

EFFECTIVE DATE
1st JANUARY 2020

TARIFF:	FOR THE BROADCASTING OF SOUND RECORDINGS
TITLE:	LINEAR TV CHANNELS DELIVERED VIA BROADCAST (SATELLITE AND/OR TERRESTRIAL), CABLE AND/OR THE INTERNET
EFFECTIVE DATE:	1st JANUARY 2020

This tariff covers the use of sound recordings by linear television channels available via broadcast transmissions (satellite and/or terrestrial) and/or cable programme services and/or the internet.

Television channels which are covered by the Cable Operators Agreement (as listed in the notes below) are not subject to this tariff.

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

Annual Licence Fee

0.1% of Net Commercial Revenue (see notes below)

or

€1,033.38 per method of transmission

whichever is the greater

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

Annual Licence Fee

0.1% of Net Commercial Revenue (see notes below)

or

€5,161.75 per method of transmission

whichever is the greater

Notes:

- (1) The Annual Licence Fee will apply per channel.
- (2) A time-shift channel will be limited to the minimum fee for the purpose of the Annual Licence Fee calculation. Any Net Commercial Revenue for a time-shift channel shall be reported against the channel originally transmitted.
- (3) The following are treated as separate methods of transmission under this tariff and will each attract a separate minimum fee: i) broadcasts via satellite or terrestrial transmissions, ii) inclusion in a cable programme service iii) the internet. The Annual Licence Fee is the greater of the sum of the minimum fees applicable or a share of Net Commercial Revenue.
- (4) The channels covered by the Cable Operators Agreement may vary from time to time. As of the effective date of this tariff, the channels are: BBC 1, SD & HD, BBC 2 SD & HD, BBC 4 SD & HD, CBBC SD & HD, Cbeebies SD & HD, and BBC News SD & HD, ITV 3 and ITV 4.
- (5) This tariff does not cover the broadcast of music videos, in whole or in part. A separate tariff is available for the broadcast of music videos.
- (6) This tariff does not cover any on-demand, download and/or catch-up services which allow members of the public to access content at a place and at a time individually chosen by them (including any interactive functionality).
- (7) Tariff amounts are liable to Value Added Tax at the appropriate rate.
- (8) PPI reserves the right to amend these terms upon giving notice to The Controller of Patents, Designs and Trademarks in writing to that effect.
- (9) For the purposes of this tariff, save where otherwise defined in the relevant licence agreement:

"Gross Commercial Revenue" means all revenue, whether in money or money's worth, paid or payable to the Licensee (or any person, firm, company or entity which is a member, associate, holding company, subsidiary or agent of the Licensee, or any third party on behalf of the Licensee) in connection with a Licensed Service and in each case computed on an invoiced sales basis including, without limitation, and by way of example only:

- i) advertising revenue;
- ii) sponsorship revenue;

- iii) barter and contra deals (the reasonable commercial value of which shall be reported by the Licensee as if regular billing had been made for the airtime based on the time of day and audience reach of the transmission);
- iv) telephony revenue;
- v) donations;
- vi) if applicable, revenues derived from the Internet Simulcast of a Channel and any webpage from which the user can access the Internet Simulcast (where more than one Channel is licensed under this Agreement such webpage revenues to be allocated on the basis of the number of streams per Channel in comparison to the total number of streams from the webpage);
- vii) revenues derived from any operators of transmission platforms (such as cable or satellite) and
- viii) subscription revenue,

PROVIDED THAT if any revenues do not exclusively relate to transmission of the Licensed Service in the Territory, such revenues shall be included in accordance with any contractually specified allocation for the Territory (where such contractually specified allocation is both relevant and reasonable), or in the absence of which, in accordance with the pro rata share of the revenue by reference to the number of homes connected in the Territory in comparison to the overall number of homes connected receiving the Licensed Service both within and outside the Territory.

"Net Commercial Revenue" means Gross Commercial Revenue less the following (in each case where actually incurred and in respect of the same year of the Licence Period as the revenue from which it is being deducted):

- i) in the case of advertising and sponsorship revenue, combined agency and selling agent commission up to a maximum of 17.5% (and in the case of sponsorship revenue only, combined agency and selling agent commission up to a maximum of 25%); and
- ii) bad debts.

- (10) A full copy of PPI's standard licence agreement for this tariff is available on request. Terms used and not otherwise defined in this tariff have the meanings given in the relevant licence agreement.

TARIFF:	FOR THE BROADCASTING OF SOUND RECORDINGS
TITLE:	RADIO STATIONS DELIVERED EITHER DIRECT-TO-HOME VIA SATELLITE OR VIA CABLE PLATFORMS OR VIA DIGITAL AUDIO BROADCASTING (DAB)
EFFECTIVE DATE:	1st JANUARY 2020

This tariff covers the use of sound recordings by radio stations on DAB, satellite or cable platforms.

BBC Radio channels which are covered by the Cable Operators Agreement or which are licensed for reception in the Republic of Ireland by PPI are not subject to this tariff.

1. RADIO STATIONS ALREADY LICENSED BY PPI FOR TERRESTRIAL ANALOGUE BROADCASTING

Annual Licence Fee

€543.95

2. RADIO STATIONS NOT REQUIRING A PPI TERRESTRIAL ANALOGUE BROADCAST LICENCE

Annual Licence Fee

€1,087.90

NOTES:

- (1) Tariffs are payable on an annual basis
- (2) Tariff amounts are liable to Value Added Tax at the appropriate rate
- (3) For 2021 and future years the above tariff for 2020 shall be adjusted in line with the Consumer Price Index (CPI).
- (4) PPI reserves the right to amend these terms upon giving notice to The Controller of Patents, Designs and Trademarks in writing to that effect



TARIFF

NO.

73

EFFECTIVE DATE
1st JANUARY 2020

BROADCASTING OF SOUND RECORDINGS

COPYRIGHT AND RELATED RIGHTS ACT 2000

PPI TERRESTRIAL BROADCAST TARIFF FOR NATIONAL COMMERCIAL RADIO STATIONS

Set out hereunder are the terms on which PPI is prepared to licence traditional terrestrial broadcasting of PPI-controlled sound recordings by national commercial radio broadcasters:-

1. **Rates:**

Licence fees shall be calculated by reference to Net Advertising Revenue (NAR). The amounts payable shall be as follows

- (i) 4.2% of the first €4,952,900 NAR
- (ii) 4.5% of NAR between €4,952,901 and €10,656,000
- (iii) 5.25% of NAR above €10,656,001

These NAR bands will be adjusted annually, on 1st January, in line with CPI.

2. **Net Advertising Revenue**

NAR is defined as gross audited on-air income less an all-in reduction of 23%. On-air income shall include gross (i.e. gross of any commissions paid or agency discounts allowed) advertising sales invoiced and gross sponsorship income. Contra deals are not included.

3. **Calendar Year Ending 31st December 2020**

PPI and the Broadcaster shall agree an estimated liability for the period ending 31st December 2020, based on projected NAR for this period. This liability shall then be discharged by monthly standing order payments. If, at the end of the period it transpires that the amount paid was actually in excess of the actual sum payable, PPI will refund the excess, or it may be credited against future liabilities, as the parties agree. If the sum paid is less than the sum actually due, the Broadcaster must forward the balance to PPI within 60 days of the end of the period.

The broadcaster shall furnish PPI with a statement from its auditors verifying the NAR figure for this period and all subsequent years ending 31 December.

4. **2021 and Future Years**

The Broadcaster shall supply PPI with a statement of projected NAR for each calendar year by 1st December in the previous year. The Broadcaster shall promptly answer all reasonable queries from PPI regarding this statement. Based on this projection, an estimated liability shall be computed and discharged by monthly standing order payments.



TARIFF
NO.
73

EFFECTIVE DATE
1st JANUARY 2020

5. **VAT**

All licence fees payable are subject to Value Added Tax at the prevailing rate (currently 23%).

6. **Lead-in Discounts**

Discounts shall be applied as follows:

Year 1 =	50%
Year 2 =	25%
Year 3 =	20%
Year 4 =	12.5%
Year 5 =	7.5%

7. **Airplay Logs**

Detailed written returns of all sound recordings broadcast shall be provided by the Broadcaster to PPI on a monthly basis and shall include the title of the musical work recorded, the name of the recording artist, the label on which the recording was released in Ireland, the prefix number on the recording, the duration for which it was broadcast, and the time and date of the broadcast. PPI reserves the right to amend, vary or waive the requirements of this provision.

8. **Right of Audit**

PPI reserves the right from time to time, but not more than once in each calendar year, upon reasonable notice to require the Broadcaster to make its books and records available to PPI, or its designated representative, for the purpose only of verifying any returns made by the Broadcaster pursuant to the above terms. PPI shall bear the cost of any such audit, unless as a result, additional licence fees greater than the cost of the audit become payable, in which case the cost of the audit shall be borne by the Broadcaster.

9. **Indemnities**

The Broadcaster shall indemnify PPI against all and any expenses, costs, claims, damages and actions arising directly or indirectly from any breach by it of any of these terms.

10. **Amendments**

PPI reserves the right to amend these terms upon giving notice to a radio station and the Controller in writing to that effect. The said terms may further be varied by mutual agreement.

11. **Acceptance**

The receipt by PPI of the first monthly payment due under term 4 above shall be deemed to be acceptance by the radio station of these terms.



TARIFF

NO.

74

EFFECTIVE DATE
1st JANUARY 2020

BROADCASTING OF SOUND RECORDINGS

COPYRIGHT AND RELATED RIGHTS ACT 2000

PPI TERRESTRIAL BROADCAST TARIFF FOR METROPOLITAN RADIO STATIONS

Set out hereunder are the terms on which PPI is prepared to licence traditional terrestrial broadcasting of PPI-controlled sound recordings by radio stations based in metropolitan areas.

1. Rates:

Licence fees shall be calculated by reference to Net Advertising Revenue (NAR). The amounts payable shall be as follows

- (i) 4.2% of the first €1,941,000 NAR
- (ii) 4.5% of NAR between €1,941,001 and €7,766,000
- (iii) 5.25% of NAR above €7,766,001

These NAR bands will be adjusted annually, on 1st January, in line with CPI.

2. Net Advertising Revenue

NAR is defined as gross audited on-air income less an all-in reduction of 23%. On-air income shall include gross (i.e. gross of any commissions paid or agency discounts allowed) advertising sales invoiced and gross sponsorship income. Contra deals are not included.

3. Calendar Year Ending 31st December 2020

PPI and the Broadcaster shall agree an estimated liability for the period ending 31st December 2020, based on projected NAR for this period. This liability shall then be discharged by monthly standing order payments. If, at the end of the period it transpires that the amount paid was actually in excess of the actual sum payable, PPI will refund the excess, or it may be credited against future liabilities, as the parties agree. If the sum paid is less than the sum actually due, the Broadcaster must forward the balance to PPI within 60 days of the end of the period.

The Broadcaster shall furnish PPI with a statement from its auditors verifying the NAR figure for this period and all subsequent years ending 31 December.

4. 2021 and Future Years

The Broadcaster shall supply PPI with a statement of projected NAR for each calendar year by 1st December in the previous year. The Broadcaster shall promptly answer all reasonable queries from PPI regarding this statement. Based on this projection, an estimated liability shall be computed and discharged by monthly standing order payments.



TARIFF
NO.
74

EFFECTIVE DATE
1st JANUARY 2020

5. VAT

All licence fees payable are subject to Value Added Tax at the prevailing rate (currently 23%)

6. Lead-in Discounts

Discounts shall be applied as follows:

Year 1	=	50%
Year 2	=	25%
Year 3	=	20%
Year 4	=	12.5%
Year 5	=	7.5%

7. Airplay Logs

Detailed written returns of all sound recordings broadcast shall be provided by the Broadcaster to PPI on a monthly basis and shall include the title of the musical work recorded, the name of the recording artist, the label on which the recording was released in Ireland, the prefix number on the recording, the duration for which it was broadcast, and the time and date of the broadcast. PPI reserves the right to amend, vary or waive the requirements of this provision.

8. Right of Audit

PPI reserves the right from time to time, but not more than once in each calendar year, upon reasonable notice to require the Broadcaster to make its books and records available to PPI, or its designated representative, for the purpose only of verifying any returns made by the Broadcaster pursuant to the above terms. PPI shall bear the cost of any such audit, unless as a result, additional licence fees greater than the cost of the audit become payable, in which case the cost of the audit shall be borne by the Broadcaster.

9. Indemnities

The Broadcaster shall indemnify PPI against all and any expenses, costs, claims, damages and actions arising directly or indirectly from any breach by it of any of these terms.

10. Amendments

PPI reserves the right to amend these terms upon giving notice to a radio station and the Controller in writing to that effect. The said terms may further be varied by mutual agreement.

11. Acceptance

The receipt by PPI of the first monthly payment due under term 4 above shall be deemed to be acceptance by the radio station of these terms.



TARIFF

NO.

75

EFFECTIVE DATE
1st JANUARY 2020

BROADCASTING OF SOUND RECORDINGS

TERMS FOR INDEPENDENT LOCAL RADIO STATIONS

1. The radio station shall pay equitable remuneration to PPI computed in accordance with the tariff scale on Page 3 hereof.
2. 'Income' means the aggregate of any gross licence fee income received, Net Advertising Revenue received, revenue received from subscriptions and donations, income received from sponsorship (other than "off-air" sponsorship) less incremental costs directly and reasonably incurred by the Licensee in producing sponsored outside broadcast events subject to said costs not exceeding the sponsorship income, and income received in a form other than money e.g. contra deals and barter arrangements and in such cases the arrangement shall be fully described and its reasonable value reported as if a regular billing had been made.
3. 'Net Advertising Revenue' ('NAR') means the gross revenue derived and actually received by the radio station from the sales of advertising time within its broadcasting time less actual agency discounts and commissions allowed in relation to such sales not exceeding 23%. NAR shall include all payments received, whether in money or in any form, and where in a form other than money (e.g. contra deals) shall be described and its reasonable value reported as if a regular billing had been made.
4. All radio stations must sign a monthly standing order form for an amount which it is estimated (by agreement between PPI and the radio station) will be payable to PPI for each twelve month period commencing 1 January 1995. If at the end of any twelve calendar month period it transpires that the amount paid was in excess of the sum payable, PPI will refund the excess paid to the radio station. If the sum paid by the radio station is less than actually due, the radio station must forward the balance due to PPI within 31 days of the end of that calendar year.
5. The radio station shall furnish a statement of projected income for each calendar year by 1 December in the previous year. The radio station shall promptly answer all reasonable queries from PPI regarding this statement of projected income. In addition the radio station shall furnish PPI with a statement from its Auditors verifying the income figures of each calendar year.
6. Interest at the rate of 1% per month above the AIB Banks plc triple A ('AAA') rate shall be charged on any sum due not paid to PPI by the due date.
7. All sums payable by the radio station under this tariff are liable to Value Added Tax at the appropriate rate.

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EFFECTIVE DATE
1st JANUARY 2020

8. 'Music Usage', insofar as it has a bearing on the scale of charges at page 3 hereof, means the proportion (expressed in percentage terms) of total daily broadcasting time occupied by the broadcasting of sound recordings and shall be calculated by taking the amount of hours for which sound recordings are broadcast in the period commencing at 7.30am on each day and ending at 10.00pm on that day and dividing such amount by 14.5 and multiplying the fraction by 100.

9. The following percentage reductions shall apply to the tariff during the first five years of operations:-

Year 1	50%
Year 2	25%
Year 3	20%
Year 4	12.5%
Year 5	7.5%

If broadcasting commenced after 1 April in any particular year, the Year 1 discount shall apply to the year ending 31 December of the following year.

10. Detailed written returns of all sound recordings broadcast shall be provided by the radio station to PPI on a monthly basis and shall 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 on the record, and the duration for which the sound recording was broadcast in each instance and the date and time of the broadcast. In accordance with Clause 12 below, PPI reserves the right to amend, vary or waive the requirements of this provision.
11. PPI reserves the right from time to time upon reasonable notice to require a radio station to make its books and records available to PPI for the purpose only of verifying any returns made by the radio station pursuant to the above terms.
12. PPI reserves the right to amend these terms upon giving notice to a radio station in writing to that effect. The said terms may further be varied by mutual agreement.
13. The radio station shall indemnify PPI against all and any expenses, costs, claims, damages and actions arising directly or indirectly from any breach by it of any of these terms.
14. The receipt by PPI of the first monthly payment due under term 4 above shall be deemed to be acceptance by the radio station of these terms.

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TARIFF: FOR THE BROADCASTING OF SOUND RECORDINGS
TITLE: INDEPENDENT LOCAL RADIO STATIONS
EFFECTIVE DATE: 1st JANUARY 2020

Annual Income Band		Band Amount	Individual Band Tariff (%)	Individual Band Tariff (€)	Cumulative Top of Band Tariff (€)	Tariff Amount as % of Income
€	€	€	%	€	€	%
0	- 105,599	104,900	1.30	1,364	1,364	1.29
105,600	- 211,199	104,900	1.95	2,046	3,409	1.61
211,200	- 316,899	104,900	2.60	2,727	6,137	1.94
316,900	- 525,099	206,800	3.25	6,721	12,858	2.45
525,100	- 838,999	311,700	3.90	12,156	25,014	2.98
839,000	- 1,259,599	417,700	4.55	19,005	44,019	3.49
1,259,600	- 1,680,199	417,700	5.20	21,720	65,740	3.91
1,680,200	- 2,100,899	417,700	5.85	24,435	90,175	4.29
2,100,900	- 2,624,099	519,600	6.50	33,774	123,949	4.72
2,624,100	- 3,147,299	519,600	7.15	37,151	161,101	5.12
3,147,300	- 3,670,599	519,600	7.80	40,529	201,629	5.49
3,670,600	- 4,193,799	519,600	8.45	43,906	245,536	5.85
4,193,800	- 4,716,999	519,600	9.10	47,284	292,819	6.21
4,717,000	- 5,240,299	519,600	9.75	50,661	343,480	6.55
5,240,300	- 6,291,899	1,044,300	10.40	108,607	452,087	7.19
6,291,900	- 8,388,999	2,082,500	11.05	230,116	682,204	8.13
8,389,000	- 10,485,999	2,082,500	11.70	243,653	925,856	8.83
10,486,000	- plus		12.35			

NOTES:

USAGE FACTOR ADJUSTMENT

The above tariff amounts and percentages apply where PPI needletime amounts to 65% of total transmission time. Where PPI needletime does not amount to 65% of total transmission time, an adjustment factor representing the proportion that the actual PPI needletime percentage bears to 65% is applied to the above tariff amounts, e.g.:

PPI NEEDLETIME %

40%
55%
70%

ADJUSTMENT FACTOR

40/65ths
55/65ths
70/65ths

INFLATION / DEFLATION

For 2021 and future years the above tariff for 2020 shall be adjusted in line with the Consumer Price Index (CPI).



TARIFF

NO.

76

Effective Date: 1st January 2020

BROADCASTING OF SOUND RECORDINGS

TERMS FOR "TALK" RADIO STATIONS WITH LESS THAN 5% MUSIC USAGE

1. Definition of "Talk" Radio

Radio stations whose total broadcast output consists of greater than 0.5% but less than 5% of PPI's members' repertoire.

2. The Tariff

The radio station shall pay equitable remuneration to PPI at the rate of 0.5% of its Net Advertising Revenue.

3. Net Advertising Revenue

Net Advertising Revenue is defined as gross audited on-air income less an all-in deduction of 23%. On-air income shall include gross advertising sales invoiced and gross sponsorship income.

4. Payment

- (i) All radio stations must sign a monthly standing order form for an amount which it is estimated (by agreement between PPI and the radio station) will be payable to PPI for each twelve month period commencing 1st January 2009.
- (ii) At the end of each 12 calendar month period, and as soon as is reasonable, the radio station shall furnish PPI with a statement from its auditors certifying the Net Advertising Revenue of that period, and any deductions therefrom. The statement will be in a form prescribed by PPI.
- (iii) PPI shall then calculate the actual licence fee due for that period, in accordance with the tariff scale set out above.
- (iv) If, as a result of this calculation, there is an overpayment by the radio station, PPI shall immediately refund the excess paid to the radio station, or the radio station may elect to have the overpayment credited against future licence fees.
- (v) If the calculation results in an underpayment to PPI, the radio station shall immediately forward the balance due to PPI.
- (vi) Interest at the rate of 1% per month above the AIB Bank plc triple A ('AAA') rate shall be charged on any sum due not paid to PPI by the due date.

5. Value Added Tax

All sums payable by the radio station under this tariff are liable to VAT at the appropriate rate.

6. Audits

PPI reserves the right from time to time upon reasonable notice to require a radio station to make its books and records available to PPI for the purpose only of verifying any returns made by the radio station pursuant to these terms.

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TARIFF

NO.

76

Effective Date: 1st January 2020

7. Music Usage

Music Usage, insofar as it has a bearing on the licence fee payable by a talk-based radio station, means the proportion (expressed in percentage terms) of total daily broadcasting time occupied by the broadcasting of sound recordings and shall be calculated by taking the amount of hours for which sound recordings are broadcast in the period commencing at 7.30am on each day and ending at 10.00pm on that day and dividing such amount by 14.5 and multiplying the fraction by 100.

8. PPI Music Reports

Detailed written returns of all sound recordings broadcast shall be provided by the radio station to PPI on a monthly basis and shall include the programme title, 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 catalogue number on the record, and the duration for which the sound recording was broadcast in each instance and the date and time of the broadcast.

9. Discounts for New Stations

- (i) The following percentage reductions shall apply to the tariff during the first five years of a radio station's operations:-
- | | |
|--------|-------|
| Year 1 | 50% |
| Year 2 | 25% |
| Year 3 | 20% |
| Year 4 | 12.5% |
| Year 5 | 7.5% |
- (ii) If broadcasting commenced after 1 April in any particular year, the Year 1 discount shall apply to the year ending 31 December of the following year.

10. Amendment / Waiver

PPI reserves the right to amend or waive all or any of these terms upon giving notice to a radio station in writing to that effect. The said terms may further be varied by mutual agreement.

11. Indemnity

The radio station shall indemnify PPI against all and any expenses, costs, claims, damages and actions arising directly or indirectly from any breach by it of any of these terms.

12. Acceptance

The receipt by PPI of the first monthly payment due under term 2 above shall be deemed to be acceptance by the radio station of these terms.

Effective Date: 1st January 2020

INTERNET RADIO SERVICES

SMALL WEBCASTERS, LINEAR WEBCASTERS, AND SEMI-INTERACTIVE WEBCASTERS

INTERNET SIMULCASTING OF BROADCASTS, PODCASTS FEATURING MUSIC CLIPS, AND CATCH-UP / ARCHIVED PROGRAMMES OF TERRESTRIAL PUBLIC AND COMMERCIAL INDEPENDENT RADIO STATIONS LICENSED BY THE BROADCASTING AUTHORITY OF IRELAND

Charges 1-3 under this licensing scheme (see page 5) apply to any Webcaster or Internet radio service intending to include Sound Recordings in a Small Webcast Service, a Linear Webcast Service, or a Semi-Interactive Webcast Service.

Charges 4-7 under this licensing scheme (see pages 5-6) apply to any terrestrial public and commercial independent radio stations licensed by the Broadcasting Authority of Ireland intending to include Sound Recordings in an Internet Simulcast Service, Podcasts Featuring Music Clips, or a Catch-Up / Archived Programme Service.

The station ('the Licensee') shall notify PPI that it wishes to do one or both of the above ('the Service') prior to first going on air and shall pay licence fees to PPI in accordance with the applicable scale of charges on pages 5 and 6.

This Tariff does not cover the licensing of subscription services.

SERVICE DEFINITIONS

The words and phrases contained in this Tariff shall have the following meanings:-

Small Webcast Service	<p>An Internet-only radio service with annual revenues of less than €6,000 and serving no more than 200,000 individual streams annually.</p> <p>Subject to the limitations above, a Small Webcast Services may offer similar functionality to a Linear Webcast Service, a Semi-Interactive Webcast Service and a Podcast Featuring Music Clips.</p>
Linear Webcast Service	<p>An Internet-only radio service with annual revenues in excess of €6,000 and/or serving more than 200,000 individual Streams annually.</p> <p>Linear Webcast Services may include a facility to pause the programme and to restart it from that same point. No other interactive functionality is allowed.</p>

Effective Date: 1st January 2020

Semi-Interactive Webcast Service	<p>An Internet-only radio service with annual revenues in excess of €6,000 and and/or serving more than 200,000 individual Streams annually.</p> <p>A 'skip' facility may be included but only to the extent that it enables the listener to move to the beginning of the next Track in the Stream. The listener may pause any Track and may also be allowed to 'skip' Music Tracks up to six times per hour. The listener shall not be permitted to request specific Music Tracks or artists.</p>
Internet Simulcast Service	<p>The simultaneous, unaltered, non-interactive transmission via the Internet of terrestrial broadcasts.</p> <p>Simulcast services may include a facility to pause the programme. A fast-forward facility may be included but only to the extent that it enables the listener to 'catch up' with the real-time terrestrial broadcast.</p>
Podcasts Featuring Music Clips	<p>A digital file containing excerpts of previously transmitted material which may be downloaded by listeners.</p> <p>The Licensee may offer Podcasts for download via its website or other platform by which it interacts with its listeners.</p> <p>If a Podcast contains Music Tracks, the duration of each Track must be edited down to no more than 30 seconds in duration and each Track may only be used once in any Podcast. Where a Track is used in a number of different Podcasts, the same 30 second clip must be used each time.</p>
Catch-Up / Archived Programme Service	<p>A previously transmitted programme which is available repeatedly on the demand of a user and which is performed in the same order from the beginning to end. An Archived Programme may not be downloaded by listeners to the Service; it can only be made available as a streamed transmission.</p>

OTHER KEY DEFINITIONS

Dubbing	<p>The transfer or copying of a Music Track from one medium (e.g. a CD or digital file on a portable Player) to another of the same or a different type (e.g. a digital file on a playout server database). Save for what the Licensee is permitted to do below, a Music Track may not be copied without the express consent of the owner of the copyright in the Track.</p>
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Effective Date: 1st January 2020

	<p>The Licensee may make copies of authorised (i.e. obtained from legitimate sources) Music Tracks but only for the purpose of their subsequent transmission as part of the Service. If the Licensee maintains such copies on a digital database, the database should only be used for the purpose of transmitting the copied Music Tracks held in it and it must be secured from unauthorised access. The Licensee may not, under any circumstances or for any purposes (including station promotion purposes), copy Music Tracks in full or in part, onto any portable media devices such as CDs, memory cards, USB keys, portable hard drives, laptops or other similar devices.</p> <p>A Dubbing fee equivalent to 15% of the annual licence fee calculated in accordance with the scale of charges below, shall be payable by the Licensee to cover the copying of Music Tracks for the purposes of their subsequent transmission as part of the Service.</p>
PPI Repertoire	All Sound Recordings ("Music Tracks") in which PPI controls the rights applicable under this Tariff.
Track and Artist Information	<p>The Licensee may give advance information (either via the Licensee's website or social media interface or announced through the Service) as to the specific Tracks that will be played in the future but shall not specify the time(s) at which the Track or Tracks will be played.</p> <p>The Licensee of a Webcasting Service may include, strictly simultaneously with the transmission of a Music Track, data which shows the artist name and Track title.</p>



TARIFF

NO.

77

Effective Date: 1st January 2020

REPORTING AND PAYMENT

The Annual Minimum Licence Fee will be invoiced by PPI in advance.

The Licensee shall pay PPI's invoice within 30 days of receiving it.

The Licensee will need to provide reporting to PPI as follows (PPI's music usage reporting format is available on request).

	<u>Number of Streams</u>	<u>Revenue</u>	<u>Music usage</u>
<u>Small Webcast Licence</u>	Annually, on request	On request	Annually, On request
<u>Linear Webcast Licence</u>	Quarterly	Annually	Quarterly, on request
<u>Semi-Interactive Webcast Licence</u>	Quarterly	Annually	Quarterly, on request
<u>Internet Simulcast Licence</u>	Quarterly, on request	Annually	Quarterly, on request. Not required if already supplied for primary broadcast
<u>Podcasts Featuring Music Clips</u>	Quarterly, on request	Annually	Quarterly, on request
<u>Catch-Up / Archived Programme Service</u>	Quarterly, on request	Annually	Quarterly, on request

Where a Licensee reports a number of Streams that, when multiplied by the Rate per Track per Stream on page 5, exceeds the Minimum Annual Licence Fee paid by the Licensee at the start of the calendar year, PPI will issue an invoice for the additional licence fee owed. The Licensee shall pay PPI's invoice within 30 days of receipt.

PPI also has the right, upon reasonable notice, and not more than once in any calendar year, to further examine, or to appoint an auditor to visit the Licensee's premises to examine the Licensee's books and records the data on which the Streaming, revenue and usage reports (as applicable) are based for the sole purpose of verifying the accuracy of the report(s).

If a Webcast or Simulcast is made available to listeners outside the Territory, i.e. it is not 'geo-blocked' or restricted to reception by IP addresses within the Territory, then the Licensee must provide PPI with a quarterly usage report detailing the territories in which Streams are received, the duration and number of such Streams and the number of Tracks Streamed in each case. Please contact PPI for full details.

Effective Date: 1st January 2020

SCALE OF CHARGES

All charges are subject to Value Added Tax at the prevailing rate.

All Per Track Per Stream rates (other than 3(a) below) are inclusive of Dubbing.

1. **SMALL WEBCASTERS** (*annual revenue < €6,000, < 174,000 total streams*)

(a) Minimum Annual Licence Fee for Webcasting per channel:	€184.89
(b) Minimum Annual Licence Fee for Dubbing per channel:	€32.61
Total Minimum Annual Licence Fee per channel:	€217.50

2. **LINEAR WEBCASTERS** (*annual revenue > €6,000, > 174,000 total streams*)

(a) Per Track Per Stream (i.e. individual listener):	€0.00125
(b) Minimum Annual Licence Fee for Webcasting per channel:	€462.21
(c) Minimum Annual Licence Fee for Dubbing per channel:	€81.57
Total Minimum Annual Licence Fee per channel:	€543.78

3. **SEMI-INTERACTIVE WEBCASTERS** (*annual revenue > €6,000, > 200,000 total streams*)

(a) Per Track Per Stream (i.e. individual listener):	€0.00164
(b) Minimum Annual Licence Fee for Webcasting per channel:	€462.21
(c) Minimum Annual Licence Fee for Dubbing per channel:	€81.57
Total Minimum Annual Licence Fee per channel:	€543.78

4. **SIMULCASTING** (*by radio stations already licensed by PPI for terrestrial broadcasting only*)

(a) Per Track Per Stream (i.e. individual listener):	€0.00125
(b) Minimum Annual Licence Fee for Simulcasting:	€462.21
(c) Minimum Annual Licence Fee for Dubbing:	€81.57
Total Minimum Annual Licence Fee:	€543.78

5. **PODCASTS FEATURING MUSIC CLIPS** (*by radio stations already licensed by PPI for terrestrial broadcasting only*)

(a) Per Track Per Stream (i.e. individual listener):	€0.00125
(b) Minimum Annual Licence Fee for Podcasts:	€462.21
(c) Minimum Annual Licence Fee for Dubbing:	€81.57
Total Minimum Annual Licence Fee:	€543.78

6. **CATCH-UP / ARCHIVE PROGRAMMING** (*by radio stations already licensed by PPI for terrestrial broadcasting only*)

(a) Per Track Per Stream (i.e. individual listener):	€0.00125
(b) Minimum Annual Licence Fee for Catch-Up:	€462.21
(c) Minimum Annual Licence Fee for Dubbing:	€81.57
Total Minimum Annual Licence Fee:	€543.78



TARIFF

NO.

77

Effective Date: 1st January 2020

7. ADMINISTRATION FEE FOR RECEPTION OUTSIDE THE TERRITORY

Where a Service is not 'geo-blocked' and is open to reception outside the Territory, a licence fee calculated in accordance with the scale of charges above is increased by 10% to cover the administration expense involved in accounting for Streams received outside the Territory.

NOTE

1. PPI reserves the right to amend these terms on giving notice to The Controller of Patents, Designs and Trademarks in writing to that effect.
2. A full copy of PPI's standard licence agreement for this tariff is available on request. Terms used and not otherwise defined in this tariff have the meanings given in the relevant licence agreement.



TARIFF

NO.

78

Effective Date: 1st January 2020

BROADCASTING AND SIMULCASTING OF SOUND RECORDINGS

**COMMUNITY, COMMUNITY OF INTEREST AND TEMPORARY RADIO STATIONS LICENSED BY
THE BROADCASTING AUTHORITY OF IRELAND**

TERMS AND CONDITIONS

This licensing scheme applies to any community, community of interest or temporary radio station that is licensed by the Broadcasting Authority of Ireland that intends to include Sound Recordings in

- (a) terrestrial analogue or digital broadcasts, or
- (b) internet Simulcasts of terrestrial broadcasts.

The station ('the Licensee') shall notify PPI that it wishes to do one or both of the above ('the Service') prior to first going on air and shall pay licence fees to PPI in accordance with the scale of charges on page 6.

If the Licensee wishes to provide, separate to the Service, an internet-only radio service, then the Licensee must also obtain a 'small webcaster' licence under PPI's Tariff 77 'Non-Interactive Internet Radio Services'.

The payment by the Licensee of the first payment pursuant to the scale of charges on page 6 shall be deemed to be acceptance by the Licensee of the terms and conditions below.

DEFINITIONS

The words and phrases contained in these terms and conditions shall have the following meanings:-

'Archived
Programme'

A previously transmitted programme which is available repeatedly on the demand of a user and which is performed in the same order from the



TARIFF

NO.

78

Effective Date: 1st January 2020

beginning to end. An Archived Programme may not be downloaded by listeners to the Service; it can only be made available as a streamed transmission.

'Player'	Any device capable of playing a transmission of a Music Track.
'Podcast'	A digital file containing excerpts of previously transmitted material which may be downloaded by listeners.
'Repertoire'	All Sound Recordings and Music Tracks in which PPI controls the right to broadcast, Stream and Simulcast.
'Show Promo'	A pre-recorded, self-contained piece of audio produced solely for the purpose of promoting a forthcoming programme. A Show Promo may not be downloaded by listeners to the Service; it can only be made available as a streamed transmission.
'Simulcast' and 'Simulcasting'	The simultaneous, unaltered, non-interactive (save for the facility to pause and fast-forward as set out below) transmission via the Internet of terrestrial broadcasts to online listeners in the Republic of Ireland (the Territory) and in licensed territories. New territories are regularly added to the list of licensed territories, so please contact PPI for the most up-to-date list.
'Sound Recording', 'Music Track' and 'Track'	A commercially released recording on CD/Vinyl/MP3 or any other medium. Any reference in these terms and conditions to Sound Recordings, Music Tracks and Tracks assumes that they are owned by or licensed to PPI members.
'Station Promo'	A pre-recorded, self-contained piece of audio produced solely for the purpose of promoting the Service. A Station Promo may not be downloaded by listeners to the Service; it can only be made available as a streamed transmission.



TARIFF

NO.

78

Effective Date: 1st January 2020

'Stream' and
'Streaming'

The delivery via the Internet of a continuous audio transmission that enables the contemporaneous performance of the transmitted Music Track(s) by a Player.

'Stream Ripping'

A form of piracy whereby, using software designed for this purpose, individual Tracks may be identified by the metadata markers transmitted in the Stream and 'ripped' from the Stream and downloaded by the listener as discrete Tracks. The Licensee shall take all reasonable steps to prevent Stream Ripping, including the use of generally available proprietary software specifically designed for this purpose.

WHAT THE LICENSEE CAN DO

PODCASTS:

The Licensee may offer Podcasts via its website for download by listeners. If a Podcast contains Music Tracks, the duration of each Track must be edited down to no more than 30 seconds and each Track may only be used once in any Podcast. Where a Music Track is used in a number of different Podcasts, the same 30 second clip must be used each time.

ONLINE MUSIC SERVICES:

The Licensee may use Tracks downloaded or Streamed from authorised music services, provided always that the Licensee has paid the appropriate download or subscription fee (if any). For details of authorised online music services, please contact PPI.

SHOW PROMOS:

The Licensee may include clips of Music Tracks in Show Promos provided that any such clips shall not exceed 30 seconds in duration.

MUSIC BEDS & JINGLES:

The Licensee may include Music Tracks as beds underlying information segments such as news, traffic updates, continuity announcements and public notices. The Licensee may also use Music Tracks as part of station jingles provided that the integrity of the Track is maintained and the term in relation to mixing (below) is observed.



TARIFF

NO.

78

Effective Date: 1st January 2020

PAUSE / FAST FORWARD:

Simulcast services may include a facility to pause the programme. A fast-forward facility may be included but only to the extent that it enables the listener to 'catch up' with the real-time terrestrial broadcast.

PROGRAMME ENDORSEMENTS:

The Licensee / Service may include actual band or artist endorsements of programmes or of the Service itself.

ADVANCE TRACK INFORMATION:

The Licensee may give advance information (either via the Licensee's website or social media interface or announced through the Service) as to the specific Tracks that will be played in the future but shall not specify the time(s) at which the Track or Tracks will be played.

COPYING:

The Licensee may make copies of Music Tracks but only for the purpose of their subsequent transmission as part of the Service. If the Licensee maintains such copies on an electronic database, the database should only be used for the purpose of transmitting the copied music Tracks held in it and it must be secured from unauthorised access. The Licensee may not, under any circumstances or for any purposes (including station promotion purposes), copy Music Tracks, in full or in part, onto any portable media devices such as CDs, memory cards, USB keys, portable hard drives, or laptops.

WHAT THE LICENSEE CAN'T DO

MIXING:

The Licensee may not mix (with the exception of mixes performed live on air which do not involve the creation of a new track), re-mix, edit or re-edit (save to comply with broadcasting standards) any Music Track without the prior written consent of the PPI member that owns the copyright in the Track. This does not prevent the Licensee from interrupting or cutting short any Track.

ADVERTISING:

The Licensee may not use a Music Track in any commercial or non-commercial advertisements (save for advertisements of concerts, when the tracks of the artist(s) appearing may be used) or endorsements without the prior written consent of the PPI member that owns the copyright in the Track. For information on obtaining the necessary consent, please contact PPI.



TARIFF

NO.

78

Effective Date: 1st January 2020

ENDORSEMENTS:

The Licensee may not state or imply that any goods or services are commercially associated with any Music Tracks or endorsed by any PPI member, band or artist or other party who owns rights in or in connection with such Music Tracks without the prior written consent of the PPI member that owns the copyright in the Track. For information on obtaining the necessary consent, please contact PPI.

REPEAT TRACKS / PROGRAMMES:

Distinct programmes or pre-programmed content (such as Music Tracks being provided by a playout server) cannot be repeated or 'looped' within a 1 hour period.

UNAUTHORISED RECORDINGS:

The Licensee may not knowingly transmit any unauthorised recordings (e.g. bootlegs, illegally downloaded tracks, unreleased tracks, unauthorised mixes, mash-ups etc.).

WHAT THE LICENSEE MUST DO

QUALITY:

The Licensee must, in so far as is reasonably practicable, ensure that when Simulcasting, the quality of the transmission is good enough to listen to music as well as speech.

REPORTING:

In order to distribute the licence fees collected under this tariff, PPI requires detailed logs of all Music Tracks used by the Service as well as usage reports providing details of all Simulcast Streams served by the station to individual listeners and if outside the Territory, the geographical location of those listeners. However, recognising that for Licensees under this tariff such a requirement may result in financial commitments in excess of the licence fees actually payable, PPI waives its right to receive airplay logs and usage reports.

PAYMENTS:

The Licensee shall pay PPI's invoice within 30 (thirty) days of receiving it.



TARIFF

NO.

78

Effective Date: 1st January 2020

SCALE OF CHARGES

COMMUNITY AND COMMUNITY OF INTEREST STATIONS

Annual Licence Fee:	Terrestrial broadcasting only	€ 477.80
	Terrestrial broadcasting plus Internet Simulcasting	€ 525.60

TEMPORARY RADIO STATIONS (no more than 30 days per year, 7 day minimum)

Fee Per Day:	Terrestrial broadcasting only	€ 6.50
	Terrestrial broadcasting plus Internet Simulcasting	€ 7.15

HOSPITAL RADIO STATIONS

Annual Licence Fee:	€ 11.94
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NOTES

1. Charges are payable on an annual basis
2. **The payment by the Licensee of the first payment pursuant to the scale of charges above shall indicate acceptance of all the terms and conditions contained in this tariff**
3. Charges are subject to Value Added Tax at the prevailing rate
4. For 2021 and future years the above charges for 2020 shall be adjusted in line with the Consumer Price Index
5. PPI reserves the right to amend these terms on giving notice to The Controller of Patents, Designs and Trademarks in writing to that effect



TARIFF
NO.
80

EFFECTIVE DATE
1st JANUARY 2020

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 2020.
7. PPI reserves the right to amend these terms upon giving notice to The Controller of Patents, Designs and Trademarks 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 2020 - SEE NOTE 6 ON PAGE 1

ANNUAL FIXED PAYMENT: €363.79

<u>ATTENDANCE/CAPACITY (See note (d) below)</u>			<u>FEE PER EVENT</u>
			€
0	to	50	7.21
51	to	100	21.63
101	to	150	36.05
151	to	200	50.47
201	to	250	64.89
251	to	300	79.29
301	to	350	93.72
351	to	400	108.13
401	to	450	122.56
451	to	500	136.97
501	to	550	151.39
551	to	600	165.81
601	to	650	180.23
651	to	700	194.65
701	to	750	209.06
751	to	800	223.48
801	to	850	237.90
851	to	900	252.32
901	to	950	266.73
951	to	1,000	281.15

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

cont./...

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 €9.46 to €11.92. 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 €4.80	0.55	45% Reduction
€4.81 to €7.16	0.70	30% Reduction
€7.17 to €9.45	0.85	15% Reduction
€9.46 to €11.92	1.00	No Effect
€11.93 to €14.27	1.15	15% Increase
€14.28 to €16.65	1.30	30% Increase
€16.66 to €19.08	1.45	45% Increase

A pro-rata adjustment factor shall apply to admission prices above: €19.08

(b) **INFLATION / DEFLATION**

For 2021 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 2019 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>	
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 2020

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 2020.
7. PPI reserves the right to amend these terms upon giving notice to The Controller of Patents, Designs and Trademarks 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: FOR THE PUBLIC USE OF MUSIC VIDEOS AS
SPECIALLY FEATURED ENTERTAINMENT

TITLE: VENUES OPERATING DURING NORMAL LICENSING HOURS

EFFECTIVE DATE: 1st JANUARY 2020 - SEE NOTE 6 ON PAGE 1

ANNUAL FIXED PAYMENT:

€363.79

ATTENDANCE/CAPACITY (See note (d) below)

FEE PER EVENT

€

0	to	50	1.80
51	to	100	5.41
101	to	150	9.01
151	to	200	12.61
201	to	250	16.22
251	to	300	19.83
301	to	350	23.43
351	to	400	27.03
401	to	450	30.64
451	to	500	34.24
501	to	550	37.85
551	to	600	41.45
601	to	650	45.06
651	to	700	48.66
701	to	750	52.27
751	to	800	55.87
801	to	850	59.48
851	to	900	63.08
901	to	950	66.68
951	to	1,000	70.28

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

contd./...

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 €9.46 to €11.92. 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 €4.80	0.55	45% Reduction
€4.81 to €7.16	0.70	30% Reduction
€7.17 to €9.45	0.85	15% Reduction
€9.46 to €11.92	1.00	No Effect
€11.93 to €14.27	1.15	15% Increase
€14.28 to €16.65	1.30	30% Increase
€16.66 to €19.08	1.45	45% Increase

A pro-rata adjustment factor shall apply to admission prices above: €19.08

(b) **INFLATION / DEFLATION**

For 2021 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 2019 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>		
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: FOR THE PUBLIC USE OF MUSIC VIDEOS
TITLE: MUSIC VIDEO AS BACKGROUND ENTERTAINMENT
EFFECTIVE DATE: 1st JANUARY 2020 - SEE NOTES BELOW

ANNUAL TARIFF PER SITE:

TYPE "A" SITES:-

FEE

€

Pubs / Cafes / Restaurants / Cinema Foyers /
Social Clubs / Shops / Coaches / Hotels / etc.

301.38

TYPE "B" SITES:-

Small Chain Stores / Promotions (*) / Single
Departments in Large Department Stores / etc.

753.46

TYPE "C" SITES:-

Large Chain Stores / Supermarkets /
Department Stores / etc.

3,013.85

(*) 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 2021 and future years the above tariff for 2020 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 2020.
- (5) PPI reserves the right to amend these terms upon giving notice to The Controller of Patents, Designs and Trademarks 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 2020

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): | €0.01087 |
| (b) | Minimum Annual Licence Fee for Webcasting per channel: | €184.87 |
| (c) | Minimum Annual Licence Fee for Dubbing per channel: | €32.62 |
| | Total Minimum Annual Licence Fee per channel: | €217.49 |

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 serving more than 20,000 total streams annually

- | | | |
|-----|--|---------------|
| (a) | Per Music Video Per Stream (i.e. individual viewer): | €0.01087 |
| (b) | Minimum Annual Fee for Webcasting per Channel: | €4,621.60 |
| (c) | Minimum Annual Fee for Dubbing per channel: | €815.58 |
| | Total Minimum Annual Licence Fee per channel: | €5,437.18 (*) |

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

3. **ADMINISTRATION FEE FOR RECEPTION OUTSIDE THE TERRITORY**

Where a service licensed above is open to reception outside the Republic of Ireland, i.e. it is not "geo-blocked", a licence fee calculated above is increased by 10% to cover the administration expense involved in accounting for streams received outside the territory.

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) PPI reserves the right to amend these terms upon giving notice to that effect in writing to the Controller of Patents, Designs and Trademarks.

TARIFF: FOR THE USE OF MUSIC VIDEOS
TITLE: NON-INTERACTIVE INTERNET GENERAL TV
WEBCASTING / STREAMING SERVICES
EFFECTIVE DATE: 1st JANUARY 2020

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):	€0.01087
(b)	Minimum Annual Licence Fee for Webcasting per channel:	€92.43
(c)	Minimum Annual Licence Fee for Dubbing per channel:	€16.32
	Total Minimum Annual Licence Fee per channel:	€108.75

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 serving more than 20,000 total streams annually

(a)	Per Music Video Per Stream (i.e. individual viewer):	€0.01087
(b)	Minimum Annual Fee for Webcasting per Channel:	€924.32
(c)	Minimum Annual Fee for Dubbing per channel:	€163.12
	Total Minimum Annual Licence Fee per channel:	€1,087.44

3. **ADMINISTRATION FEE FOR RECEPTION OUTSIDE THE TERRITORY**

Where a service licensed above is open to reception outside the Republic of Ireland, i.e. it is not "geo-blocked", a licence fee calculated above is increased by 10% to cover the administration expense involved in accounting for streams received outside the territory.

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) PPI reserves the right to amend these terms upon giving notice to that effect in writing to the Controller of Patents, Designs and Trademarks.



TARIFF

NO.

89

EFFECTIVE DATE
1st JANUARY 2020

**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 2020

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 2020

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 & ITV) or which are licensed for reception in the Republic of Ireland by PPI 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	€60.02	€20.01
1st Repeat	€30.01	€10.00
2nd & Subsequent Repeats	€15.00	€5.00

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	€30.01	€10.00
1st Repeat	€15.00	€5.00
2nd & Subsequent Repeats	€7.50	€2.50

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) PPI reserves the right to amend these terms upon giving notice to The Controller of Patents, Designs and Trademarks in writing to that effect.

TARIEFF: FOR THE DUBBING OF SOUND RECORDINGS SUBJECT TO THE
CONTROL OF PPI FOR THE PURPOSE OF BACKGROUND MUSIC

TITLE: SOUND CARRIERS

EFFECTIVE DATE: 1st JANUARY 2020

ANNUAL TARIFF

1. DIGITAL JUKEBOXES:

Where supply of any digital jukeboxes commences AFTER receiving approval from PPI,
the following fees are payable in respect of each individual digital jukebox

Audio only	€291.06
Video only	€349.27
Combination unit	€349.27

2. HARD DISK BACKGROUND MUSIC SYSTEMS

Where supply of any Background Music System commences AFTER receiving approval from PPI,
the following fees are payable in respect of each individual Background Music System

Audio only *	€232.85
Video only	€273.61
Combination unit	€273.61

* In the event that the system holds less than 1,500 tracks at any one time and is updated
with no more than 100 tracks each month then a fee of €102.93 per annum is applicable

3. CD / MINIDISK / CD JUKEBOX

Where supply of any sound carriers commences AFTER receiving approval from PPI, the
following fees are payable in respect of each individual sound carrier

Audio only	€87.32
Audio / video combination unit	€116.42

4. DIGITAL DELIVERY OF SOUND RECORDINGS

Where sound recordings are transmitted via digital means (e.g. secure Internet connection, encrypted
satellite feed etc) to commercial premises for the purposes of public performance, the following fees
are payable in respect of each premises

For the purpose of simultaneous play-out (streaming), per month, per site:	€7.48
For the purpose of updating the track database on sound carriers by making permanent copies, per track transmitted:	€0.53

cont./...

5. **DISCOUNTS**

The following bulk discounts apply where a licensee makes payments in respect of sound carriers of the SAME kind:

- (a) **50 to 99 inclusive - a discount of 10%**
- (b) **100 to 150 inclusive - a discount of 20%**
- (c) **Excess of 150 - a discount of 30%**

NOTES:

- (1) Licensees under this tariff must first enter into an agreement with PPI. Terms available on request
- (2) If you have been carrying out the acts covered by this tariff without first obtaining or renewing your licence the applicable fee(s) above will be subject to a 100% surcharge.
- (3) Additional penalties may be imposed for unlicensed supply of digital jukeboxes / background music systems / sound carriers, at the discretion of PPI
- (4) Tariffs are payable on a quarterly basis.
- (5) Tariff amounts are liable to Value Added Tax at the appropriate rate.
- (6) For 2021 and future years the above tariff for 2020 shall be adjusted in line with the Consumer Price Index (CPI).
- (7) PPI reserves the right to amend these terms upon giving notice to The Controller of Patents, Designs and Trademarks in writing to that effect.

TARIFF:	FOR THE DUBBING OF SOUND RECORDINGS SUBJECT TO THE CONTROL OF PPI FOR THE PURPOSE OF BACKGROUND MUSIC
TITLE:	SOUND CARRIERS
EFFECTIVE DATE:	1st JANUARY 2020

ANNUAL TARIFF

1. DIGITAL JUKEBOXES:

Where supply of any digital jukeboxes commences AFTER receiving approval from PPI, the following fees are payable in respect of each individual digital jukebox

Audio only	€247.40
Video only	€296.88
Combination unit	€296.88

2. HARD DISK BACKGROUND MUSIC SYSTEMS

Where supply of any Background Music System commences AFTER receiving approval from PPI, the following fees are payable in respect of each individual Background Music System

Audio only *	€197.92
Video only	€232.57
Combination unit	€232.57

* In the event that the system holds less than 1,500 tracks at any one time and is updated with no more than 100 tracks each month then a fee of €87.49 per annum is applicable

3. CD / MINIDISK / CD JUKEBOX

Where supply of any sound carriers commences AFTER receiving approval from PPI, the following fees are payable in respect of each individual sound carrier

Audio only	€74.21
Audio / video combination unit	€98.96

4. DIGITAL DELIVERY OF SOUND RECORDINGS

Where sound recordings are transmitted via digital means (e.g. secure Internet connection, encrypted satellite feed etc) to commercial premises for the purposes of public performance, the following fees are payable in respect of each premises

For the purpose of simultaneous play-out (streaming), per month, per site:	€6.36
For the purpose of updating the track database on sound carriers by making permanent copies, per track transmitted:	€0.45

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5. **DISCOUNTS**

The following bulk discounts apply where a licensee makes payments in respect of sound carriers of the SAME kind.

- (a) 50 to 99 inclusive - a discount of 10%
- (b) 100 to 150 inclusive - a discount of 20%
- (c) Excess of 150 - a discount of 30%

NOTES:

- (1) Licensees under this tariff must first enter into an agreement with PPI. Terms available on request.
- (2) Tariff 91a **ONLY** applies if quarterly returns of sites licenced are returned to PPI no later than 30 days after the quarter end **AND** Invoices **MUST** also be paid within 60 days of invoice date. If either of these conditions are not met Tariff 91 will be applied without further notice.
- (3) If you have been carrying out the acts covered by this tariff without first obtaining or renewing your licence the applicable fee(s) above will be subject to a 100% surcharge.
- (4) Additional penalties may be imposed for unlicensed supply of digital jukeboxes / background music systems / sound carriers, at the discretion of PPI.
- (5) Tariffs are payable on a quarterly basis, in arrears.
- (6) Tariff amounts are liable to Value Added Tax at the appropriate rate.
- (7) For 2021 and future years the above tariff for 2020 shall be adjusted in line with the Consumer Price Index (CPI).
- (8) PPI reserves the right to amend these terms upon giving notice to The Controller of Patents, Designs and Trademarks in writing to that effect.

TARIFF: FOR THE DUBBING OF SOUND RECORDINGS SUBJECT TO THE CONTROL OF PPI

TITLE: PERSONAL VIDEOS

EFFECTIVE DATE: 1st JANUARY 2020

ANNUAL TARIFF

OPTION 1

€174.66 per annum for up to 20 videos or DVDs (ie up to 20 commissions for the supply of a single video or DVD or one commission to supply up to 20 of the same video/DVD)

OPTION 2

€465.68 per annum for an unlimited number of commissions, provided each commission does not exceed 50 copies of the same video/DVD

OPTION 3

€1,047.99 per annum for an unlimited number of commissions with an unlimited number of videos/DVDs

NOTES:

- (1) No copies may be made for retail sale.
- (2) Licensees under this tariff must first enter into an agreement with PPI. Terms available on request.
- (3) Tariffs are payable on a quarterly basis.
- (4) For 2021 and future years the above tariff for 2020 shall be adjusted in line with the Consumer Price Index (CPI).
- (5) Tariff amounts are liable to Value Added Tax at the appropriate rate.
- (6) PPI reserves the right to amend these terms upon giving notice to The Controller of Patents, Designs and Trademarks in writing to that effect.