



What does APRA AMCOS do with

my fees?

We care about ensuring the licence fees you pay are distributed in the most economical and accurate way possible. We deduct our expenses from the revenue we receive and then distribute your fees to the songwriters, composers and music publishers whose works we have licensed to you.

This means for every dollar we collect, about 87 cents is returned to music creators. At 13 per cent, our costs compare very favourably to organisations providing the same service overseas. For example, in the UK the figure is about 16 per cent and about 18.5 per cent in Germany.

For most events we will distribute licence fees directly to the works you report used at the event. Where we do not ask for these details, the money is added to our Live Performance pool for distribution to members according to the performances they have submitted.

Comments and complaints

We care about the service we give you and we welcome your feedback. If you'd like to comment on our service, email licence@apra.com.au. Read about our [formal complaints procedure here](#).

Disputes

If you do not agree with how we apply this licence to your business, with our fees, or with any of our services, you can use our convenient dispute resolution system. Email disputes@apra.com.au or call 02 9935 7900. Read about our [dispute resolution system here](#).

Copyright

You can get independent information on copyright from the Australian Copyright Council www.copyright.org.au.

Other licences

If you are using sound recordings controlled by PCCA (Phonographic Performance Company of Australia) contact PCCA at ppca.mail@ppca.com.au (02) 8569 1111.

Need more information?



Contact our Concerts and Events Team on 1300 852 388 or email licence@apra.com.au.

Do I have to go through APRA AMCOS to play music at my event?

There are several different ways to get permission to play music at your event.

APRA AMCOS Licence. Our licence is a one-stop shop for the world's repertoire of music and we believe it provides the easiest and most cost-effective way to access public performance rights to music.

Direct Licensing. Our members may license their music directly to music users, including for live performances and you are free to discuss this with them. You can find more details on our website under [Dealing directly with copyright owners](#).

Re-recorded or "PPCA-Free" Music. Some music suppliers re-record popular tracks using session musicians and singers. Although the product is not the original recording, you still need our licence because the lyrics and melodies are not changed and remain represented by us.

Royalty-Free Music. Some music suppliers offer recordings of music they say is outside our repertoire and so does not need our licence. If you wish to use a "Royalty-Free" music product, please contact us and we will check whether any extra licences are needed.



APRA AMCOS (the Australasian Performing Right Association and the Australasian Mechanical Copyright Owners Society) is a collective management organisation which licenses performing, communication and reproduction rights in music on behalf of more than 87,500 members and 124,000 licensees with 170 affiliated organisations worldwide.

This fact sheet is a guide only. Refer to the licences for full terms and conditions.



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FREQUENTLY ASKED QUESTIONS

APRA AMCOS LICENSING

Customer enquiries 1300 852 388 licence@pra.com.au www.pramcos.com.au

Who is APRA AMCOS?

APRA AMCOS is a not for profit non-government rights management organisation which enables music creators and customers to realise the value of music.

APRA has 89,900+ members who are songwriters, composers and music publishers. Together with AMCOS, we license organisations to play, perform, copy, record or make available our members' music, and we distribute the royalties to our members. We are affiliated with similar collecting societies around the world and distribute to more than 2 million rights holders worldwide. Similarly when Australia and New Zealand songs and compositions are performed overseas, Australia and New Zealand writers get paid. Within the Australian territory, we operate as APRA AMCOS.

APRA stands for Australian Performing Right Association and was formed in 1926 as a membership organisation to assist in the administrative role for composers, songwriters and publishers by granting economic rights, obtaining standardised and fair compensation for those rights, and distributing the royalties to the rights holder.

AMCOS stands for Australian Mechanical Copyright Owners Society and was formed in 1979. It licenses musical works to third parties so they can be reproduced or sold. These reproductions are distributed in the form of mechanical royalties to writer and publisher members.

What is copyright?

Copyright is a federal law governed by the Copyright Act (1968). The Act exists to ensure that people who make creative content (musical, literary, dramatic or artistic) are able to protect their content.

1. Why do I need an APRA AMCOS licence?

APRA AMCOS is the **ONLY** body who has **AUTHORITY** from the Australian Competition and Consumer Commission (ACCC) to license the copyright in a work on behalf of the original composer, songwriter and publisher.

The ACCC is an independent Commonwealth statutory authority whose role is to enforce the *Competition and Consumer Act 2010* and a range of additional legislation to promote competition and fair trading and to regulate national infrastructure for the benefit of all Australians.

APRA AMCOS' arrangements across its membership, licensing, distribution and international relations have been consistently authorised by ACCC for around 15 years.

Without a licence you would need to **deal directly** with the composers, songwriters and/or publishers who own the rights in the song/s you wish to use.

2. What music can I play under my APRA AMCOS licence?

An APRA AMCOS licence covers the majority of copyright music being played, with the exception of:

- Music which is out of copyright. A licence is not required for these works.
- Copyright music where the rights holders have not assigned the performing rights to APRA AMCOS or one of our overseas affiliates.
- "Royalty-free" music where the user to obtain any additional licence.
- Music which is specially written for dramatic performances, such as musicals, operettas and ballets (also known as Grand Right works).

To use this music, you need to get permission from the rights holder directly.

If you believe you may be using music which does not require an APRA AMCOS licence, please contact us for further information.

3. Where do my APRA AMCOS licence fees go?

Approximately 87 per cent of your licence fee goes straight back to songwriters, composers and publisher members as royalties. The remaining 13 per cent is used to administer these royalties. Any licensee can review our accounts in our annual sustainability report on our website.

How long does copyright last (or when is it in the 'public domain')?

It grants creators a number of exclusive rights. When a work is committed to a physical form – written down or recorded – you need permission from the creator to perform, adapt, communicate, publish or reproduce it. If circumstances in place, they are infringing the owner's rights.

In Australia, copyright in a work starts from the moment it is committed to a physical form (that is, written down or recorded), until 70 years after the death of its creator. For sound recordings, copyright exists from the moment it is recorded, until 70 years after the release year. Published editions of works are protected for 25 years from the year of publication.

Copyright law is not the same in every country. It is important that when you are in Australia you are abiding by the copyright laws here. If something is in the public domain in the US, it doesn't automatically mean it's in the public domain in Australia.

Where can I go to get more information?

- APRA AMCOS website www.pramcos.com.au
- The Arts Law Centre of Australia www.artslaw.com.au
- The Australian Copyright Council www.copyright.org.au

(To find out if a song is copyright protected, ask the APRA AMCOS research department to conduct a 'works search' for you).

4. Do I need an APRA AMCOS licence if I play royalty-free music?

There are several ways we calculate how much to distribute and to whom. Songwriter or composer through the specific, reported use of their music.

Examples include:

- Individual commercial radio and television stations reporting the music they broadcast;
- Digital download services and record labels reporting the tracks or CDs they sell and their sales volumes;
- Services using Music Recognition Technology like digital fingerprinting and audio-recognition to match performances/broadcasts to their databases;
- Data from music providers who supply programmed curated music for specific industries, such as fitness;
- Background music suppliers who provide us with music reports from their clients' playlists; and
- Set lists of musical works performed by artists and musicians at live/dance events and festivals supplied to APRA by event promoters.

Our licences provide the easiest and most cost-effective way to access the world's repertoire of music for use in your business.

However, you can contact music suppliers who offer a limited range of recordings of music that they state is outside of our repertoire and does not need our licence. This music is sometimes called "royalty-free" music, although we have found some of the music still requires a licence from us - please contact us and we will check for you.

Be aware that the duration of copyright varies from country to country and that while something may be "royalty-free" somewhere else, it is not necessarily "royalty-free" here in Australia.

Also be aware that if your repertoire is exempt from PCCA or ARIA licence requirements it may not necessarily be exempt from APRA or AMCOS licence requirements.

APRA AMCOS LICENSING FREQUENTLY ASKED QUESTIONS

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5. Do I need an APRA AMCOS licence if I only play music from overseas?

Yes, a licence is required. APRA AMCOS has reciprocal agreements with collecting societies worldwide.

For example, PRS for Music administrators Courtney Barnett's rights in the UK, which means that royalties for performances in that territory are collected by PRS for Music and distributed to her accordingly via APRA AMCOS. Similarly, APRA AMCOS administrators Ed Sheeran's rights in Australia and pays his royalties accordingly through PRS for Music.

6. How often/long do I need to pay an APRA AMCOS licence for?

You pay when you first take out the licence then when it renews once a year. If your licence fee is more than \$500 we will put you on quarterly payments (with no interest) or you can choose to pay annually.

If you no longer need our licence (e.g. if you cease to use music), you can terminate with one month's notice to us. APRA AMCOS licences are not transferrable. Therefore, if you have taken over a business or changed your ABN/ACN then a new licence will be required.

7. What is PPCA, and do I require a licence from them if I already have one with APRA AMCOS?

PPCA stands for the Phonographic Performance Company of Australia Ltd. It is a separate organisation to APRA AMCOS and grants licences for the broadcast, communication or public playing of recorded music (such as CDs, records and digital downloads) or music videos. PPCA then distributes the licence fees collected to the record labels and recording artists registered with them. In the instances where a work is recorded you are required to hold a PPCA licence as well as an APRA AMCOS licence for the public performance of works as there are (at least) two copyrights covered:

Rights owners	Performance Right	Mechanical Right
Songwriters, Composers and their Publishers	APRA	AMCOS
Recording artists and their Record labels	PPCA	ARIA

In a few countries these copyrights fall under one organisation (such as OneMusic in New Zealand), but most countries have two organisations to cover specific copyright use.

8. I only play free-to-air TV or radio. Do I need a licence from APRA AMCOS?

Yes, music on free-to-air TV or radio played in your business is a public performance of that music. This needs permission from the copyright owner of that music and the APRA AMCOS licence grants you this permission.

The separate broadcast and communication licences held by radio and TV stations cover their broadcast and communication of that music, but not your performance of the music they broadcast.

9. What is reproduction and why do I need to take out a reproduction licence when using digital music services?

The use of a digital music service in a business requires a licence from APRA AMCOS. As it currently stands, in Australia/NZ, almost all digital music services limit their service for personal and domestic use only. This is because the provision of a "commercial" offering requires the digital music service to obtain additional rights from copyright owners. This includes the rights authorising the reproduction or copying and storage of music in different formats (rights administered by AMCOS). Historically the AMCOS rights were bundled into the sale of tape cassettes and CDs, however these rights are not cleared by digital music services.

In order for a business or a commercial entity to legally use a digital music service as background music, the business must obtain both an APRA licence to authorise the Public Performance of music and an AMCOS licence to extend the use of the service into a commercial context. (It is advised that businesses should refer to the Terms & Conditions of the digital music services, and user agreement as to whether there are other permissions they require). A business may also need to contact the Phonographic Performance Company of Australia (PPCA) on 02 8569 1111 to clear the rights in the use of sound recordings.

10. My music is supplied by a background music supplier. Do I need an APRA AMCOS licence?

A background music supplier is a company that creates and supplies curated playlists and allows them to a business type and specific clientele.

This supply of music requires a public performance licence from APRA AMCOS. Some background music suppliers cover your APRA AMCOS public performance licence fees. If your background music supplier has such an arrangement with you and you only use music in the ways they've authorised, then you will not need any additional licences from us. If you use music in ways not covered by your supplier - for example live performances, karaoke or TV screens showing free or pay TV - then you will need an additional licence from us.

Background music suppliers are different to music service providers such as Apple Music, Google Play, Pandora and Spotify etc. For these, a subscription fee is paid to access the provider's repertoire as opposed to having a playlist being supplied to you for your specific purposes.

Contact us if you are not sure whether you require one of our licences. "businesses should refer to the Terms & Conditions of the music services and user agreement as to whether there are other permissions they require.

11. Do I need an APRA AMCOS licence if I pay live performers or they choose to perform live for free?

In most cases an APRA AMCOS licence is required, however, you can negotiate a direct licence with the performers. If you choose to do this and the performer agrees, they will need to apply to us for a licence-back or opt-out arrangement to allow them to license their rights in this way. They will also need to ensure that they get the consent of any co-writers, or music publishers who may have an interest in any of the works they will be performing.

A public performance is deemed to be a performance outside the private or domestic domain (i.e. home, private car, hotel room or hospital room). A wedding is categorised as a private event for instance, but a centenary parade in a regional town is a public event under our definition. A 21st birthday held at a nightclub, and where the party goes dances to the music played by DJs is also a public event. See more on Event Licences below.

13. Does my APRA AMCOS licence cover me to use music across multiple locations?

An APRA AMCOS licence is required for each location where music is being used. If your locations are trading under the same ABN then the same locations can be licensed under the one account. Please contact us for further information.

14. What happens if I don't take out a licence?

We will provide a reasonable time frame for licensees to take out a licence before escalating the matter.

Falling this, APRA AMCOS will enforce its rights on behalf of its affiliate members, which could involve court proceedings or debt recovery. Such action may result in the business having to pay the licence fees as well as legal costs and debt recovery fees.

Over 95% of businesses and organisations that APRA AMCOS deals with are readily compliant.

15. What are my options if I do not agree with how a licence is applied to my business, the fees, or with any of APRA AMCOS' services?

Let us know at licence@apra.com.au or on 1300 852 388 and we will look into your concerns.

Alternatively, you may wish to refer the matter to APRA AMCOS' independent dispute resolution process, which offers resolution pathways designed to assist parties to resolve disputes or to ensure an independent determination of issues where appropriate. For more information about this process, see: apramcos.com.au/feedback-centre/alternative-dispute-resolution/

If you have a complaint about what we do or how we do it, information about APRA AMCOS' complaints procedure is available at: apramcos.com.au/feedback-centre/complaint-detail/