



IRISH MUSIC RIGHTS ORGANISATION CLG

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STANDARD TARIFF HRNPD

Introduced on 6th July 2007
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

The tariff applies to the following performances of copyright music within the Repertoire Controlled by IMRO in hotels, nightclubs, restaurants, guest houses and 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. ROYALTY RATES

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

1st January 2019 and 31 December 2019

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

Charge for Performances - Per Session

	Higher Royalty rate €	Standard Royalty rate €
Licensed Capacity not exceeding 100	23.51	15.62
Licensed Capacity not exceeding 200	39.85	26.60
Licensed Capacity not exceeding 300	55.98	37.31
Licensed Capacity not exceeding 400	64.04	42.64

* see Definitions

Licensed Capacity not exceeding 500	71.85	47.95
Licensed Capacity not exceeding 600	79.68	53.16
Licensed Capacity not exceeding 700	85.92	57.35
Charge per 100 capacity thereafter	4.78	3.21

Note 1: † Weddings will be charged at the Royalty 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*

Note 3: The simultaneous or consecutive musical performances that take place in separate rooms in a premises are separately assessable.

(b) Background Music*

Charge for Performances - Per Annum

	Higher Royalty Rate	Standard Royalty Rate
	€	€
Radio and/or Tape/CD player alone or with Radio and/or Television	121.28	80.82
Radio and/or television alone	101.43	67.64

for each unit of 20 seats or part thereof

Rates for Hotel Bedrooms

Rooms	€
0 - 50	66.89
51 - 100	133.78
101 - 150	200.67
151 - 200	267.56
Per 50 rooms thereafter	66.89

4. 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 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 at the Higher Royalty rate.

5. MISCELLANEOUS OTHER PERFORMANCES

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.

6. 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.

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 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).

“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.

“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.

“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.

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

“**Licence Year**” means the first and each recurring 12 consecutive month period.

8. MINIMUM ANNUAL ROYALTY

The minimum annual Royalty under this tariff for 2019 is €66.89.

9. 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.

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.