



**IRISH MUSIC RIGHTS ORGANISATION CLG**

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**STANDARD TARIFF RS**

Introduced on 1<sup>st</sup> January 2016  
Effective from 1<sup>st</sup> January 2020

**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 at

- (i) retail shops and stores, motor, caravan and boat showrooms, wholesale warehouses and furniture and carpet showrooms, and
- (ii) for Background Music\* purposes in any concourse, mall, walkway, circulating area, or other part of a shopping centre, precinct, or similar complex open only to pedestrian traffic.

**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

**1<sup>st</sup> Jan 2020 and 31<sup>st</sup> December 2020**

**3.1 FOR MUSIC USE UNDER PARAGRAPH 1 (i)**

**3.1.1** The **annual Royalty** charge for performances of Background Music\* is calculated as follows: -

\* See Definitions

	Higher Royalty rate	Standard Royalty rate €
	€	
<b>Shop space* in M<sup>2</sup></b>		
Up to 100	220.59	146.86
101 – 200	327.69	218.44
201 – 300	437.94	292.01
301 – 500	548.24	365.50
501 – 750	652.08	434.74
751 – 1000	762.32	508.23
1001 – 1250	872.65	581.76
1251 – 1500	989.45	659.61
1501 – 1750	1,090.01	726.63
1751 – 2000	1,200.30	800.20
2001 – 2500	1,307.37	871.53
2501 – 3000	1,417.66	945.08
3001 – 3500	1,527.95	1,018.66
3501 – 4000	1,638.24	1,092.16
4001 – 4500	1,745.30	1,163.53
4501 – 5000	1,855.60	1,237.08
5001 – 6000	1,962.58	1,308.41
6001 – 7000	2,069.70	1,379.81
7001 – 8000	2,180.00	1,453.33
8001 – 9000	2,290.28	1,526.83
9001 – 10000	2,397.30	1,598.27
For each additional 1000m <sup>2</sup> (or part thereof)	110.31	73.55
 3.1.2		
Where the sole means of performance is a single portable transistor radio without amplifiers, or a single television receiver with a screen no greater than 26", excluding performances of music television		
The <b>annual Royalty</b> is	146.03	97.33
 3.1.3		
Where performances take place in areas used as motor, caravan or boat showrooms, warehouses used for the display and sale of goods by wholesalers to retailers and other similar bulk buyers, and in furniture and carpet showrooms, the actual Shop Space may be reduced by 30% for Royalty calculation purposes.		

\* See Definitions

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	Higher Royalty rate	Standard Royalty rate €
	€	
3.1.4		
Where the sole means of performance is by a radio or other audio or audio visual equipment (other than those referred to in 3.1.2 above) which is for sale on the premises and the performances are bona fide given for the purpose of demonstrating that equipment at or near the point of sale, the applicable Royalty is reduced by 30%. This does not apply where the performances are by means of discs, tapes or other recordings where those goods are also for sale or hire on the premises.		
<b>3.2 PAVEMENT MUSIC*</b>		
For each loud-speaker or other apparatus the <b>annual Royalty</b> is	64.88	43.26
<b>3.3 FATHER CHRISTMAS SHOWS, MANNEQUIN AND FASHION SHOWS etc</b>		
For performances at events such as Father Christmas shows, Christmas toy bazaars and similar attractions and mannequin, dress and other fashion shows, the <b>daily Royalty</b> is	64.88	43.26
<b>3.4 MINIMUM ROYALTY PAYMENT</b>		
With the exception of performances covered under paragraph 3.1.2., the Royalties payable under this Paragraph 3 are subject to the following <b>minimum annual Royalties</b> : -		
<b>3.4.1</b> Performances by means of an audio jukebox	310.42	205.52
<b>3.4.2.</b> Performances by means of a video jukebox	412.92	275.26
<b>3.4.3</b> All other performances	194.63	129.76

**4. FOR MUSIC USE UNDER PARAGRAPH 1 (ii)**

Royalties under this Paragraph are calculated by reference to the Audible Area\* as follows: -

	Higher Royalty rate €	Standard Royalty rate €
For each unit of 100 m <sup>2</sup> or part thereof, up to 1,000 m <sup>2</sup>	82.94	55.31
For each additional unit of 500 m <sup>2</sup> or part thereof, up to a total area of 5,000 m <sup>2</sup>	331.62	219.86
For each additional unit of 500 m <sup>2</sup> or part thereof, up to a total area of 10,000 m <sup>2</sup>	248.73	165.79
For each additional unit of 500 m <sup>2</sup> over 10,000 m <sup>2</sup>	205.55	137.05
<b>The Minimum annual Royalty under this Paragraph 4 is:</b>		84.02

**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.

**6. INFLATION ADJUSTMENT**

The foregoing Royalty rates are related to the Consumer Price Index of Retail Prices for mid-October 2019 (on the November 1996 base) as published in the Irish Statistical Bulletin, and will be adjusted on 1<sup>st</sup> January 2021 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.

**“Audible Area”** means the floor area measured from wall to wall of the whole of that part of the premises to which the public are admitted and in which the music is audible.

**“Background Music”** means performances by means of a record and/or CD/tape player (excluding jukeboxes 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.

**“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.

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

**“Pavement Music”** means music performed by means of a loud-speaker or other apparatus installed outside the individual shop but controlled from within.

**“Shop Space”** means the floor area measured from wall to wall of the whole or part of that part of the premises to which the public are admitted and in which the music is audible.

## **8. 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.