

STANDARD TARIFF D For Discotheques Effective 7th October 2004

1. SCOPE OF TARIFF

- 1.1 This tariff applies to performances of copyright music and lyrics within the Society's repertoire at discotheques, dance halls or similar premises.

2. GENERAL CONDITIONS

This tariff is subject to the Society's General Conditions Applicable to Tariffs and Licences, a copy of which is available on request.

3. ROYALTY RATES

- 3.1 All royalties are charged at the royalty rate in force at the beginning of the Licence Year, and are payable in advance of the Licence Year.

- 3.2 The royalty rates payable under this tariff for a Licence Year or part thereof are as follows:

- 3.2.1 Background Music (Mechanical Performance):

<u>Maximum Seating and Standing Capacity</u>	<u>Annual Royalty</u>
Not exceeding 50 persons	\$9,987
For each additional 10 persons (or part thereof)	\$1,816

- 3.2.2 Visual Music Performance:

Additional royalty on top of 3.2.1 above shall be levied by reference to the number of video screens:

<u>No. of Video Screens</u>	<u>Annual Royalty</u>
For the first screen	\$1,640
For each additional screen	\$656

- 3.3 Index Adjustment:

The foregoing royalty rates are related to the base figure **103.3** (2004/2005-based) of the Consumer Price Index B published by the Census and Statistics Department for **January 2002**, and are subject to adjustment in accordance with changes in that index figure for the month three months preceding the date upon which the annual royalty falls due for payment in respect of the year for which the revised annual royalty is calculated.

4. DEFINITION

For the purposes of this tariff:-

- 4.1 "Society's Repertoire" means all or any musical works and literary works which are lyrics to musical works, of which the rights of public performance are or may be controlled by the Society or by any societies in other countries with which the Society is affiliated from time to time.

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Standard Tariff D

- 4.2** “Licence Year” means a consecutive period of twelve calendar months commencing on the first day of a month in which the licence incorporating this tariff is executed.
- 4.3** “Mechanical Performance” means performance by means of a record-player, cassette player or similar contrivance or by means of the audition of broadcasting programmes as simultaneously received over the air by radio or television set/s (other than video player/s or juke box/es) operated on the premises or diffusion through a loud-speaker from other parts of the premises or a source outside the premises, but excludes “Visual Music Performance”.
- 4.4** “Visual Music Performance” means music when performed at the premises by the playing of recorded music which is synchronized with video or similar visual display by means of a video screen, or other screens for slide and film or video exhibition.

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