the constituent parts of the Dual Licence Contract, the descending order of precedence shall be as follows: (i) the main body of the Dual Licence Contract; (ii) this tariff; and (iii) the Dual Licence General Terms*.

3. EXCLUSIONS

This tariff does not apply to

- performances of Repertoire Controlled by IMRO in seated restaurant areas within the premises, these being chargeable under IMRO Standard Tariff HRNPD.

- live performances of Repertoire Controlled by IMRO where a charge is made for admission, these being chargeable under IMRO Standard Tariffs LP, LC and/or VT.

IMRO in its sole discretion will determine which tariff applies to the proposed performance of musical works. Particulars of the proposed performance should be notified to IMRO who will thereafter licence the performances in accordance with the appropriate tariff.

*** See Definitions**

4. ROYALTY RATES

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

1st January 2018 and 31st December 2018

A. Annual rate for Background Music*

	Higher Royalty rate	Standard Royalty rate
Performances by means of	**€**	**€**
TV only	190.52	126.98
Any electronic apparatus, with or without a TV	359.85	239.91

B. Featured Music* – Rate per session

	Higher Royalty rate	Standard Royalty rate
	€	**€**
Capacity* not exceeding 100	22.77	15.12
Capacity not exceeding 200	38.61	25.78
Capacity not exceeding 300	54.23	36.13
Capacity not exceeding 400	62.02	41.31
Capacity not exceeding 500	69.61	46.44
Capacity not exceeding 600	76.67	51.50
Capacity not exceeding 700	83.23	55.54
Charge per 100 Capacity thereafter	4.63	3.09

C. Aerobic and Keep Fit classes

	Higher Royalty rate	Standard Royalty rate
	€	**€**
Aerobic and keep fit classes, including aqua aerobics, the rate per class session is	3.21	2.15

D. The minimum annual Royalty under this tariff is €126.98.

5. HIGHER AND STANDARD ROYALTY RATES

(i) All performances in the first Licence Year* will be charged at the Higher Royalty rate unless the user applies in writing for a licence before the music is performed.

(ii) Any performances not declared are unauthorised and constitute **an infringement of copyright** and will be charged as unlicensed performances at the Higher Royalty rate.

(iii) Standard Royalty rates shall apply after the first Licence Year only if there is a valid Dual Licence Contract in place between IMRO and the Licensee.

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6. INFLATION ADJUSTMENT

The foregoing Royalty rates are related to the Consumer Price Index of Retail Prices for mid-October 2017 (on the November 1996 base) as published in the Irish Statistical Bulletin, and will be adjusted on 1st January 2019 and on each subsequent anniversary of that date in proportion to annual changes in that Index.

7. DEFINITIONS

Capitalised terms used but not defined in this tariff shall have the meaning set forth in the Dual Licence Contract.

"Background Music" means music conveyed through any electronic apparatus to add atmosphere and at a volume level of less than or equal to 80dB.

"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, health and safety or similar regulations where available). Simultaneous or consecutive musical performances that take place in separate rooms in a premises are separately assessable.

"Dual Licence Contract" means the Dual Copyright Music Licence Contract between the Licensee, IMRO and PPI.

"Dual Licence General Terms" means the General Terms and Conditions Applicable to the Dual Copyright Music Licence Contract and Related IMRO and PPI Tariffs.

"Featured Music" means all other performances not covered under the definition of Background Music but excluding music used in aerobic and keep fit classes.

"IMRO" means the Irish Music Rights Organisation CLG.

"Licence Year" means the first and each recurring 12 consecutive month period.

8. VALUE ADDED TAX

Every Licensee under this tariff shall pay to IMRO, in addition to the Royalty due under this tariff, a sum in respect of Value Added Tax calculated at the relevant rate on the Royalty payable.

9. LATE PAYMENTS

Invoices are payable immediately from the date of issue. Interest is payable thereafter until the date of actual payment at the rate specified in European Communities (Late Payment in Commercial Transactions) Regulations 2012.