



TARIFF
BOOK
2021

NOTIFICATION

D- Tariffs

**PART IV: MUSIC VIDEO - PUBLIC PERFORMANCE AND TRANSMISSION VIA
BROADCAST, CABLE AND INTERNET**

This section contains tariffs for licensing the public performance of music videos in various types of premises and locations to which the public and/or staff have access and the transmission of music videos via traditional broadcast, cable and the internet.

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TARIFF

NO.

80

EFFECTIVE DATE
1st JANUARY 2021

PUBLIC PERFORMANCE OF MUSIC VIDEOS

COPYRIGHT AND RELATED RIGHTS ACT 2000

TERMS FOR COMMERCIAL DISCOTHEQUE AND NIGHTCLUB VENUES

1. The commercial discotheque/nightclub venue ('the venue') shall make payments to PPI or its agent computed in accordance with the tariff scale on Pages 2 and 3 hereof, as determined by the High Court Order of Miss Justice Mary Laffoy dated the 24th June 2004.
2. The following information in respect of each calendar quarter shall be provided by the venue to PPI or its agent on the prescribed form within 14 days of the end of each calendar quarter:
 - (a) number of events held
 - (b) average attendances at events held
 - (c) admission charges to events.
3. The remuneration due by the venue shall be paid to PPI or its agent quarterly in arrears within 7 days of receipt of invoice. Interest at the rate of 5% per annum above the AIB Bank plc triple A ('AAA') rate shall be charged on any sum due not paid to PPI or its agent by the due date.
4. All sums payable by the venue under this tariff are liable to Value Added Tax at the appropriate rate.
5. PPI or its agent reserves the right to require detailed written returns from the venue of all sound recordings publicly performed at events not exceeding 10% of the total number of events held in any calendar year. Such returns to include the title of the musical work recorded, the name of the recording artist, the label on which the sound recording was released as a record in Ireland, the prefix number of the record and the date and time of the public performance.
6. Effective from the date of renewal or commencement of a new dual music licence during the calendar year 2021.
7. PPI reserves the right to amend these terms upon giving notice to The Controller of Intellectual Property in writing to that effect.
8. The venue shall indemnify both PPI and its agent against all and any expenses, costs, claims, damages and actions arising directly or indirectly from any breach by it of any of these terms.
9. In the event that a Dual Music Licence Contract is not executed then the receipt by PPI or its agent of the first calendar quarterly return due under term 2 above shall be deemed to be acceptance by the venue of these terms.

Contd./...



TARIFF
NO.
80

<u>TARIFF:</u>	FOR THE PUBLIC USE OF MUSIC VIDEOS AS SPECIALLY FEATURED ENTERTAINMENT
<u>TITLE:</u>	COMMERCIAL DISCOTHEQUES & NIGHTCLUBS
<u>EFFECTIVE DATE:</u>	1st JANUARY 2021 - SEE NOTE 6 ON PAGE 1

ANNUAL FIXED PAYMENT:

€358.33

ATTENDANCE/CAPACITY (See note (d) below)

FEE PER EVENT

€

0	to	50	7.11
51	to	100	21.31
101	to	150	35.51
151	to	200	49.71
201	to	250	63.91
251	to	300	78.10
301	to	350	92.32
351	to	400	106.51
401	to	450	120.72
451	to	500	134.92
501	to	550	149.12
551	to	600	163.32
601	to	650	177.52
651	to	700	191.73
701	to	750	205.93
751	to	800	220.13
801	to	850	234.33
851	to	900	248.53
901	to	950	262.73
951	to	1,000	276.94

Attendances in excess of 1,000 shall be calculated in bands of 50 in line with the above structure, and the figures applicable to those bands shall be rateably in line with the above figures, i.e. multiplying the mid-point of the band by the applicable per person rate of €0.28

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TARIFF
NO.
80

Tariff 80 contd...

NOTES

(a) **ADMISSION PRICE ADJUSTMENT FACTOR**

The above rates are applicable to events where the gross admission charge lies in the range of €9.31 to €11.74. Outside this range an admission price adjustment factor is to be applied to the above rates in accordance with the following table:-

<u>GROSS ADMISSION PRICE RANGE</u>	<u>ADMISSION PRICE ADJUSTMENT FACTOR</u>	<u>EFFECT ON ABOVE STANDARD RATES</u>
Nil to €4.72	0.55	45% Reduction
€4.73 to €7.05	0.70	30% Reduction
€7.06 to €9.31	0.85	15% Reduction
€9.32 to €11.74	1.00	No Effect
€11.75 to €14.05	1.15	15% Increase
€14.06 to €16.40	1.30	30% Increase
€16.41 to €18.79	1.45	45% Increase

A pro-rata adjustment factor shall apply to admission prices above: €18.79

(b) **INFLATION / DEFLATION**

For 2022 and future years the above annual fixed payment, per event fees and admission prices shall be adjusted in line with the Consumer Price Index (CPI).

For 2020 and previous years the above annual fixed payment, per event fees and admission prices shall be adjusted in line with the CPI.

(c) **EVENT LENGTH** **ADJUSTMENT FACTOR**

<u>HOURS</u>	<u>ADJUSTMENT FACTOR</u>
0 hrs to 1 hr 59 mins	0.55
2 hrs to 2 hrs 59 mins	0.85
3 hrs to 3 hrs 59 mins	1.00
4 hrs to 4 hrs 59 mins	1.15
5 hrs to 5 hrs 59 mins	1.30
over 6 hrs	1.45

(d) Whether venue capacity or actual attendance applies will be a matter for agreement between the venue and PPI or its agent or, in default of agreement, at the election of PPI or its agent.
If venue capacity applies, documentary evidence from the appropriate public authority of the licensed capacity must be provided to PPI or its agent.



TARIFF

NO.

81

EFFECTIVE DATE
1st JANUARY 2021

**PUBLIC PERFORMANCE OF MUSIC VIDEOS
AS SPECIALLY FEATURED ENTERTAINMENT**

**COPYRIGHT AND RELATED RIGHTS ACT 2000
TERMS FOR VENUES OPERATING DURING NORMAL LICENSING HOURS**

1. The venue operating outside normal licensing hours with special exemption orders ('the venue') shall make payments to PPI or its agent computed in accordance with the tariff scale on Pages 2 and 3 hereof which is based on the Order of Miss Justice Mary Laffoy dated 24th June 2004.
2. The following information in respect of each calendar quarter shall be provided by the venue to PPI or its agent on the prescribed form within 14 days of the end of each calendar quarter:
 - (a) number of events held
 - (b) average attendances at events held
 - (c) admission charges to events.
3. The remuneration due by the venue shall be paid to PPI or its agent quarterly in arrears within 7 days of receipt of invoice. Interest at the rate of 5% per annum above the AIB Bank plc triple A ('AAA') rate shall be charged on any sum due not paid to PPI or its agent by the due date.
4. All sums payable by the venue under this tariff are liable to Value Added Tax at the appropriate rate.
5. PPI or its agent reserves the right to require detailed written returns from the venue of all sound recordings publicly performed at events not exceeding 10% of the total number of events held in any calendar year. Such returns to include the title of the musical work recorded, the name of the recording artist, the label on which the sound recording was released as a record in Ireland, the prefix number of the record and the date and time of the public performance.
6. Effective from the date of renewal or commencement of a new dual music licence during the calendar year 2021.
7. PPI reserves the right to amend these terms upon giving notice to The Controller of Intellectual Property in writing to that effect.
8. The venue shall indemnify both PPI and its agent against all and any expenses, costs, claims, damages and actions arising directly or indirectly from any breach by it of any of these terms.
9. In the event that a Dual Music Licence Contract is not executed then the receipt by PPI or its agent of the first calendar quarterly return due under term 2 above shall be deemed to be acceptance by the venue of these terms.

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TARIFF
NO.
81

<u>TARIFF:</u>	FOR THE PUBLIC USE OF MUSIC VIDEOS AS SPECIALLY FEATURED ENTERTAINMENT
<u>TITLE:</u>	VENUES OPERATING DURING NORMAL LICENSING HOURS
<u>EFFECTIVE DATE:</u>	1st JANUARY 2021 - SEE NOTE 6 ON PAGE 1

ANNUAL FIXED PAYMENT: €358.33

<u>ATTENDANCE/CAPACITY (See note (d) below)</u>	<u>FEE PER EVENT</u>
	€
0 to 50	1.77
51 to 100	5.33
101 to 150	8.88
151 to 200	12.42
201 to 250	15.98
251 to 300	19.54
301 to 350	23.08
351 to 400	26.63
401 to 450	30.18
451 to 500	33.73
501 to 550	37.28
551 to 600	40.82
601 to 650	44.38
651 to 700	47.93
701 to 750	51.48
751 to 800	55.03
801 to 850	58.59
851 to 900	62.13
901 to 950	65.68
951 to 1,000	69.23

Attendances in excess of 1,000 shall be calculated in bands of 50 in line with the above structure, and the figures applicable to those bands shall be rateably in line with the above figures, i.e. multiplying the mid-point of the band by the applicable per person rate of €0.07.

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TARIFF
NO.
81

Tariff 81 contd...

NOTES

(a)

ADMISSION PRICE ADJUSTMENT FACTOR

The above rates are applicable to events where the gross admission charge lies in the range of €9.31 to €11.74. Outside this range an admission price adjustment factor is to be applied to the above rates in accordance with the following table:-

<u>GROSS ADMISSION PRICE RANGE</u>	<u>ADMISSION PRICE ADJUSTMENT FACTOR</u>	<u>EFFECT ON ABOVE STANDARD RATES</u>
Nil to €4.72	0.55	45% Reduction
€4.73 to €7.05	0.70	30% Reduction
€7.06 to €9.31	0.85	15% Reduction
€9.32 to €11.74	1.00	No Effect
€11.75 to €14.05	1.15	15% Increase
€14.06 to €16.40	1.30	30% Increase
€16.41 to €18.79	1.45	45% Increase

A pro-rata adjustment factor shall apply to admission prices above: €18.79

(b)

INFLATION / DEFLATION

For 2022 and future years the above annual fixed payment, per event fees and admission prices shall be adjusted in line with the Consumer Price Index (CPI).

For 2020 and previous years the above annual fixed payment, per event fees and admission prices shall be adjusted in line with the CPI.

(c)

<u>EVENT LENGTH HOURS</u>	<u>ADJUSTMENT FACTOR</u>
0 hrs to 1 hr 59 mins	0.55
2 hrs to 2 hrs 59 mins	0.85
3 hrs to 3 hrs 59 mins	1.00
4 hrs to 4 hrs 59 mins	1.15
5 hrs to 5 hrs 59 mins	1.30
over 6 hrs	1.45

(d)

Whether venue capacity or actual attendance applies will be a matter for agreement between the venue and PPI or its agent or, in default of agreement, at the election of PPI or its agent.

If venue capacity applies, documentary evidence from the appropriate public authority of the licensed capacity must be provided to PPI or its agent.



TARIFF NO. 82

TARIFF:	FOR THE PUBLIC USE OF MUSIC VIDEOS
TITLE:	MUSIC VIDEO AS BACKGROUND ENTERTAINMENT
EFFECTIVE DATE:	1st JANUARY 2021 - SEE NOTES BELOW

ANNUAL TARIFF PER SITE:

TYPE "A" SITES:-

	<u>FEE</u> €
Salons (Hairdressing / Beauty / Tanning), Barbers and Nail Bars/ Pubs / Cafes / Restaurants / Cinema Foyers / Social Clubs / Shops / Coaches / Hotels / etc.	296.86

TYPE "B" SITES:-

Small Chain Stores / Promotions (*) / Single Departments in Large Department Stores / etc.	742.16
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TYPE "C" SITES:-

Large Chain Stores / Supermarkets / Department Stores / etc.	2,968.64
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(*) Pro rata to nearest week

NOTES:

- (1) Tariffs are payable on an annual basis.
- (2) Tariff amounts are liable to Value Added Tax at the appropriate rate.
- (3) For 2022 and future years the above tariff for 2021 shall be adjusted in line with the Consumer Price Index (CPI).
- (4) Effective from the date of renewal or commencement of a new Dual Music Licence during the calendar year 2021.
- (5) PPI reserves the right to amend these terms upon giving notice to The Controller of Intellectual Property in writing to that effect.

TARIFF:	FOR THE USE OF MUSIC VIDEOS
TITLE:	NON-INTERACTIVE INTERNET MUSIC VIDEO WEBCASTING / STREAMING SERVICES
EFFECTIVE DATE:	1st JANUARY 2021

1. **SMALL MUSIC VIDEO WEBCASTERS TARIFF**

for Internet TV streaming services the content of which is predominantly comprised of music videos and the presentation of music-relevant news and feature items, with annual revenue less than €6,000, and serving less than 20,000 total streams annually

(a)	Per Music Video Per Stream (i.e. individual viewer):	€0.01071
(b)	Minimum Annual Licence Fee for Webcasting per channel:	€182.10
(c)	Minimum Annual Licence Fee for Dubbing per channel:	€32.13
	Total Minimum Annual Licence Fee per channel:	€214.22

If a service generates streaming and dubbing fees greater than the minima above, PPI reserves the right to invoice for the additional licence fees due, or move the webcaster to the Standard Music Video Webcasters Tariff below

2. **STANDARD MUSIC VIDEO WEBCASTERS TARIFF**

for Internet TV streaming services the content of which is predominantly comprised of music videos and the presentation of music-relevant news and feature items, with annual revenue greater than €6,000, and/or serving more than 20,000 total streams annually

(a)	Per Music Video Per Stream (i.e. individual viewer):	€0.01071
(b)	Minimum Annual Fee for Webcasting per Channel:	€4,552.27
(c)	Minimum Annual Fee for Dubbing per channel:	€803.35
	Total Minimum Annual Licence Fee per channel:	€5,355.62 (*)

() or 30% of revenue, whichever is the greater*

NOTES:

- (1) This tariff only applies to non-interactive audiovisual linear streaming services. Viewers may not select specific music videos for viewing, nor may they download any music video tracks as part of the service.
- (2) Licensees under this tariff must first enter into an agreement with PPI. Terms available on request.
- (3) Tariff amounts are liable to Value Added Tax at the appropriate rate.
- (4) For 2022 and future years the above tariff for 2021 shall be adjusted in line with the Consumer Price Index (CPI).
- (5) PPI reserves the right to amend these terms upon giving notice to The Controller of Intellectual Property in writing to that effect.

TARIFF:	FOR THE USE OF MUSIC VIDEOS
TITLE:	NON-INTERACTIVE INTERNET GENERAL TV WEBCASTING / STREAMING SERVICES
EFFECTIVE DATE:	1st JANUARY 2021

1. SMALL TV WEBCASTERS TARIFF

for Internet TV services comprised of general, broad-format programming, with music video-based programming not exceeding 15% of total broadcast output, with annual revenue less than €6,000, and serving less than 20,000 total streams annually

- | | | |
|-----|--|----------|
| (a) | Per Music Video Per Stream (i.e. individual viewer): | €0.01071 |
| (b) | Minimum Annual Licence Fee for Webcasting per channel: | €91.04 |
| (c) | Minimum Annual Licence Fee for Dubbing per channel: | €16.07 |
| | Total Minimum Annual Licence Fee per channel: | €107.12 |

If a service generates streaming and dubbing fees greater than the minima above, PPI reserves the right to invoice for the additional licence fees due, or move the webcaster to the Standard Music Video Webcasters Tariff below

2. STANDARD TV WEBCASTERS TARIFF

for Internet TV services comprised of general, broad-format programming, with music video-based programming not exceeding 15% of total broadcast output, with annual revenue greater than €6,000 and/or serving more than 20,000 total streams annually

- | | | |
|-----|--|-----------|
| (a) | Per Music Video Per Stream (i.e. individual viewer): | €0.01071 |
| (b) | Minimum Annual Fee for Webcasting per Channel: | €910.45 |
| (c) | Minimum Annual Fee for Dubbing per channel: | €160.67 |
| | Total Minimum Annual Licence Fee per channel: | €1,071.12 |

NOTES:

- (1) This tariff only applies to non-interactive audiovisual linear streaming services. Viewers may not download any music video tracks or sound recordings or programmes containing music videos or sound recordings as part of the service.
- (2) Licensees under this tariff must first enter into an agreement with PPI. Terms available on request.
- (3) Tariff amounts are liable to Value Added Tax at the appropriate rate.
- (4) For 2022 and future years the above tariff for 2021 shall be adjusted in line with the Consumer Price Index (CPI).
- (5) PPI reserves the right to amend these terms upon giving notice to The Controller of Intellectual Property in writing to that effect.



TARIFF
NO.
89

EFFECTIVE DATE
1st JANUARY 2021

**BROADCASTING OF MUSIC VIDEOS BY TV STATIONS
DELIVERED EITHER VIA SATELLITE DIRECT-TO-HOME
OR VIA CABLE PLATFORMS**

TERMS & CONDITIONS

1. RATES

The rates per music video broadcast are set out on the attached tariff sheet (Tariff 89). Music videos with a broadcast duration of more than 60 seconds attract the full per play rate. Music videos with a broadcast duration of 60 seconds or less are charged at one-third of the full per play rate.

2. REPEAT TRANSMISSIONS

To benefit from the reduced rate for 1st repeats (a 50% reduction), the programme in which the music video was first broadcast must be repeated in full, without editing, within 7 days of the original transmission. The further reduced rate for 2nd and subsequent repeats (75% of the 1st TX rate) applies only when the programme is repeated two or more times within 14 days of the original broadcast.

3. PROMOS / FREE TRANSMISSIONS

Stations may make free use of up to 3 promo clips of no more than 15 seconds duration each during the course of a programme, provided the music videos being promoted are played in full during the course of the same programme.

In advance of the actual programme, stations may make free use of an unlimited number of music video clips of no more than 10 seconds duration for the purposes of promoting the programme, provided that the music videos clips used to promote the programme are subsequently broadcast in full in that programme.

4. PROGRAMME LOGS

The broadcaster shall provide PPI with full details of all music videos broadcast, including artist(s), record label, catalogue numbers, programme name, time of broadcast, duration and, if a repeat, the number of times repeated and dates of the repeated programmes. Such logs shall be provided immediately at the end of each 4 weeks of broadcasting.

5. STRICT LIABILITY

The broadcaster is strictly liable for the payment of music video broadcast fees regardless of whether the programme has been produced in-house by the broadcaster, commissioned by the broadcaster from an independent production company, or bought in or acquired by the broadcaster.

contd./...



TARIFF
NO.
89

EFFECTIVE DATE
1st JANUARY 2021

6. EXCLUSIONS

The following will be expressly excluded from the terms of any Agreement entered into between PPI and a broadcaster under this tariff:

- Broadcasting of long-form music videos i.e. music videos in excess of 20 minutes duration
- Sequencing of more than 3 music videos by the same artist(s) without the prior written agreement of PPI
- Editing or adapting any music video other than the showing of extracts (fadeouts are permitted)
- Interruption of a music video for a commercial break

7. TERRITORY

Any agreement entered into between PPI and a broadcaster under the terms of this tariff shall cover

- the direct-to-home (DTH) transmission via satellite (where such transmission has not already been licensed for DTH reception in the Republic of Ireland in the uplink territory) and/or
- the diffusion via cable networks in the Republic of Ireland

For the avoidance of doubt, a channel which is both delivered DTH via satellite and diffused via cable networks shall be obliged to enter into a separate licence agreement with PPI for each method of delivery.

8. EXPORT / RE-SALE

Where a broadcaster, based in the Republic of Ireland and having entered into an Agreement with PPI for the broadcasting of music videos under the terms hereof, purports to sell or otherwise supply a programme produced or commissioned by that broadcaster to a broadcaster or cable company in another jurisdiction, a royalty of 8.5% of the revenue earned by the broadcaster for the supply shall be payable, adjusted pro rata to the amount of time occupied by music videos relative to the total duration of the programme. This royalty shall not cover the subsequent re-transmission by the acquiring broadcaster or cable company.

9. PAYMENT TERMS

Payment of all licence fees due under any Agreement entered into between PPI and a broadcaster under the terms of this tariff shall be made quarterly in arrears within 30 days of the end of each calendar quarter. Programming logs, on which licence fees are based, must therefore be provided without delay.

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TARIFF:	FOR THE BROADCASTING OF MUSIC VIDEOS
TITLE:	TV STATIONS DELIVERED EITHER VIA SATELLITE DIRECT-TO-HOME OR VIA CABLE PLATFORMS
EFFECTIVE DATE:	1st JANUARY 2021

This tariff covers the use of music videos by broad-format or genre-specific television channels carried on satellite and/or cable platforms.

Television channels which are covered by the Cable Operators Agreement (BBC Channels & ITV 3 & ITV 4) or which are licensed for reception in the Republic of Ireland by PPL are not subject to this tariff

1. BROAD-FORMAT & GENRE-SPECIFIC CHANNELS (EXCLUDING MUSIC TELEVISION CHANNELS)

	Per Full Play (> 60 seconds)	Per Clip (< 60 seconds)
1st Transmission	€59.12	€19.71
1st Repeat	€29.56	€9.85
2nd & Subsequent Repeats	€14.78	€4.93

Please contact PPI for full terms & conditions

2. MUSIC TELEVISION CHANNELS (i.e. channels whose broadcast output is predominantly or exclusively focussed on music and music topics)

	Per Full Play (> 60 seconds)	Per Clip (< 60 seconds)
1st Transmission	€29.56	€9.85
1st Repeat	€14.78	€4.93
2nd & Subsequent Repeats	€7.39	€2.46

Please contact PPI for full terms & conditions

NOTES:

- (1) Licensees under this tariff must first enter into an agreement with PPI. Terms available on request.
- (2) Tariffs are payable on an annual basis.
- (3) Tariff amounts are liable to Value Added Tax at the appropriate rate.
- (4) For 2022 and future years the above tariff for 2021 shall be adjusted in line with the Consumer Price Index (CPI).
- (5) PPI reserves the right to amend these terms upon giving notice to The Controller of Intellectual Property in writing to that effect.