



IRISH MUSIC RIGHTS ORGANISATION CLG

Copyright House, Pembroke Row, Lower Baggot Street, Dublin 2, D02 HW59, Ireland.
Telephone: (01) 6614844. Email: duallicence@imro.ie Web: www.imro.ie

STANDARD TARIFF AC

Introduced on 1st January 2016
Effective from 1st January 2019

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

1. SCOPE OF TARIFF

This tariff applies to performances of copyright music within the Repertoire Controlled by IMRO in aircraft registered in the Republic of Ireland.

2. DUAL COPYRIGHT MUSC 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. ROYALTY RATES

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

1st January 2019 and 31st December 2019

The annual Royalty payable in respect of performances in aircraft to which this tariff applies shall be calculated at the rate of €10.91 per 500 Passenger Hours of Music* played.

4. COMPUTATION OF ROYALTY CHARGE

(a) Take-off and Landing Music

Under this tariff the duration of music usage during take-off and landing is to be taken as 15 minutes per passenger –

EXAMPLE: (Calculation at €10.91 per 500 hours)

* See Definitions

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In the case of an aircraft which carried 60,000 passengers to whom music was audible during take-off and landing, the number of passenger hours would be 15,000 (60,000 ÷ 4), and the annual Royalty would be €327.30.

(b) In-Flight Music

The number of hours flown with passengers by the aircraft during the year will be divided by the number of stage flights to produce an average flight duration, and the average flight duration will then be multiplied by the number of passengers who listen to in-flight music.

EXAMPLE: (Calculation of €10.91 per 500 passenger hours)

In the case of an aircraft flying a total of 3,300 hours, in 600 stage flights, the average flight duration would be 5.50 hours.

If the number of passengers to whom in-flight music was audible was 20,000 the annual Royalty would be:-

$$\frac{20,000 \times 5.50 \times \text{€}10.91}{500} = \text{€}2,400.20$$

5. INFLATION ADJUSTMENT

The foregoing Royalty rates are related to the Consumer Price Index of Retail Prices for mid-October 2018 (on the November 1996 base) as published in the Irish Statistical Bulletin, and will be adjusted on 1st January 2020 and on each subsequent anniversary of that date in proportion to annual changes in that Index.

6. DEFINITIONS

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

“**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.

“**IMRO**” means the Irish Music Rights Organisation CLG.

“**Passenger Hour of Music**” means one hour of music audible to one passenger.

7. VALUE ADDED TAX

Every Licensee under this tariff shall pay to the Irish Music Rights Organisation CLG, 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.